



MINUTES

**For the Ordinary Meeting of Council
Held on
Tuesday 19 March 2013
6.00pm
City of Albany Council Chambers**

CITY OF ALBANY STRATEGIC PLAN (2011-2021)

The City of Albany Strategic Plan was adopted by Council on 16 August 2011 and is available at www.albany.wa.gov.au

The Plan states our vision and values as:

VISION

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

VALUES

The values of the City of Albany apply to elected members and staff who commit to:

- Results
- Ethical behaviour
- Accountability
- Leadership

ORDINARY COUNCIL MEETING

MINUTES – 19/03/2013

** REFER DISCLAIMER **

TABLE OF CONTENTS

	Details	Pg#
I.	DECLARATION OF OPENING	4
II.	OPENING PRAYER	4
III.	ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION	4-5
IV.	RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC QUESTION TIME	
	Response to Questions taken on Notice by Executive Director Works & Services	6
V.	PUBLIC QUESTION AND STATEMENT TIME	6-8
VI.	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	9
VII.	APPLICATIONS FOR LEAVE OF ABSENCE	9
VIII.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	10
IX.	DECLARATIONS OF INTEREST	11
X.	IDENTIFICATION OF MATTERS FOR WHICH COUNCIL MAY SIT BEHIND CLOSED DOORS	12
1.1.1	Governance Committee-Confidential Recommendations. In accordance with s5.23(2)(a) of the <i>Local Government Act 1995</i> If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —	
	<i>(a) a matter affecting an employee or employees</i>	
XI.	PETITIONS, DEPUTATIONS AND PRESENTATIONS-Nil	12
XII.	ADOPTION OF RECOMMENDATIONS EN BLOC-Nil	12
XIII.	REPORTS	
1.0	OFFICE OF THE CEO	
1.1	Audit and Finance Committee	1
1.1.1	Governance Committee	2
1.2	Common Seal and Executed Documents under Delegation Report	3
1.3	Representation at National General Assembly and Dynamic Cities, Regional Cooperation and Development Conference	4-8
1.4	Compliance Audit Return 2012	9-11
2.0	PLANNING AND DEVELOPMENT SERVICES	
2.1	Planning and Development Committee-Nil	
2.2	Planning and Building Reports-February 2013	1
2.3	Development Application-Tavern, Fast Food Outlet, Gallery and Meeting Place- 2 Flinders Parade, Middleton Beach, Albany	2-8
2.4	Consideration of Final Approval to Amend Local Planning Scheme 1A and 3 Policy Manual for Policy 2A-Outbuildings and Policy 2C-Sea Containers	9-15
2.5	Local Planning Scheme Policy-Special Residential Area No. 11 (Lots 104 and 105 Willyung Road)	16-21
2.6	Outline Development Plans-Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 7, 26, 27, 55, 56, 85, 86 and 87 Balston Road, Lot 15 Bottlebrush Road, Lot 25 Cuming Road, Lots 19, 20, 21 and 23 Moortown Road, Lots 22, 23, 24 and 24 Middle Street and Lots 17 and 18 Sydney Street, Gledhow.	22-28

ORDINARY COUNCIL MEETING
MINUTES – 19/03/2013
** REFER DISCLAIMER **

3.0	COMMUNITY SERVICES	
3.1	Community Sporting and Recreation Facilities Fund 2013/2014 Small Grant Applications Round One	1-5
4.0	CORPORATE SERVICES	
4.1	List of Accounts for Payment-February 2013	1-2
4.2	Financial Activity Statement-January 2013	3-4
4.3	South Coast Highway and Cheyne Beach Road-Main Roads WA Land Requirement for Road Widening	5-9
4.4	Proposed Land Resumption Affecting Lots 34 and 35 Ulster Road, Collingwood Heights	10-13
4.5	Proposed Acquisition Affecting Reserve 25385 to Allow for the Expansion of Parklands School	14-22
4.6	Review of Delegations Concerning Land Administration Functions	23-28
4.7	Proposed Land Resumption Affecting Lot 4559 Stanley Road, Youngs Siding	29-33
4.8	Proposed Permanent Closure of Portion of Day Street, Port Albany and Disposal to Adjoining Owners	34-39
4.9	Variation of Lease-Three Anchors Pty Ltd-Portion of Reserve 26149, Middleton Beach	40-46
4.10	Variation of Lease-Forts Cafe-Portion of Reserve 38226, Mount Clarence	47-52
4.11	Adoption of the Budget Review for the Period Ending 31 January 2013	53-55
5.0	WORKS AND SERVICES	
5.1	Review of Asset Management Policy	1-3
5.2	Contract C12026-Provision of Electrical Services	4-6
XIV.	MOTIONS WITH NOTICE	1
XV.	MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING	
15.1	Notice of Motion by Councillor Bostock	1-3
XVI.	URGENT BUSINESS APPROVED BY DECISION OF THE MEETING	4
XVII.	REQUEST FOR REPORTS FOR FUTURE CONSIDERATION-Nil	4
XVIII.	ANNOUNCEMENT OF NOTICES OF MOTIONS TO BE DEALT WITH AT THE NEXT MEETING Nil	4
IX.	ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC	
XX.	NEXT ORDINARY MEETING DATE	4
XXI.	CLOSURE OF MEETING	5

Appendix A Status Report on Deferred Items from Previous Meetings page 6
Appendix B Tabled Documents pages 7 to 16

I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

[6:00:14 PM](#) The Mayor declared the meeting open.

II. OPENING PRAYER

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

ITEM 2.0: RESOLUTION

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR DUFTY**

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

CARRIED 12-0

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

[6:01:00 PM](#) **Councillor Dowling**

Summary of key points:

- Attended the launch of the Sycamore Tree project at Albany Regional Prison on behalf of the Mayor

[6:01:35 PM](#) **Councillor Stocks**

Summary of key points:

- Advised that the return on CDOs was much greater than originally advised, and congratulated staff and particularly the Executive Director Corporate Services for their work

[6:03:16 PM](#) **Councillor Dufty**

Summary of key points:

- Attended the Sportsperson of the Year Awards, congratulated City staff involved in organising this event, it was terrific.

[6:03:53 PM](#) **Councillor Bostock**

Summary of key points:

- Attended staff barbeque at Mercer Road depot, thanked staff for their work in organising a successful event.

[6:04:46 PM](#) **Councillor Attwell**

Summary of key points:

- Attended the send off for the Hawaiian Ride for Youth event.
- 80 riders and many volunteers. Successful fundraiser bringing awareness to the community in relation to youth suicide.

6:07:20 PM Mayors Report

Below is brief summary of Mayoral Office activities since the last council Meeting held on Tuesday, 19 February 2013

- Several community radio commitments
- Meeting Senator Barnaby Joyce and Tony Crook – tour of Mt Adelaide – progress of works
- CoA representative – A History of Everything – AEC
- Meeting with Julie Bishop
- Meeting with Dave Beazley and Sue Finlay - Re Music involvement Gallipoli celebrations 2014
- Attend announcement by Kym Hames MLA re funding of \$8.57 for Centennial Park Precinct
- Attend Sportsman of the Year – AEC
- Attend Graduation Ceremony Award Evening - Great Southern Institute of Technology
- Interview with the Australian Business Journal
- Attend Swim for MS at Albany Leisure Centre 8.00 am to start races – 6.00 pm presentation of prizes for the day.
- Attend Hawaiian Ride For Youth – NASHS – **Councillor Attwell**
- Attend Sycamore Tree Project – Albany Prison – **Councillor Dowling**

ITEM 3.0: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR HORTIN

The Mayor's Report be RECEIVED.

CARRIED 12-0

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC

Executive Director Works and Services took questions on notice from Mr Ken Johnson at the Ordinary Council meeting held 19 February 2013 regarding *Item 2.5: Development Application-General Industry-Waste Transfer Station (Including Processing/Crushing), Garden Centre and Transport Depot at Lot 21 (No. 100) John Street, Milpara.*

Mr Johnson asked the following questions:

- Would the City be monitoring the traffic management on the site, particularly in regard to road trains entering and exiting the site via John Street.
- Would the City be monitoring the level of noise and dust generated from the site.

Mr Johnson has been contacted by the Executive Director Works and Services. The City will be monitoring the site with regard to concerns raised by Mr Johnson over traffic management, noise and dust.

V. PUBLIC QUESTION AND STATEMENT TIME

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

[6:10:44 PM](#) **Mr Frank Ruggera, 69 Elizabeth St Lower King**

Mr Ruggera's tabled address is detailed at Appendix B.

Summary of key points:

- Elizabeth Street, Lower King. Lack of maintenance and footpath requirement.

[6:13:15 PM](#) **Mr John Bates, 58 McBride Road, Goode Beach**

Summary of key points:

- Parklands School expansion required to cater for increasing student numbers
- School will remain small in size, but requires increased playground area

[6:15:07 PM](#) **Mr Mervyn Leavesley, Kalgan**

Mr Leavesley's tabled address is detailed at Appendix B.

Summary of key points:

- Council decision making.

6:18:44 PM Mrs Delma Baesjou, Ayton Baesjou Planning

Summary of key points:

- Item 2.5: Local Planning Scheme Policy-Special Residential Area No. 11 (Lots 104 and 105 Willyung Road)
- Spoke in support of the Responsible Officer Recommendation.

6:20:11 PM Mr Jim Dykstra, 7 Orion Avenue, McKail on behalf of Kusters Steel

Summary of key points:

- Item 2.4: Consideration of Final Approval to Amend Local Planning Scheme 1A and 3 Policy Manual for Policy 2A-Outbuildings and Policy 2C-Sea Containers.
- Concerned that restrictions applying to the requirement of approval for a dwelling before an outbuilding can be erected will be detrimental to purchasers wishing to develop and build an outbuilding on their land prior to constructing a dwelling.

6:24:37 PM Mr Richard Vogwill, La Perouse Road, Goode Beach

Mr Vogwill's tabled address is detailed at Appendix B.

Summary of key points:

- Agenda Briefing Sessions.

6:27:52 PM Mrs Jill Bostock, Rainbows End, Little Grove

Mrs Bostock's tabled address is detailed at Appendix B. Mrs Bostock requested that the address she tabled at the AGM of Electors also be included in the minutes of this meeting. This address is also detailed at Appendix B.

Summary of key points:

- Annual General Meeting of Electors.
- Trust between Council and the community.

6:30:58 PM Mrs Kim Stanton, Chipana Drive, Little Grove

Mrs Stanton's tabled address is detailed at Appendix B. Mrs Stanton requested that the address she tabled at the AGM of Electors also be included in the minutes of this meeting. This address is detailed at Appendix B.

Summary of key points:

- Agenda Briefing Session.

ORDINARY COUNCIL MEETING
MINUTES – 19/03/2013
** REFER DISCLAIMER **

[6:34:42 PM](#) **Mr John Marwick, 50 Rowley Street, Albany**

Summary of key points:

- Item 4.9: Variation of Lease-Three Anchors Pty Ltd-Portion of Reserve 26149, Middleton Beach;
- Item 2.3: Development Application-Tavern, Fast Food Outlet, Gallery and Meeting Place-2 Flinders Parade, Middleton Beach
- Do not intend to include a bottle shop in the development, but enable patrons to take away the remainder of their purchased bottle.
- Prices for takeaway purchases will be the same as over the bar prices to encourage patrons to consume drinks on site.

[6:36:49 PM](#) There being no further speakers, the Mayor declared the Public Question and Statement Time closed.

ORDINARY COUNCIL MEETING
MINUTES – 19/03/2013
** REFER DISCLAIMER **

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

Mayor D Wellington

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks
Kalgan Ward	Y Attwell
West Ward	G Gregson
West Ward	D Dufty
Yakamia Ward	R Sutton
Yakamia Ward	A Hortin JP
Vancouver Ward	S Bowles
Vancouver Ward	D Bostock

Staff:

Chief Executive Officer	G Foster
Executive Director Planning & Development Services	D Putland
Executive Director Works & Services	M Thomson
Executive Director Corporate Services	G Adams
Executive Director Community Services	C Woods
Minutes	J Williamson

Apologies:

Kalgan Ward	C Holden (Leave of Absence)
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Three members of the media and approximately 20 members of the public were in attendance.

VII. APPLICATIONS FOR LEAVE OF ABSENCE

ITEM 7.0: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HAMMOND

SECONDED: COUNCILLOR DUFTY

THAT Councillor Gregson be granted leave of absence for the April 2013 Ordinary Council Meeting and the May 2013 Ordinary Council Meeting.

CARRIED 12-0

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ITEM 8.0: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR BOWLES

THAT the minutes of the Ordinary Council Meeting held on 19 February 2013, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 11-1

Record of Vote

Against the Motion: Councillor Sutton

ORDINARY COUNCIL MEETING
MINUTES – 19/03/2013
** REFER DISCLAIMER **

IX. DECLARATIONS OF INTEREST

Name	Item Number	Nature of Interest
Councillor Hortin	3.1	Impartiality. The Merrifield Tennis Club leases the property from the Uniting Church Property Board. Councillor Hortin is Secretary of the Uniting Church Regional Council which oversees the Uniting Church Property Board. Councillor Hortin remained in the Chamber and participated in the discussion and vote.
Councillor Bowles	4.1	Impartiality. Councillor Bowles is the Secretary of Great Southern Factor Inc. Paperbark Merchants and H&H Architects are both local sponsors of this organisation. Councillor Bowles remained in the Chamber and participated in the discussion and vote.
Councillor Stocks	4.1	Financial. Councillor Stocks is a major shareholder of a company listed for payment. Councillor Stocks left the Chamber and did not participate in the discussion or vote.
Chief Executive Officer	1.1.1	Financial. This confidential recommendation relates to Mr Foster's future employment with the City of Albany. Mr Foster left the Chamber and was not present during discussion and voting.

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

1.1.1: Governance Committee-Confidential Recommendations

In accordance with s5.23(2)(a) of the Local Government Act 1995 If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(a) a matter affecting an employee or employees

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS

XII. ADOPTION OF RECOMMENDATIONS EN BLOC

RISK MANAGEMENT FRAMEWORK

The City of Albany Organisational Risk Management Framework, which will be used as a Reference Document for the “Risk Identification and Mitigation” Section for all Papers in the Agenda, has been previously distributed to all Elected Members.

1.1: AUDIT AND FINANCE COMMITTEE

Proponent : City of Albany
Attachment : Confirmed Minutes of the Audit and Finance Committee Meeting held on 17 December 2012.
Responsible Officer : Acting Chief Executive Officer (G Foster)

ITEM 1.1: COMMITTEE RECOMMENDATION 1 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THE CONFIRMED minutes of the Audit Committee meeting held on 17 December 2012, as previously distributed, be RECEIVED.

CARRIED 12-0

ITEM 1.1: COMMITTEE RECOMMENDATION 2 VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR CALLEJA

THAT Council

- **APPROVE** the offer of funding totalling \$52,200 from Lotterywest for the upgrade of Mills Park; and
- **AUTHORISE** the transfer of \$61,155 from job 3157 Unscheduled Works to:-
 - The Peace Park Electrical Box Upgrade – (budget \$8,150);
 - Cape Riche Camp Grounds BBQ Upgrade – (budget \$13,000);
 - Middleton Beach upgrade (City of Albany contribution \$4,785);
 - Upgrade of Mills Park (City of Albany contribution \$35,220).

CARRIED 12-0
ABSOLUTE MAJORITY

ITEM 1.1: COMMITTEE RECOMMENDATION 3 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR DOWLING

THAT Council **ADOPT** the Budget Review for the period ending 31/01/2013.

CARRIED 12-0

ITEM 1.1: COMMITTEE RECOMMENDATION 4 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR HAMMOND

THAT Council **ENDORSE** the investment of funds recovered from CDO investments in accordance with the Investment of Surplus Funds Policy until such time as a decision has been made as to what they should be applied to.

CARRIED 12-0

4.0 ITEMS FOR DISCUSSION

4.1 Review Audit Management Letter (via Teleconference)

Reporting Officer: Executive Director Corporate Services

- Conference call with Patrick Warr (PW) and Sam Fisher from Grant Thornton Chartered Accountants to:
 - a) go through the management letter to discuss any issues that the Auditors believe are worthy of discussion
 - b) for the Auditors to answer any queries the Councillors may have in relation to the Report to the Audit Committee for year ended 30 June 2012 (copy distributed with Agenda).
- PW summarised the Management Letter and said they will be issuing an unqualified Audit Report as happy with the Financial Report.
Ran through Item 2.2 of the Report, Unadjusted audit differences, and explained this section to the Committee.
Section 3.1, PW asked the Councillors if they were aware, or have they been made aware of any fraudulent activity within the City – response was unanimous, ‘no’.
Auditors did not find any non-compliance matters during the audit.
- Section 3.8 Fair Value Measurements: PW asked if the Committee believed they could recover the cost of development for The Ridge through the sale of land process. Councillor Stocks believed that no-one on the Committee had the real estate knowledge to answer that question. The general feeling was ‘no’. G Adams said that without going through the revaluation process (figures being used now are based on the last valuation performed in 2011), we would not know the current value of these blocks. Looking to have blocks re-valued this coming financial year. Much depends on the one undeveloped block, as the basic market value of the individual blocks can be worked out through prior sales.
- Section 4.1 Current year issues – D Olde said that Management were addressing Auditors recommendations by reviewing internal procedures and by putting in place better control mechanisms.
- Section 4.2 Update on prior and current year issues – Auditors noted that their previous recommendations have been addresses.
- A General comment not noted in the management letter was that the Auditors have not, as yet, received a representation letter from Clayton Utz on the contingent liability on the matter relating to the former CEO. From what PW has read so far, it is not possible at the moment to determine the amount to be paid. G Adams explained that the claim made is not for termination of employment, it is for unspecified damages, so it is not possible to quantify what that is, as the former CEO has yet to advise. Councillors confirmed that the claim will be contested vigorously and that Council will be guided by advice from LGIS.
- PW asked Committee is there was any significant subsequent event that should be noted in the Audit Report, response was no.

Action: Auditor to speak with D Olde and number crunch figures regarding the value of unsold land at The Ridge Estate, taking into account the deterioration in the value of land in the Albany area, since the last valuation was performed. G Adams to provide guidance back to the Committee on why it's valued how it is, and if Auditors are satisfied with value.

Action: Section 1.5 of the Auditors Report, ‘Background’, needs to be corrected as it states: *“towards the end of the financial year the former CEO was terminated and has subsequently lodged a legal claim against the City of Albany”*. The Mayor advised that the former CEO left her employment with the City, but was not terminated. An adjustment to Section 1.5 will be made.

ITEM 4.1: Auditors Management Letter be NOTED by the Committee, subject to the two changes as discussed.

4.2 Review of Buy Local Policy - Draft

Reporting Officers: Executive Director Corporate Services

- G Adams discussed the summary of changes (distributed with Agenda) to the Buy Local Policy; major changes were currently the Policy only applies to tenders over \$100,000. Much of the City's quotations are between \$30,000 and \$100,000, therefore, the current policy does not get used that often. What would seem more appropriate, would be to apply the Buy Local Policy to the \$30-\$100,000 as well, with the rate for that being 5% (from 10%).
Councillor Stocks asked if it would open up more business opportunities if the threshold is dropped. G Adams said that in the first instance, the City tries to source things locally for major quotations anyway.
G Adams explained to the Mayor, the Legislation requirements regarding the capping at \$50,000. He also went on and explained the concept of the Buy Local Policy, in detail to those that did not understand.
Councillor Calleja said the ACCI is pushing very strongly with the State Government over their Buy Local Policy, and feels that this is an ideal opportunity for Local Governments, probably through WALGA, to have this policy revisited as due to the economic climate, Metro building companies are performing work in the Great Southern, just to keep their workforce employed. Flow-on of local companies needs to be taken into consideration, so that the Albany region is protected.

Item 4.2: Recommendation:

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

THAT the Council adopts the revised Buy Local Policy to include the application of the regional price preference of 10% to quotations of \$30,000 value or greater and to allow an exemption for procurement from WALGA and State/Commonwealth Government common use contracts.

CARRIED: 7-0

4.3 Review of Purchasing Policy (Tenders & Quotes) – Draft

Reporting Officer: Executive Director Corporate Services

- G Adams discussed the summary of changes (distributed with Agenda) to the Purchasing Policy. Main proposed changes:
 - 1) Major Quotations are increased from \$20,000 to \$30,000
 - 2) Exemption from Purchasing Protocol and that CEO delegated authority be increased from \$250,000 to \$500,000, when procurement is being made through WALGA and State/Commonwealth Governments.

ITEM 4.3: Recommendation:

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

THAT the Council adopts the revised Purchasing Policy (Tenders & Quotes).

CARRIED 7-0

4.4 Mt Clarence Design Variation

Reporting Officer: Linda Hill and Anthony McEwan

(Linda Hill and Anthony McEwan attended meeting for this item only). 1.1 REFERS

- Councillor Dufty raised the question at the last Audit and Finance meeting of redesigning the steps at Mt Clarence. His query has been investigated and cost to redesign would be approximately \$10,000 plus any variations needed to the existing construction plans.

As this would be a variation to the existing contract, there is not funding for this purpose, nor has the City been given funding from the State. Recommendation from the Council is required to utilize some of the Anzac budget.

A McEwan said the redesign suggested by Councillor Dufty centred mainly on safety concerns. R Hammond said it would be better to sort this problem, if it is one, sooner rather than later.

No recommendation was taken from the Audit and Finance meeting. L Hill to present an Item to the Ordinary Council Meeting requesting approval of variation.

5.0 GENERAL DISCUSSION

- 5.1 Councillor Calleja has been questioned by local car dealers regarding the City's policy on purchasing vehicles. G Adams responded that a Fleet Management Officer has now been appointed, and that the City is buying off all local dealers and he is comfortable with what is happening. The City's Motor Vehicle Policy is currently being reviewed.

6.0 DATE OF NEXT MEETING: 25TH FEBRUARY 2013

7.0 CLOSURE OF MEETING AT 6.40PM

**Mayor Wellington left the meeting at 6.20pm

1.1.1: GOVERNANCE COMMITTEE

Proponent : City of Albany
Responsible Officer : Acting Chief Executive Officer (G Foster)

ITEM 1.1.1: COMMITTEE RECOMMENDATION 1 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR BOWLES

THAT the CONFIRMED minutes of the Governance Committee Meeting held on 26 November 2012, be RECEIVED.

CARRIED 12-0

ITEM 1.1.1: CONFIDENTIAL COMMITTEE RECOMMENDATION 1 VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR STOCKS

THAT the Chief Executive Officer Recruitment Committee be DISSOLVED.

**CARRIED 12-0
 ABSOLUTE MAJORITY**

ITEM 1.1.1: CONFIDENTIAL COMMITTEE RECOMMENDATION 2 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR ATTWELL
SECONDED: COUNCILLOR CALLEJA

THAT the Key Performance Indicators for the Acting Chief Executive Officer (as listed below) are ACCEPTED and NOTED as the Key Performance Areas as outlined in the Contract of Employment between the City of Albany and Graham Foster, and in accordance with the *Local Government Act 1995*.

- **Completion of requirements under the Integrated Strategic Planning framework;**
- **Production of a responsible draft budget for consideration by Council;**
- **Production of a paper on Economic Development in Albany for consideration by Council;**
- **Produce a Parking Policy and Strategy for consideration by Council;**
- **Provide training for Councillors in:**
 - **Meeting procedures**
 - **Roles and Responsibilities**
 - **Town Planning**
- **Provide for better communication and consultation with the Community by producing an Engagement Policy and processes to be followed by officers; and**
- **Contribute to the ANZAC Interpretive Centre Implementation Committee.**

In addition, the following Key Performance Indicator is to be included in the Acting Chief Executive Officer Contract of Employment:

- **Council Training for the CEO Appraisal Committee**

CARRIED 12-0



GOVERNANCE COMMITTEE

CONFIRMED MINUTES

For the meeting held 5.30pm Monday 26 November 2012,
in the Margaret Coates Boardroom, City Office, North Road, Albany

(File Ref: CM.MEE.6/AM1267463)

Terms of Reference: *The Committee is established under section 7.1A of the Local Government Act 1995 (the Act) and its Regulations. The Committee does not have any delegated authority from Council.*

1.0 ATTENDANCE

Mayor	D Wellington(Chair)
Councillors:	
R Hammond	Member
S Bowles	Member
G Gregson	Member
R Sutton	Member
C Holden	Member
A Hortin	Member
V Calleja	Member
D Dufty	Member
G Stocks	Member
Y Attwell	Member
Staff:	
Acting Chief Executive Officer	L Hill
Executive Director Planning & Development Services	D Putland
Executive Director Corporate Services	G Adams
Executive Director Works and Services	S Grimmer
Executive Director Community Services	C Woods
Minutes	C Crane
Apologies/Leave of Absence:	
C Dowling	Member
D Bostock	Member

2.0 CONFIRMATION OF MINUTES

ITEM 2.0: RESOLUTION

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

THAT the minutes of the Governance Committee Meeting held on 22 October 2012, as previously distributed, be accepted as a true and accurate record of proceedings.

CARRIED 11-0

3.0 STANDING ITEMS

3.1 Staff Movements

ITEM 3.0: RESOLUTION

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

THAT the Staff Movements Report for October 2012 be NOTED.

CARRIED 11-0

4.0 ITEMS FOR DISCUSSION

ITEM 4.1: RECOMMENDATION

**MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR HOLDEN**

THAT the proposed Council and Committee Meeting schedule for 2013 be ACCEPTED.

CARRIED 10-1

Record of Vote

Against the Motion: Councillor Dufty

4.2 Legal Advice Provided by McKay Legal regarding Council responsibilities under Occupational Safety and Health legislation.

A verbal update was provided by Executive Director Corporate Services, as an adjunct to the copy of the legal advice already provided to the Committee.

4.3 Code of Conduct

ITEM 4.3: RECOMMENDATION

**MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR CALLEJA**

THAT the Code of Conduct will in future apply to City of Albany Staff, Volunteers and Councillors

CARRIED 11-0

4.4 Occupational Safety and Health Update.

Executive Director Corporate Services provided the meeting with a verbal update.

4.5 Concerns pertaining to Public Officer Misfeasance-Councillor Hammond

This item was discussed after all staff had left the meeting.

6.15pm Staff left the meeting.

5.0 ITEMS TO BE DISCUSSED AT NEXT MEETING

6.0 GENERAL DISCUSSION (in the absence of staff).

7.0 DATE OF NEXT MEETING: to be advised.

8.0 CLOSURE OF MEETING

1.2: COMMON SEAL AND EXECUTED DOCUMENTS UNDER DELEGATION REPORTS

Responsible Officer : Chief Executive Officer (G Foster)
Attachments : Common Seal Report

IN BRIEF

- Receive the Common Seal Reports for February 2013, which include decisions made by Delegated Authority

ITEM 1.2: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THAT the Common Seal Report for February 2013 be RECEIVED.

CARRIED 12-0

NCSR1328922 RV.RPY.2
COPY OF COMMON SEAL
ITEM: N/A OCM: N/A
RE: APPLICATION TO REGISTER A DISCHARGE OF A PROPERTY - LOT 8736
PARTIES: CITY OF ALBANY
SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1328924 PR.ACQ.1
COPY OF COMMON SEAL
ITEM: N/A OCM: N/A
RE: TRANSFER OF LAND - LOT 2 ON DEPOSITED PLAN 60527
PARTIES: CITY OF ALBANY AND WEST AUSTRALIAN LAND AUTHORITY
SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1328925 C12023
COPY OF COMMON SEAL
ITEM: N/A OCM: N/A
RE: CONTRACTS FOR C12023 MT CLARENCE INFRASTRUCTURE UPGRADE
SUPERINTENDENT SERVICES
PARTIES: CITY OF ALBANY
SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1329012 146220
COPY OF COMMON SEAL
ITEM: N/A OCM: N/A
RE: DEED OF RESTRICTIVE COVENANT FOR SUBDIVISION APPROVAL WAPC 146220
27 RACECOURSE ROAD TO RESTRICT THE SUBDIVIDER TO NOT DEVELOP OR
CLEAR VEGETATION EXCEPT FOR TREES WHICH ARE DEAD, DISEASED OR
DANGEROUS
PARTIES: CITY OF ALBANY AND GEOFFREY ALLAN CRAMER AND PETA DALE
CRAMER
SIGNED BY MAYOR AND A/CEO G FOSTER 3 COPIES

NCSR1329014 146220
COPY OF COMMON SEAL
ITEM: N/A OCM: N/A
RE: DEED OF RESTRICTIVE COVENANT FOR SUBDIVISION APPROVAL WAPC
146220_224 ROBERTS ROAD TO RESTRICT THE SUBDIVIDER TO NOT DEVELOP OR
CLEAR VEGETATION, EXCEPT FOR TRESS WHICH ARE DEAD, DISEASED OR
DANGEROUS
PARTIES: CITY OF ALBANY AND DAVID VINCENT ATKINSON AND BEVERLEY ELAINE
ATKINSON
SIGNED BY MAYOR AND A/CEO G FOSTER 3 COPIES

NCSR1329086 GS.APC.2

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: FINANCIAL ASSISTANCE AGREEMENT_ROYALTIES FOR REGIONS PROJECT LOWER GREAT SOUTHERN REGION GREAT SOUTHERN CENTENNIAL PARK (PHASE 1)

PARTIES: CITY OF ALBANY AND THE DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1329087 GS.APC.2

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: FINANCIAL ASSISTANCE AGREEMENT ROYALTIES FOR REGIONS PROJECT COUNTRY LOCAL GOVERNMENT FUND (CLGF) 2011/12 REGIONAL GROUP PROJECT INCREASING TOURISM CAPACITY IN DENMARK INFRASTRUCTURE UPGRADE

PARTIES: CITY OF ALBANY AND THE DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS AND THE SHIRE OF DENMARK

SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1329087 GS.APC.2

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: FINANCIAL ASSISTANCE AGREEMENT_ROYALTIES FOR REGIONS PROJECT COUNTRY LOCAL GOVERNMENT FUND (CLGF) 2011/12 REGIONAL GROUP PROJECTR_INCREASING TOURISM CAPACITY IN DENMARK_INFRASTRUCTURE UPGRADE

PARTIES: CITY OF ALBANY AND THE DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS AND THE SHIRE OF DENMARK

SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1329121 A76853

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: SECTION 70A NOTIFICATION IN TERMS OF THE TRANSFER OF LAND ACT AS REQUIRED IN ASSOCIATION WITH CONDITION A1 OF PLANNING APPROVAL WAPC P225119 112 ULSTER ROAD

PARTIES: CITY OF ALBANY AND MR ROBERT GAY AND CAROLYN MAY GAY

SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

NCSR1329130 141162

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: SECTION 70A NOTIFICATION IN TERMS OF THE TRANSFER OF LAND ACT AS REQUIRED IN ASSOCIATION WITH CONDITION 5 OF SUBDIVISION APPROVAL WAPC 141162, 58 LEONORA STREET

PARTIES: CITY OF ALBANY AND MR STEVEN JEFFREY BUTTON AND LEE-ANNE WENDY BUTTON

SIGNED BY MAYOR AND A/CEO G FOSTER 1 COPY

EDR1328985 C12019
EXECUTED DOCUMENT
ITEM: 5.3 OCM: 16.10.12
RE: PURCHASE ORDER FOR LOWER DENMARK ROAD (SLK14.65-18.20)
RECONSTRUCTION AND WIDENING CONTRACT C12019
PARTIES: CITY OF ALBANY AND ARMOGEDIN PTY LTD (TRADING AS GREAT
SOUTHERN SANDS)
SIGNED BY A/CEO G FOSTER 1 COPY

EDR1328989 EM.PER.3
EXECUTED DOCUMENT
ITEM: N/A OCM: N/A
RE: APPLICATION FOR CLEARING PERMIT - A CLASS RESERVE 2682 - MT
CLARENCE
PARTIES: CITY OF ALBANY
SIGNED BY A/CEO G FOSTER 1 COPY

EDR1329011 PF10703
EXECUTED DOCUMENT
ITEM: N/A OCM: N/A
RE: CONTRACT OF EMPLOYMENT - CHRISTINE HANNAN, INFORMATION MANAGER
PARTIES: CITY OF ALBANY AND CHRISTINE HANNAN
SIGNED BY A/CEO G FOSTER 2 COPIES

EDR1329083 EM.PER.3
EXECUTED DOCUMENT
ITEM: N/A OCM: N/A
RE: APPLICATION TO REDUCE FUEL LOAD WITHIN R35381 BY UNDERTAKING A
PRESCRIBED BURN
PARTIES: N/A
SIGNED BY A/CEO G FOSTER 1 COPY

EDR1329084 A204721
EXECUTED DOCUMENT
ITEM: 1.1 OCM: 18.09.2012
ITEM: 4.5 OCM: 18.12.2012
RE: APPLICATION FOR GRANT OF PLANNING SCHEME CONSENT TO BE SIGNED BY
COA AS MANAGER/LAND OWNER OF CROWN RESERVE 34370, ROBINSON COUNCIL
HAS APPROVED A NEW LEASE TO THE ALBANY MODEL AERO CLUB FOR A PERIOD
OF 21 YEARS
PARTIES: N/A
SIGNED BY A/CEO G FOSTER 1 COPY

EDR1329211 GS.APC.44
EXECUTED DOCUMENT
RE: GRANT AGREEMENT FOR ROYALTIES FOR REGIONS-COUNTRY LOCAL
GOVERNMENT FUND REGIONAL GROUPINGS ALLOCATION-PREPARATION OF
BUSINESS CASE
PARTIES: CITY OF ALBANY AND THE GREAT SOUTHERN DEVELOPMENT
COMMISSION
SIGNED BY A/CEO G FOSTER 2 COPIES

EDR1329247 DES242

EXECUTED DOCUMENT

ITEM: 5.5 OCM: 21/02/2012

RE: INVOICE (PARTIAL PAYMENT) FROM AD CONTRACTORS FOR CONTRACT C12003 LOWER DENMARK ROAD (SLK11.93-14.65) SEPARABLE PORTION 1

PARTIES: CITY OF ALBANY AND AD CONTRACTORS PTY LTD

SIGNED BY A/CEO G FOSTER 1 COPY

EDR1329248 DES242

EXECUTED DOCUMENT

ITEM: 5.5 OCM: 21/02/2012

RE: AMENDMENT OT PURCHASE ORDER FOR LOWER DENMARK ROAD (SLK11.93-14.65). CONTRACT NO C12003. THERE ARE 3 SEPARABLE PORTIONS TO THE

CONTRACT, THE ORIGINAL PURCHASE ORDER ONLY INCLUDED SEPARABLE PORTION 1 FOR \$461,710.70. TOTAL CONTRACT VALUE (SEPARABLE PORTION 1, 2 & 3) IS \$1,226,241.50 (INC GST)

PARTIES: CITY OF ALBANY AND AD CONTRACTORS PTY LTD

SIGNED BY A/CEO G FOSTER 1 COPY

19/03/2013

REFER DISCLAIMER

1.3: REPRESENTATION AT NATIONAL GENERAL ASSEMBLY AND DYNAMIC CITIES, REGIONAL COOPERATION AND DEVELOPMENT CONFERENCE

Proponent : City of Albany
Responsible Officer(s) : Chief Executive Officer (G Foster)

IN BRIEF

- Approve attendance at recommended conferences and appoint attendees.

RECOMMENDATION

ITEM 1.3: RESOLUTION 1
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR GREGSON

That Council approve attendance and appoint Councillor Bowles and Mayor Wellington to represent the City of Albany at the Dynamic Cities Conference, Wednesday 16 – Friday 18 October 2013, Mandurah Western Australia.

CARRIED 12-0

ITEM 1.3: RESOLUTION 2
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HORTIN
SECONDED: COUNCILLOR SUTTON

THAT Council approve and appoint Mayor Wellington and Councillor Dufty to represent the City of Albany at the Australian Local Government Association National General Assembly and Regional Cooperative and Development Forum, to be held on Sunday 16 June 2013 at the National Convention Centre, Canberra.

CARRIED 12-0

BACKGROUND

1. Based on subject matter relevance to the City of Albany, elected member attendance is recommended for the following events:
 - **14th International Cities, Town Centres & Communities Conference “Dynamic Cities – Vibrant, Liveable and Innovative”**, held between Wednesday 16 – Friday 18 October 2013, Mandurah Western Australia.
 - **Australian Local Government Association, National General Assembly & Regional Cooperative and Development Forum**, to be held on Sunday 16 June 2013, National Convention Centre Canberra.

DISCUSSION

2. It is recommended for Council development that Council authorise and select elected member to attend the listed conferences.
3. The information presented at both conferences is relevant to the City of Albany in the short to medium term and will provide Council with an opportunity to professionally network within the local government sector at a state and national level.

National General Assembly 16 – 19 June 2013 & Regional Cooperative and Development Forum

4. The National General Assembly of Local Government (NGA) attracts around 850 participants from councils across Australia.
5. The assembly provides an opportunity for local government to debate issues of national and local significance, hear from political and academic speakers as well as to develop policy and strategy for the coming year.
6. The theme for this year's NGA is '*Foundations for the Future – Twenty 13*'. At a local level the theme focuses on the need to build the resources and capacity to strengthen community and position our community into the future. This forum provides an opportunity for Councils to think through ideas or initiatives that Council would like to see debated at the NGA.
7. The key note speakers for this event will be: Australians Fred Chaney AO, Geraldine Doogue AO and Peter Fitzsimons AM
8. The Regional Cooperative and Development Forum will also focus on the findings of the 2012-13 State of the Regions Report, commissioned by the Australian Local Government Association (ALGA) and prepared by National Economics. This report recommended:
 - a new approach to regional development is required in order to address inequality across Australian regions exacerbated by the mining boom and patchwork economy; and
 - local government's need to be involved in decisions concerning Commonwealth investment in regional infrastructure and development.
9. This forum will discuss the latest census data and also examine the implications of how Australia is dealing with the ever growing threats arising from climate change and natural disasters.
10. The key notes address for this forum being: Professor John Martin, Centre for Sustainable Regional Communities, La Trobe University Local Governance and Sustainable Rural Community Development: A Comparative Study of Canadian and Australian Experiences

Dynamic Cities – Vibrant, Liveable and Innovative 16 – 18 October 2013, Mandurah Western Australia

11. Aims of the conference:
 - a. Discuss the latest global developments in urban design, placemaking, planning, development, project management and sustainability.
 - b. Mix with professionals from varying backgrounds in a true cross disciplinary event.
 - c. Provide access to and leverage from the experience of national and international specialists.
 - d. Provide national and international case studies for discussion and analysis.

19/03/2013

REFER DISCLAIMER

12. Who should attend:
- a. Local Government – Mayors, Councillors, CEOs, Managers
 - b. State and Federal Government
 - c. Private firms and consultants.
 - d. Academics and industry groups.
13. With interests in:
- a. Planning, Urban Design, Development, Property
 - b. Mainstreet, Retail, Shopping and Town Centres
 - c. Economic Development, Demography
 - d. Placemaking, Project Management,
 - e. Architecture, Landscape, Environment
 - f. Infrastructure, Resources, Energy, Transport
 - g. Engineering, Surveying, Public Works
 - h. Banking, Law, Finance, Technology

GOVERNMENT CONSULTATION

14. Not applicable.

PUBLIC CONSULTATION / ENGAGEMENT

15. Not applicable.

STATUTORY IMPLICATIONS

16. Nil

STRATEGIC IMPLICATIONS

17. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021):

Key Focus Area

Lifestyle and Environment

Organisational Performance

Community Priority

Education, Albany regional airport, health, regional local government partnerships

Elected members' performance

Proposed Strategies

Advocate for:

- *Cheaper flights, including more competition for Albany route*
- *Greater choice for tertiary studies*
- *Affordable student accommodation for students*

Conduct:

- *Consult with regional local governments as to their needs regarding services and infrastructure within the City of Albany.*
- *Representation on regional committees*
- *Support and advocate for large scale projects in neighbouring communities which have a long term benefit to the City of Albany*
- *Improve governance through Councillor training*

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reduced opportunity to represent Albany community interest</i>	<i>Likely</i>	<i>Minor</i>	<i>Medium</i>	<i>Support attendance at Conference</i>
<i>Council attendance provides no benefit to the City</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Compulsory attendance at all available workshops. Mandatory formal post attendance briefing session.</i>

FINANCIAL IMPLICATIONS

20. Current Expenditure Line Item: 181120. Total approximately \$14, 000 for two attendees per conference. This will be spent over two financial years.

National General Assembly 16 – 19 June 2013, Canberra (Approximately: \$4, 500 per attendee)

- General Assembly Registration Fees:
 - Early Bird: \$899
 - Standard: \$999
 - Late: \$1,200
- Accompanying Partners Registration Fees
 - Registration: \$240
- Sunday Regional Development Forum – Sunday 16 June 2013
 - Forum Only: \$395
 - NGA Delegate: \$195
- Accommodation: \$300 per night twin/share.
- Social Functions: \$230 per attendee.
- Airfares: \$1, 500 per attendee

Dynamic Cities – Vibrant, Liveable and Innovative, Mandurah Western Australia 16 – 18 October 2014 (Approximately: \$2, 000 per attendee)

- Registration Fees:
 - Speaker Registration Fee: \$695 per attendee.
 - Early Bird: \$995 (members) \$1095 (non member), register as a member if free.
 - Accommodation: \$300 per night twin/share.

19/03/2013

REFER DISCLAIMER

LEGAL IMPLICATIONS

21. There are no legal implications related to this item.

ALTERNATE OPTIONS

22. Additional nominations could be considered.

Consulted References	:	Information sourced from: www.ictcsociety.org www.alga.asn.au
File Number (Name of Ward)	:	Not applicable.
Previous Reference	:	Nil

1.4: ANNUAL COMPLIANCE AUDIT RETURN 2012

Proponent : City of Albany
Responsible Officer(s) : Chief Executive Officer (G Foster)

IN BRIEF

- For adoption by Council following review by the Audit and Finance Committee.

RECOMMENDATION

ITEM 1.4: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR STOCKS

- (1) **THAT a Certified Copy of the Compliance Audit Return be ENDORSED by Council and any additional information explaining or quantifying the compliance audit is to be submitted to the Director General of the Department of Local Government before 31 March 2013.**
- (2) **Council NOTE the areas of non compliance.**

CARRIED 12-0

BACKGROUND

1. Local Government Authorities are required to undertake an audit of compliance for the preceding calendar year.
2. The Compliance Audit Return forms an important part of the City's compliance monitoring program. The Compliance Audit Return commenced in January 2013, with the initial distribution of questions.
3. Relevant sections of the Compliance Audit Return are distributed to Responsible Officers for completion.
4. The completed questions are then returned by the Responsible Officer to the Manager Compliance and Community Safety for compilation. Any questions answered with a 'No' response require an explanation for non compliance by the Responsible Officer.
5. The City's Audit & Finance Committee has reviewed the compliance audit return (attached) as prescribed in the regulations.

DISCUSSION

6. The Compliance Audit Return has been formally presented to Council for endorsement and noting of areas of non compliance.

19/03/2013

REFER DISCLAIMER

7. Identified areas of non compliance.

Delegation of Power / Duty					
No.	Reference	Question	Response	Comments	Respondent
12	S5.67	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year.	No	<p>Council reviewed delegations at OCM 14/12/2010, Report Item 4.3.</p> <p>Audit & Finance Committee reviewed delegations on 28/05/2012.</p> <p>Council at OCM 17/02/2012, Report Item 1.4 resolved to lay the reviewed delegations on the table to allow more time for consideration.</p> <p>Council adopted new delegations and revoked previous delegations at OCM 18/09/2012, Report Item 1.1.</p>	Office of the CEO S Jamieson

Disclosure of Interest					
No.	Reference	Question	Response	Comments	Respondent
1	S5.67	If a member disclosed an interest, did he/she remain present to participate in any discussion or decision making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68)	No	<p>Minutes detail:</p> <p>Council Members declared interests (Financial, Impartiality, Proximity) prior to the discussion and vote.</p> <p>Members communicated the extent of their interest.</p> <p>Council did not object to members who declared an interest participating in discussion and vote.</p> <p>Council allowed participation in discussion and vote by default.</p> <p>At no time did Council object to a member's participation.</p>	Office of the CEO S Jamieson

GOVERNMENT CONSULTATION

8. After the compliance audit return has been presented to Council in accordance with regulation 14(3) a certified copy of the return together with:
- (i) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (ii) any additional information explaining or qualifying the compliance audit is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

PUBLIC CONSULTATION / ENGAGEMENT

9. Not applicable.

STATUTORY IMPLICATIONS

10. Section 7.13(1)(i) of the *Local Government (Audit) Regulations 1996* establish the requirements for Local Governments to undertake an annual compliance audit and submit a copy of that audit to the Department of Local Government (DLG).

11. Regulation 14 of the *Local Government (Audit) Regulations 1996* states:

14. Compliance audits by local governments

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —

(a) presented to the council at a meeting of the council; and

(b) adopted by the council; and

(c) recorded in the minutes of the meeting at which it is adopted.

STRATEGIC IMPLICATIONS

12. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021):

Organisational Performance

- Strive for business excellence and continuous improvement
- Provide best value in applying council and community resources

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

14. There is no direct cost to Council for this Audit, other than internal staff time.

LEGAL IMPLICATIONS

15. There are no legal implications related to this item.

Consulted References	:	<i>Local Government (Audit) Regulations 1996</i>
File Number (Name of Ward)	:	Not applicable.
Previous Reference	:	OCM 03/04/2012



Albany - Compliance Audit Return 2012

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2012.	N/A		Corporate Services - G. Adams
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2012.	N/A		Corporate Services - G. Adams
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2012.	N/A		Corporate Services - G. Adams
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2012.	N/A		Corporate Services - G. Adams
5	s3.59(5)	Did the Council, during 2012, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Corporate Services - G. Adams

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	No committees were delegated authority	Office of CEO - S.Jamieson

No	Reference	Question	Response	Comments	Respondent
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A	No committees were delegated authority	Office of CEO - S.Jamieson
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A	No committees were delegated authority	Office of CEO - S.Jamieson
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A	No committees were delegated authority	Office of CEO - S.Jamieson
5	s5.18	Has Council reviewed delegations to its committees in the 2011/2012 financial year.	N/A	No committees were delegated authority	Office of CEO - S.Jamieson
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Office of CEO - S.Jamieson
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Office of CEO - S.Jamieson
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Office of CEO - S.Jamieson
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Office of CEO - S.Jamieson
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Office of CEO - S.Jamieson
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Office of CEO - S.Jamieson

No	Reference	Question	Response	Comments	Respondent
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year.	No	<p>Council reviewed delegations at OCM 14/12/2010, Report Item 4.3.</p> <p>Audit & Finance Committee reviewed delegations on 28/05/2012.</p> <p>Council at OCM 17/02/2012, Report Item 1.4 resolved to lay the reviewed delegations on the table to allow more time for consideration.</p> <p>Council adopted new delegations and revoked previous delegations at OCM 18/09/2012, Report Item 1.1.</p>	Office of CEO - S.Jamieson
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Office of CEO - S.Jamieson

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
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No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	No	<p>Minutes detail:</p> <p>Council Members declared interests (Financial, Impartiality, Proximity) prior to the discussion and vote.</p> <p>Members communicated the extent of their interest.</p> <p>Council did not object to members who declared an interest participating in discussion and vote.</p> <p>Council allowed participation in discussion and vote by default.</p> <p>At no time did Council object to a member's participation.</p>	Office of CEO - S.Jamieson
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes	Minutes detail the nature of interest declared and if the member participated in the discussion, vote or left the meeting.	Office of CEO - S.Jamieson
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Office of CEO - S.Jamieson
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Office of CEO - S.Jamieson
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Office of CEO - S.Jamieson

No	Reference	Question	Response	Comments	Respondent
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2012.	Yes		Office of CEO - S.Jamieson
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2012.	Yes		Office of CEO - S.Jamieson
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Office of CEO - S.Jamieson
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Office of CEO - S.Jamieson
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Office of CEO - S.Jamieson
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Office of CEO - S.Jamieson
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Office of CEO - S.Jamieson

No	Reference	Question	Response	Comments	Respondent
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes	Details recorded in the minutes.	Office of CEO - S.Jamieson
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A	During the reporting period no staff member declared an interest.	Office of CEO - S.Jamieson
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A	During the reporting period no staff member declared an interest.	Office of CEO - S.Jamieson
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	File Reference: File: CM.RPT.1	Office of CEO - S.Jamieson

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes	Lower King Property: Advertised in local news paper. No objections received. Proceeded with sub-division.	Corporate Services - N.Crook
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Corporate Services - G. Adams

Elections

No	Reference	Question	Response	Comments	Respondent
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No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes	File Reference: GO.CLS.4	Office of CEO - S. Jamieson

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Office of CEO - S. Jamieson
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A	No powers or duties delegated.	Office of CEO - S. Jamieson
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes	Council Appointment OCM 16/02/2010 Report Item 14.1.2	Office of CEO - S. Jamieson
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes	Council Appointment OCM 16/02/2010 Report Item 14.1.2	Office of CEO - S. Jamieson
5	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes	Council Appointment OCM 16/02/2010 Report Item 14.1.2	Office of CEO - S. Jamieson

No	Reference	Question	Response	Comments	Respondent
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2012 received by the local government within 30 days of completion of the audit.	Yes	City of Albany received auditors report on 21 December 2012. No ordinary meeting of Council conducted in January 2013. Local government (Council) received Auditor's report on 19/02/2013.	Office of CEO - S. Jamieson
7	s7.9(1)	Was the Auditor's report for 2011/2012 received by the local government by 31 December 2012.	Yes		Office of CEO - S. Jamieson
8	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	Yes		Office of CEO - S. Jamieson
9	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Corporate Services - G. Adams
10	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Corporate Services - G. Adams
11	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Corporate Services - G. Adams

No	Reference	Question	Response	Comments	Respondent
12	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Corporate Services - G. Adams
13	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Corporate Services - G. Adams
14	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Corporate Services - G. Adams
15	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Corporate Services - G. Adams

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A	Recruitment of CEO did not occur in this reporting period.	Office of CEO - S. Jamieson

No	Reference	Question	Response	Comments	Respondent
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	N/A	An Acting Executive Director Works & Services was appointed; however acting position was not classified as a designated employee by Council. Confirmed: This employee did not have any power or duties delegated under Division 4 of the Act. This employee was not a member of a Committee. This employee was not nominated by the local government to be a designated employee.	Office of CEO - S. Jamieson
3	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A	Refer to previous comment. Note: Designated employees resigned, they were not dismissed.	Office of CEO - S. Jamieson
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A	Recruitment of CEO did not occur in this reporting period.	Office of CEO - S. Jamieson
5	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A	Recruitment of CEO did not occur in this reporting period.	Office of CEO - S. Jamieson

Official Conduct

No	Reference	Question	Response	Comments	Respondent
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No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO designated complaints officer.	Corporate Services - G. Adams
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	N/A	No complaints received resulted in action.	Corporate Services - G. Adams
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	N/A	No complaints received resulted in action.	Corporate Services - G. Adams
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	N/A	No complaints received resulted in action.	Corporate Services - G. Adams
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	N/A	No complaints received resulted in action.	Corporate Services - G. Adams
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b)(c).	N/A	No complaints received resulted in action.	Corporate Services - G. Adams

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
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No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Corporate Services - J. Allen
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes		Corporate Services - J. Allen
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Corporate Services - J. Allen
4	F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Corporate Services - J. Allen
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Corporate Services - J. Allen
6	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Corporate Services - J. Allen

No	Reference	Question	Response	Comments	Respondent
7	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Corporate Services - J. Allen
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Corporate Services - J. Allen
9	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Corporate Services - J. Allen
10	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes	No expressions of interest sought in reporting period.	Corporate Services - J. Allen
11	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes	No expressions of interest sought in reporting period.	Corporate Services - J. Allen
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes	No expressions of interest sought in reporting period.	Corporate Services - J. Allen
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes	No expressions of interest sought in reporting period.	Corporate Services - J. Allen

No	Reference	Question	Response	Comments	Respondent
14	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	Adoption Reference: Policy adopted OCM 18/01/01. Amended: OCM 16/04/02 and OCM 21/07/09. Amended policy adopted OCM 19/02/12, following review.	Corporate Services - J. Allen
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes	Adoption Reference: OCM 18/05/10 Report Item 16.4.1. Presented to OCM 19/02/13 following review, following adoption.	Corporate Services - J. Allen

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Albany

Signed CEO, Albany

2.2: PLANNING AND BUILDING REPORTS FEBRUARY 2013

Responsible Officer : Executive Director Planning and Development
Services (D Putland)
Attachment : Planning and Services Reports February 2013

IN BRIEF

- Receive the contents of the Planning and Services Report for February 2013.

**ITEM 2.2: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR DUFTY**

THAT the Planning and Building Report for February 2013 be RECEIVED.

CARRIED 12-0

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors
From : Administration Officer - Development
Subject : Building Activity – February 2013
Date : 5 March 2013

1. In February 2013, 66 building permits were issued for building activity worth \$11,043,757. This included 2 demolition licences.

It is brought to Council's attention that these figures include building licence 130014 for a 12 unit grouped dwelling; estimated value of \$2,427,228 and building licence 130016 for short term holiday accommodation; estimated value of \$1,831,325.

2. The 2 attached graphs compare the current City activity with the past 3 fiscal years. One compares the value of activity, while the other compares the number of dwelling units.
3. A breakdown of building activity into various categories is provided in the Building Construction Statistics form.
4. Attached are the details of the permits issued for February 2013, the eighth month of activity in the City of Albany for the financial year 2012/2013.



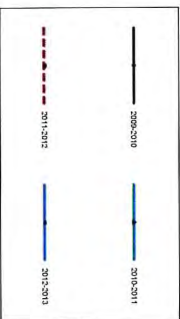
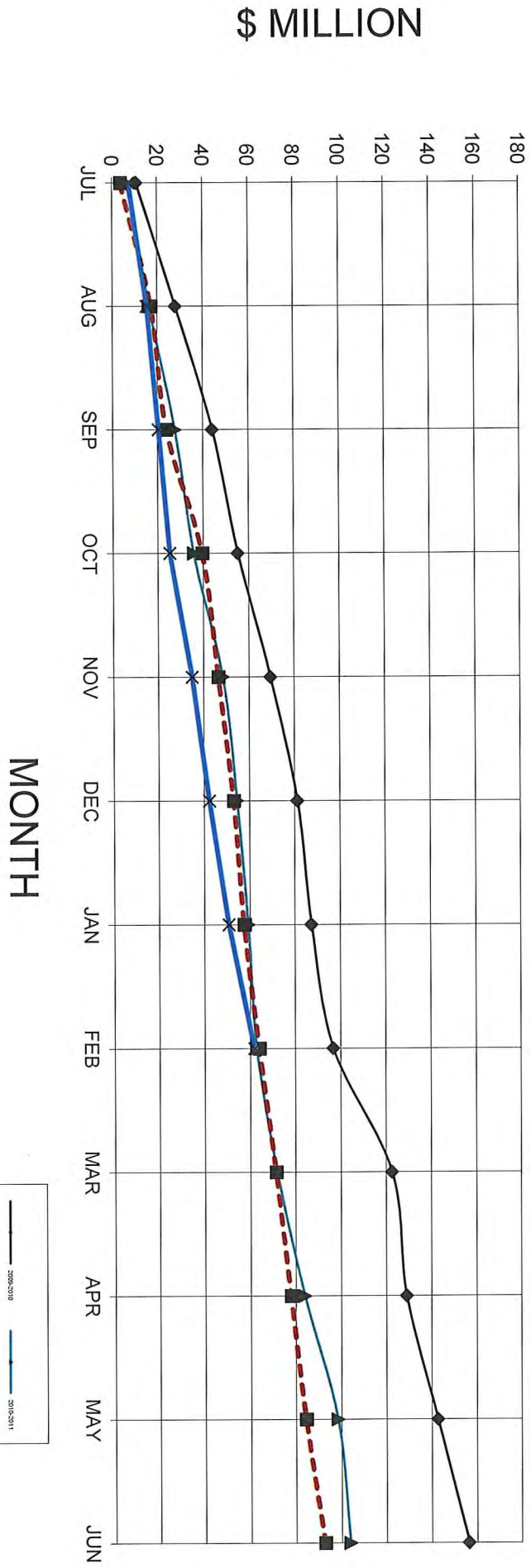
Druella McTavish
Building Services Liaison Officer

CITY OF ALBANY

BUILDING CONSTRUCTION STATISTICS FOR 2012 - 2013

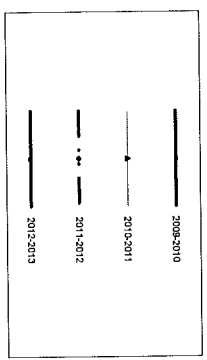
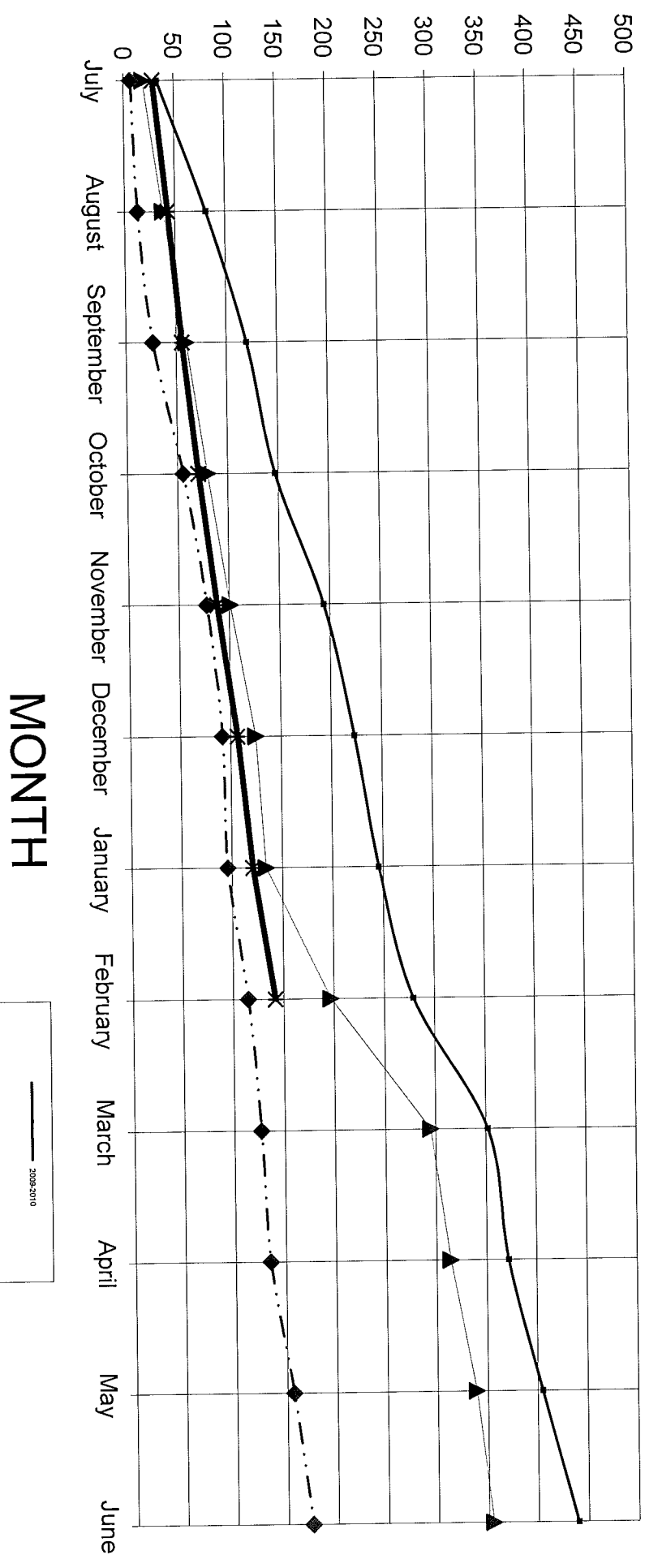
	SINGLE DWELLING		GROUP DWELLING		TOTAL	DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL \$ VALUE
	No	\$ Value	No	\$ Value		No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	
2010/2011																		
JULY	22	4,930,929	7	1,540,000	29	6	88,932	27	626,539			1	47,755	5	182,000	3	55,000	7,471,155
AUGUST	14	3,147,178			14	21	398,741	19	508,776			2	3,183,000	3	505,000	7	208,268	7,950,963
SEPTEMBER	13	3,038,367	0	0	13	25	295,781	4	126,277	0	0	0	0	1	1,319,449	12	353,613	5,133,487
OCTOBER	15	3,380,083	0	0	15	31	443,633	3	360,000	0	0	0	0	0	0	6	727,986	4,911,702
NOVEMBER	16	4,319,242	1	3,080,100	17	16	309,953	19	587,386	0	0	1	900,000	3	63,000	6	367,733	9,627,414
DECEMBER	18	5,491,722	1	185,000	19	3	73,900	18	379,118	0	0	0	0	6	1,002,000	6	389,900	7,521,640
2011																		
JANUARY	14	4,044,988	0	0	14	12	349,665	14	453,957	0	0	1	2,614,700	3	867,193	3	120,578	8,451,081
FEBRUARY	19	5,402,377	2	4,258,553	21	13	171,645	17	145,218	0	0	0	0	10	960,664	5	105,300	11,043,757
MARCH																		0
APRIL																		0
MAY																		0
JUNE																		0
TOTALS TO DATE	131	33,754,886	11	9,063,653	142	127	2,132,250	121	3,187,271	0	0	5	6,745,455	31	4,899,306	48	2,328,378	62,111,199

BUILDING ACTIVITY \$M Value



NUMBER OF UNITS

DWELLING UNITS



MONTH

BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY

Applications determined for February 2013

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
120523	CERT OF DESIGN COMPLIANCE	C & L ROTH	CERTIFICATE OF DESIGN COMPLIANCE	15-17 Lot 9		ALBANY HIGHWAY	ALBANY
120548	OWNER BUILDER	I & C EVANS	SHED RENOVATION - UNCERTIFIED	44 Lot 473		CLIFF STREET	ALBANY
120552	MIR F W & MRS B C WALLEFIELD	F & B WALLEFIELD	DWELLING - CERTIFIED	61-63 Lot 17		DUKE STREET	ALBANY
130081	Giosca Claudio Carlo & Romeo Gianni	C & L ROTH	SHOP - CERTIFIED	15-17 Lot 9		ALBANY HIGHWAY	ALBANY
130091	OCCUPANCY PERMIT	Owner's name and address not shown at their request	OCCUPANCY PERMIT	76 Lot 11		PROUDLOVE PARADE	ALBANY
130116	THE DANEBRITT GROUP PTY LTD	AUSTRALIA LTD	SHOP FIT OUT MICHAEL HILL - CERTIFIED	42-68 Lot 104		ALBANY HIGHWAY	ALBANY
130036	OUTDOOR WORLD	Owner's name and address not shown at their request	PATIO - UNCERTIFIED	4 Lot 760		LAMONT GRANGE	BAYONET HEAD
130044	ECOFIT HOMES	ALBANY LIFESTYLE	PARK HOME	20 Lot 500		ALISON PARADE	BAYONET HEAD
130050	ECOFIT HOMES	VILLAGE PTY LTD ALBANY LIFESTYLE	PARK HOME	20 Lot 500		ALISON PARADE	BAYONET HEAD
130061	KOSTERS STEEL CONSTRUCTION PTY LTD	VILLAGE PTY LTD WS WALTER	PATIO - UNCERTIFIED	6 Lot 787		GRESHAM TERRACE	BAYONET HEAD
130074	RYDE BUILDING	Owner's name and address not shown at their request	NEW DWELLING - UNCERTIFIED	20 Lot 649		MCCARDELL CRESCENT	BAYONET HEAD
130092	COMPANY PTY LTD REALFORCE PTY LTD	G & N SWANN	NEW DWELLING - UNCERTIFIED	1 Lot 676		MCCARDELL CRESCENT	BAYONET HEAD
130101	OWNER BUILDER	G & S TOMPKINS	SHED - UNCERTIFIED	184 Lot 39		LOWER KING ROAD	BAYONET HEAD
130111	MATTHEW POCOCCO	KJ COWARD	NEW DWELLING - UNCERTIFIED	40 Lot 621		WATERS ROAD	BAYONET HEAD
130117	PAUL LENEGAN	AL HARE	PATIO - UNCERTIFIED	9 Lot 445		WATERS ROAD	BAYONET HEAD

AGENDA ITEM 2.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
130120	HOME GROUP WA GREAT SOUTHERN PTY LTD	Owner's name and address	NEW DWELLING - UNCERTIFIED	28	Lot 615	WATERS ROAD	BAYONET HEAD
120533	TECTONICS CONTRUCTIONS	not shown at their request Owner's name and address	RETAINING WALL - UNCERTIFIED	27	Lot 109	HERCULES CRESCENT	CENTENNIAL
130038	GROUP PTY LTD OUTDOOR WORLD	not shown at their request HOUSING AUTHORITY	UNCERTIFIED PATIO - UNCERTIFIED	246	Lot 251	ALBANY HIGHWAY	PARK CENTENNIAL
130065	OUTDOOR WORLD	Owner's name and address not shown at their request	SHED - UNCERTIFIED	10-12	Lot 16	CHEVALIER STREET	CENTENNIAL PARK
130067	MGB CONSTRUCTION PTY LTD	not shown at their request C & M SMITH	ADDITIONS TO EXISTING	103-105	Lot 62	LOCKYER AVENUE	CENTENNIAL PARK
130095	Strano Angelo	ID TADJ	SHOP - CERTIFIED EARTHWORKS STAGE 1 - UNCERTIFIED	2-18	Lot 14	PIONEER ROAD	CENTENNIAL PARK
130106	SWAN OFFICE INTERIORS PTY LTD	PERPETUAL TRUSTEES AUSTRALIA LTD	SHOP FITOUT - CERTIFIED	70-88	Lot 105	ALBANY HIGHWAY	CENTENNIAL PARK
130129	OCCUPANCY PERMIT	J & G MANLEY	OCCUPANCY PERMIT FOR UNIT 1 GOLF SIMULATOR	40-44	Lot 141	SANFORD ROAD	CENTENNIAL PARK
130093	R & DG CEKEREVAC	T & S LITTLE	PATIO - UNCERTIFIED	169	Lot 2	GOLF LINKS ROAD	COLLINGWOOD PARK
130060	KOSTERS STEEL CONSTRUCTION PTY LTD	T & C NICHOLS	PATIO - UNCERTIFIED	22	Lot 960	CUNNINGHAM STREET	PARK EMU POINT
130063	OCCUPANCY PERMIT LTD	GREAT SOUTHERN	CLASSROOM - SENIOR	244	Location 21 Lot 14	NANARUP ROAD	KALGAN
130034	RYDE BUILDING COMPANY PTY LTD	GRAMMAR SCHOOL Owner's name and address not shown at their request	NEW DWELLING - UNCERTIFIED	10	Lot 209	ELARAY WAY	LANG
130079	KOSTERS STEEL CONSTRUCTION PTY LTD	ID & R WANTACH	SHED - UNCERTIFIED	48	Lot 95	SYMERS STREET	LITTLE GROVE
130080	KOSTERS STEEL CONSTRUCTION PTY LTD	DONALD THOMAS & ROSEMARY MAY	DEMOLITION	48	Lot 95	SYMERS STREET	LITTLE GROVE
130105	ALBANY ELITE EARTHMOVING	MANTACH L & C TAYLOR	RETAINING WALL - UNCERTIFIED	104	Lot 11	BAY VIEW DRIVE	LITTLE GROVE

AGENDA ITEM 2.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
130071	AIKEN PTY LTD	J & L MARZAN	NEW DWELLING -	8	Lot 445	RAYBOLD STREET	LOCKYER
130072	AIKEN PTY LTD	W & L PANSOY	CERTIFIED NEW DWELLING -	9	Lot 437	GIFFORD STREET	LOCKYER
130017	OUTDOOR WORLD	Owner's name and address	CERTIFIED PATIO - UNCERTIFIED	94	Location 7 Lot	FRANCIS STREET	LOWER KING
130030	FORMATION HOMES	not shown at their request K & R BELL	NEW DWELLING -	103	134 Lot 341	THE ESPLANADE	LOWER KING
130057	PTY LTD JASON & PRISCILLA	J & P SHEPHERD	UNCERTIFIED NEW DWELLING -	6	Location 7 Lot	DANIELS CLOSE	LOWER KING
130088	SHEPHERD OWNER BUILDER	S & K HENNY	UNCERTIFIED PATIO - UNCERTIFIED	45	204 Location 520 Lot	SLATER STREET	LOWER KING
130089	OWNER BUILDER	J & P SHEPHERD	SHED - UNCERTIFIED	6	102 Location 7 Lot	DANIELS CLOSE	LOWER KING
130113	J & TW DEKKER PTY LTD	JC PAGE & G & J PAGE	NEW DWELLING - UNCERTIFIED	198	173 Lot	LOWANNA DRIVE	MARBELUP
120539	HOME GROUP WA GREAT SOUTHERN PTY LTD	Owner's name and address not shown at their request W & S BLACK	NEW DWELLING - UNCERTIFIED PATIO - UNCERTIFIED	16	113 Location 492 Lot	PLUTO RISE	MCKAIL
130062	OWNER BUILDER	PH KOLAR & SN KOLAR	UNCERTIFIED PATIO - UNCERTIFIED	65	104 Location 381 Lot	LANCASTER ROAD	MCKAIL
130069	PULS PATIOS	PH KOLAR & SN KOLAR	PATIO - UNCERTIFIED	13	730 Location 399 Lot	STODDART CORNER	MCKAIL
130085	OWNER BUILDER	IDR JACKSON	PATIO - UNCERTIFIED	18	253 Location 492 Lot	CENTAURUS TERRACE	MCKAIL
130086	PULS PATIOS	A & L SPRIGG	PATIO - UNCERTIFIED	28	185 Location 492 Lot	ETHEREAL DRIVE	MCKAIL
130110	RANBUILD GREAT SOUTHERN	L & J HALLOWS	SHED - UNCERTIFIED	82	707 Location 399 Lot	CLYDESDALE ROAD	MCKAIL
130124	NORMAN JOHN WALLS	G & N CAPELLI	SHED - UNCERTIFIED	137	382 Lot	LANCASTER ROAD	MCKAIL
130016	LEEDER GREGORY	B & L GARDINER	SHORT TERM HOLIDAY ACCOMMODATION X 4 CLASS 1b - CERTIFIED	14	653 Lot	MARINE TERRACE	MIDDLETON BEACH

AGENDA ITEM 2.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
130094	OWNER BUILDER	S & J WIMBUSH	ADDITIONS - UNCERTIFIED	31	Location 4661 Lot 304	SILVERSTAR COURT	MILLBROOK
120137	BUILDING APPROVAL	R & P H KERRUSH	UNAUTHORISED WORKS - MEZZANINE FLOOR TO FACTORY	157	Lot 5	CHESTER PASS ROAD	MILPARA
130045	OCCUPANCY PERMIT	Owner's name and address not shown at their request	OCCUPANCY PERMIT	50	Lot 229	NEWBAY STREET	MILPARA
130014	WA COUNTRY	Owner's name and address not shown at their request	GROUP DWELLING X 12 - UNCERTIFIED	22	Lot 250	COCKBURN ROAD	MIRA MAR
130039	BUILDERS PTY LTD OUTDOOR WORLD	ASSOCIA Owner's name and address	SHED - UNCERTIFIED	5	Lot 165	ANDERSON PLACE	MIRA MAR
130084	HOME GROUP WA GREAT SOUTHERN	not shown at their request Owner's name and address	NEW DWELLING - UNCERTIFIED	23	Lot 237	HENLEY GROVE	MIRA MAR
130108	CLINTON LONG PROJECT MANAGEMENT PTY LTD	not shown at their request NATIONAL TRUST OF AUSTRALIA (WA) G & D JONES	RESTORATION WORKS - CERTIFIED	9-11	Location RES 24864 Lot 1105	BEAUCHAMP STREET	MIRA MAR
130114	TURPS STEEL FABRICATIONS	WYDAN PTY LTD	SHED - UNCERTIFIED	49	Lot 25	GREENSHIELDS STREET	MIRA MAR
130100	CRAMEN PTY LTD	WYDAN PTY LTD	UNDERPINNING OF EXISTING FOOTINGS - UNCERTIFIED	85-87	Location Lot 6 7	ALBANY HIGHWAY	MOUNT MELVILLE
120519	BUILDING APPROVAL	J & C WILKINSON	BUILDING APPROVAL	22	Lot 119	WHIDBY STREET	ORANA
130097	OWNER BUILDER	BH MAY	CERT - STRATA DEMOLITION OF EXISTING SHED TO MAKE WAY FOR NEW SHED	20	Location 231 Lot 61	KATOOMBA STREET	ORANA
130098	OWNER BUILDER	BH MAY	SHED - UNCERTIFIED	20	Location 231 Lot 61	KATOOMBA STREET	ORANA
130102	BUILDING APPROVAL	J & C WILKINSON	BUILDING APPROVAL	22	Lot 119	WHIDBY STREET	ORANA
130023	OWNER BUILDER	R & T HARVEY	CERT PATIO - UNCERTIFIED	23	Location 33 Lot 10	SEAWOLF ROAD	ROBINSON
130037	RANBUILD GREAT SOUTHERN	KA FINIGAN	CARPORT - UNCERTIFIED	6	Location 33 Lot 66	ROWNEY ROAD	ROBINSON

AGENDA ITEM 2.2 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
130073	DUNKELD CONSTRUCTION PTY LTD	PAT AND PAUL	WORKSHOP EXTENSION	24	Lot 124	ALLERTON STREET	ROBINSON
130090	KOSTERS STEEL CONSTRUCTION PTY LTD	ARMSTRONG PTY LTD R & M HARRIS	CERTIFIED SHED - UNCERTIFIED	13	Location PL43 Lot 144	GAMBLE GREEN	SPENCER PARK
130112	MATTHEW POCOCK LTD	I & R KING	NEW DWELLING	78	Lot 16	FENNELL ROAD	TORBAY
120508	OWNER BUILDER	JAYCEES WHALEWORLD	UNCERTIFIED PATIO AREA - UNCERTIFIED		Location RES 36721 Lot 7900	WHALING STATION ROAD	TORNDIRUP
130053	WREN (WA) PTY LTD	H & J RATHBONE	NEW DWELLING	4	Location 5492/5493 Lot 253	OWEN COURT	RENNUP
130043	HOME GROUP WA GREAT SOUTHERN PTY LTD	Owner's name and address not shown at their request A & D HOWARD	UNCERTIFIED NEW DWELLING		Lot 811	WESTON RIDGE	WILLYUNG
130068	OWNER BUILDER		UNCERTIFIED SWIMMING POOL	56	Location 439 Lot 213	RIVERWOOD ROAD	WILLYUNG
130075	RETAINING AND PAVING WORLD	D VANDERSCHAAF	RETAINING WALL	60	Location AT356	LEONORA STREET	YAKAMIA
130077	KOSTERS STEEL CONSTRUCTION PTY LTD	FREE REFORMED	UNCERTIFIED CRECHE - CERTIFIED	5-7	Lot 7	BEAUFORT ROAD	YAKAMIA
130083	WREN (WA) PTY LTD	CHURCH OF ALBANY INC MR DOMINIC HENRY	NEW DWELLING	10	Location 243 Lot 647	GREVILLEA WAY	YAKAMIA
130103	L J BRENTON	CARAMIA & KL CARAMIA WE TRAPPIITT	CERTIFIED SHED - UNCERTIFIED	3	Location 356 Lot 524	DEACON CREST	YAKAMIA
130066	ARTHUR & INGRID	A & I SPRONK	RAINWATER TANK				
130070	SPRONK OCCUPANCY PERMIT	CROWN LAND & THE UNIVERSITY OF	UNCERTIFIED OCCUPANCY PERMIT	33-39	Location 42B	STIRLING TERRACE	
130082	KOSTERS STEEL CONSTRUCTION PTY LTD	WESTERN A AJ BOTTER	CERT OF DESIGN COMPLIANCE	12	Location 480	ELLEKER GRASWERE ROAD	

AGENDA ITEM 2.2 REFERS

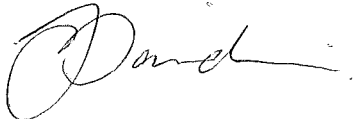
Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
130107	OWNER BUILDER	N & R STONEY	SHED - UNCERTIFIED	1406	Location 6604	REDMOND-HAY RIVER	
130127	KOSTERS STEEL CONSTRUCTION PTY LTD	AJ BOTTER	WORKSHOP/SHOP - CERTIFIED	121	Location 480	ROAD ELLEKER-GRASMERE ROAD	

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors
From : Administration Officer - Planning
Subject : Planning Scheme Consents – February 2013
Date : 5 March 2013

1. The attached report shows Planning Scheme Consents issued under delegation by a planning officer for the month of February 2013.
2. Within this period 48 Planning Scheme Consent applications were determined, of these;
 - 46 Planning Scheme Consent applications were approved under delegated authority; and
 - 2 Planning Scheme Consent applications were cancelled.



Jessica Davidson
Administration Officer – Planning

PLANNING SCHEME CONSENTS ISSUED UNDER DELEGATED AUTHORITY

Applications determined for February 2013

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2120304	23/11/2012	Roberts Gardiner Architects	Toll Place	Albany	Tavern	Delegate Approved	28/02/2013	Taylor Gunn
P2120315	28/11/2012	Public Transport Authority Of WA	Proudlove Parade	Albany	Development (Installation of Air Conditioning Unit)	Delegate Approved	5/02/2013	Tom Wenbourne
P2120324	6/12/2012	Department Of Environment And Conservation	Proudlove Parade	Albany	Development (Public Infrastructure and Signage)	Delegate Approved	7/02/2013	Tom Wenbourne
P2120341	14/12/2012	Powerhouse Architectural Drafting	Albany Highway	Albany	Shop - Additions and Alterations	Delegate Approved	4/02/2013	Tom Wenbourne
P2120348	18/12/2012	I Evans	Cliff Street	Albany	Single House - Outbuilding and Studio	Delegate Approved	14/02/2013	Craig McMurtrie
P2120350	19/12/2012	C Swarts	Rowley Street	Albany	Single House - Outbuilding (Overheight)	Delegate Approved	13/02/2013	Tom Wenbourne
P2130023	21/01/2013	R Stephens	Maddison Way	Bayonet Head	Single House	Delegate Approved	7/02/2013	Taylor Gunn
P2130045	7/02/2013	Kosters Steel Constructions	Gresham Terrace	Bayonet Head	Single House - Additions (Patio) - Side Setback Relaxation	Delegate Approved	15/02/2013	Deb Delury
P2130047	11/02/2013	Puls Patios	Alison Parade	Bayonet Head	Caravan Park - Park Home Additions (Patio - Site 47)	Delegate Approved	18/02/2013	Jess Anderson
P2130050	14/02/2013	Outdoor World	Chevalier Street	Centennial Park	Single House - Outbuilding	Delegate Approved	14/02/2013	Jess Anderson
P2120331	7/12/2012	Ayton Baesjou Planning	Down Road	Drome	Junk Yard (Scrap Metal)	Delegate Approved	26/02/2013	Deb Delury
P2130004	8/01/2013	Department Of Environment And Conservation	Lower Denmark Road	Elleker	Development (Public Infrastructure Sign Shelter)	Delegate Approved	26/02/2013	Tom Wenbourne
P2130015	14/01/2013	W Downes	Lower Denmark Road	Elleker	Single House - Additions (Design Codes Relaxation)	Delegate Approved	4/02/2013	Taylor Gunn
P2130001	4/01/2013	H&H Architects	St Georges Crescent	Goode Beach	Single House (Design Codes Relaxation)	Delegate Approved	4/02/2013	Jess Anderson
P2130007	14/01/2013	AD Contractors Pty Ltd	South Coast Highway	Kalgan	Industry - Extractive (Gravel)	Delegate Approved	19/02/2013	Jess Anderson
PEX22	17/01/2003	H C Poole	Riverview Road	Kalgan	Industry - Extractive - Gravel	Cancelled	15/02/2013	Jess Anderson
P2120329	7/12/2012	Ryde Building Company Pty Ltd	Elaray Way	Lange	Single House and Outbuilding (Design Codes Relaxation)	Delegate Approved	12/02/2013	Jess Anderson

AGENDA ITEM 2.2 REFERS

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2130043	7/02/2013	B Myers	O'connell Street	Little Grove	Development (Earthworks In Excess Of 600mm) - Retaining Wall	Delegate Approved	19/02/2013	Taylor Gunn
P2130052	14/02/2013	Albany Elite Earthmoving And Drainage	Bay View Drive	Little Grove	Development (Earthworks In Excess Of 600mm) - Retaining Wall	Delegate Approved	28/02/2013	Jess Anderson
P2120294	16/11/2012	Kosters Steel Constructions	Symers Street	Little Grove	Single House - Additions (Shed)	Delegate Approved	6/02/2013	Deb Delury
P2130026	23/01/2013	K Henny	Slater Street	Lower King	Single House - Additions (Verandah)	Delegate Approved	4/02/2013	Jess Anderson
P2130033	31/01/2013	K & R Bell	The Esplanade	Lower King	Single House (Design Codes Relaxation)	Delegate Approved	5/02/2013	Jess Anderson
P2130041	5/02/2013	N Wilkinson	Bushby Road	Lower King	Shed - Domestic Storage	Delegate Approved	26/02/2013	Jess Anderson
P2130061	18/02/2013	B Dunkeld	The Esplanade	Lower King	Single House - Addition (Design Codes Relaxation)	Delegate Approved	28/02/2013	Tom Wenbourne
P2120299	20/11/2012	MCB Construction	The Esplanade	Lower King	Single House - Outbuilding	Delegate Approved	7/02/2013	Jess Anderson
P2130028	23/01/2013	AD Contractors Pty Ltd	Pfeiffer Road	Manypeaks	Industry - Extractive (Gravel)	Delegate Approved	26/02/2013	Jess Anderson
P2130031	25/01/2013	J Dekker	Lowanna Drive	Marbelup	Single House	Delegate Approved	19/02/2013	Deb Delury
P285020	31/01/2008	D Bellotti	South Coast Highway	Marbelup	Industry - Extractive (Sand)	Cancelled	15/02/2013	Jess Anderson
P2130018	16/01/2013	Home Group WA Great Southern	Pluto Rise	McKail	Single House (Design Codes Relaxation)	Delegate Approved	4/02/2013	Tom Wenbourne
P2130027	23/01/2013	Puls Patios	Ethereal Drive	McKail	Single House - Additions (Patio)	Delegate Approved	5/02/2013	Jess Anderson
P2130034	31/01/2013	Wren (WA) Pty Ltd	Comet Corner	McKail	Single House - Additions (Design Codes Relaxation)	Delegate Approved	5/02/2013	Jess Anderson
P2130056	18/02/2013	Ranbuild Great Southern	Clydesdale Road	McKail	Single House - Outbuilding (Side Setback Relaxation)	Delegate Approved	19/02/2013	Jess Anderson
P2120353	21/12/2012	Albany Shed Builders	Lancaster Road	McKail	Single House and Outbuilding (Design Codes Relaxation)	Delegate Approved	7/02/2013	Deb Delury
P2130011	10/01/2013	S & J Wimbush	Silverstar Court	Millbrook	Single House - Addition	Delegate Approved	8/02/2013	Deb Delury
P2120274	7/11/2012	D Lembo	Lower Denmark Road	Mount Elphinstone	'Use Not Listed' (Storage - Sea Containers)	Delegate Approved	20/02/2013	Adrian Nicoll
P2130032	30/01/2013	R McLean	Sherratt Street	Mount Melville W	Single House - Additions	Delegate Approved	26/02/2013	Deb Delury

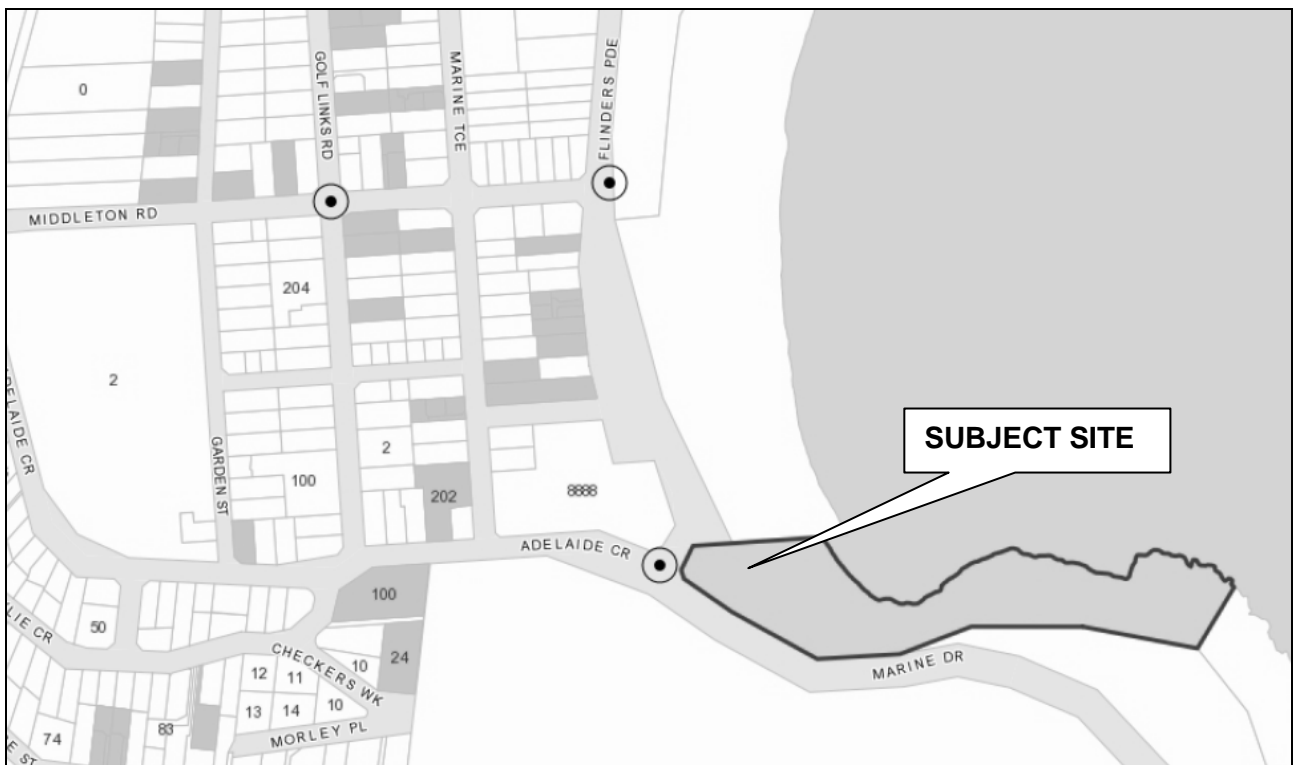
AGENDA ITEM 2.2 REFERS

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2130039	4/02/2013	N Berridge	Batelier Close	Spencer Park	Development (Earthworks In Excess Of 600mm) - Retaining Wall	Delegate Approved	7/02/2013	Jess Anderson
P2120347	17/12/2012	Depression Support Network Albany	Nind Street	Spencer Park	Club Premises (Depression Support Network)	Delegate Approved	22/02/2013	Tom Wenbourne
P2120335	11/12/2012	Whaleworld	Whaling Station Road	Torndirrup	Private Recreation - Additions (Shelters x 2 And Barbeque)	Delegate Approved	4/02/2013	Taylor Gunn
P2130038	4/02/2013	L McCann	Kendell Court	Warrenup	Single House - Additions (Outbuilding and Barbeque Area)	Delegate Approved	28/02/2013	Deb Delury
P2120332	27/11/2012	Wellstead Community Resource Centre Incorporated	Windsor Road	Wellstead	Public Recreation (Playground And Rest Area)	Delegate Approved	13/02/2013	Deb Delury
P2130035	31/01/2013	Home Group WA Great Southern	Weston Ridge	Willyung	Single House	Delegate Approved	12/02/2013	Taylor Gunn
P2130044	7/02/2013	A Perrella	Manton Way	Willyung	Single House - Additions (Patio)	Delegate Approved	11/02/2013	Jess Anderson
P2130051	14/02/2013	P Adams	Manton Way	Willyung	Single House - Outbuilding (Side Setback Relaxation)	Delegate Approved	19/02/2013	Taylor Gunn
P2130059	18/02/2013	A Owens	Pinaster Road	Willyung	Single House - Outbuilding	Delegate Approved	27/02/2013	Taylor Gunn
P2130072	21/02/2013	Ranbuild Great Southern	Weston Ridge	Willyung	Single House - Outbuilding	Delegate Approved	26/02/2013	Jess Anderson
P2120238	5/10/2012	R Eskett	Pony Club Road	Willyung	Private Club - Additions (Covered Arena)	Delegate Approved	21/02/2013	Deb Delury
P2130067	20/02/2013	Turps Steel Fabrication	Erindale Court	Yakamia	Single House - Outbuilding	Delegate	27/02/2013	Taylor Gunn

**2.3:DEVELOPMENT APPLICATION – TAVERN, FAST FOOD OUTLET,
GALLERY AND MEETING PLACE – 2 FLINDERS PARADE,
MIDDLETON BEACH, ALBANY**

Land Description	: (Part of Reserve 26149 Lot 651) No.2 Flinders Parade, Middleton Beach, Albany
Proponent	: Kate Marwick on behalf of Three Anchors Pty Ltd
Owner/s	: City of Albany
Business Entity Name	: Three Anchors Pty Ltd
Director of Owner Company	:
Attachment(s)	: Covering letter/justification : Site plan & floor plan : Copy of submissions
Councillor Workstation	: Nil
Responsible Officer(s)	: E/Director Planning and Development Services (D Putland)

Maps and Diagrams:



IN BRIEF

- A development application has been received for the change of use of the restaurant at Three Anchors to a Tavern. The existing hot food kiosk, gallery and meeting spaces are to remain unchanged.
- The change is sought to assist the operation of the premises in terms of service of liquor.
- Under Council Guideline 'Planning Applications', a Tavern is a "3C" whereby City staff have no delegation and the application is required to be determined by Council.

RECOMMENDATION

ITEM 2.3: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR STOCKS

1. **THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Tavern, Fast Food Outlet, Gallery and Meeting Place at (Lot 651) 2 Flinders Parade, Middleton Beach, Albany subject to the following conditions:**
 - a) **The proposal is to comply with any details and/or amendments marked in red on the stamped, approved plans.**
 - b) **The loading and unloading of goods shall occur entirely within the site and be undertaken in a manner so as to cause minimum interference with other vehicular traffic.**
 - c) **Within 60 days of the date of this decision the developer shall prepare and submit for approval a Noise Management Plan for the premises to the satisfaction of the City of Albany. The Noise Management Plan shall detail practices and controls to ensure the level of noise emanating from the premises will not exceed that prescribed in the Environmental Protection Act 1986, and the Environmental Protection (Noise) Regulations 1997. The requirements of the approved Noise Management Plan shall be implemented and adhered to during the hours of operation of the premises.**
 - d) **The consumption of liquor within the alfresco area to the front (northeast) of the building shall be served by way of table service to patrons seated at tables only, unless otherwise agreed in writing by the City of Albany.**
2. **THAT Council AUTHORISES the Executive Director Planning and Development Services to ISSUE a Section 40 Certificate for a Tavern at (Lot 651) 2 Flinders Parade, Middleton Beach, Albany, subject to the following condition being imposed;**
 - a) **The consumption of liquor within the alfresco area to the front (northeast) of the building shall be served by way of table service to patrons seated at tables only, unless otherwise agreed in writing by the City of Albany.**

CARRIED 12-0

BACKGROUND

1. This application is for a tavern, fast food outlet, gallery and meeting room at the premises known as Three Anchors at 2 Flinders Parade, Middleton Beach.
2. The subject land is a reserve for parks and recreation under Town Planning Scheme 1A. It is owned by the Crown and vested with the City of Albany with the power to lease.
3. The subject land is primarily used for public recreation and includes public walk ways, public toilet facilities, a children's play park, picnic facilities in addition to the subject development.
4. The premises currently operate as a restaurant under a restaurant liquor licence.(with a liquor without a meal permit). This operation and permit was considered by Council at its Ordinary Council Meeting on 20 April 2010 (Item 13.1.1) and was approved at a Special

Council Meeting on 6 May 2010 (Item 6.4) for the former operators when the site was known as Calamaris at Beachside.

5. Under the restaurant liquor licence (with liquor without a meal permit) consumption of liquor is limited to onsite only by way of table service to patrons seated at a table.
6. The renovations, alterations and additions to the premises by the current operators were considered by Council at its Ordinary Council Meeting on 19 June 2012 (Item 2.6). These works are nearing completion and the premises opened to the public just before Christmas 2012.
7. If approval is considered appropriate the applicant will also need to apply to the Department of Racing Gaming and Liquor (DRGL) for a 'Tavern' Liquor Licence. A tavern licence authorises:
 - *The sale and supply of liquor for consumption on the premises;*
 - *The sale and supply of packaged liquor to patrons for consumption off the licensed premises.*

Prior to the issuing of a Liquor Licence DRGL requires approval from the appropriate Local Authority, this is via a Section 40 Certificate under the Liquor Licensing Act.

8. As a Tavern is classified as "3C" application under Council Guideline 'Planning Applications', it is required to be determined by Council.

DISCUSSION

9. This application seeks a partial change of use of the restaurant to tavern. As per the previous approval in 2012; the kiosk operation would continue outside of the tavern area as a fast food outlet. To the northwest of the kiosk/fast food outlet there is a gallery space and a meeting room.
10. The subject site is already developed and no further physical changes are proposed as a result of this application. The application to change from restaurant to tavern is motivated by a desire to alleviate issues and complexities of the operation imposed as a result of the liquor without a meal permit restrictions. Currently anyone going to the venue just to have an alcoholic drink, can order at the bar with a table number or are given a number to go and sit at a table to wait for the bar staff to bring the drink(s) over. During busy periods this can cause significant delay to service.
11. The proposed change to tavern would allow direct service at the bar.
12. In addition, a tavern approval under Racing, Gaming and Liquor can permit takeaway sales of packaged liquor and the proponent has stated a preference to have the ability to do this to allow people to take the remainder of their purchased bottle away with them. They have indicated how they would restrict this from general takeaway sales, by charging the same over the bar price.

13. Although there is merit in the suggestion; having takeaway sales at this venue may increase the potential for people to consume alcohol in surrounding public places that are frequented by children; namely the beach and lawn areas of Middleton Beach as well as the amphitheatre on the bank above the boardwalk path at Ellen Cove.
14. City staff also note that allowing takeaway sales would be contrary to the intent behind the direction given to staff by Council from the Ordinary Council Meeting 18/08/2009, Item 13.5.1, Recommendation 3, Guideline iii).

iii) Support applications for restaurants to use small bar licences provided the licence area does not extend onto or incorporate public land (eg alfresco areas), the premises are not located adjacent to locations which have a high potential to be frequented by children (beaches, public parks, etc) and the licensed premises can be adequately demarcated.

15. Council may also consider recommending a small bar licence, which is limited by the Department of Racing, Gaming and Liquor to a capacity of no more than 120 people. However, this may unduly restrict the operation of this venue.
16. With regard to use of the alfresco to the front of the renovated building, this area is clearly demarcated with a low wall abutting the newly re-paved boardwalk pathway. It is in close proximity to the children's play equipment and for this reason staff suggest that this alfresco be limited to table service only. This limitation on table service within an alfresco abutting public places is consistent with recent Council decisions for RATS Bar at 18 Adelaide Crescent (November 2010) and the proposed Waterfront Tavern at Lot 6 Toll Place (February 2013).
17. The proposed change of use was subject to public advertising and consultation and this is detailed further in this report. It was also referred to the City's Property and Leasing Team as the land and building is a leased City controlled property. The comment received is that this change of use if approved will require a variation to the lease for this property. A separate report covering the lease variation is included within this Council meeting agenda.
18. The proponent has requested hours of operation from 11am to midnight 7 days per week, although they have stated they do not intend to stay open until midnight every night, but would like to retain the option for special occasions/events. As the venue is setback a significant distance from the nearest residential property, this is not considered to be a concern and did not raised objection through the public consultation.
19. The proposed change of use from restaurant to include tavern will not give rise to additional parking requirements and there is sufficient parking provision in the immediate vicinity.

GOVERNMENT CONSULTATION

20. No government consultation was required or undertaken.

PUBLIC CONSULTATION / ENGAGEMENT

21. The application was advertised in the Public Notices section of the Albany Advertiser on 17 January 2013 with the public submission period closing on 7 February 2013. A total of 85 letters advising of the application were sent out to surrounding landowners within a 250m radius of the site.
22. Three written public submissions were received. One was an objection to the proposal and the other two were not objections but raised queries. The objections and queries are detailed as follows:

The objection raised:

- The proposed change does not benefit residents or tourists as Middleton Beach is a family venue.
- Parking difficulties.
- Anti-social behaviour, including littering, violence (including harmless/playful banter) and hoons.
- Against a tavern licence, but perhaps another licence for Sunday's only.

Queries raised:

- No overall objection, but questions the necessity of another tavern in this area and suggests the tavern operating hours be restricted until after 6pm.
- They have a bottle shop licence (liquor store licence) and would not be happy for packaged liquor sales to be included in this proposal if supported.

STATUTORY IMPLICATIONS

23. The Town Planning Scheme 1A Part II - reserved land includes the following clauses that is relevant to this application;

“Reservation of land and development thereof

- 2.1 Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.
- 2.2 Except as otherwise provided in this part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.
- 2.3 In giving its approval to carry out development the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its approval.
- 2.4 Subject to Part V of the Scheme, no provision of this Part shall prevent the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.”
24. The proposed use is considered consistent with the purpose of this Reserve.

STRATEGIC IMPLICATIONS

25. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021):

Key Focus Area

Sustainability and Development

Community Priority

Tourism development

Proposed Strategies

- *Improve and expand tourism infrastructure and attractions.*
- *Encourage diversity in tourism product, including food and wine, indigenous tourism, heritage tourism, through partnerships with key tourism stakeholders.*

POLICY IMPLICATIONS

26. The subject site is in close proximity to but falls just outside of The City of Albany’s Middleton Beach Tourist precinct policy, there are therefore no policy implications directly related to this site.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>The proponent may lodge an application for review to the State Administrative Tribunal of the City’s decision to refuse the proposal or any conditions of the Approval.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>The decision is based on sound planning grounds. If a decision is made to refuse the application sound reasoning is required to provide solid defence at a State Administrative Tribunal.</i>
<i>Concerns that a “Tavern” may cause anti social behaviour etc.</i>	<i>Low</i>	<i>Minor</i>	<i>Low</i>	<i>This will be monitored and controlled by the Licensee and Police. In reality the operation under the tavern licence will not be significantly different to the current approved operation.</i>
<i>Concerns that takeaway sales of packaged liquor will lead to increased public drinking in the vicinity.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Can be avoided by restricting tavern to prohibit takeaway sales.</i>

FINANCIAL IMPLICATIONS

- 28. The proponent has paid the appropriate fee as per the Planning Application Fees Schedule adopted by Council. This fee is non-refundable.
- 29. Planning staff have processed this application within accepted timeframes and the scope of existing budget lines.

LEGAL IMPLICATIONS

- 30. If Council refused the application or the Applicant objects to any of the conditions of approval, the proponent would then be entitled to seek a review of that decision with the State Administrative Tribunal.

ALTERNATE OPTIONS

- 31. Council has the option to refuse to grant Planning Scheme Consent for the proposed Tavern and the venue would continue to operate under its current restrictions.
- 32. Council can determine to approve the Tavern use, but prohibit takeaway sales as proposed in the application, authorising the issuing of a Section 40 Certificate for a restricted Tavern.
- 33. Should Council consider the requested hours of operation (closing at midnight on limited occasions) is cause for concern, this can be the subject of a suitable condition to be determined by Council or the number of occasions per calendar year when the venue closes at midnight can be limited.

SUMMARY CONCLUSION

- 34. The proposal seeks Planning Scheme Consent for change of use to include tavern together with existing uses at (Lot 651) 2 Flinders Parade, Middleton Beach, Albany.
- 35. This change is sought to assist with the operation and function of the venue by removing the restriction on service of liquor to table service only. There are no other substantial implications arising from this other than the possibility of takeaway sales of packaged liquor as discussed in the report.
- 36. Staff recommend that the tavern be approved.

Consulted References	Town Planning Scheme No. 1A
File Number (Name of Ward)	A223660 (Frederickstown Ward)
Previous References	OCM 19/06/2012 Item 2.6

Tom Wenbourne
Senior Planning Officer
City Of Albany
PO Box 484
ALBANY WA 6331

Dear Sir,

Three Anchors application for change of use to include tavern at 2 Flinders Parade Middleton Beach.

We have submitted an application to the City of Albany for change of use to 2 Flinders Parade Middleton Beach to include tavern and to enable a full report to be prepared for Council, we supply the following information.

Hours of operation:

Kiosk and gallery: 9am to 5pm

Bistro/restaurant (including tavern licence): 11am to midnight

We do not intend to stay open to mid night every night. We would like option for special occasions/events.

Monday to Sunday.

Separation of uses:

The function room will have a separate entrance and will cater for groups up to 30 for private hire. This area can be closed off from the rest of the building.

Gallery and kiosk

Gallery is open when the kiosk is operating. Gallery is available for local artists to show and offer their works for sale.

Kiosk sells takeaway food and drinks and has a separate entrance. There is a lockable door, between the kiosk and restaurant.

The Alfresco to the front of the building is not currently being used. It is intended in time for the alfresco to be dining with table service only for food and beverages. We acknowledge the front alfresco area's close proximity to beaches and playgrounds with the high potential to be frequented by children. We intend the area to be policed and patrons are not able to drink without a meal.

We do not intend to include a bottleshop element and have no intention to vary the submitted plan in any way in the foreseeable future. We would however like the option of limited takeaway sales to be available. We will offer our current range of local and imported wines, beer and cider but aimed at more of a restricted market for tourists staying in the area who wish to take the remainder of their purchased bottle away with them. While we cannot police where consumption occurs once it leaves the property, prices for takeaway purchases will be the same as over the bar prices which should encourage patrons to consume drinks on site.

Our plan is to operate our business as we have since opening in December 2012, but with the use changed to include tavern, we intend to apply to Dept of Racing Gaming and Liquor for an unrestricted tavern licence.

We hope this will improve efficiency of staff in the bar area as the requirement to have all drinks served to the table will be eliminated. A Tavern Licence will also assist in hosting larger cultural/music events where our patrons do not have to wait for staff to bring their beverages to their table.

Hope you find the above information is what is required.

Please don't hesitate to contact me for any queries.

Kind Regards

Kate Marwick
General Manager
Three Anchors

24th January 2013

Mr Graham Foster
Chief Executive Officer
PO Box 484
Albany WA 6331



City of Albany Records
Doc No: ICR1387752
File: DB.PSC.6
Date: 25 JAN 2013
Officer: AOP1 EDPD ACEO3

Attach:
Box:
Vol:
Box+Vol:

Re Proposed Change of Use/P2130009- Tavern, Fast Food Outlet, Gallery & Meeting Room

Dear Mr Foster:

I am a long-time resident of our town, and I am writing to express my concern about recent discussion and the pending decision to allow the proposed change of the Three Anchors at Ellen Cove Middleton Beach.

Firstly I would like to say that the refurbishment from the formerly Calamari's to the Three Anchors is very good. I feel it has given Middleton Beach another dimension and should be congratulated.

However, I do not believe that the benefits of the change of use favourably benefits any resident or tourist that come here, Middleton beach is a Family Venue, I have been to the Three Anchors many times since it's opening and understand the problem with people that need to have a table allocation so that they can be served drinks, this I believe can be easily remedied at a very modest cost, as I explained and pointed out to friends of mine when we were there last night.

At present there is not enough parking for the Beach goers' the Three Anchors and the New Tapas Bar in Adelaide Crescent, this change of licence would just make parking impossible, I know it could be said that most people would walk to the venue but in reality this does not happen.

I believe that it would change the dynamics of Middleton Beach to its detriment if allowed to proceed. There are many Families that do go to the Beach in the evening and children do use the playground right outside of the Three Anchors only yesterday evening whilst I was there people came from the back of the Three Anchors out the entrance by the toilets to smoke when finished they just flicked there cigarette butts across the play area, these people were also "play boxing" on the walk way so when a young family came through they had to dodge the boxers. Yes all harmless behaviour but when you add a Tavern to the vicinity it might not be so harmless.

Here at Middleton Beach we have had numerous issues with "Hoon" drivers this has seen a great decline since Calamari's closed, however last Sunday there was what is called the Sunday Session at the Three Anchors and the Hoon's came out again in force.

The person that has the lease is a local person and therefore would have known the use allowed for the premises before entering into an agreement to lease; I see no reason why this should be changed now.

With regard to fast food I thought that is what the kiosk provided.

I am aware that security guards were present on Sunday but they cannot be everywhere, see everything all the time.

Very many people take the view that if security is needed that it is probable that trouble is expected.

Although I am against a Tavern licence for this venue I would be prepared to compromise to allow a different licence for Sunday's only.

Are these tradeoffs that we really want to make? I am looking forward to your response.

2.4: CONSIDERATION OF FINAL APPROVAL TO AMEND LOCAL PLANNING SCHEME 1A AND 3 POLICY MANUAL FOR POLICY 2A – OUTBUILDINGS AND POLICY 2C – SEA CONTAINERS

Land Description	: City of Albany
Proponent	: City of Albany
Owner	: City of Albany
Business Entity Name	: N/A
Attachments	: Non-Habitable Structures Policy Schedule of Submissions Letters X2
Responsible Officer(s)	: Executive Director Planning & Development Services (Dale Putland)

IN BRIEF

- Council has recently advertised amendments to the City's Outbuilding Policy. Amendments including addressing development of outbuildings on vacant lots and the size of outbuilding relative to lot sizes.
- At the close of advertising, two submissions were received. One submission stated concerns in relation to the title change from 'Outbuilding Policy' to 'Non-Habitable Structures Policy' and the support being given for the development of non-habitable structures (outbuildings) on vacant lots. The other submission objected to a new provision that requires a building permit for a dwelling to be issued prior to considering approval for a non-habitable structure on a vacant lot.

RECOMMENDATION

ITEM 2.4: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council resolves to:

1. FINALLY ADOPT the proposed amendments to the Outbuildings Policy – Policy 2A of the Town Planning Scheme 1A and 3 Policy Manual.
2. RESCIND the Sea Containers Policy – Policy 2C;
3. On adoption refer the new Non Habitable Structures Policy to the WAPC for endorsement.

**ITEM 2.4: ALTERNATE MOTION BY COUNCILLOR DUFTY
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR HAMMOND**

Zoning	Max. Wall Height	Max. Ridge Height	Max. Floor Area (combined floor area of all non-habitable structures on lot)
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots < 450m ²)	2.4 metres	3 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 450m ² - 600m ²)	3 metres	4.2 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 600m ² - 1000m ²)	3 metres	4.2 metres	100m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 1000m ² – 2000m ²)	3 metres	4.2 metres	120m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 2000m ² – 4000m ²)	3 metres	4.5 metres	150m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots > 4000m ²)	3.5 metres	4.5 metres	170m ²
Yakamia Creek Zone (Lots < 3000m ²).	3.5 metres	4.5 metres	120m ²
Yakamia Creek Zone (Lots > 3000m ²).	3.5 metres	4.5 metres	150m ²
Special Residential Zone (Lots < 4000m ²)	4.2 metres	4.8 metres	150m ²
Special Residential (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Special Rural Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Special Rural Zone (Lots 2ha to 4ha)	4.2 metres	4.8 metres	220m ²
Special Rural Zone (Lots 4ha to 6ha)	4.2 metres	4.8 metres	240m ²
Special Rural Zone (Lots > 6ha)	4.2 metres	4.8 metres	300m ²
Rural Village Zone (Lots < 4000m ²)	3 metres	4.5 metres	150m ²
Rural Village Zone (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Rural Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Rural Zone (Lots 2ha to 3.99ha)	4.2 metres	4.8 metres	220m ²
Conservation Zone (Lots < 2ha)	3.5 metres	4.8 metres	170m ²

Conservation Zone (Lots > 2ha)	4.2 metres	4.8 metres	220m ²
CARRIED 12-0			

BACKGROUND

1. In 2011, the City adopted its Local Planning Scheme 1A & 3 Policy Manual with provisions governing the development of outbuildings and sea containers.

2. In assessing applications against the provisions contained within the Policy Manual, a number of issues have arisen:
 - a. Some members of the public appear to be of the opinion that they can live in an outbuilding, even though an outbuilding is defined as a 'non-habitable structure'. To emphasise to the public that outbuildings are not to be used for human habitation it was considered appropriate to change the title 'Outbuilding Policy' to 'Non-Habitable Structures Policy'.
 - b. The definitions for carport and outbuilding in the Residential Design Codes are very similar. Their design, look and uses are also very similar. Some confusion exists amongst members of the public as to whether or not a carport is an outbuilding and vice-versa. This confusion also applies to other non-habitable structures such as gazebos, sea-containers and shade houses. To avoid confusion and to limit the total size of these structures on a lot, it is considered appropriate to assess them all under the one new policy and heading 'Non-Habitable Structures'.
 - c. The provisions governing the development of outbuildings are inadequate as they do not appropriately deal with visual and land use amenity issues for outbuildings on vacant lots. It was considered appropriate to include provisions to provide a guarantee that a dwelling will be built to accompany an outbuilding on a vacant lot and to support outbuildings of varying sizes relative to a lot size (i.e. the smaller the size lot, the smaller the structure/the larger the lot, the larger the structure).
 - d. The provisions governing the development of outbuildings are inadequate as they do not support sizes relative to the lot size. It was considered appropriate to increase permitted sizes for some larger lots and vice-versa for smaller lots.
 - e. Maximum floor areas stipulated in the policy for some residential lots is different to the maximum stipulated in the Western Australian Planning Commissions' 'Residential Design Codes'. It was decided to seek the support of the Western Australian Planning Commission on this variation.
 - f. A sea container is considered to be used in a similar way to outbuildings and it is therefore considered appropriate to assess sea containers under the new suggested 'Non-Habitable Structures Policy'. The current sea container policy can therefore be rescinded on adoption of the proposed Non-Habitable Structures policy.

3. As a result of the issues expressed above, a new set of provisions guiding the development of Non-Habitable Structures was drafted and advertised for public and government comment. At the close of advertising, 2 submissions were received, one from the Department of Planning and one from a local building company. The submissions are summarised as per an attached Schedule of Submissions.

4. The Department of Planning (DOP) supported variations to the Residential Design Codes in relation to building floor areas. The DOP, however, indicated concern in relation to the title change from 'Outbuilding Policy' to 'Non-Habitable Structures Policy' and the support being given for the development of non-habitable structures (outbuildings) on vacant lots.
5. The Department of Planning reasons for concern relates to:
 - a variation from the R-Codes defined term 'Outbuilding'; and
 - a variation from the definition of outbuilding, which is '*an enclosed non-habitable structure that is detached from any dwelling*'.
6. The building company is objecting to the new provision 2b), which states:

Development of a non habitable structure on a vacant lot that is zoned Residential, Tourist Residential, Future Urban, Residential Development, Special Residential or Special Rural shall not be considered unless...a Building Permit for a dwelling has been issued by the City.
7. Reasons for the building company objecting include:
 - This is too onerous a requirement; and
 - The requirement takes away the opportunity for a landholder to develop in stages when they can afford to (i.e. buy land, develop non-habitable structure and then develop residential dwelling).
8. The building company suggested that; instead of requiring a building permit for a dwelling, planning approval should be sought to assess the location of a dwelling and non-habitable structure, to ensure that the non-habitable structure is located to allow space for a future dwelling.

DISCUSSION

Purpose of new provision 2b)

9. The new provision, which applies to Residential, Tourist Residential, Future Urban, Residential Development, Special Residential or Special Rural zoned properties and requires a building permit for a dwelling prior to supporting a non-habitable structure has been introduced for the following reasons:
 - a. The community expressed concern that a non-habitable structure on a vacant property will impact the neighbourhood from a visual and land-use perspective; and
 - b. The community has on occasions expressed a need to have a non-habitable structure to store equipment while they build a dwelling.

Visual Amenity – Residential Streetscapes

10. Residential streetscapes are characteristic of a residential dwelling located adjacent to the street with non-habitable structures located either alongside or behind the dwelling. A non-habitable structure developed as a standalone structure on a lot (without a dwelling) is considered inappropriate as the stand alone structure is a variation from the standard streetscape, which will potentially create visual and land-use conflict.

Land-use – Residential Lots

11. The purpose of a residential lot is to cater for human habitation. This occurs via the development of a dwelling. Non-habitable structures provides for storage units in association with the human habitation that is occurring within the dwelling. A non-habitable structure developed without any intent to act as an incidental use to the dwelling is not in keeping with the predominant “residential “ land use (human habitation).

Building Permits

12. For a landholder to acquire a building permit, a substantial amount of financial resource needs to be outlaid:
- detailed plans need to be drawn by an architect/designer,
 - a builder needs to be nominated – this often requires a deposit to be outlaid and a contract negotiated;
 - alternatively to become an owner builder, fees need to be paid to the Builders Registration Board;
 - application fees need to be paid to the Local Government.

Conclusion

13. As expressed above:
- the community is adamant that an outbuilding developed on a lot without a dwelling will impact on the visual and land-use characteristics of their neighbourhood;
 - an outbuilding developed just prior to a dwelling could facilitate the development of the dwelling; and
 - by requiring that a building permit for a dwelling is issued prior to supporting a non-habitable structure, because of the resources outlaid (time, finance, contracts), it would be rare for the owner not to proceed with the development of the dwelling.

GOVERNMENT CONSULTATION

14. The Department of Planning was requested to make comment as the proposed amendments are not consistent with the State Planning Policy 3.1 - Residential Design Codes. Refer to the Schedule of Submissions (attachment), which summarises the Department of Planning comments.

PUBLIC CONSULTATION / ENGAGEMENT

15. The Council resolved to advertise amendments to the City’s Policy Manual, and subsequently an advertisement was placed once a week for two consecutive weeks in the local newspaper and letters were sent to local builders inviting them to make comment. One submission was received from the public – refer to the Schedule of Submissions (attachment), which summarises comments.
16. Following final endorsement, details thereof shall be advertised publicly and a copy kept with the scheme documents (Policy Manual) for inspection during normal office hours.

STATUTORY IMPLICATIONS

17. Clauses 6.9 of the City of Albany Town Planning Scheme 3 and 7.21 of Town Planning Scheme 1A set out the processes to adopt and modify town planning scheme policies and also provides direction on what function the policies have in the decision-making process. The Policy may only be altered or rescinded by:
- (a) Preparation and final adoption of a new policy, specifically worded to supersede an existing policy; and
 - (b) Publication of a formal notice of rescission by the Council twice in a newspaper circulating in the area.
18. As per the above requirements, the new ‘Non-Habitable Structures Policy’ has been developed and advertised to supersede the existing Outbuilding and Sea-Container Policies.

STRATEGIC IMPLICATIONS

19. The amendments are consistent with the City’s Strategic Plan as follows:
Governance: The City of Albany will be an industry leader in good governance and service delivery.

POLICY IMPLICATIONS

20. After the advertising period has been completed and the amended Policy Manual is re-presented to Council for final consideration, Council will need to formally rescind the existing sea container policy.
21. This has been included as a resolution to be voted on by the Council.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Organisational Operations Poor decision making as a result of peculiarities, inconsistencies and lack of provisions in the City’s Policy Manual.</i>	<i>Likely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adopt amendments to the Policy Manual to solve peculiarities, inconsistencies and lack of provisions.</i>

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

23. There are no legal implications related to this item.

ALTERNATE OPTIONS

24. Council has the options of resolving:
- a. Not to support any changes to the Policy Manual;
 - b. To support the advertised amendments to the Policy Manual, which include amendments to the Outbuilding Policy and rescinding the Sea Containers Policy;
 - c. To support amendments to the Policy Manual, including amendments recommended as a result of considering government and public comments;

SUMMARY CONCLUSION

25. The Council resolved to advertise amendments to their Policy Manual, which included modifications to the Outbuilding Policy and rescinding the Sea-Containers Policy. At the close of advertising:
- one submission requested that the new proposed Clause 2b), which requires a building permit for a dwelling being issued prior to considering an application for an outbuilding on a vacant lot, be withdrawn;
 - the other submission supported variations to the Residential Design Codes for floor areas and requested that the original policy name 'Outbuilding' be kept and a requirement included to - not support the development of outbuildings on vacant lots.
26. In the interest of the community and for ease of control, it has been recommended that:
- Non-habitable structures be supported on vacant lots subject to a building permit for a dwelling being issued; and
 - All non-habitable structures (carports, outbuildings, sea-containers, shade houses and gazeboes) are assessed under the one policy titled 'Non-Habitable Structures'.

Consulted References	:	Local Planning Scheme 1A and 3 Policy Manual
File Number (Name of Ward)	:	City of Albany
Previous Reference	:	OCM 19/04/11 - Item 1.1 (Adoption of Final version of Policy Manual). OCM 28/08/12 – Item 2.11 (Consideration of amendments to Local Planning Scheme 1A And 3 Policy Manual For Policy 2a – Outbuildings – It was resolved to 'lay the item on the table'). OCM 20/12/12 – Item 2.3 (Resolved to support the advertising of proposed amendments to Local Planning Scheme 1A And 3 Policy Manual).



City of Albany

Planning Policy

NON-HABITABLE STRUCTURES

(i.e. Outbuildings, Sheds, Gazeboes, Carports, Sea-containers, Shade Houses)

Version: March 2013
Author: Planning and Development Services
File Ref: ? | Synergy Ref: <Insert >

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Version Control

Version	Date	Status	Distribution	Comment
1	December 2012	Draft - Advertising	Internal/External	
2	March 2013	Draft – Final	Internal/External	

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City of Albany - NON-HABITABLE STRUCTURES POLICY

(i.e. Outbuildings, Sheds, Gazeboes, Carports, Sea-containers, Shade houses)

1. Objective

1. To achieve a balance between providing for various legitimate storage needs of residents whilst minimising any adverse impacts non-habitable structures may have on the locality.

2. Scope

1. Non-habitable structures include structures that are not attached to a dwelling and commonly known as outbuildings, sheds, gazeboes, carports, sea containers and shade houses.
2. Garden structures (i.e. structures without a solid roof - pergolas with shade cloth and arbours) are considered exempt from the provisions of the policy.
3. This policy applies to non-habitable structures on lots designated for 'Residential', 'Tourist Residential', 'Future Urban', 'Special Residential', 'Special Rural', 'Rural Village', Yakamia Creek, 'Rural' (<4ha) and 'Conservation' purposes. This Policy does not apply to non-habitable structures on lots designated 'Rural' (>4ha), 'Industrial' or 'Commercial'.
4. Setbacks for non-habitable structures in the 'Residential', 'Tourist Residential', 'Future Urban' and 'Residential Development' zones are to conform to the Table 1, 2a or 2b of the Residential Design Codes WA. Setbacks for non-habitable structures in the 'Rural', 'Conservation', 'Special Rural', 'Special Residential' and 'Rural Village' zones are to comply with the provisions listed in the scheme applicable to each area. Where requirements are not clearly defined, compliance shall be in accordance with the objective of this policy.
5. A non-habitable structure with a floor area of 10m² or less and under 2.4m in height is considered exempt from the provisions of the policy (i.e. small garden shed). A second non-habitable structure with a floor area of 10m² or less and under 2.4m in height is to be assessed in accordance with the Non-habitable structure Policy.



3. Definitions

“Reflective Materials” includes factory applied finishes such as zincalume, galvabond and light colorbond colours such as white, off-white and surfmist.

“Height” is the height of the non-habitable structure as measured vertically from the natural ground level to the highest point of the building above that point, as stipulated in the Residential Design Codes of Western Australia, and not the measurement taken above the proposed finished floor level of the non-habitable structure.

“Maximum Floor Area” the combined total floor area of all existing and proposed non-habitable structures on a lot.

4. Policy Provisions

1. Subject to provision 2 (below), non-habitable structures do not require planning approval.
2. Except as otherwise provided, the following development requires planning approval:
 - a) Development of a sea container;
 - i. A sea container shall not be considered unless:
 - Plans indicate re-development measures to make more visually appealing. This can be done by painting and/or re-cladding to a colour and design similar to surrounding development; and
 - neighbours comments have been considered.

Screening by planting trees or shrubs or by any other methods shall be considered to reduce the visual impact of the sea container.

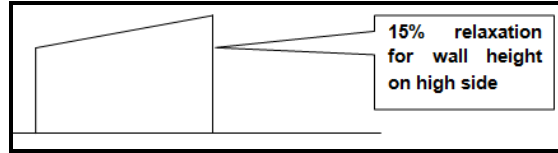
- b) Development of a non habitable structure on a vacant lot that is zoned Residential, Tourist Residential, Future Urban, Residential Development or Special Residential shall not be considered unless:
 - A Building Permit for a dwelling has been issued by the City; and
 - neighbours comments have been considered.

Screening by planting trees or shrubs or by any other methods may be required to reduce the visual impact of the non-habitable structure on the vacant lot.

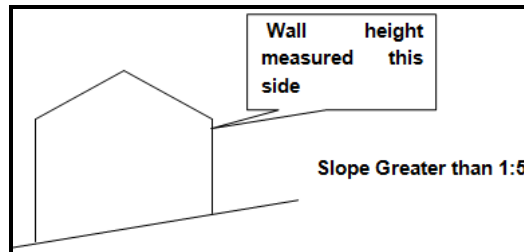
- c) Where development varies from the following policy requirements.
 - i. Except as provided below, the size of a non-habitable structure shall comply with the provisions in Table 1.



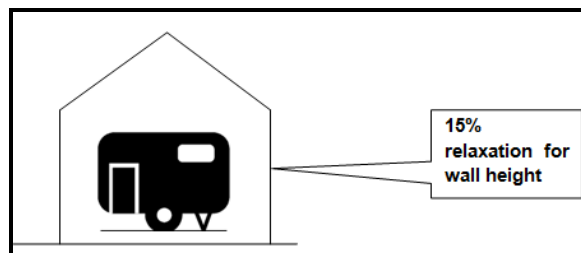
- For mono-pitched (skillion) roofed non-habitable structures (not ridged roofs), a relaxation of the height of the wall (on high side - up to 15%) may be supported; or



- where the land upon which the non-habitable structure is to be erected has a slope greater than 1 in 5, the height of the wall shall be measured on the wall that is located at the higher point of the site where the land has not been subject to cut and/or fill; or



- where in order to accommodate larger boats, caravans or motor-homes, the applicant is to demonstrate proof of ownership of such vehicle/vessel and a relaxation of the height of the wall (up to 15%) may be supported on Residential / Tourist Residential / Future Urban / Residential Development Zone lots that are less than 4000m²; or



- A discretionary allowance of an extra 5m² over the maximum permitted floor area may be considered in cases where the stated maximum floor area allowed is unworkable due to the dimensions of a standard design.
- ii. Non-habitable structures shall be located away from the primary or secondary street areas (i.e. to the rear of the lot).
 - iii. Non-habitable structures that exceed 60m² in floor area shall be constructed out of non-reflective materials.

TABLE 1: NON-HABITABLE STRUCTURE SPECIFICATIONS

Zoning	Max. Wall Height	Max. Ridge Height	Max. Floor Area (combined floor area of all non-habitable structures on lot)
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots < 450m ²)	2.4 metres	3 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 450m ² - 600m ²)	3 metres	4.2 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 600m ² - 1000m ²)	3 metres	4.2 metres	100m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 1000m ² – 2000m ²)	3 metres	4.2 metres	120m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots 2000m ² – 4000m ²)	3 metres	4.5 metres	150m ²
Residential / Tourist Residential / Future Urban / Residential Development Zone (Lots > 4000m ²)	3.5 metres	4.5 metres	170m ²
Yakamia Creek Zone (Lots < 3000m ²).	3.5 metres	4.5 metres	120m ²
Yakamia Creek Zone (Lots > 3000m ²).	3.5 metres	4.5 metres	150m ²
Special Residential Zone (Lots < 4000m ²)	4.2 metres	4.8 metres	150m ²
Special Residential (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Special Rural Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Special Rural Zone (Lots 2ha to 4ha)	4.2 metres	4.8 metres	220m ²
Special Rural Zone (Lots > 4ha)	4.2 metres	4.8 metres	240m ²
Rural Village Zone (Lots < 4000m ²)	3 metres	4.5 metres	150m ²
Rural Village Zone (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Rural Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Rural Zone (Lots 2ha to 3.99ha)	4.2 metres	4.8 metres	220m ²
Conservation Zone (Lots < 2ha)	3.5 metres	4.8 metres	170m ²
Conservation Zone (Lots > 2ha)	4.2 metres	4.8 metres	220m ²

Note: Prior to considering an application for a non-habitable structure that proposes a variation to this policy, it is recommended that the Council first consider varying the policy. In order to do so, the Council will need to seek comment from the public and the Western Australian Planning Commission. Alternatively, it is recommended that such an application be refused.

Schedule of Submissions – Non Habitable Structures Policy

As a result of advertising, two submissions were received. The following schedule has been developed as a means to review comments made.

Non-Habitable Structures Policy			
Submissions	Comment - Submission	Comment – City of Albany	Recommendation – City of Albany
Koster’s Steel Constructions Pty Ltd	<p>This submission received suggests that the new proposed provision 2b) is too onerous. Provision 2b) requires that a building permit for a dwelling is issued prior to considering an application for a non-habitable structure on a vacant lot.</p> <p>The submission suggests that, any adverse impact that a non-habitable structure developed without a dwelling may have on the character of an area can be resolved through planning assessment alone. Where the intent is to build a non-habitable structure on a vacant lot, the developer should be required to apply for planning approval, which will include details showing the location and design of a dwelling and non-habitable structure on the lot. The planning approval notice can ensure that the non habitable structure is located and designed in keeping with the location and design of an indicative dwelling.</p>	<p>The process suggested by this submission may prove that enough space has been left for a dwelling to be built at the front of a lot and that the non-habitable structure is located at the side or rear of the lot.</p> <p>Unfortunately it facilitates development of a non-habitable structure on a vacant lot without a dwelling being constructed in the short term.</p> <p>Where a street is predominantly occupied by residential dwellings, a non-habitable structure developed without a dwelling has the potential to detrimentally impact the streetscape and attract unfamiliar uses to a residential neighbourhood (i.e. commercial storage).</p> <p>In order to obtain a building permit for a dwelling, a builder needs to be nominated, detailed drawings need to be drafted and an application needs to be submitted, all at a substantial cost. Because of the high</p>	<p>The City recommends that the new provision 2b) is kept and applied to Residential, Tourist Residential, Future Urban, Residential Development and Special Residential zoned lots but not Special Rural zoned lots.</p> <p>Because of the size and general land use characteristics of Special Rural lots (i.e. 2ha lots used for special rural activities - horse riding), a non habitable structure developed without a dwelling is not expected to create land use conflict or impact on the streetscape.</p> <p>It is therefore recommended that the clause 2b is changed to read as follows:</p> <p><i>Development of a non habitable structure on a vacant lot that is zoned Residential, Tourist Residential, Future Urban, Residential Development or</i></p>

		<p>costs and efforts involved, it's almost guaranteed that the dwelling will be constructed within a required 2 year period.</p>	<p><i>Special Residential shall not be considered unless...a Building Permit for a dwelling has been issued by the City.</i></p>
<p>Department of Planning</p>	<p>Part 5 of the State Planning Policy 3.1 – Residential Design Codes require local planning policies that affect residential development to be consistent with the provisions of the codes. Some of the maximum floor areas nominated in the non-habitable structures policy is in-excess of the maximum stated in the Residential Design Codes.</p> <p>The Department of Planning considered the variations to Residential Design Codes to be acceptable. The reason being, Albany accommodates a 'sea-change' lifestyle, which includes a need to accommodate boats and caravans in larger outbuildings.</p> <p>The Department of Planning are of the opinion that:</p> <ul style="list-style-type: none"> • the title 'Outbuilding' should be kept as it is a defined term in the R-Codes; and • outbuildings should not be supported where a dwelling does not exist as a means to comply with the outbuilding definition, which is <i>'an enclosed non-habitable structure that is <u>detached from any dwelling</u>'</i>. 	<p><u>Policy Title</u> The new policy title was changed from 'Outbuilding' to 'Non-Habitable Structure' to include assessment of carports and to enlighten the public of the appropriate use being non-habitable.</p> <p>The R-Codes defines a carport as:</p> <p><i>'a roofed structure...unenclosed...'</i></p> <p>Because an outbuilding is defined differently (<i>'enclosed non-habitable structure'</i>), a landholder can rightly apply for an outbuilding in accordance with maximum size limits and in addition, a carport. The maximum size limits applied and visual amenity are potentially eroded.</p> <p>In-order to limit the total size of non-habitable structures (carports, outbuildings, sheds, gazeboes, sea-containers and shade houses) under the one policy, it is considered appropriate to assess the structures under the new heading 'Non-Habitable Structures'.</p> <p>Because an outbuilding</p>	<p>Maintain the title 'Non-Habitable Structures' and the new provision 2b), which supports non-habitable structures on vacant lots where a building permit for a dwelling has been issued.</p>

		<p>is defined as being a <i>non-habitable structure</i> the new name is not considered to be a variation from the intent of the term 'Outbuilding'.</p> <p>Customers often enquire whether or not they can live in an outbuilding. There are cases where persons unknowingly live in outbuildings.</p> <p>In order to send a clear message to landholders that outbuildings are not for human habitation, it is considered appropriate that the policy title is changed to 'Non-Habitable Structures'.</p> <p><u>Development on Vacant Lots</u></p> <p>The public has sent a clear message to the City that it is not supportive of non-habitable structures developed as standalone structures on lots (without dwelling).</p> <p>In saying this, landholders value the storage potential of an outbuilding on a lot whilst a dwelling is being constructed.</p> <p>In order to find a balance between community needs, it is considered appropriate that a non-habitable structure may be supported where a guarantee is given that a dwelling will be constructed. A Building Permit is considered by the City to be an</p>	
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		<p>appropriate form of guarantee. In order to acquire a Building permit, a substantial amount of time, research and financial resource needs to be outlaid. There is the risk that a developer does not build the dwelling, however, the chance of a developer pulling out from a permit is considered to be very low.</p>	
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Government of **Western Australia**
Department of **Planning**

Great Southern Region

Your ref: LP.PLA.4/LT1369090
Enquiries: Deanne Sheppard

13 February 2013

Department of Regional Development and Lands
Lands Division
State Lands - South East
Locked Bag 2506
Perth, WA 6001

Attention:

Dear Adrian Nicoll,

City of Albany - Variation of residential design codes by local planning policy

I refer to your letter dated 2nd January 2013 seeking comment on the above-mentioned matter.

Part 5 of SPP 3.1 - Residential Design Codes requires local planning policies that affect residential development to be consistent with the provisions of the codes. Clause 5.3.1 of the codes allows variation or replacement of a number of provisions set out in parts 6 and 7 of the codes through the provisions of a local planning policy but Provision 6.1.10 is not nominated. However, Clause 5.3.2 provides for variation of any other acceptable development provision where it can be demonstrated to the satisfaction of the WAPC that there is a need specific to a particular region that warrants such a variation.

The City of Albany is seeking a variation to the maximum area of non-habitable structures. The acceptable development provisions limit the maximum area of an outbuilding to 60m² or 10% of the site area, whichever is lesser. Although appropriate to a metropolitan setting where lot sizes of 600m² or less are likely to predominate, the provisions do not adequately cater for the 'seachange' lifestyle of Albany where lots are generally larger and boat and caravan ownership are relatively common. The proposed R Code variation addresses a need specific to the Albany region and is supported.

The policy will change reference for 'Outbuilding' to Non-Habitable structure. The R-code definition of an outbuilding is:

'An enclosed non-habitable structure that is detached from any dwelling'. In order to maintain consistency it would be recommended that the term Outbuilding is maintained as it is a defined term.

The policy will allow the City to consider applications for structures on vacant lots, where a building permit has been issued for a dwelling. Although this is not a reference within the R-Code it is recommended that the development of outbuildings remains ancillary to an existing dwelling.



Government of **Western Australia**
Department of **Planning**

If you have any further queries, please contact Deanne Sheppard (Planning Officer) on 9892 7309 or by email at deanne.sheppard@planning.wa.gov.au

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Steve Petersen', written over a thin, curved line that extends from the 'Yours faithfully,' text.

STEVE PETERSEN
REGIONAL MANAGER
GREAT SOUTHERN REGION
REGIONAL PLANNING & STRATEGY



Wednesday, 30th January 2013

City of Albany

Att: Adrian Nicoll

Re: Response to Draft Local Planning Scheme Policy - Non-Habitable Structures

Thank you for the opportunity to comment on the above policy – especially for sending out correspondence directly to us.

The clarification and updating of the policy is a positive initiative. It is good to see the background and the policy take into consideration the particular needs and circumstances of the residents and land-owners of Albany.

There is only one item in the new policy that we feel needs addressing;

4. Policy Provisions, item 2 b) "Development of a non-habitable structure on a vacant lot that is zoned , Tourist Residential, Future Urban, Residential Development, Special Residential or Special Rural shall not be considered unless:

- A Building Permit for a dwelling has been issued by the City; and
- Neighbours comments have been considered."

As noted in Discussion point 6 of the Planning and Development Services document, we accept that the lot needs to be designed to take into consideration the position of the Non-Habitable Structure allowing for the future building of a dwelling, but we feel that the requirement of a "full" building permit, which would mean that the land-owner will, in most cases, have had to engage a Builder and have a full building contract, to be too onerous. This takes away the opportunity for local residents to develop land as they can afford it. For example purchasing land, building a Non-Habitable structure, then planning and building the dwelling.

As Council, and locals, we should be encouraging residents to spend what they can afford and save up for the next step without going into a high debt situation by having to try and fund the total building / development of land in one hit.

Our suggestion would be that "planning" approval for the location of the dwelling and Non-Habitable structure be sought when applying for a building permit for the Non-Habitable structure on vacant land. This would give evidence that the Non-Habitable structure does not "adversely impact the street scape, character and environmental attributes of the area". (Quote from point 6)

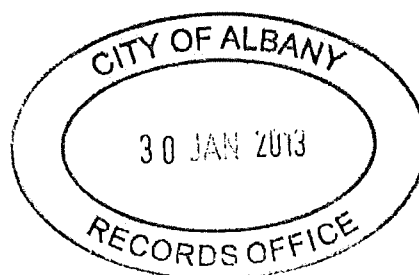
We trust that you will take this concern seriously and look forward to an amendment being included in the final policy.

Thank you for your consideration

Yours sincerely

Jim Dijkstra – Director
Koster Steel Construction Pty Ltd

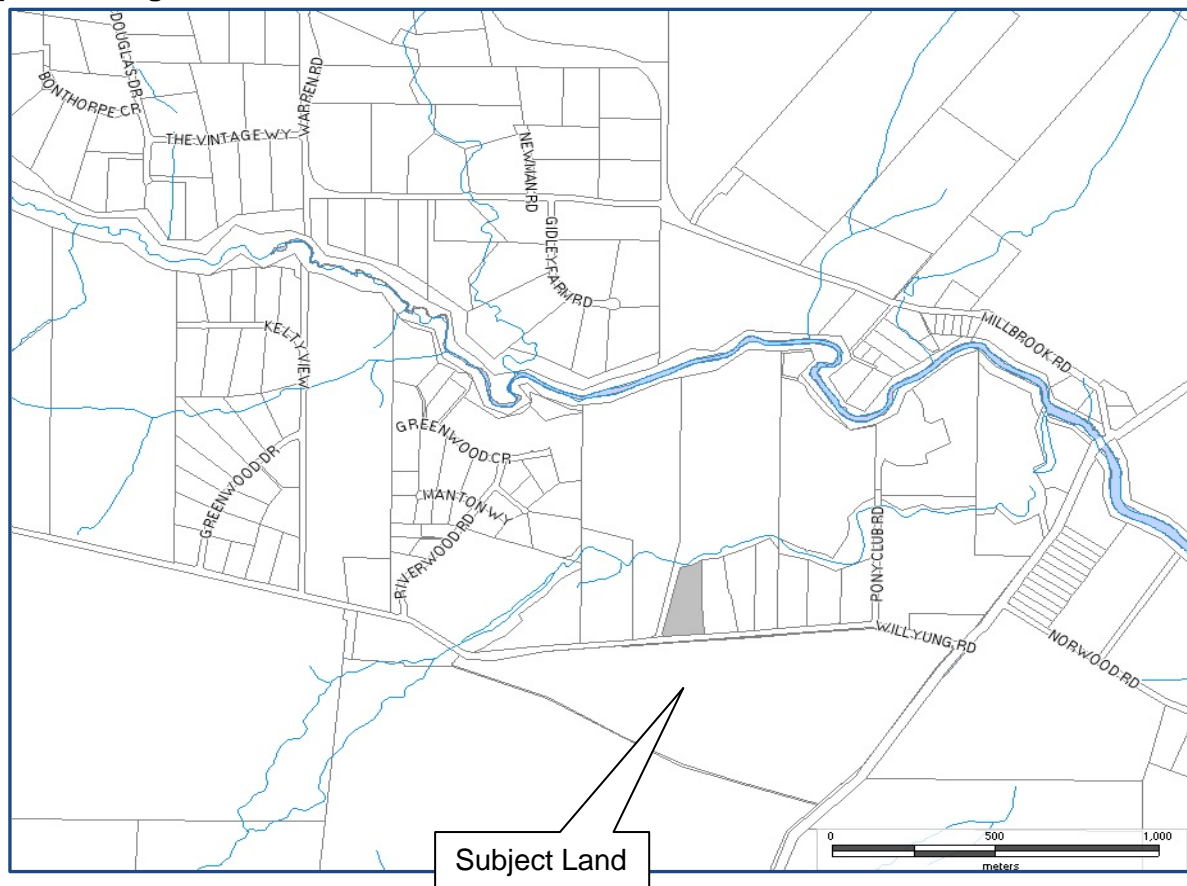
A handwritten signature in black ink, appearing to be "Jim Dijkstra", written over a white background.



**2.5: LOCAL PLANNING SCHEME POLICY – SPECIAL RESIDENTIAL
AREA NO. 11 (LOTS 106 WILLYUNG ROAD)**

Land Description	: Lot 106 Willyung Road, Willyung
Proponent	: Ayton Baesjou Planning
Owner/s	: Mr G J & Mrs C L Bergersen
Business Entity Name	: N/A
Attachment(s)	: Draft Local Planning Scheme Policy – Special Residential Area No. 11 (Lot 106 Willyung Road, Willyung)
Councillor Workstation	: Copy of O.C.M. 19/04/2011 – Item 1.1 Copy of proponent's submission
Responsible Officer(s)	: Executive Director – Planning and Development Services (D Putland)

Maps and Diagrams:



IN BRIEF

- Consider whether to adopt the draft Local Planning Scheme policy for Special Residential Area No. 11 (Lot 106 Willyung Road) for the purpose of public advertising.

ITEM 2.5: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR CALLEJA

THAT Council ADOPTS the draft Local Planning Scheme policy for Special Residential Area No. 11 (Lot 106 Willyung Road), for the purpose of public advertising.

CARRIED 12-0

BACKGROUND

1. The draft Local Planning Scheme policy proposes to add a supplementary subdivision guide plan for Special Residential Area No. 11 (Lot 106 Willyung Road) into Local Planning Scheme policy 60 *Modifications to Subdivision Guide Plans*.
2. The existing policy was considered by Council at its ordinary meeting on 19 April 2010 and the following resolution was reached:

*“THAT Council pursuant to Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3, resolves to ADOPT policy LPP6(O) *Modifications to Subdivision Guide Plans within the Local Planning Policy Manual (April 2011) as per Paragraph 47 and 48 of the officer’s report.*”*

3. Council is now requested to consider the draft addition to the Local Planning Scheme Policy and determine whether to adopt the policy for the purpose of public advertising.

DISCUSSION

4. The subject lot covers an area of 2.34ha to the north side of Willyung Road, approximately 9km north of Albany town centre. The land is largely cleared and under pasture, although some large mature trees remain on the northern extent of the western boundary, on the southern boundary and scattered across the eastern extent of the lot. There is also a shelter belt running across the south-western quarter on a north-south axis. A large house, outbuilding and stables stand in the south-eastern quarter. The remainder of the lot is used for the keeping of horses. The lot is relatively level, with a gentle slope downward from Willyung Road to Willyung Creek, which flows past the northern end of the lot. A portion of the lot lies within the identified floodway (see plan).
5. The subject lot is zoned ‘Special Residential’, while the Willyung Creek foreshore area to the northern end is designated under the ‘Parks and Recreation’ Local Scheme Reserve. The surrounding land is primarily zoned ‘Special Residential’. However, the ‘Parks and Recreation’ Local Scheme Reserve extends along the creekline and the land to the south of Willyung Road is within the ‘Rural’ zone.

6. The land to the north is currently undergoing subdivisional works, including the construction of roads and the fencing of lots. Council has recently adopted a modified subdivision guide plan for these lots, which varied the setback requirements and adjusted the layout from the original subdivision guide plan.
7. The draft addition to the Local Planning Scheme Policy will facilitate the subdivision of Lot 106 Willyung Road to create five 'Special Residential' lots, ranging in size from 4000m² to 5800m² and has been submitted for assessment on the basis that it will achieve the following:
 - Encourage the efficient use of existing rural living areas;
 - promote consolidation and sustainable development;
 - encourage a range of lot sizes;
 - co-ordinate subdivision and development;
 - provide protection of creeklines; and
 - provide adequate fire protection.
8. In the context of the Albany Local Planning Strategy (ALPS), the draft addition is considered to achieve these objectives.
9. Although Special Residential Area No. 11, provision *6.0 Location of Buildings and Structures* refers to building envelopes taking into account "*15 metre boundary setbacks with the exception of 30 metres for lots abutting Willyung Road*", Council has previously supported reduced setbacks on subdivision guide plans pertaining to this area, including the recently adopted subdivision guide plan over Lots 104 and 105 Willyung Road. The lot sizes and setbacks prescribed in the draft subdivision guide plan are consistent with those of the subdivision guide plan for Lots 104 and 105.
10. Overall, the draft addition to the Local Planning Scheme Policy is considered to be acceptable and it is recommended that it be adopted for the purpose of public advertising.

GOVERNMENT CONSULTATION

11. Should Council resolve to adopt the draft Local Planning Policy for the purpose of public advertising, it will be referred to relevant State Government agencies as part of the advertising process.

PUBLIC CONSULTATION / ENGAGEMENT

12. Should Council resolve to adopt the draft Local Planning Policy for the purpose of public advertising, it will be advertised in accordance with Clause 6.9 of Town Planning Scheme (TPS) No. 3 (see paragraph 26 below).

STATUTORY IMPLICATIONS

13. The subject lot is zoned 'Special Residential' and is contained within the Special Residential Area No. 11, under Town Planning Scheme No. 3. Special Provision 1.2 of the zone controls allows Council to consider modifications to the SGP as follows:

"The Council will not recommend lot sizes less than 4000m². Subdivision shall generally be in accord with the lot sizes and layout shown on the Subdivision Guide Plan. Any significant variation to the Subdivision Guide Plan will need to be justified in terms of land capability, visual impact, retention of views, vegetation retention, emergency access/egress and setbacks from King River and creeks. Consultation with and general support of surrounding landowners will be a prerequisite to consideration of any significant variation to the Subdivision Guide Plan."

14. Clause 6.9 of TPS No. 3 set out the processes to adopt and alter Town Planning Scheme Policies and also provide direction on what function the policies have in the decision-making process.

6.9 POWER TO MAKE POLICIES

- 6.9.1 *In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development.*
- 6.9.2 *A Town Planning Scheme policy shall become operative only after the following procedures have been completed:*
- (A) *The Council having prepared and having resolved to adopt a Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
 - (B) *The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not proceed with the Draft Policy.*
 - (C) *Following Final Adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme Documents for inspection during normal office hours.*
- 6.9.3 *A Town Planning Scheme policy may only be altered or rescinded by:*
- (A) *Preparation and Final Adoption of a new Policy pursuant to this Clause, specifically worded to supersede an existing Policy.*
 - (B) *Publication of a Formal Notice of Rescission by the Council twice in a newspaper circulating in the area.*
- 6.9.4 (A) *A Town Planning Scheme policy shall not bind the Council in respect of any application for Planning Consent, however, it may require the Council to advertise its intention to relax the provisions of the Policy*

once in a newspaper circulating in the district stating that submissions may be made to the Council within 21 days of the publication thereof.

- (B) *Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve any submissions lodged, before making its decision.”*

STRATEGIC IMPLICATIONS

15. The proposal is considered to be consistent with Section 8.3.5 – *Rural Living* of the ALPS, as it:
- discourages the creation of additional rural town sites for living purposes;
 - avoids the development of a Rural Living area on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity;
 - avoids the development of a Rural Living area on future and potential long-term urban areas, as the land has been identified in the ALPS as suitable for Special Residential purposes; and
 - will create lot sizes similar to those adjoining the subject land, which are being used for similar rural residential living purposes, therefore minimising the potential for generating land-use conflicts.

POLICY IMPLICATIONS

16. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the proposal.
17. **SPP 1 – State Planning Framework**

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

18. **SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Not adopting the draft Local Planning Scheme policy may lead to complaint from the proponent.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Mitigation is entirely dependent on Council’s decision.</i>

FINANCIAL IMPLICATIONS

- 20. Staff have processed the application within existing budget lines.
- 21. Subdivision in accordance with the draft addition to the Local Planning Scheme Policy will bring no additional cost burden to the City, as it will only existing infrastructure.

LEGAL IMPLICATIONS

- 22. There are no legal implications in relation to this item.

ALTERNATE OPTIONS

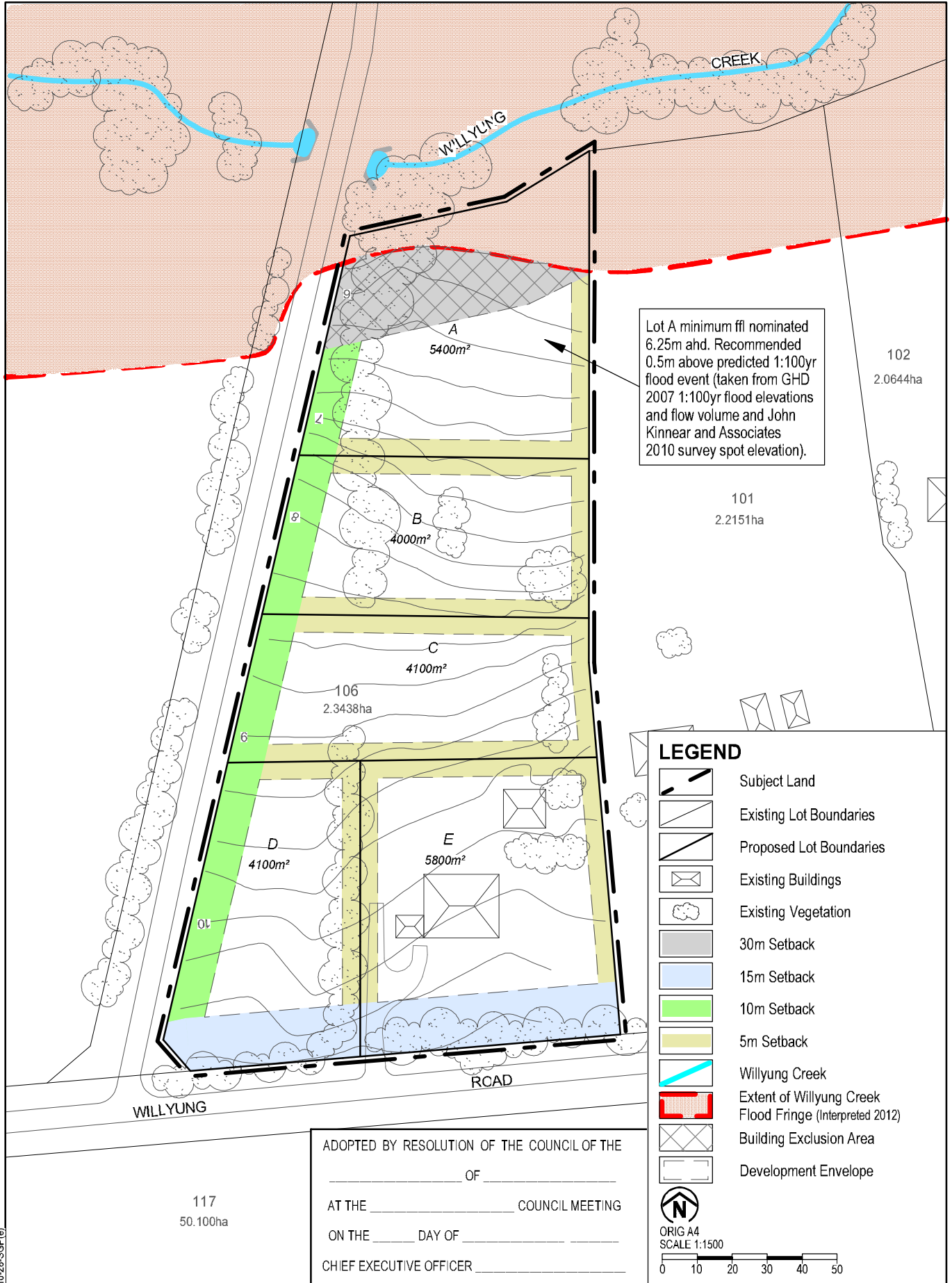
- 23. Council has the following options:
 - Adopt the draft Local Planning Scheme policy for the purpose of public advertising, without modification;
 - Adopt the draft Local Planning Scheme policy for the purpose of public advertising, subject to modification; or
 - Not adopt the draft Local Planning Scheme policy for the purpose of public advertising.

SUMMARY CONCLUSION

- 24. The draft policy is broadly consistent with the objectives of the ALPS and SPP's 1 and 3. Its adoption will:
 - Encourage the efficient use of existing rural living areas;
 - promote consolidation and sustainable development;
 - encourage a range of lot sizes;
 - co-ordinate subdivision and development;
 - provide protection of creeklines; and
 - provide adequate fire protection.

It is therefore recommended that the draft addition to the Local Planning Scheme Policy is adopted for the purpose of public advertising.

Consulted References	WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP1 & SPP 3
File Number (Name of Ward)	A171601 (Kalgan Ward)



Lot A minimum ffl nominated 6.25m ahd. Recommended 0.5m above predicted 1:100yr flood event (taken from GHD 2007 1:100yr flood elevations and flow volume and John Kinnear and Associates 2010 survey spot elevation).

LEGEND

- Subject Land
- Existing Lot Boundaries
- Proposed Lot Boundaries
- Existing Buildings
- Existing Vegetation
- 30m Setback
- 15m Setback
- 10m Setback
- 5m Setback
- Willyung Creek
- Extent of Willyung Creek Flood Fringe (Interpreted 2012)
- Building Exclusion Area
- Development Envelope

ADOPTED BY RESOLUTION OF THE COUNCIL OF THE _____ OF _____
 AT THE _____ COUNCIL MEETING
 ON THE _____ DAY OF _____
 CHIEF EXECUTIVE OFFICER _____

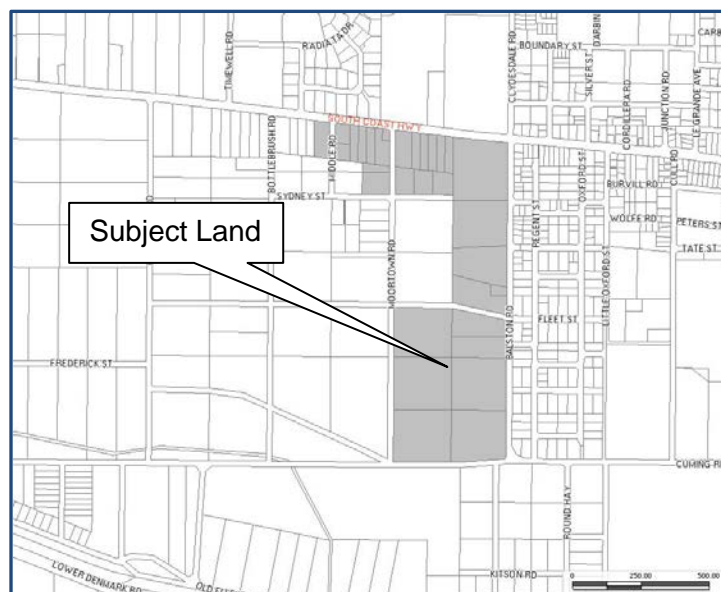
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 SCALE 1:1500

10-28-SGP(e)

2.6: OUTLINE DEVELOPMENT PLANS – LOTS 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 SOUTH COAST HIGHWAY, LOTS 1, 2, 7, 26, 27, 55, 56, 85, 86 AND 87 BALSTON ROAD, LOT 15 BOTTLEBRUSH ROAD, LOT 25 CUMING ROAD, LOTS 19, 20, 21 AND 23 MOORTOWN ROAD, LOTS 22, 23, 24, AND 25 MIDDLE STREET AND LOTS 17 AND 18 SYDNEY STREET, GLEDHOW

- Land Description** : Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 7, 26, 27, 55, 56, 85, 86 and 87 Balston Road, Lot 15 Bottlebrush Road Lot 25 Cuming Road, Lots 19, 20, 21 and 23 Moortown Road, Lots 22, 23, 24 and 25 Middle Street and Lots 17 and 18 Sydney Street, Gledhow
- Proponent** : Ayton Baesjou Planning & Dykstra Planning
- Owner/s** : D L Bunn, W L Bowers & J M Westwood, S M & R L Kolanek, M Drummond, J M Wildman Nominees Pty Ltd, K Sunjevaric, Trewick Holding Pty Ltd, G J Oldfield, D G Rogers, G C & R A De Boer, S Guy, T A Van Nieuwkerk, S & B A Mastalerz, R J & J L Trigg, A A Trigg, PR & J M Williamson, H Adams, The Estate of C J & H C Carr, T J & C R Mahoney, R M Potter, Trivalley Corporation Pty Ltd, Water Corporation, Landgate, M J & V Gibson, M E Hutcheson, D R Kellow, M C & P K Northcott Pty Ltd, W B & H K Milisavljevic, C D Hacker, R S Thomas, J & E Chandler, G A Evans & J A L Linnet, K J Lucas
- Business Entity Name** : J M Wildman Nominees Pty Ltd, Trewick Holding Pty Ltd, Trivalley Corporation Pty Ltd, M C & P K Northcott Pty Ltd
- Attachment(s)** : Draft Outline Development Plan
- Councillor Workstation** : Copy of OCM 17/08/2010 – Item 1.8
- Responsible Officer(s)** : Executive Director Planning and Development Services (D Putland)

Maps and Diagrams:



IN BRIEF

- Consider whether to adopt the draft Outline Development Plans for the purpose of public advertising.
- The Albany Local Planning Strategy identifies the subject land as part of a Future Urban Priority Development 3 Area, which indicates that it is of medium-term strategic importance.
- The draft Outline Development Plans are consistent with contemporary planning principles and State policies that deal with growth and development, such as *Liveable Neighbourhoods*.
- Staff would recommend that Council adopt the draft Outline Development Plans for the purpose of public advertising.

ITEM 2.6: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR DUFTY

THAT Council ADOPTS the draft Outline Development Plans for Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 7, 26, 27, 55, 56, 85, 86 and 87 Balston Road, Lot 15 Bottlebrush Road, Lot 25 Cuming Road, Lots 19, 20, 21 and 23 Moortown Road, Lots 22, 23, 24 and 25 Middle Street and Lots 17 and 18 Sydney Street, Gledhow, for the purpose of public advertising.

CARRIED 11-1

Record of Vote

Against the Motion: Councillor Bostock

BACKGROUND

1. In August 2010, a Scheme amendment (No. 296) to rezone Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 7, 26, 27, 55, 56, 85, 86 and 87 Balston Road, Lot 15 Bottlebrush Road, Lot 25 Cuming Road, Lots 19, 20, 21 and 23 Moortown Road, Lots 22, 23, 24 and 25 Middle Street and Lots 17 and 18 Sydney Street, Gledhow from the 'Rural' zone and the 'Public Purposes' Local Scheme Reserve to the 'Residential Development' zone was supported by Council. The proposal was subsequently granted final approval by the Minister for Planning and Infrastructure and Gazetted in May 2011.
2. Two Outline Development Plans have been prepared in conjunction and in accordance with Clause 5.5 of Town Planning Scheme No. 3 to facilitate the subdivision and development of the subject lots.
3. Council is now required to consider the draft Outline Development Plans and determine whether to adopt them for the purpose of public advertising.

DISCUSSION

4. The subject land lies primarily to the south side of South Coast Highway, extending from Balston Road to the east to Lot 5 South Coast Highway, to the western side of Middle Street. It extends to Cuming Road in the south, encompassing the majority of the land between Balston Road to the east and Moortown Road to the west, and includes Lots 19-21 Moortown Road and 17 and 18 Sydney Street. However, Lots 8 and 9 Moortown Road are **not** covered by the proposal. Lot 15 Bottlebrush Road was rezoned from the 'Public Purposes' Local Scheme Reserve to the 'Residential Development' zone by Amendment No. 296 and forms part of the ODP area, although it is not identified for development at this stage. Should development of the land be sought in future, this can be assessed by way of a modification to the ODP or via a separate detailed area plan.
5. The 31 lots covered by the proposal range in size from 1204m² to 4ha, with the smaller lots primarily located along South Coast Highway. Overall, a land area of approximately 45.4ha is included in the proposal. All lots have been developed with residences and associated outbuildings, with the exception of Lots 10 and 19 Moortown Road.
6. All the lots are in private ownership and under a 'Rural' zoning within TPS 3, with the exception of Lot 10 Moortown Road, which is Crown Land vested in the Department of Housing and Works with as a 'Public Purposes' reserve. This ODP does not identify this reserve for Development or for Public Open Space purposes.
7. The majority of the subject land has been cleared to some extent, with the exception of Lots 10 and 19 Moortown Road and Lots 26 and 27 Balston Road, which are still covered by significant amounts of remnant native vegetation. The *Land Capability and Geotechnical Assessment* recommends that a spring survey be undertaken to establish the quality of the remnant vegetation and to identify any priority species. The extent of vegetation to be conserved as public open space will need to be addressed as part of the Structure Plan
8. The topography is generally level or gently sloping over most of the subject land to the north, reaching a high point of 55m AHD, where a ridge runs across Lot 23 Moortown Road and Lot 27 Balston Road, before dropping off steeply (approximately a 1:8 slope) to a low point of 20m AHD at Cuming Road.
9. In terms of surrounding land uses, a 'Residential' zoning covers the land adjacent to the eastern and northern extents of the subject land, while the land to the west is predominantly zoned 'Rural', with the exception of a small 'Special Residential' zoned development, a lot that is designated a 'Public Purposes' reserve and two heavily vegetated lots which are designated as 'Parks and Recreation' reserves. To the south of Cuming Road, the land is zoned for 'Light Industry', but is currently undeveloped.
10. The Albany Local Planning Strategy (ALPS) identifies the subject land as part of a Future Urban Priority Development 3 Area, which indicates that it is of medium-term strategic importance. Although the growth rate has been lower than predicted in the ALPS, which has reduced the strategic importance of the subject land, reticulated sewer is available and it is adjacent to an established residential area, which makes it a logical extension to this area.
11. The draft Outline Development Plan will facilitate the subdivision and development of the subject lots to a full urban standard, with a range of residential lot sizes from R5 (2000m²) to R30 (c. 300m²) and associated public open space and drainage reserves.
12. Overall, the draft Outline Development Plans are consistent with contemporary planning principles and State policies that deal with growth and development, such as *Liveable Neighbourhoods*.

13. Staff recommend that Council adopt the draft Outline Development Plans for the purpose of public advertising.

GOVERNMENT CONSULTATION

14. Should Council adopt the draft Outline Development Plans for the purpose of public advertising, they will be referred to all relevant Government agencies for assessment and comment.

PUBLIC CONSULTATION / ENGAGEMENT

15. Should Council resolve to adopt the draft Outline Development Plans for the purpose of public advertising, they will be advertised in accordance with Clause 6.9.2(A) of Town Planning Scheme (TPS) No. 3 (see paragraph 15 below).

STATUTORY IMPLICATIONS

16. Clauses 5.5.1 to 5.5.3 of TPS No. 3 set out the processes to develop an Outline Development Plan to facilitate the subdivision and development of land within Development Zones.

“5.5.1 Before granting approval for any of these uses permitted within the Development Zones subject to Council approval under Table No. 1 or endorsing an application for subdivision the Council will require the submission to, and approval by, the Western Australian Planning Commission of an Outline Development Plan for such areas as are the subject of an application to develop or subdivide being not less than the area shown within the outer edge of the green border of the part of the scheme map containing the subject land, together with other areas determined by the Council having regard to:

- (a) the major road systems under the Scheme;*
- (b) topographic conditions;*
- (c) land holdings adjacent to or in the vicinity of the subject land;*
- (d) the necessity of providing civic and public facilities;*
- (e) preservation of the environment.*

5.5.2 Outline Development Plans shall be prepared for areas as described under clause 5.5.1 by either the owners of the land involved or by the Council and shall be submitted by the Council to the Western Australian Planning Commission.

5.5.3 Outline Development Plans shall show the principles under which it is proposed to develop or subdivide the land and as a minimum requirement shall show –

- (a) the location and width of the distributor road system proposed;*
- (b) the approximate location and quantity of shopping, civic and public facilities proposed together with an analysis of the factors used in determination of such facilities;*
- (c) the distribution of the recreational and open space areas proposed;*

- (d) *the population and residential densities proposed;*
 - (e) *the physical condition of the land having regard to the need for deep sewerage and/or main drainage.”*
17. Clauses 6.6.1 and 6.9.2(A) set out the processes for the creation and adoption of a Town Planning Scheme Policy. An Outline Development Plan must be considered as a Town Planning Scheme Policy for purposes of advertising and referral and adoption by Council.
- “6.9.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the Control of Development.*
- 6.9.2 A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:*
- (A) *The Council having prepared and having resolved to adopt the 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 (not being less than 21 days) representations may be made to the Council.”*

STRATEGIC IMPLICATIONS

18. The ALPS identifies the subject land as part of a Future Urban Priority Development 3 Area, which indicates that it is of medium-term strategic importance. However, the growth rate has been lower than predicted in the ALPS, meaning that as a Priority Development 3 Area, this site has become of lesser strategic importance than originally anticipated. Despite this, reticulated sewer is available and the subject land is adjacent to an established residential area, making it a logical extension, even though it is identified as a Priority Development 3 Area.

POLICY IMPLICATIONS

19. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the scheme amendment. Any amendment to the Town Planning Scheme will be assessed by the Western Australian Planning Commission to ensure consistency with the following State and Regional Policies.

SPP 1 – State Planning Framework

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

20. **SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

21. Liveable Neighbourhoods

Liveable Neighbourhoods is a WAPC operational policy to be followed in the design and approval of urban development. It applies to structure planning and subdivision for greenfield sites and for the redevelopment of large brownfield and urban infill sites

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Not adopting the draft Outline Development Plans will prevent the development of the land, as the requirements of Clause 5.5 of Town Planning Scheme No. 3 would not be fulfilled.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Mitigation is entirely dependent on Council's decision.</i>

FINANCIAL IMPLICATIONS

23. The appropriate planning fee has been received and staff have processed the application within existing budget lines.
24. Subdivision in accordance with this Outline Development Plan will have additional financial implications for the City of Albany. The cost of this development is unknown, as the detailed engineering design will be completed at the subdivision stage, but are likely to be significant. The financial costs to the City will necessarily include regular maintenance, and end of life renewal costs. The road and drainage infrastructure as well as Public Open Space areas are provided by the developer at the time of subdivision and maintained by them for a fixed period of time. The initial maintenance when the infrastructure is new is generally minimal. However, after the initial period the ongoing maintenance and replacement responsibility is transferred to the City.

LEGAL IMPLICATIONS

25. There are no legal implications in relation to this item.

ALTERNATE OPTIONS

26. Council has the following options:

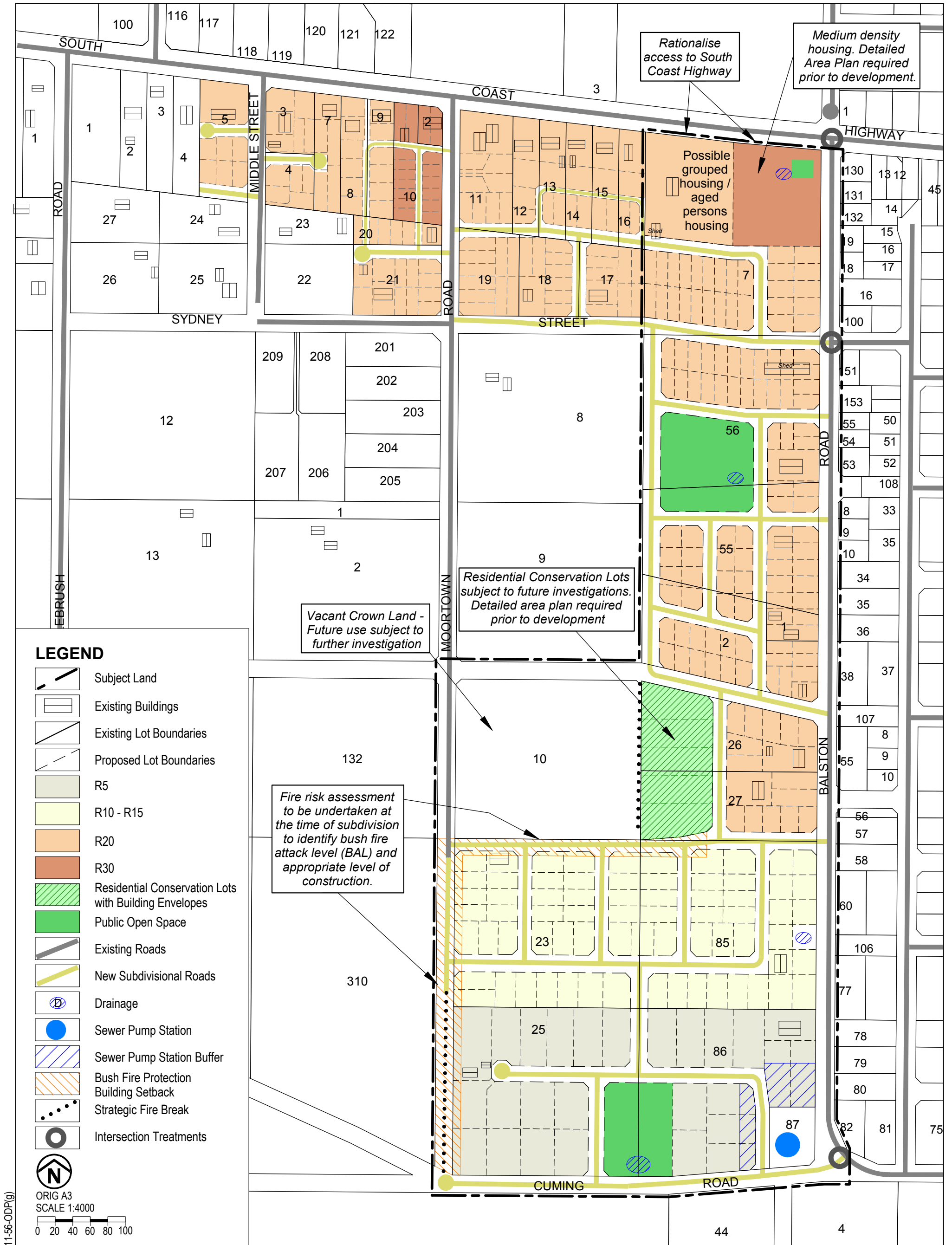
- Adopt the draft Outline Development Plans for the purpose of public advertising, without modification;
- Adopt the draft Outline Development Plans for the purpose of public advertising, subject to modification; or
- Not adopt the draft Outline Development Plans for the purpose of public advertising.

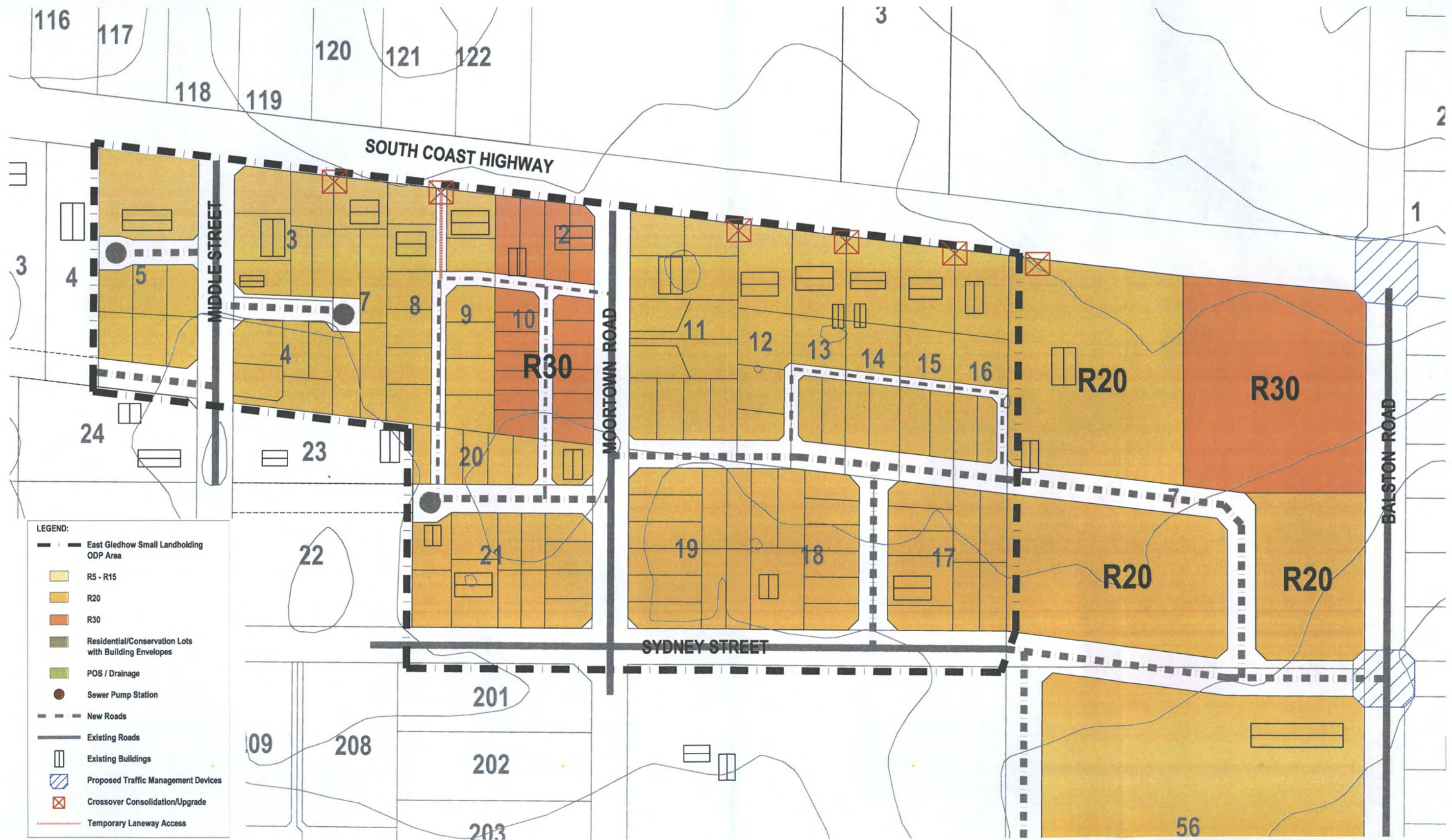
SUMMARY CONCLUSION

27. The adoption of the draft Outline Development Plans will be necessary to address the requirements of Clause 5.5 of Town Planning Scheme No. 3.

28. The draft Outline Development Plans are consistent with the objectives of the *Albany Local Planning Strategy* and State Planning Policies 1 and 3. It is therefore considered appropriate that Council adopts the draft Outline Development Plans for the purpose of public advertising.

Consulted References	WA Planning Commission (WAPC) State Planning Policy (SPP's) SPP1 & SPP 3, Liveable Neighbourhoods
File Number (Name of Ward)	ODP015 (West Ward)





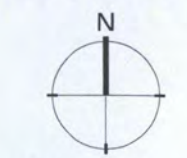
OUTLINE DEVELOPMENT PLAN

East Gledhow Small Landholding Area



Subdivision, Rezoning, Structure Planning, Development Planning, Design, Advocacy
 2953 Albany Highway, Kelmescott WA 6111
 T: 9495 1947
 F: 9495 1946
 admin@dykstra.com.au

24 October 2012



1:2000 @ A3

Figure 4

- Notes:
- This document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement.
 - The dimensions, areas and number of lots are subject to survey and also the requirements of all authorities.

06475-SP-F4-121024-A

**3.1: COMMUNITY SPORTING AND RECREATION FACILITIES FUND
2013/2014 SMALL GRANT APPLICATIONS ROUND ONE**

Proponent : City of Albany
Attachments : Merrifield Park Tennis Club Inc Assessment Sheet
Responsible Officer : Acting Executive Director Community Services
(C Woods)

IN BRIEF

To seek Council endorsement of the priority ranking for the submitted Community Sport and Recreation Facility Fund (CSRFF) application

RECOMMENDATION

ITEM 3.1: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR STOCKS

That Council rank the Merrifield Tennis Club's court resurfacing project as their number one priority for this CSRFF Small Grants Round Two in January 2013.

CARRIED 12-0

BACKGROUND

1. The Community Sport and Recreation Facilities Fund (CSRFF) administered by the Department of Sport and Recreation (DSR) has three rounds of available funds including two small grant funding rounds per year and its annual and forward planning funding round. Council has appreciated the support of DSR, through CSRFF, which has contributed funds to significant sporting infrastructure in the City.
2. The current round of funding applications is for the small grant round with the financial value of the total project being from \$5,000 up to \$150,000.
3. Applicants must be either a local government authority or a not-for-profit sport or community organisation incorporated under the WA Associations Incorporation Act 1987.
4. Clubs must demonstrate equitable access to the public on a short term and casual basis.
5. The land on which the facility is to be developed must be one of the following:
 - Crown reserve
 - Land owned by a public authority
 - Municipal property
 - Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.
6. Applicants must liaise with their Local Government regarding planning and building approvals pertinent to their project.
7. The Local Government has an opportunity to assess all relevant applications and to rank applications in priority order for the municipality.

8. The Department of Sport and Recreation application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
9. An element of the assessment process involves Council consideration and priority ranking of applications received. The applications are then submitted to the Department of Sport and Recreation on behalf of the applicants prior to 1 March 2013.
10. Once the assessment process from Local Government Authorities are complete all applications received from Western Australian organisations are assessed by the relevant State Sporting Association and the Department of Sport and Recreation CSRFF Committee against a number of criteria, with the final decision on funding being at the discretion of the Minister for Sport and Recreation.

DISCUSSION

11. The grant guidelines require Council to provide a ranking for the projects.
12. A total of one (1) application was received prior to the submission deadline from Merrifield Tennis Club. The project being considered is resurfacing of the backdrops of courts one and two and resurfacing the areas between courts two and three. Top coating courts one and two. The aim of this project is to repair and increase the safety of the courts. It's a short term solution whilst the Lower Great Southern Tennis Association undertakes a feasibility study for a regional tennis centre and more strategic plans are developed. Club has worked hard since their last application to raise the additional funds to meet two thirds of the total project costs.
13. The Department of Sport and Recreation provides guidance for Local Government Authorities to assess each submission. This assessment uses the following criteria and a project rating of satisfactory/unsatisfactory or not relevant:
 - Project justification
 - Planned approach
 - Community input
 - Management planning
 - Access and opportunity
 - Design
 - Financial viability
 - Coordination
 - Potential to increase physical activity
 - Sustainability

with overall project rating, being:

- Well planned and needed by municipality
- Well planned and needed by applicant
- Needed by municipality, more planning required
- Needed by applicant, more planning required
- Idea has merit, more planning work needed
- Not recommended.

14. The below ranking recommendation has been provided based on the applicant meeting the required criteria and its overall project ranking:

RANK	ORGANISATION	PROJECT DETAIL	OVERALL PROJECT RATING
1	Merrifield Park Tennis Club Inc	Refurbishment of Courts One and Two.	Well planned and needed by the applicant

15. A completed Project Assessment Sheet for the application is attached:

- Merrifield Park Tennis Club Inc Project Assessment Sheet (aa_3.1_mar13)

GOVERNMENT CONSULTATION

16. The Department of Sport and Recreation's Regional Manager for the Great Southern has been consulted by the applicant.
17. The Department and the City has previously supported this applicant with the resurfacing of courts three and four. These courts are now in poor condition and will require additional funding to repair. The Department of Sport and Recreation have advised that they would not consider any funding for resurfacing of courts three and four. The City would also support this view
18. This project was submitted in CSRFF Round Two 2012/13 but was unsuccessful as the applicant could not meet the required two thirds of the project cost.

PUBLIC CONSULTATION / ENGAGEMENT

19. A total of one (1) application was received from Merrifield Park Tennis Club. The Manager of Recreation Services met the applicant on site at the Merrifield Park Tennis Club to discuss the application.
20. At the meeting the club was advised that the City of Albany still had a moratorium on funding assistance for CSRFF grants and therefore the applicant would be required to provide two thirds of the funding. The applicant has the two thirds of the project cost for this application.

STATUTORY IMPLICATIONS

21. While there is no statutory requirement, Council has the opportunity to provide a recommendation that ranks applications in priority order for the City of Albany.
22. It should be noted that the Department of Sport and Recreation will make the final decision on funding allocation.

STRATEGIC IMPLICATIONS

23. This item directly relates to the following element from the Albany Insight – Beyond 2020 Corporate Plan.
1. Lifestyle and Environment
 - 1.2 *Young adults are well catered for*
 - 1.3 *Recreation facilities provide a diverse range of sporting and exercise opportunities*
 - 1.5 *Development...*
 - Incorporates healthy lifestyle activities and access to green spaces.*

4. Governance

4.3 *Deliver excellent community services that meet the needs and interests of our diverse communities.*

POLICY IMPLICATIONS

24. The Recreation Planning Strategy adopted in 2008 has been applied in ranking the submission.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council does not support the applicant and the condition of the courts deteriorates over time to an unsafe condition which affects the ability of the club to service its members and conduct junior development.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Council support the application and rank accordingly</i>

FINANCIAL IMPLICATIONS

25. Approximately four hours (\$320) of a staff members time has been utilised reviewing the proposal.

26. The projected total cost is \$36,560. No contribution requested from Council. The following table provides budget detail of the application received.

Organisation	Project detail	Total project cost (ex GST)	Applicant contribution (ex GST) [inc voluntary component]	CSRFF Grant (ex GST)	Proposed Other state or federal funding (ex GST)	Proposed Council contribution (ex GST)
Merrifield Park Tennis Club Inc	Refurbishment of Courts One and Two.	\$36,560	\$24,374	\$12,186	Nil	Nil

LEGAL IMPLICATIONS

Nil

SUMMARY CONCLUSION

27. The Department of Sport and Recreation has provided the City of Albany with an opportunity to assess the received application and to rank applications in priority order for the municipality.
28. The application submitted by the Merrifield Park Tennis Club to refurbish the boundaries and playing surfaces for courts one and two satisfactorily meets the criteria provided by the Department of Sport and Recreation. This project's rating is considered well planned and needed by the applicant.
29. The applicant was advised that the City of Albany still has a moratorium on all CSRFF funding applications and the applicant would be required to fund two thirds of the project cost. The applicant has met this requirement.

Consulted References	City of Albany Recreation Planning Strategy
File Number (Name of Ward)	GR.STL.13
Previous Reference	This application was previously presented in the Council Meeting Agenda – 21/08/2012. Item 3.2

CSRFF Small Grants

PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project approval.

Name of Local Government Authority: City of Albany
Name of Applicant: Merrifield Tennis Club

Note: The applicant's name cannot be changed once the application is lodged at DSR.

SECTION A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

All applications

	Satisfactory	Unsatisfactory	Not relevant
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Development applications only

	Satisfactory	Unsatisfactory	Not relevant
Location	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sustainability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Co-Location	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Special Interest Group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SECTION B

LGA – priority ranking of this project	One (1)
Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan <input type="checkbox"/> State Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No Not required for a resurfacing
If no, what approvals are still outstanding?	

Project Rating (Please tick the most appropriate box to describe the project)

- A Well planned and needed by municipality
- B Well planned and needed by applicant
- C Needed by municipality, more planning required
- D Needed by applicant, more planning required
- E Idea has merit, more planning work needed
- F Not recommended

LGA comments:

Signed

Position

Date

Applications for CSRFF funding must be submitted to your Department of Sport and Recreation office by **4pm on the last working day in March**. Late applications cannot be accepted in any circumstances.

DSR Offices

PERTH OFFICE

246 Vincent Street
Leederville WA 6007
PO Box 329
Leederville WA 6903
Tel: (08) 9492 9700
Fax: (08) 9492 9711

PEEL

Suite 3
The Endeavour Centre
94 Mandurah Terrace
PO Box 1445
Mandurah WA 6210
Tel: (08) 9550 3100
Fax: (08) 9550 3199

PILBARA

2/3813 Balmoral Road
PO Box 941
Karratha WA 6714
Tel: (08) 9182 2100
Fax: (08) 9182 2199

SOUTH WEST

80A Blair Street
PO Box 2662
Bunbury WA 6230
Tel: (08) 9792 6900
Fax: (08) 9792 6999

GREAT SOUTHERN

22 Collie Street
Albany WA 6330
Tel: (08) 9892 0100
Fax: (08) 9892 0199

GASCOYNE

4 Francis Street
PO Box 140
Carnarvon WA 6701
Tel: (08) 9941 0900
Fax: (08) 9941 0999

GOLDFIELDS

106 Hannan Street
PO Box 1036
Kalgoorlie WA 6430
Tel: (08) 9022 5800
Fax: (08) 9022 5899

KIMBERLEY – Kununurra

Government Offices
Cnr Konkerberry Drive and
Messmate Drive
PO Box 1127
Kununurra WA 6743
Tel: (08) 9166 4900
Fax: (08) 9166 4999

WHEATBELT - NORTHAM

298 Fitzgerald Street
PO Box 55
Northam WA 6401
Tel: (08) 9690 2400
Fax: (08) 9690 2499

WHEATBELT – NARROGIN

Government Offices
Level 2, 11-13 Park Street
Narrogin WA 6312
Telephone 0429 881 369
Facsimile (08) 9881 3363

MID-WEST

Mid West Sports House
77 Marine Terrace
PO Box 135
Geraldton WA 6531
Tel: (08) 9956 2100
Fax: (08) 9956 2199

KIMBERLEY – Broome

Unit 2, 23 Coghlan Street
PO Box 1476
Broome WA 6725
Telephone (08) 9195 5750
Facsimile (08) 9166 4999
Mobile 0438 916 185

4.1: LIST OF ACCOUNTS FOR PAYMENT – FEBRUARY 2013

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

[6:56:15 PM](#) Councillor Stocks left the Chamber after declaring a financial interest in this item.

ITEM 4.1: RESOLUTION VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR SUTTON

The list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 28 February 2013 totalling \$3,561,097.56 be RECEIVED.

CARRIED 11-0

BACKGROUND

1. Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

DISCUSSION

2. The table below summarises the payments drawn from the municipal fund for the period ending 28 February 2013. Further details of the accounts authorised for payment by the Chief Executive Officer is included within the Elected Members Report/Information Bulletin.

Municipal Fund

Trust	Totalling	\$1,700.00
Cheques	Totalling	\$51,066.81
Electronic Fund Transfer	Totalling	\$2,536,627.03
Credit Cards	Totalling	\$7,215.59
Payroll	Totalling	\$964,488.13
	TOTAL	<u>\$3,561,097.56</u>

3. As at 28 February 2013, the total outstanding creditors, stands at **\$200,109.61** and made up follows:

Current	\$199,845.52
30 Days	\$0.00
60 Days	\$0.00
90 Days	\$264.09
TOTAL	\$200,109.61

4. Cancelled cheques: 28740 – paid by EFT, cheques 28674, 28513, 28793 – duplicated entries – reversed, 28720 – cheque lost by recipients bank and 28792 – processed against incorrect creditor – reprocessed to correct one.

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

FINANCIAL IMPLICATIONS

8. Expenditure for the period to 28 February 2013 has been incurred in accordance with the 2012/2013 budget parameters.

POLICY IMPLICATIONS

9. The City's 2012/2013 Annual Budget provides a set of parameters that guides the City's financial practices.

SUMMARY CONCLUSION

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

File Number (Name of Ward)	FM.FIR.2 - All Wards
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[6:56:59 PM](#) Councillor Stocks returned to the Chamber. Councillor Stocks did not participate in the discussion or vote for this item.

TRUST CHEQUES AND ELECTRONICS FUNDS TRANSFER PAYMENTS

EFT/CHQ	Date	Name	Description	Amount
EFT80093	07/02/2013	ALBANY LANDSCAPE SUPPLIES	REFUND OF BOND MONEY FOR EXTRACTIVE INDUSTRY	1,700.00
Total				1,700.00

MASTERCARD TRANSACTIONS - FEBRUARY 2013

Date	Payee	Description	Amount
09-January-2013	Abbey Beach Resort	Accommodation S Dale HRM LG Course Busselton	310.00
11-January-2013	Contract Control Int	Service Contracts Course J Allen	1,320.00
13-January-2013	Skywest Airlines	Airfare McKay Legal - Hearing Alb Court PM Writ	903.67
14-January-2013	Switched Onto Safety	Chemwatch Course - S Wise	385.00
20-January-2013	Skywest Airlines	Airfare D Olde & S Beech Training Course Perth	944.45
24-January-2013	Local Govt Mana	LG Course Busselton - S Dale HRM	214.50
28-December-2012	Skywest Airlines	Airfare G Foster - Meeting Re Anzac	482.65
08-January-2013	The Smith Family	Christmas Appeal	250.00
12-January-2013	Hotels.com	Library Conference	441.00
23-January-2013	AIM Internet	AIM Course D Theodore	1,540.00
Various	Sundry < \$ 200.00		424.32
TOTAL			7,215.59

Payroll - 24/1/2013 - 20/2/2013

6/02/2013	Payroll	478,228.78
11/02/2013	Sundry Pay	1,042.68
20/02/2013	Payroll	485,216.67

TOTAL **964,488.13**

AGENDA ITEM 4.1 REFERS

Chq	Date	Name	Description	Amount
28727	07/02/2013	ADRIAN HORNSEY	CROSSOVER SUBSIDY	-158.55
28728	07/02/2013	GAE D'APRILE	REFUND FOR CANCELLED CONSENT FOR LOT 9 BAXTERI ROAD - P2130030	-75.00
28729	07/02/2013	G & RL D'APRILE	REFUND FOR CANCELLED BUILDING APPLICATION - 130047	-305.00
28730	07/02/2013	BRIDGESTONE AUSTRALIA LTD	TYRE REPAIRS/MAINTENANCE	-24.20
28731	07/02/2013	B A & E G CAPELLI	VISITORS CENTRE MERCHANDISE	-410.00
28732	07/02/2013	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	-90.10
28733	07/02/2013	DEPARTMENT OF ENVIRONMENT AND CONSERVATION	CLEARING PERMIT FOR LIGHT HORSE MEMORIAL MOUNT CLARENCE	-50.00
28734	07/02/2013	KMART ALBANY	235g box Lindt Chocolates (thank you for volunteers)	-100.00
28735	07/02/2013	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSEMENTS	-187.85
28736	07/02/2013	PETTY CASH - VISITORS CENTRE	PETTY CASH REIMBURSEMENTS	-228.25
28737	07/02/2013	TELSTRA CORPORATION LIMITED	MOBILE ENHANCED MSM	-767.70
28738	07/02/2013	WATER CORPORATION	INDUSTRIAL WASTE CHARGE /WATER USAGE CHARGES	-607.85
28739	07/02/2013	WESTERN AUSTRALIAN GENEALOGICAL SOCIETY INCORPORATED	ASSOCIATE MEMBERSHIP ASSOCIATE MEMBERSHIP	-100.00
28740	14/02/2013	ALBANY ART GROUP INCORPORATED	REFUND FOR CLEANING FEES - TOWN HALL JANUARY 4 - JANUARY 12 2013	-390.00
28741	14/02/2013	BRIDGESTONE AUSTRALIA LTD	TYRE REPAIRS/MAINTENANCE	-609.49
28742	14/02/2013	DEPARTMENT OF ENVIRONMENT AND CONSERVATION	CLEARING APPLICATON FOR PRESCRIBED BURN AT BAKERS JUNCTION WEST RESERVE	-200.00
28743	14/02/2013	KMART ALBANY	STATIONERY SUPPLIES	-70.00
28744	14/02/2013	PETTY CASH - DEPOT	PETTY CASH REIMBURSMET	-380.45
28745	14/02/2013	PIVOTEL SATELLITE PTY LIMITED	SATELLITE PHONES	-321.16
28746	14/02/2013	SHIRE OF JERRAMUNGUP	OTHER SHIRE - GOVERNANCE CONTRIBUTIONS - LONG SERVICE LEAVE FOR B. PARKER	-12974.83
28747	14/02/2013	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	-11386.22
28748	14/02/2013	WATER CORPORATION	WATER CONSUMPTION -	-99.60
28749	21/02/2013	K & V BENNETT	CROSSOVER SUBSIDY	-202.72
28750	21/02/2013	MICHAEL LEE	REFUND - REFER LT1369636	-60.00
28751	21/02/2013	VALERIE DAVIES	CHEQUE REFUND FOR INFRINGEMENT #1082	-250.00
28752	21/02/2013	BRIDGESTONE AUSTRALIA LTD	TYRE PURCHASES	-503.10
28753	21/02/2013	CHEMCERT	CERTIFICATE FOR CHEMICAL SPRAYING	-50.00
28754	21/02/2013	COR DE LLEO PTY LTD	Library staff workshop facilitation services	-1375.00
28755	21/02/2013	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	-137.45
28756	21/02/2013	DEPARTMENT OF JUSTICE - FINES ENFORCEMENT	FER - UNPAID INFRINGEMENTS	-2838.00
28757	21/02/2013	REGIONAL DEVELOPMENT AUSTRALIA	GREAT SOUTHERN DIGITAL ACTION PLAN - DEVELOPMENT OF TERMS OF REFERENCE - STAGE 1	-1100.00
28758	21/02/2013	PETTY CASH - ALBANY AQUATIC AND LEISURE CENTRE	UMPIRES FEES	-1221.00
28759	21/02/2013	SENSIS PTY LTD	SENSIS VALUE PACKAGE - BUSINESS ESSENTIALS INSTALMENT 3 OF 12	-39.58
28760	21/02/2013	PETTY CASH - ALBANY PUBLIC LIBRARY	PETTY CASH REIMBURSEMENTS	-261.50

AGENDA ITEM 4.1 REFERS

28761	21/02/2013	RAC	RAC Fees for Service - Assist	-780.00
28762	21/02/2013	SERPENTINE JARRAHDALÉ SHIRE	LOST LIBRARY BOOK	-6.60
28763	21/02/2013	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	-805.02
28764	21/02/2013	MARTIN VAN DONGEN	REMOVAL OF SNAKE AT BAKERS JUNCTION	-100.00
28765	21/02/2013	WATER CORPORATION	WATER USAGE CHARGES	-100.65
28788	28/02/2013	CASSANDRA CHESI	REFUND FOR SWIM LESSONS	-62.50
28789	28/02/2013	DEPARTMENT OF TRANSPORT	AMAZING ALBANY NUMBER PLATES 4042A	-165.00
28790	28/02/2013	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	-147.45
28791	28/02/2013	KENNETH ROBERT EWERS-VERGE	MC for Australia Day Citizenship Ceremony	-200.00
28794	28/02/2013	OCEAN FOODS INTERNATIONAL	New Years Eve Fireworks - Barge hire	-1650.00
28795	28/02/2013	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSMENT	-167.00
28796	28/02/2013	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES - MOBILE ACCOUNT	-7080.09
28797	28/02/2013	WATER CORPORATION	WATER CONSUMPTION VARIOUS LOCATIONS	-2227.90

TOTAL

-\$ 51,066.81

AGENDA ITEM 4.1 REFERS

EFT	Date	Name	Description	Amount
				0.00
EFT79950	07/02/2013	ABA SECURITY	QUOTE NUMBER 9950 SECURITY AND SMOKE SYSTEMS UPGRADE - ABA SECURITY	6,616.33
EFT79951	07/02/2013	ALBANY BRAKE AND CLUTCH	Repair air con in Ford Ranger as required	1,380.79
EFT79952	07/02/2013	ALBANY INDUSTRIAL SERVICES PTY LTD	Hours Hire of Semi Tipper	1,534.50
EFT79953	07/02/2013	OPTEON (ALBANY AND GREAT SOUTHERN WA)	RENTAL VALUATIONS	550.00
EFT79954	07/02/2013	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	944.12
EFT79955	07/02/2013	ALBANY STATIONERS	STATIONERY SUPPLIES	130.60
EFT79956	07/02/2013	ALBANY GAS CENTRE PTY LTD	CALL OUT TOP ALAC TO CHECK DEEP FRYER AT CAFE	88.00
EFT79957	07/02/2013	COASTAL CRANES ALBANY	20 TONNE FRANNA MOBILE CRANE	143.00
EFT79958	07/02/2013	ALBANY LANDSCAPE SUPPLIES	8 BAGS OF POTTING MIX/3 BAGS OF RIVER SAND	47.20
EFT79959	07/02/2013	ALBANY OFFICE PRODUCTS DEPOT - NORTH ROAD	STATIONERY SUPPLIES	244.65
EFT79960	07/02/2013	ALBANY SEA RESCUE SQUAD INC	MONITORING OF FIREWORLS DISPLAY AT NEW YEARS EVE CELEBRATIONS	600.00
EFT79961	07/02/2013	ALBANY WHALE TOURS	VISITORS CENTRE MERCHANDISE	82.50
EFT79962	07/02/2013	ALBANY PSYCHOLOGICAL SERVICES	CONSULTATIONS	594.00
EFT79963	07/02/2013	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	323.76
EFT79964	07/02/2013	ANDREW HALSALL PHOTOGRAPHY	VISITORS CENTRE MERCHANDISE	270.00
EFT79965	07/02/2013	ANALYTICAL REFERENCE LABORATORY (WA)	TESTING OF WATER SAMPLES	61.05
EFT79966	07/02/2013	DAVID ARTHUR & GLORIA QUARTERMAINE	Rates refund for assessment A48711	500.00
EFT79967	07/02/2013	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	7,608.85
EFT79968	07/02/2013	AUDIOCOM ALBANY	SUPPLY AND INSTALL AERIAL	338.00
EFT79969	07/02/2013	BT EQUIPMENT PTY LTD (TUTT BRYANT EQUIPMENT)	IGNITION KEY	19.36
EFT79970	07/02/2013	B BARKER	VISITORS CENTRE MERCHANDISE	356.00
EFT79971	07/02/2013	ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	Hours Hire of Traffic Control	936.42
EFT79972	07/02/2013	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	1,248.09
EFT79973	07/02/2013	BINDOON TRACTORS PTY LTD	VEHICLE/MAINTENANCE SUPPLIES	522.57
EFT79974	07/02/2013	BP BIRD PLUMBING & GAS	PLUMBING REPAIRS/MAINTENANCE	1,963.29
EFT79975	07/02/2013	PENNY LEETA BIRD	VISITORS CENTRE MERCHANDISE	86.00
EFT79976	07/02/2013	BOC GASES AUSTRALIA LIMITED	CO2 INDUSTRIAL G SIZE	40.96
EFT79977	07/02/2013	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	265.23
EFT79978	07/02/2013	BUILDING AND CONSTRUCTION IND TRAINING FUND	CTF LEVY & COMMISSIONS JANUARY 2013	23,596.58
EFT79979	07/02/2013	BUILDING COMMISSION	BSL LEVY & COMMISSIONS JANUARY 2013	11,753.63
EFT79980	07/02/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	Trestle Tables	239.32
EFT79981	07/02/2013	AMANDA BURROWS	REFUND FOR SWIM LESSONS DUE TO MOVING HOUSE	100.00
EFT79982	07/02/2013	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	2,388.11
EFT79983	07/02/2013	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	554.39
EFT79984	07/02/2013	COCA-COLA AMATIL PTY LTD	SOFT DRINK SUPPLIES FOR ALAC	827.82
EFT79985	07/02/2013	SUE CODEE	VISITORS CENTRE MERCHANDISE	691.00
EFT79986	07/02/2013	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	698.31
EFT79987	07/02/2013	CONTRACT CONTROL INTERNATIONAL PTY LTD	Contract Management Fundamentals Training	2,244.00
EFT79988	07/02/2013	GARY COOPER	VISITORS CENTRE MERCHANDISE	120.00
EFT79989	07/02/2013	COURIER AUSTRALIA	FREIGHT CHARGES	160.15
EFT79990	07/02/2013	ALBANY SIGNS	Customs signs for security screening area	88.00
EFT79991	07/02/2013	COVS PARTS PTY LTD	VEHICLE PARTS	9.55
EFT79992	07/02/2013	DOWNER EDI WORKS PTY LTD	Tonnes COLDMIX	1,215.46

AGENDA ITEM 4.1 REFERS

EFT79993	07/02/2013	HOLCIM (AUSTRALIA) PTY LTD	Concrete (Foot path mix)	373.01
EFT79994	07/02/2013	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	331.54
EFT79995	07/02/2013	CYNERGIC COMMUNICATIONS	MANAGED SERVER XEON WEB SITE MAINTENANCE	493.90
EFT79996	07/02/2013	DATA #3 LIMITED	RH0155783RN - RED HAT ENTERPRISE LINUX SERVER - PREMIUM RENEWAL	4,130.13
EFT79997	07/02/2013	DEEP CREEK OLIVES	VISITORS CENTRE MERCHANDISE	36.00
EFT79998	07/02/2013	DEPARTMENT OF TRANSPORT	SEARCH FOR OWNERSHIP MONTH OF OCTOBER 2012 - 162 SUCCESSFUL SEARCHES	502.20
EFT79999	07/02/2013	JANINE DETERMES	FITNESS INSTRUCTION CLASSES	80.00
EFT80000	07/02/2013	G & M DETERGENTS & HYGIENE SERVICES ALBANY	SANITARY SERVICES FOR JANUARY 2013	1,513.81
EFT80001	07/02/2013	THE DISK DOCTOR PTY LIMITED	CLEANING CLOTHS & POLISHING COMPOUND	107.90
EFT80002	07/02/2013	EASIFLEET MANAGEMENT	MOTOR VEHICLE LEASE RENTAL	2,327.47
EFT80003	07/02/2013	SIMON EDWARDS	AIR BP CALL OUTS	39.55
EFT80004	07/02/2013	EYELINE AUSTRALIA PTY LTD	SPORTS STORE PURCHASES	260.15
EFT80005	07/02/2013	FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	1,260.50
EFT80006	07/02/2013	MELEAH FARRELL	VISITORS CENTRE MERCHANDISE	25.00
EFT80007	07/02/2013	THE FIXUPPERY	WINDOW CLEANING	1,643.00
EFT80008	07/02/2013	TAMMIE FLOWER	FITNESS INSTRUCTION CLASSES	405.00
EFT80009	07/02/2013	FOXTEL MANAGEMENT PTY LTD	FOXTEL BUSINESS PREMIUM PACKAGE MONTHLY SUBSCRIPTION FEE	350.00
EFT80010	07/02/2013	FREMANTLE ARTS CENTRE PRESS	VISITORS CENTRE MERCHANDISE	304.84
EFT80011	07/02/2013	FUELS WEST PETROLEUM	Litres DIESEL FUEL	7,152.93
EFT80012	07/02/2013	GALLERY 500	ART SUPPLIES	69.90
EFT80013	07/02/2013	GEOFF WALDECK	Music for Australia Day Citizenship ceremony	200.00
EFT80014	07/02/2013	SANDRA GILFILLAN	CONSULTANCY FEES - CHIPANA DRIVE HABITAT ASSESSMENT	480.00
EFT80015	07/02/2013	GORDON WALMSLEY PTY LTD	supply and lay metres of Mountable kerbing behind UWA building	735.00
EFT80016	07/02/2013	GRANDE FOOD SERVICE	CATERING SUPPLIES	229.39
EFT80017	07/02/2013	GRAPEVINE MARKETING PTY LTD	VISITORS CENTRE MERCHANDISE	89.48
EFT80018	07/02/2013	GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF APPRENTICES FEES	866.91
EFT80019	07/02/2013	GREAT SOUTHERN PERSONNEL INCORPORATED	GARDENING GROUND SERVICES FOR LOTTERIES HOUSE DECEMBER 2012	185.72
EFT80020	07/02/2013	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	690.31
EFT80021	07/02/2013	GERRY GREGSON	MILEAGE CLAIM 2342@ \$0.737 2/10/2012 - 20/12/2012	1,726.05
EFT80022	07/02/2013	GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	100.00
EFT80023	07/02/2013	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	467.50
EFT80024	07/02/2013	HELEN LEEDER-CARLSON	WEDNESDAY PAINTING WITH HELEN	240.00
EFT80025	07/02/2013	HELVETICA PUBLISHING	SUPPLY OF 10 X RED SUN ON THE KANGAROO PAW" BOOKS"	300.00
EFT80026	07/02/2013	THE HONEY SHOP	VISITORS CENTRE MERCHANDISE	223.00
EFT80027	07/02/2013	JUST SEW EMBROIDERY	EMBROIDERY POLOS - LOGOS	192.50
EFT80028	07/02/2013	JUST A CALL DELIVERIES	INTERNAL MAIL DELIVERIES - JANUARY 2013	924.00
EFT80029	07/02/2013	KLB SYSTEMS	SATA III 2.5 SSD 256GB/Logitech C525 HD WebCam/NEC 92VX 19" LCD CAPACITIVE TOUCH SCREEN BLACK. USB CONTROLLER"	1,562.00
EFT80030	07/02/2013	KOOKAS CATERING	Civic reception catering for Albany Summer School on Tuesday 8th January 2012	1,505.00
EFT80031	07/02/2013	THE LEISURE INSTITUTE OF WA (AQUATICS) INC	LIWA AQUATICS MEMBERSHIP / ACCREDITATION FOR 2012/13 ARTHUR TONKIN	110.00
EFT80032	07/02/2013	LGIS RISK MANAGEMENT	ASPIRING MANAGERS & VOLUNTEERS MANAGEMENT TRAINING - SERVICES TO 12/2012	2,376.00
EFT80033	07/02/2013	LORLAINE DISTRIBUTORS PTY LTD	1 LITRE SUNSCREEN	36.80
EFT80034	07/02/2013	LOWER KING LIQUOR & GENERAL STORE	BUSH FIRE BRIGADE DIESEL FUEL PURCHASES	165.68
EFT80035	07/02/2013	M2 TECHNOLOGY PTY LTD	M2 CustomNet On Hold Program - Biannual Invoice	754.01

AGENDA ITEM 4.1 REFERS

EFT80036	07/02/2013	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	157.67
EFT80037	07/02/2013	MARY FRANCES MCCONNELL	Rates refund for assessment A13706	17.47
EFT80038	07/02/2013	METROOF ALBANY	ROOFING SUPPLIES	33.51
EFT80039	07/02/2013	MICROELECTRONIC TECHNICAL SERVICES	TRANSFER VHF RADIO A67186	550.00
EFT80040	07/02/2013	JULIA MITCHELL	SELECT RESOURCES FOR ALBANY, WELLSTEAD LIBRARIES PLUS 2 LIBRARIES WITHIN REGION - REIMBURSEMENTS RAC MEMBERSHIP	319.00
EFT80041	07/02/2013	MJB INDUSTRIES PTY LTD	12 x 1200MM SPAN X 120MM LONG LINK SLAB, 18 x 1200MM SPAN X 600MM HIGH X 1200MM LONG BOX CULVERT & FREIGHT CHARGE TO ALBANY FREE ON TRUCK,	14,434.20
EFT80042	07/02/2013	MT BARKER COMMUNICATIONS	Supply & Install TAIT VHF Two Way Radio into new MacDonald Johnson Sweeper	1,304.60
EFT80043	07/02/2013	ALBANY NEWS DELIVERY - VAC	NEWSPAPER DELIVERIES 17/12/2012 - 20/1/2013	29.50
EFT80044	07/02/2013	ALBANY COMMUNITY PHARMACY	FIRST AID SUPPLIES	35.00
EFT80045	07/02/2013	NORDIC FITNESS EQUIPMENT	SPORTS EQUIPMENT	309.00
EFT80046	07/02/2013	OKEEFE'S PAINTS	PAINT & PAINTING SUPPLIES	20.25
EFT80047	07/02/2013	CORR ART	COMPLETION OF 15 WOODEN EASELS	1,025.00
EFT80048	07/02/2013	KATE PARKER	Award of contract and inception meeting	2,500.00
EFT80049	07/02/2013	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LIMITED	LICENCE FEES FOR 1/1/13-31/12/13 ALBANY TOWN HALL	66.00
EFT80050	07/02/2013	PLATTERS GOURME	ANZAC CENTRE CATERING FOR HERITAGE SURVEY ATTENDEES	262.70
EFT80051	07/02/2013	KRISTIE PORTER	FITNESS INSTRUCTION CLASSES	360.00
EFT80052	07/02/2013	RAECO INTERNATIONAL PTY LTD	CHILDREN'S BIG BOOK DISPLAY	1,016.69
EFT80053	07/02/2013	CHILD AUSTRALIA	PROFESSIONAL DEVELOPMENT WORKSHOP PREPARING FOR ASSESSMENT & RATING VISIT	110.00
EFT80054	07/02/2013	UNITED TOOLS ALBANY	CHECK BATTERY OF CORDLESS DRILL	27.50
EFT80055	07/02/2013	ANGELA SANDERS	Fauna habitat assessment of City of Albany	2,400.00
EFT80056	07/02/2013	SECUREPAY PTY LTD	WEB PAYMENTS/SEAT ADVISOR PRICING TRANSACTION FEE WITHOUT FRAUDGUARD	54.05
EFT80057	07/02/2013	AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION	BUSINESS NAME RENEWAL - ALBANY TOWN HALL THEATRE	140.00
EFT80058	07/02/2013	SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	5,121.11
EFT80059	07/02/2013	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	620.25
EFT80060	07/02/2013	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING SUPPLIES	1,920.31
EFT80061	07/02/2013	STAR SALES AND SERVICE	SCREWS, NUT PROTECTOR, TRIMMER BLADE AND CUTTER	208.40
EFT80062	07/02/2013	STORM OFFICE NATIONAL	PHOTOCOPIER CHARGES LOTTERIES HOUSE	45.02
EFT80064	07/02/2013	ALBANY LOCK SERVICE	To supply 50x 16mm cam locks keyed to 068 key for toilet roll holders.	485.00
EFT80065	07/02/2013	SYNERGY	ELECTRICITY CHARGES AIRPORT 18/12/12 - 14/1/13	2,857.95
EFT80066	07/02/2013	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	483.75
EFT80067	07/02/2013	THE NAKED BEAN COFFEE ROASTERS	VISITORS CENTRE MERCHANDISE	129.00
EFT80068	07/02/2013	DAVID THEODORE	TRAVEL REIMBURSEMENTS	33.62
EFT80069	07/02/2013	THE VEGIE SHOP	GROCERIES FOR DAYCARE	362.02
EFT80070	07/02/2013	THE LINEN PRESS	VISITORS CENTRE MERCHANDISE	272.80
EFT80071	07/02/2013	TRAILBLAZERS	SAFETY BOOTS	214.95
EFT80072	07/02/2013	CAROLYN FRANCIS TRAPNELL	VISITORS CENTRE MERCHANDISE	658.00
EFT80073	07/02/2013	TRU-BLU GROUP PTY LTD	Days hire of three ton excavator	808.21
EFT80074	07/02/2013	TUDOR HOUSE	AUSTRALIAN FLAG	173.00
EFT80075	07/02/2013	MICHAEL IAN TWENTYMAN	Rates refund for assessment A2793	325.00
EFT80076	07/02/2013	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	917.90
EFT80078	07/02/2013	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	GREEN WASTE TICKETS	26,713.79

AGENDA ITEM 4.1 REFERS

EFT80079	07/02/2013	SARAH VALLENTINE	CASUAL SHIFT VANCOUVER ARTS CENTRE 30/1/2013	167.45
EFT80080	07/02/2013	VIGIL ANTISLIP	Being for the purchase of 36 x 1200mm x 80mm az150 Colourbond steel class one metal safety deck	1,552.32
EFT80081	07/02/2013	WA NATURALLY PUBLICATIONS	VISITORS CENTRE MERCHANDISE	115.80
EFT80082	07/02/2013	JULIA WARREN	FITNESS INSTRUCTION CLASSES	135.00
EFT80083	07/02/2013	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	530.09
EFT80084	07/02/2013	LINDY WEINERT	FITNESS INSTRUCTION CLASSES	450.00
EFT80085	07/02/2013	WELLSTEAD COMMUNITY RESOURCE CENTRE INC	TELEPHONE CALLS	8.50
EFT80086	07/02/2013	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	1,253.35
EFT80087	07/02/2013	WESTERN WORK WEAR	SAFETY BOOTS	411.49
EFT80088	07/02/2013	WEST-OZ WEB SERVICES	COMPLETED BOOKINGS MARKETING FEE - DECEMBER 2012 VISITORS CENTRE	262.20
EFT80089	07/02/2013	WILD EYED PRESS PTY LTD	VISITORS CENTRE MERCHANDISE	249.15
EFT80090	07/02/2013	WREN OIL	WASTE OIL DISPOSAL	514.25
EFT80091	07/02/2013	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	28.83
EFT80092	07/02/2013	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	4.95
EFT80094	14/02/2013	ABA SECURITY	SECURITY SERVICES	305.26
EFT80095	14/02/2013	ABBOTTS LIQUID SALVAGE PTY LTD	PUMP PUBLIC TOILETS	2,125.63
EFT80096	14/02/2013	ACTIV FOUNDATION INC.	INDUSTRIAL BROOM HEADS	990.00
EFT80097	14/02/2013	AD CONTRACTORS PTY LTD	Hours Hire of Semi Tipper	17,576.50
EFT80098	14/02/2013	AECOM AUSTRALIA PTY LTD	Mount Clarence Car Park Design as per Q12048 - Fee Proposal for Mount Clarence Car Park Design Services (Revision B) 5 November 2012 AECOM. FEE AMENDMENT DUE TO SUBCONTRACTOR ALLOWANCES	45,223.75
EFT80099	14/02/2013	ALBANY CRANE HIRE	DELIVERY & HIRE OF LARGE BOOM LIFT	1,254.55
EFT80100	14/02/2013	ALBANY INDUSTRIAL SERVICES PTY LTD	hours Hire of Semi Tipper	1,584.00
EFT80101	14/02/2013	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	212.14
EFT80102	14/02/2013	ALBANY STATIONERS	STATIONERY SUPPLIES	77.00
EFT80103	14/02/2013	ALBANY OFFICE PRODUCTS DEPOT - NORTH ROAD	STATIONARY SUPPLIES	2,204.10
EFT80104	14/02/2013	ALBANY AND REGIONAL VOLUNTEER SERVICE	SERVICE AGREEMENT BETWEEN CITY OF ALBANY AND ARVS AS SIGNED 1/01/13	7,525.00
EFT80105	14/02/2013	ALBANY WALLCUTTING SERVICES	Cut existing concrete culvert footings as directed	415.80
EFT80106	14/02/2013	ALBANY CITY HOLDEN	SUPPLY CUT & PROGRAM NEW KEY	258.20
EFT80107	14/02/2013	ALINTA	GAS USAGE CHARGES 23/10/12 TO 23/01/13 1 PARKER STREET, LOCKYER	26.55
EFT80108	14/02/2013	AUSTRALIAN LIBRARY AND INFORMATION ASSOCIATION LTD	Reading Makes the World go Round Course registration for Julia Mitchell	525.00
EFT80109	14/02/2013	AMPAC DEBT RECOVERY (WA) PTY LTD	RATES DEBT RECOVERY COMMISSION	67.38
EFT80110	14/02/2013	ANDIMAPS	2013 STREET GUIDE SINGLE SPACE ADVERTISING	460.00
EFT80111	14/02/2013	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	7,295.08
EFT80112	14/02/2013	AURORA ENVIRONMENTAL	INVOICE FOR CONSULTING SERVICES IN JANUARY 2013 - PSI LOT 305 LOCKYER AVE, CENTENNIAL PARK	6,320.88
EFT80113	14/02/2013	AUSSIE DRAWCARDS PTY LTD	PRINTING COSTS FOR 5000 PROMOTIONAL DRAWCARDS	926.00
EFT80114	14/02/2013	AUSTRALIA POST	POSTAGE/AGENCY FEES	5,731.53
EFT80115	14/02/2013	ALBANY AUTOSPARK	FITTING OF CAMERA AND RUNNING A 12 VOLT PLUG IN WELL BODY	832.00
EFT80116	14/02/2013	BADGEMATE	MAGNETIC BADGES	92.95
EFT80117	14/02/2013	SEWLEX MANUFACTURING T/A BAGMASTER	LARGE COURIER BAGS & FREIGHT	919.60
EFT80118	14/02/2013	BALL BODY BUILDERS	VEHICLE REAPIRS/MAINTENANCE	803.00
EFT80119	14/02/2013	BAREFOOT CLOTHING MANUFACTURERS	UNIFORMS	578.90
EFT80120	14/02/2013	BATHROOM DECOR & TILES	STAYFAST SHOWER CHROME	73.60

AGENDA ITEM 4.1 REFERS

EFT80121	14/02/2013	BAY OF ISLES MOTEL	ACCOMODATION FOR 3 X STAFF - MAJOR PROJECTS	459.00
EFT80122	14/02/2013	ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	Hours Hire of Traffic Control	2,562.82
EFT80123	14/02/2013	BLACKWOODS	SAFETY EQUIPMENT/CLOTHING	524.86
EFT80124	14/02/2013	BLACK DUCK GOURMET PANTRY	VISITORS CENTRE MERCHANDISE	103.30
EFT80125	14/02/2013	ALBANY BOBCAT SERVICES	WIDEN ACCESS TRACK AT END OF GRIFFITHS STREET FOR BEACH ACCESS	836.00
EFT80126	14/02/2013	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY BOOKING RETURNS COMMISSION	342.70
EFT80127	14/02/2013	AIR BP	REFUND AIRPORT HANGAR LEASE	280.34
EFT80128	14/02/2013	BRANDNET PTY LTD T/AS MILITARY SHOP	FORTS MERCHANDISE	916.57
EFT80129	14/02/2013	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	250.82
EFT80130	14/02/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	149.90
EFT80131	14/02/2013	CAMLYN SPRINGS WATER DISTRIBUTORS	REFRESHMENTS & WATER COOLER RENTAL	197.00
EFT80132	14/02/2013	CAPE AGENCIES	FUEL SUPPLIES WELLSTEAD B/BRIG	170.95
EFT80133	14/02/2013	STACEY CARTER	FITNESS CLASSES	540.00
EFT80134	14/02/2013	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	441.87
EFT80135	14/02/2013	CJD EQUIPMENT	Transmission & clutch repairs to Volvo Grade	58,974.76
EFT80136	14/02/2013	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	7,486.23
EFT80137	14/02/2013	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	864.91
EFT80138	14/02/2013	SUE CODEE	VISITORS CENTRE MERCHANDISE	120.00
EFT80139	14/02/2013	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	787.81
EFT80140	14/02/2013	CONTRACT CONTROL INTERNATIONAL PTY LTD	COURSE FEES - PREPARING SCOPES OF WORK AND SPECIFICATIONS COURSE	2,244.00
EFT80141	14/02/2013	COURIER AUSTRALIA	FREIGHT FEES	116.17
EFT80142	14/02/2013	BELINDA JANE COUGLAN	Rates refund for assessment A51061	271.93
EFT80143	14/02/2013	COVS PARTS PTY LTD	VEHICLE PARTS	967.44
EFT80144	14/02/2013	CRITERION CONFERENCES	IFRASTRUCTURE ASSET MANAGEMENT	3,518.90
EFT80145	14/02/2013	CRUMPS CANVAS	REPAIR TO INFLATABLE AT POOL PO 33375	71.50
EFT80146	14/02/2013	DOWNER EDI WORKS PTY LTD	Drops of Hotmix to correct road levels around sumps	1,162.10
EFT80147	14/02/2013	D & K ENGINEERING	5 X FIRE GATES AND POSTS	3,547.50
EFT80148	14/02/2013	DAVRIC AUSTRALIA	VISITORS CENTRE MERCHANDISE	2,722.50
EFT80149	14/02/2013	JANINE DETERMES	FITNESS INSTRUCTION CLASSES	180.00
EFT80150	14/02/2013	G & M DETERGENTS & HYGIENE SERVICES ALBANY	3KG ENVIRO TOILET BLOCKS	54.00
EFT80151	14/02/2013	DOMINO'S PIZZA ALBANY	CATERING SUPPLIES FOR FIRE	159.15
EFT80152	14/02/2013	DON DUFTY	COUNCILLOR MILEAGE CLAIM 272KM @ 62.9CENTS	171.08
EFT80153	14/02/2013	EARTH NYMPH DESIGN PTY LTD	VISITORS CENTRE MERCHANDISE	560.69
EFT80154	14/02/2013	EDDIES PEST AND WEED CONTROL	TREAT AND REMOVE BEE HIVE IN BIRD NESTING BOX - BLUFF ROCK RESERVE	165.00
EFT80155	14/02/2013	EKO-SOIL (NORWOOD HALL (ASIA) PTY LTD)	2ND TUB OF EKO SOIL ENZYME & FREIGHT	5,925.59
EFT80156	14/02/2013	ESSENTIAL ENVIRONMENTAL	MODELLING & PREPARATION OF DRAFT AERIAL DRAINAGE PLAN - PROJECT MANAGEMENT	6,061.00
EFT80157	14/02/2013	EYERITE SIGNS	SIGNWRITING/SIGN PURCHASES	4,830.10
EFT80158	14/02/2013	FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES - ALAC CAFE	149.79
EFT80159	14/02/2013	FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	107.50
EFT80160	14/02/2013	ALBANY FILTER CLEAN	FILTER CHANGING/CLEANING	28.00
EFT80161	14/02/2013	THE FIXUPPERY	CLEAN MAIN ENTRANCE DOOES & INTERNAL/EXTERNAL WINDOWS	746.02
EFT80162	14/02/2013	ALL TRUCK REPAIRS	REPAIRED AIR LEAK ON BUTTERFLY VALVE, REPAIRED FUEL LEAK ON PUMP MOTOR	395.45
EFT80163	14/02/2013	FLIPS ELECTRICS	Check and test sump pump (corroded and needed replacing) Supply and install replacement sump and shorten lead as directed.	1,365.10

AGENDA ITEM 4.1 REFERS

EFT80164	14/02/2013	TAMMIE FLOWER	FITNESS INSTRUCTION CLASSES	315.00
EFT80165	14/02/2013	FUELS WEST PETROLEUM	Litres DIESEL FUEL	15,267.97
EFT80166	14/02/2013	GALLERY 500	ART SUPPLIES	45.00
EFT80167	14/02/2013	GB MARINE	OIL FILTER, O RING AND MOTUL 10W40 STROKE OIL 5 LITRES	137.00
EFT80168	14/02/2013	BRIANNA GIBSON	SWIMMING CLASSES	765.00
EFT80169	14/02/2013	GLASS SUPPLIERS	REGLAZE WINDOWS/DOORS	701.50
EFT80170	14/02/2013	GOLDEN WEST NETWORK PTY LTD	Television Advertising - Christmas Festival & Pageant	200.20
EFT80171	14/02/2013	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	826.37
EFT80172	14/02/2013	GRANT THORNTON AUSTRALIA LIMITED	FINAL FEE IN RELATION TO THE AUDIT OF CITY OF ALBANY FOR THE END OF THE YEAR ENDED 30 JUNE 2012 INCLUDING TRAVEL AND OTHER DISBURSEMENTS	9,900.00
EFT80173	14/02/2013	GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF APPRENTICES FEES	9,216.82
EFT80174	14/02/2013	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	FIRE WARDEN TRAINING	650.00
EFT80175	14/02/2013	GREEN SKILLS INC	CASUAL STAFF - ROADS & RESERVES	10,629.04
EFT80176	14/02/2013	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	1,076.90
EFT80177	14/02/2013	GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	105.00
EFT80178	14/02/2013	PROTECTOR FIRE SERVICES PTY LTD	SERVICE FIRE EQUIPMENT IN FEBRUARY	72.27
EFT80179	14/02/2013	HARVEY NORMAN ELECTRICAL ALBANY	BREVILLE HOT WATER URN	128.00
EFT80180	14/02/2013	HART SPORT	SPORT EQUIPMENT	759.50
EFT80181	14/02/2013	HR AND N HAWKINS	MAKE UP ROOF GUARD TO DETAIL	104.50
EFT80182	14/02/2013	HAYNES ROBINSON	LEGAL FEES - EXTENSION OF LEASE - SOUTH COAST NATURAL RESOURCE MANAGMENT	440.00
EFT80183	14/02/2013	HELEN LEEDER-CARLSON	WEDNESDAY PAINTING WITH HELEN	240.00
EFT80184	14/02/2013	HEMA MAPS PTY LTD	VISITORS CENTRE MERCHANDISE	544.99
EFT80185	14/02/2013	HUDSON SEWAGE SERVICES	QUARTERLY MAINTENANCE - AIRPORT	200.70
EFT80186	14/02/2013	IBM AUSTRALIA LTD	MONTHLY SCHEDULE FOR SERVICES, IBM EXPRESS MANAGED SERVICES	1,898.06
EFT80187	14/02/2013	ICKY FINKS WAREHOUSE SALES	PAINTING MATERIALS	191.88
EFT80188	14/02/2013	INTERNATIONAL ART SPACE PTY LTD (IASKA)	SPACED: ART OUT OF PLACE TOUR FEE	3,025.00
EFT80189	14/02/2013	TOLL IPEC	FREIGHT FEES - AIRPORT	38.25
EFT80190	14/02/2013	JJ'S HIAB SERVICES	Pick up materials from Mercer Rd depot and deliver to jobsite	220.00
EFT80191	14/02/2013	JOHN KINNEAR AND ASSOCIATES	Review of Thompson Road land changes and creation of plan suitable for subdivision	2,475.00
EFT80192	14/02/2013	JUST SEW EMBROIDERY	EMBROIDERY - LOGOS ONTO WORKWEAR	27.50
EFT80193	14/02/2013	KEN FREEGARD FILTER CLEANING	WASTE DISPOSAL	120.50
EFT80194	14/02/2013	KINJARLING INDIGENOUS CORPORATION	MONITORING WORKS - NATHAN MINITER	800.00
EFT80195	14/02/2013	KIRBY SWIM EQUIPMENT PTY LTD	Purchase 1200mm Swim Teaching Platform	900.90
EFT80196	14/02/2013	KLB SYSTEMS	COMPUTER HARDWARE SUPPLIES	2,629.00
EFT80197	14/02/2013	CALTEX ENERGY WA	FUEL PURCHASES	7,994.15
EFT80198	14/02/2013	LOCK N STORE SELF STORAGE - ALBANY	3 MONTH RENTAL UNIT FROM 20/2/13 TO 20/5/13	450.00
EFT80199	14/02/2013	LORLAINE DISTRIBUTORS PTY LTD	CLEANING SUPPLIES	258.20
EFT80200	14/02/2013	LUSH FLORAL DESIGNS	Floral table arrangements for Governor's Luncheon on Monday, 11 February 2013	400.00
EFT80201	14/02/2013	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	157.67
EFT80202	14/02/2013	MERRIFIELD REAL ESTATE	RENT FOR FEBUARY & MARCH 2013 - 23/71 COCKBURN ROAD, ALBANY WA 6330	200.00
EFT80203	14/02/2013	MOUNT ROMANCE AUSTRALIA PTY LTD	VISITORS CENTRE MERCHANDISE	134.63
EFT80204	14/02/2013	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	121.00
EFT80205	14/02/2013	NATALIE RADIVOJEVIC	PROFESSIONAL FEES	2,234.60
EFT80206	14/02/2013	NAZZY BEADS	VISITORS CENTRE MERCHANDISE	170.00

AGENDA ITEM 4.1 REFERS

EFT80207	14/02/2013	ALBANY NEWS DELIVERY - ALAC	NEWSPAPER DELIVERIES	217.22
EFT80208	14/02/2013	ALBANY COMMUNITY PHARMACY	FIRST AID SUPPLIES/SUNSCREEN SUPPLIES	918.90
EFT80209	14/02/2013	OPUS INTERNATIONAL CONSULTANTS LTD	SUPERINTENDENCE OF THE LOWER DENMARK ROAD, ELLEKER TOWNSITE UPGRADE	2,073.50
EFT80210	14/02/2013	CORR ART	ARTISTS MATERIALS FOR TERM 1 CLASSES	300.00
EFT80211	14/02/2013	ANNA PAGE	MATERIALS FOR COMPLETION OF AIRPORT HOUSE FENCE AND GATE	344.00
EFT80212	14/02/2013	PALMER EARTHMOVING (AUSTRALIA) PTY LTD	Cubic metres Gravel supplied as per quotation no: Q12056	57,530.88
EFT80213	14/02/2013	PAULS PET FOOD	Bags of dry dog food	57.00
EFT80214	14/02/2013	PAUL G ROBERTSON AND ASSOCIATES	LOWER DENMARK ROAD - PHASE 2 SUPERINTENDENT TASK NOV TO APRIL - 6MONTH & DOWN ROAD 2012/13 TREATMENT REPORT	19,542.74
EFT80215	14/02/2013	PFD FOOD SERVICES PTY LTD	CATERING SUPPLIES	699.40
EFT80216	14/02/2013	PHILLIPS MEDIA	JANUARY - MEDIA CONTRACTING SERVICES	6,536.25
EFT80217	14/02/2013	KRISTIE PORTER	FITNESS INSTRUCTION CLASSES	315.00
EFT80218	14/02/2013	RAMPED TECHNOLOGY	PROFESSIONAL SERVICES & ITEMS	50,297.00
EFT80219	14/02/2013	REECE PTY LTD	Supply of Storm water pipes and cement	19,312.98
EFT80220	14/02/2013	REXEL AUSTRALIA	LAMP, HALOGEN, DICHROIC 51MM, 60 DEGREES, 3000K, 35W, 12V, G	427.02
EFT80221	14/02/2013	ROYAL LIFE SAVING SOCIETY AUSTRALIA	SWIM CERTIFICATES	17.50
EFT80222	14/02/2013	UNITED TOOLS ALBANY	HARDWARE/TOOL SUPPLIES	132.00
EFT80223	14/02/2013	ALBANY SCAFFOLD HIRE	Being for the erection and dismantle and hire of scaffold	2,431.00
EFT80224	14/02/2013	SECUREPAY PTY LTD	WEB PAYMENTS	35.05
EFT80225	14/02/2013	SHEILAH RYAN	GARDENING AT THE VAC	390.00
EFT80226	14/02/2013	GRANT ROBYN SIMMONS	Rates refund for assessment A68751	842.41
EFT80227	14/02/2013	SKAL INTERNATIONAL ALBANY	SKAL FEBRUARY 2013 FUNCTION BEST WESTERN - INVOICE - FEB 013-13	35.00
EFT80228	14/02/2013	SKATEBOARDING AUSTRALIA INC.	GREAT SOUTHERN WA SBA HUB PROGRAM: FY 2012-13	6,600.00
EFT80229	14/02/2013	SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	9,569.35
EFT80230	14/02/2013	SKYRAIL HOLDINGS PTY LTD	Rates refund for assessment A215897	237.15
EFT80231	14/02/2013	SMITHS ALUMINIUM & 4WD CENTRE	ALUMINIUM FABRICATION MATERIALS & LABOUR	180.00
EFT80232	14/02/2013	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	2,086.12
EFT80233	14/02/2013	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	271.00
EFT80234	14/02/2013	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING SUPPLIES	1,946.44
EFT80235	14/02/2013	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	12,594.95
EFT80236	14/02/2013	STAR SALES AND SERVICE	2 x BRUSHCUTTER GUARDS	93.20
EFT80237	14/02/2013	ALBANY VOLUNTEER STATE EMERGENCY SERVICE	STANDARD ESL ALLOCATION - JANUARY TO MARCH 2013	10,000.00
EFT80238	14/02/2013	STIRLING FREIGHT EXPRESS	FREIGHT CHARGES	142.81
EFT80239	14/02/2013	SUBWAY	CATERING SUPPLIES	585.00
EFT80240	14/02/2013	ALBANY LOCK SERVICE	4 x Bi-Lock Padlocks as per telephonic quote BEF120-FO-7	374.10
EFT80241	14/02/2013	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	414.74
EFT80242	14/02/2013	THE VEGIE SHOP	GROCERIES FOR DAYCARE	152.00
EFT80243	14/02/2013	THINGZ LIVING	Staff recognition 25 year service daycare Cindy Cox - GIFT VOUCHER	375.00
EFT80244	14/02/2013	THE TOFFEE FACTORY	VISITORS CENTRE MERCHANDISE	119.88
EFT80245	14/02/2013	TOLL FAST	FREIGHT CHARGES	262.88
EFT80246	14/02/2013	TRAILBLAZERS	PURCHASE THERMAL TOPS FOR SWIM INSTRUCTORS	419.50
EFT80247	14/02/2013	TRUCKLINE	Clutch kit to suit Isuzu Giga	1,491.20
EFT80248	14/02/2013	TRU-BLU GROUP PTY LTD	1 DAYS HIRE OF QUICKCUT ON TROLLY.	150.00
EFT80249	14/02/2013	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	6,323.10
EFT80251	14/02/2013	SARAH VALLENTINE	CASUAL HOURS	334.93

AGENDA ITEM 4.1 REFERS

EFT80252	14/02/2013	VISIT MERCHANDISE PTY LTD	VISITORS CENTRE MERCHANDISE	501.38
EFT80253	14/02/2013	JULIA WARREN	FITNESS INSTRUCTION CLASSES	180.00
EFT80254	14/02/2013	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	895.77
EFT80255	14/02/2013	LINDY WEINERT	FITNESS INSTRUCTION CLASSES	540.00
EFT80256	14/02/2013	LANDMARK LIMITED	50m rolls of 1.8m Chicken Netting and turf	1,314.61
EFT80257	14/02/2013	WESTERN WORK WEAR	SAFETY BOOTS	525.00
EFT80258	14/02/2013	WEST-OZ WEB SERVICES	COMPLETED BOOKING MARKETING FEE	345.75
EFT80259	14/02/2013	THE WINDOW WASHER MAN	WINDOW CLEANING	50.00
EFT80260	14/02/2013	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	370.37
EFT80261	14/02/2013	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	50.08
EFT80262	14/02/2013	UNIVERSITY OF WESTERN SYDNEY	BACHELOR OF NATURAL SCIENCE - KELLE BROWN - AUTUMN	1,881.00
EFT80263	21/02/2013	ABBOTTS LIQUID SALVAGE PTY LTD	Being for the pump out of the Middleton beach (surf club) transportable toilets	836.25
EFT80264	21/02/2013	ALBANY CHAMBER OF COMMERCE AND INDUSTRY	Great Southern Women's February Networking Breakfast registration for Soraya Majidi	45.00
EFT80265	21/02/2013	AD CONTRACTORS PTY LTD	Construct Stage 4 Lower Denmark Rd - Marbellup Rd to Elleker/SEMI TIPPER HIRE	505,126.62
EFT80266	21/02/2013	AEC SYSTEMS PTY LTD	AutoCAD Civil 3D 2013	20,640.40
EFT80267	21/02/2013	AGCRETE ALBANY	Supply of Concrete products plus delivery	2,701.50
EFT80268	21/02/2013	EDENBORN PTY LTD	CONTRACT MOWING OF VERGES FOR JANUARY 10/1/13-23/1/13	4,665.60
EFT80269	21/02/2013	ALBANY TOYOTA	PURCHASE OF NEW VEHICLES	46,650.70
EFT80270	21/02/2013	ALBANY CRANE HIRE	Being for the hire of the Kato crane, rigger and the man cage for the York street Christmas tree lights.	1,408.00
EFT80271	21/02/2013	ALBANY INDUSTRIAL SERVICES PTY LTD	TRUCK & LOADER HIRE	22,418.00
EFT80272	21/02/2013	ALBANY SWEEP CLEAN	SWEEP DRIVEWAYS, ROAD ACCESS & PARKING AREAS AT FRONT OF MAIN TERMINAL	346.50
EFT80273	21/02/2013	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	198.00
EFT80274	21/02/2013	ALBANY LANDSCAPE SUPPLIES	Cracked pea gravel	350.00
EFT80275	21/02/2013	ALBANY AUTO 1	SPEAKERS	30.00
EFT80276	21/02/2013	ALBANY OFFICE PRODUCTS DEPOT - NORTH ROAD	PANASONIC HEADBOARD & STAND	4,369.30
EFT80277	21/02/2013	ALBANY NEWS DELIVERY - NORTH ROAD	NEWSPAPER DELIVERIES	283.45
EFT80278	21/02/2013	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	278.66
EFT80280	21/02/2013	ALLIED PUMPS	Being for the servicing of the Ellen cove sewage pit	980.10
EFT80281	21/02/2013	AMPAC DEBT RECOVERY (WA) PTY LTD	RATES DEBT RECOVERY	6,540.56
EFT80282	21/02/2013	PAPERBARK MERCHANTS	NEWSPAPERS/BOOKS/MAGAZINES/STATIONERY	448.64
EFT80283	21/02/2013	APEX CLUB OF ALBANY INCORPORATED	SUPPORT OF CAROLS BY CANDLELIGHT EVENT - TAKEN FROM CHRISTMAS PAGEANT BUDGET	3,500.00
EFT80284	21/02/2013	ARDESS NURSERY	36x Australian Native plant tubes - for Australia Day Ceremony	298.50
EFT80285	21/02/2013	ARTCRAFT PTY LTD	ASSORTED SIGNAGE	2,260.50
EFT80286	21/02/2013	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	7,666.49
EFT80287	21/02/2013	ALBANY AUTOSPARK	X3 FITTING OF REVERSING CAMERAS	915.00
EFT80288	21/02/2013	BANDICOOT NURSERY	NURSERY SUPPLIES	131.33
EFT80289	21/02/2013	BAREFOOT CLOTHING MANUFACTURERS	UNIFORMS	447.50
EFT80290	21/02/2013	BARKERS TRENCHING SERVICES	Slash around Hatelie lakes	190.00
EFT80291	21/02/2013	BATTERY WORLD	Batteries for soap dispenser pkt of 10	25.00
EFT80292	21/02/2013	BERTOLA HIRE SERVICES ALBANY PTY LTD	EQUIPMENT HIRE	108.90
EFT80293	21/02/2013	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	384.00
EFT80294	21/02/2013	BLACKWOODS	PROTECTIVE CLOTHING	90.02

AGENDA ITEM 4.1 REFERS

EFT80295	21/02/2013	BOC GASES AUSTRALIA LIMITED	CONTAINER SERVICE RENTAL	64.26
EFT80296	21/02/2013	BRANDNET PTY LTD T/AS MILITARY SHOP	FORTS MERCHANDISE	226.80
EFT80297	21/02/2013	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES ALAC	212.06
EFT80298	21/02/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	203.11
EFT80299	21/02/2013	C&C MACHINERY CENTRE	VEHICLE MAINTENANCE/PARTS	512.22
EFT80300	21/02/2013	CABCHARGE AUSTRALIA LIMITED	CAB CHARGES SERVICE FEE ONLY	6.00
EFT80301	21/02/2013	STACEY CARTER	FITNESS INSTRUCTOR	270.00
EFT80302	21/02/2013	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	4,828.31
EFT80303	21/02/2013	CJD EQUIPMENT	VEHICLE PARTS	814.63
EFT80304	21/02/2013	ROAD MASTER CENTRAL T/AS CLAYCRETE STABILISER	Drum Claycrete (200ltrs)	4,235.00
EFT80305	21/02/2013	BIS CLEANAWAY LIMITED	CONTRACT RUBBISH REMOVAL	7,717.45
EFT80306	21/02/2013	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	2,180.72
EFT80307	21/02/2013	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	570.28
EFT80308	21/02/2013	CORE BUSINESS AUSTRALIA	WAAMI WORKSHOP 5/2/2013	5,000.00
EFT80309	21/02/2013	COURIER AUSTRALIA	FREIGHT CHARGES	160.56
EFT80310	21/02/2013	COVS PARTS PTY LTD	VEHICLE PARTS	186.15
EFT80311	21/02/2013	THE LAMINEX GROUP (CULLITY'S)	TIMBER SUPPLIES	272.24
EFT80312	21/02/2013	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	58.94
EFT80313	21/02/2013	D & K ENGINEERING	5 x ADDITIONAL FIRE GATES AND POSTS AS PER PREVIOUS SPECIFICATIONS	4,146.34
EFT80314	21/02/2013	DAVRIC AUSTRALIA	VISITORS CENTRE MERCHANDISE	660.00
EFT80315	21/02/2013	DEEP WOODS SURVEYS WESTERN AUSTRALIA PTY LTD	ANZAC CENTRE ALTERNATIVE SITE STAGE ONE WORKS ONLY ARCHAEOLOGICAL SURVEY	8,944.50
EFT80316	21/02/2013	35 DEGREES SOUTH	Full feature survey for the Anzac Centre Alternative Site.	2,750.00
EFT80317	21/02/2013	DE JONGE MECHANICAL REPAIRS	VEHICLE SERVICING/REPAIRS	1,555.45
EFT80318	21/02/2013	DE LAGE LANDEN PTY LIMITED	CONTRACT 073-140002-001 MONTHLY RENTAL	5,300.90
EFT80319	21/02/2013	LANDGATE - PROPERTY & VALUATIONS	INTERIM VALUATIONS	4,818.47
EFT80320	21/02/2013	JANINE DETERMES	FITNESS INSTRUCTOR	325.00
EFT80321	21/02/2013	DIGITAL EDUCATION SERVICES	TUMBLE BOOKS ONLINE FOR STAND ALONE JUNIOR PC	132.00
EFT80322	21/02/2013	DURO DESIGNS	20MM DROP SIDE PLUGS	77.00
EFT80323	21/02/2013	EASIFLEET MANAGEMENT	MOTOR VEHICLE LEASE RENTAL/ ESP BUREAU FEE/ BUREAU FEE REBATE	2,327.47
EFT80324	21/02/2013	EDDIES PEST AND WEED CONTROL	Hand spraying of weeds at Bakers Junction Landfill. Including Labour, Chemical and any machinery used to complete the works	1,287.00
EFT80325	21/02/2013	SIMON EDWARDS	AIR BP CALL OUTS	19.77
EFT80326	21/02/2013	ENERGY MADE CLEAN	ENERGY ANALYSIS AND BUSINESS CASE DEVELOPMENT FOR YORK STREET LED LIGHTING FUNDING APPLICATION (CEEP)	8,690.00
EFT80327	21/02/2013	ALBANY ENGINEERING COMPANY	SUPPLY OF ENGINEERING FOR A1 COASTAL GUN	336.60
EFT80328	21/02/2013	FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES	90.69
EFT80329	21/02/2013	FLORESCENCE	VISITORS CENTRE MERCHANDISE	49.00
EFT80330	21/02/2013	TAMMIE FLOWER	FITNESS INSTRUCTOR	495.00
EFT80331	21/02/2013	FUELS WEST PETROLEUM	Litres DIESEL FUEL	13,366.27
EFT80332	21/02/2013	BRIANNA GIBSON	FITNESS INSTRUCTOR	90.00
EFT80333	21/02/2013	SANDRA GILFILLAN	Environmental Assessment for Alternative Location of the Anzac Centre. To be reimbursed by DVA funding body, auspiced through the State RSL.	640.00
EFT80334	21/02/2013	GRANT RICHARDSON GILES	Rates refund for assessment A123808	162.22
EFT80335	21/02/2013	GLASS SUPPLIERS	REGLAZE WINDOWS/DOORS	516.65

AGENDA ITEM 4.1 REFERS

EFT80336	21/02/2013	GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF APPRENTICES FEES	800.42
EFT80337	21/02/2013	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	MS PROJECT TRAINING COURSE FOR ETIENNE VORSTER	280.00
EFT80338	21/02/2013	GREAT SOUTHERN SAND AND LANDSCAPING SUPPLIES	Hire of D7 Dozer for Hanrahan Rd landfill	180.00
EFT80339	21/02/2013	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	3,312.50
EFT80340	21/02/2013	GREEN MAN MEDIA PRODUCITONS	PIAF CINEMA ADVERT.	440.00
EFT80341	21/02/2013	GREAT SOUTHERN TOURISM EVENTS	TASTE GREAT SOUTHERN - SPONSORSHIP	5,500.00
EFT80342	21/02/2013	GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	829.65
EFT80343	21/02/2013	GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	22.00
EFT80344	21/02/2013	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE - 8/10/12	1,538.63
EFT80345	21/02/2013	HARVEY NORMAN FURNITURE ALBANY	POD BENCH OTTOMAN 200X100X45CM YELLOW CODE X 5	2,400.00
EFT80346	21/02/2013	HAVOC BUILDERS PTY LTD	Being for the repairs made to the fly tower in the tower hall above the stage.	3,565.26
EFT80347	21/02/2013	HELEN LEEDER-CARLSON	WEDNESDAY PAINTING WITH HELEN	240.00
EFT80348	21/02/2013	H AND H ARCHITECTS	To provide Superintendent services as per Request for Quotation Q12032 PADRE WHITE LOOKOUT	3,734.50
EFT80349	21/02/2013	ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT	3,494.82
EFT80350	21/02/2013	ISOLATED CHILDREN'S PARENTS' ASSOCIATION	FINANCIAL SUPPORT ICPA WA STATE CONFERENCE 2013	2,000.00
EFT80351	21/02/2013	ALBANY MAPPING AND SURVEYING SERVICES	Hours finished level design & 3D visualisation	5,213.50
EFT80352	21/02/2013	JANDAKOT INSTRUMENTS	PAPI CLINOMETER TEST CERTIFICATION	308.00
EFT80353	21/02/2013	JUST SEW EMBROIDERY	EMBROIDERY POLOS & LOGOS	385.00
EFT80354	21/02/2013	LA FREEGARD	TRACTOR MULCHING OFR FIREBREAKS ASSORTED LOCATIONS	20,733.90
EFT80355	21/02/2013	LATRO LAWYERS	ADVICE RE CONSTRUCTION TENDER - MOUNT CLARENCE PROJECT	2,436.64
EFT80356	21/02/2013	LEASE CHOICE	MONTHLY LEASE PHOTOCOPIER RICOH V1691100006	970.20
EFT80357	21/02/2013	STATE LIBRARY OF WA	LOST/DAMAGED BOOKS	309.10
EFT80358	21/02/2013	LOCK N STORE SELF STORAGE - ALBANY	3 MONTH STORAGE UNIT RENTAL 20/2/13 - 20/5/13	450.00
EFT80359	21/02/2013	LOCKEEZ LUNCHBAR	CATERING	1,605.50
EFT80360	21/02/2013	LOST THE PLOT PRODUCTIONS (GOLD MX)	ADVERTISING GOLD MX 25/1/13 - 31/1/13	385.00
EFT80361	21/02/2013	ALBANY PARTY HIRE	As discussed please supply crockery, cutlery, serviettes, glasses and coffee percolator for Governor's Lunch	303.50
EFT80362	21/02/2013	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	172.57
EFT80363	21/02/2013	METROOF ALBANY	Y12 STEEL REINFORCEMENT BAR	293.70
EFT80364	21/02/2013	MIDDLETON BEACH HOLIDAY PARK	NURSERY SUPPLIES	334.80
EFT80365	21/02/2013	AIRPORT SECURITY PTY LTD	AVIATION SECURITY IDENTIFICATION CARDS - R WOLFENDEN & E HUBBLE	440.00
EFT80366	21/02/2013	NEC AUSTRALIA PTY LTD	SUPPORT SERVICE FEE 1/7/12 - 30/6/13	10,747.00
EFT80367	21/02/2013	NEVILLES HARDWARE & BUILDING SUPPLIES	2 boxes of 150mm Denso tape 4 x 15lt containers of elasta seal 3 x 20lt of Boracol 200/HARDWARE SUPPLIES	2,659.10
EFT80368	21/02/2013	ALBANY NEWS DELIVERY - ALAC	NEWSPAPER DELIVERIES	108.61
EFT80369	21/02/2013	PAUL NIELSEN	REIMBURSEMENT - REGIONAL LIBRARY VISIT	19.00
EFT80370	21/02/2013	NIKANA CONTRACTING PTY LTD	REMOVAL OF RUBBISH BOAT HARBOUR SKIP BINS	676.50
EFT80371	21/02/2013	ALBANY COMMUNITY PHARMACY	HAND SANITISER	47.40
EFT80372	21/02/2013	OCS SERVICES PTY LTD	CLEANING SERVICES	17,404.64
EFT80373	21/02/2013	OKEEFE'S PAINTS	PAINT & PAINTING SUPPLIES	407.84
EFT80374	21/02/2013	ORICA AUSTRALIA P/L	CHLORINE SUPPLIES	317.13
EFT80375	21/02/2013	OUTDOOR WORLD ALBANY	50 % DEPOSIT FOR FENCING AT DAY CARE - TOTAL COST \$2889	1,449.50
EFT80376	21/02/2013	PAINT INDUSTRIES PTY LTD	RUNWAY PAINT	1,619.31

AGENDA ITEM 4.1 REFERS

EFT80377	21/02/2013	PAUL G ROBERTSON AND ASSOCIATES	LOWER DENMARK ROAD - PHASE 2 SUPERINTENDENT TASK NOV TO APRIL - 6 MONTH	7,828.33
EFT80378	21/02/2013	PENROSE PROFESSIONAL LAWNCARE	MOWING & EDGING OF GROUNDS VANCOUVER ARTS CENTRE	264.00
EFT80379	21/02/2013	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LIMITED	APRA cover for background music and live artist performances	438.32
EFT80380	21/02/2013	PLASTICS PLUS	WHEELIE BINS	146.99
EFT80381	21/02/2013	KRISTIE PORTER	FITNESS INSTRUCTOR	270.00
EFT80382	21/02/2013	PROTECTOR ALSAFE INDUSTRIES PTY LTD	PROTECTIVE HEADWEAR	166.32
EFT80383	21/02/2013	REDMOND SAWMILL	TIMBER SUPPLIES	7,880.00
EFT80384	21/02/2013	REEVES AND COMPANY BUTCHERS PTY LTD	BBQ ITEMS FOR STAFF BBQ	220.50
EFT80385	21/02/2013	W P REID	Rubbish collection and general works at South Stirling Landfill	2,000.00
EFT80386	21/02/2013	RICOH	PHOTOCOPIER CHARGES	11,762.74
EFT80387	21/02/2013	SERENITY PARK	DISPOSAL OF ANIMALS	560.00
EFT80388	21/02/2013	G & L SHEETMETAL	STAINLESS STEEL BOX GUTTER	927.30
EFT80389	21/02/2013	SHIRE OF PLANTAGENET	SKATE WORKSHOP FUNDING	3,300.00
EFT80391	21/02/2013	SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	9,552.21
EFT80392	21/02/2013	SKYWEST AIRLINES	AIRPORT MARKETING PROMOTION	2,059.28
EFT80393	21/02/2013	SUE SMITH	REIMBURSEMENT - REGIONAL LIBRARY VISIT	25.00
EFT80394	21/02/2013	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	762.30
EFT80395	21/02/2013	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	434.63
EFT80396	21/02/2013	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING SUPPLIES	2,545.20
EFT80397	21/02/2013	GARY OWEN SPENCE	LAWNMOWING AT DAY CARE CENTRE	105.00
EFT80398	21/02/2013	SPERLING ENTERPRISES PTY LTD	SPORT STORE PURCHASES	472.36
EFT80399	21/02/2013	STAR SALES AND SERVICE	1 knapsack	258.00
EFT80400	21/02/2013	DEPARTMENT OF THE PREMIER & CABINET	GAZETTAL OF TOWN PLANNING SCHEME NO.AMD178	307.05
EFT80401	21/02/2013	POSITION PARTNERS	Measuring Wheel Belts (Part # 05-30-RTS1005)	22.00
EFT80402	21/02/2013	STORM OFFICE NATIONAL	PHOTOCOPIER CHARGES LOTTERIES HOUSE	24.37
EFT80403	21/02/2013	ALBANY LOCK SERVICE	LOCKSMITH SERVICES,REPAIRS ETC	75.10
EFT80404	21/02/2013	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	1,882.74
EFT80405	21/02/2013	T & C SUPPLIES (RANGERS)	HARDWARE SUPPLIES	105.57
EFT80406	21/02/2013	THEYER AUTOMOTIVE	CARRY OUT DEPARTMENT OF PLANNING AND INFRASTRUCTURE INSPECTION. MOTOR / WAGON / TRAILER AS PER INSPECTION REPORT	93.60
EFT80407	21/02/2013	ARTSOURCE, THE ARTISTS FOUNDATION OF WA	AUTUMN 2013 ISSUE 2/3 PAGE ADVERTISING	495.00
EFT80408	21/02/2013	THE LINEN PRESS	VISITORS CENTRE MERCHANDISE	388.30
EFT80409	21/02/2013	THERMAGUARD PTY LTD	140 SUPERTHERM ORIGINAL 47 BURNOVER BLANKETS/140 RED HIVIZ SOFT BAGS	34,738.00
EFT80410	21/02/2013	THINKWATER ALBANY	IRRIGATION SUPPLIES	1,910.19
EFT80411	21/02/2013	MATTHEW RICHARD TOMLINSON	LABOUR HIRE - 7/2/13 - 8/2/13	642.00
EFT80412	21/02/2013	TOTAL EDEN	IRRIGATION SUPPLIES	4,271.73
EFT80413	21/02/2013	TOTAL PACKAGING (WA) PTY LTD	DOGGY DUMPAGE BAGS	343.20
EFT80414	21/02/2013	TRAILBLAZERS	SAFETY BOOTS/UNIFORMS	506.50
EFT80415	21/02/2013	TRU-BLU GROUP PTY LTD	Weeks hire of VMS Board	3,283.56
EFT80416	21/02/2013	DAVID TURNER	Rates refund for assessment A198861	16.40
EFT80417	21/02/2013	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	180.30
EFT80419	21/02/2013	SARAH VALLENTINE	CASUAL HOURS - ADMIN VANCOUVER ARTS 12/13/14 FEB 2013	347.82
EFT80420	21/02/2013	VERTICAL TELECOMS PTY LTD T/AS VERTEL	COMMUNICATION RADIOS FOR ALAC	4,176.92

AGENDA ITEM 4.1 REFERS

EFT80421	21/02/2013	IT VISION AUSTRALIA PTY LTD	Changes to Bushfire Inspections, including Development, testing, documentation and release.	2,321.00
EFT80422	21/02/2013	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	1,052.37
EFT80423	21/02/2013	LINDY WEINERT	FITNESS INSTRUCTOR	315.00
EFT80424	21/02/2013	LANDMARK LIMITED	2.4m Galstar Extreme Star Pickets	1,234.20
EFT80425	21/02/2013	WESTERBERG MARINE	REPAIRS TO ALUMINIUM POOL COVER TROLLEY ENDS	220.00
EFT80426	21/02/2013	WESTERN POWER CORPORATION	DESIGN DEPOSIT ALBANY HWY U/G PROJECT	12,500.00
EFT80427	21/02/2013	WESTERN WORK WEAR	Safety Boots	249.30
EFT80428	21/02/2013	WEST COAST ANALYTICAL SERVICES	CLAIM NO 2 DECEMBER 2012 - WATER MONITORING WASTE FACILITIES	7,757.50
EFT80429	21/02/2013	ERIN ASLETT	SEMESTER TWO - BACHELOR OF BUSINESS	1,178.00
EFT80430	21/02/2013	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	85.50
EFT80431	21/02/2013	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	77.77
EFT80432	21/02/2013	ZIPFORM	RATES 4TH INSTALMENT NOTICES	4,128.62
EFT80433	21/02/2013	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	10,708.50
EFT80434	21/02/2013	RADIOWEST BROADCASTERS PTY LTD	Christmas Festival and Pageant - radio advertising	176.00
EFT80435	21/02/2013	JOHN EDWARD SIMMONS	Rates refund for assessment A14302	136.03
EFT80436	21/02/2013	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	BULK GREEN WASTE	20,890.39
EFT80466	28/02/2013	ACTIV FOUNDATION INC.	RECYCLING OF E-WASTE FROM JANUARY 2013	3,025.00
EFT80468	28/02/2013	ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	980.31
EFT80469	28/02/2013	ALBANY REFRIGERATION	Being for labour and parts for the air/con unit for the achieve room and North Road admin	1,288.49
EFT80470	28/02/2013	ALBANY LITTLE ATHLETICS CLUB	BEING FOR 2012/13 SEASON REGISTRATION - KID SPORT VOUCHER	110.00
EFT80471	28/02/2013	ALBANY LEGAL PTY LTD	DEED OF EXTENSION OF LICENCE OCEAN BROADBAND - PRO371	500.00
EFT80472	28/02/2013	ALBANY AIRPORT SERVICES PTY LTD	TUITION FOR KIDS HOLIDAY PROGRAM JANUARY 2013	1,013.14
EFT80473	28/02/2013	ALINTA	GAS USAGE CHARGES - 52 BAKER ROAD CENTENNIAL PARK - 9/1/13 TO 11/2/13	16,708.95
EFT80474	28/02/2013	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	5,598.70
EFT80475	28/02/2013	BADGEMATE	BADGES	129.09
EFT80476	28/02/2013	BALL BODY BUILDERS	VEHICLE PARTS/MAINTENANCE	71.28
EFT80477	28/02/2013	BAREFOOT CLOTHING MANUFACTURERS	UNIFORMS	84.70
EFT80478	28/02/2013	BENNETTS BATTERIES	200L drums of Rubia TIR 15w/40 engine oil.	2,912.80
EFT80479	28/02/2013	BERTOLA HIRE SERVICES ALBANY PTY LTD	PO 33804	626.93
EFT80480	28/02/2013	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	70.00
EFT80481	28/02/2013	BLACKWOODS	Jug Cooler 5L/PROTECTIVE WORKWEAR	92.93
EFT80482	28/02/2013	BLOOMIN FLOWERS	Flower arrangement for Amanda Palmer	55.00
EFT80483	28/02/2013	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	150.29
EFT80484	28/02/2013	C&C MACHINERY CENTRE	Fuel pump and Flow meter to suit	961.55
EFT80485	28/02/2013	CALIBRE CARE	Extension grabs	36.30
EFT80486	28/02/2013	CAMLYN SPRINGS WATER DISTRIBUTORS	WATER CONTAINER REFILLS	1,499.00
EFT80487	28/02/2013	STACEY CARTER	FITNESS INSTRUCTOR	270.00
EFT80488	28/02/2013	CLAYTON UTZ	PROFESSIONAL SERVICES	1,320.00
EFT80489	28/02/2013	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	311,407.94
EFT80490	28/02/2013	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	625.28
EFT80491	28/02/2013	COMMUNITY ARTS NETWORK WA INC	MEMBERSHIP RENEWAL: JANUARY 2013 TO DECEMBER 2013	60.00
EFT80492	28/02/2013	COURIER AUSTRALIA	FREIGHT FEES	629.87
EFT80493	28/02/2013	JANINE DETERMES	FITNESS INSTRUCTOR	180.00

AGENDA ITEM 4.1 REFERS

EFT80494	28/02/2013	DOG ROCK MOTEL	In relation to a court hearing on 20 February 2013 covers accommodation and meals for Agnes McKay & Maria Saraceni for the night of 19 February 2013.	480.40
EFT80495	28/02/2013	DRAEGER SAFETY PACIFIC PTY LTD	ON-SITE SERVICE	974.16
EFT80496	28/02/2013	EVERTRANS	Supply brake parts to suit Pig trailer	1,225.40
EFT80497	28/02/2013	EYERITE SIGNS	As per email EF1268360 please provide the artwork and signage	2,229.70
EFT80498	28/02/2013	TAMMIE FLOWER	FITNESS INSTRUCTOR	315.00
EFT80499	28/02/2013	FUELS WEST PETROLEUM	Litres DIESEL FUEL	16,250.42
EFT80500	28/02/2013	GALLERY 500	FOAMCORE	40.00
EFT80501	28/02/2013	BRIANNA GIBSON	FITNESS INSTRUCTOR	135.00
EFT80502	28/02/2013	GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF APPRENTICES FEES	9,648.74
EFT80503	28/02/2013	GSP WORKFORCE	GARDENING/GROUND SERVICES PROVIDED FOR THE MONTH OF JANUARY 2013	189.07
EFT80504	28/02/2013	GREAT SOUTHERN SAND AND LANDSCAPING SUPPLIES	Contract C12019 - Lower Denmark Road (SLK14.65-18.20)	67,567.50
EFT80505	28/02/2013	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	315.04
EFT80506	28/02/2013	HALLMARK EDITIONS PTY LTD (COMMSTRAT)	ADVERTISING	275.00
EFT80507	28/02/2013	SJ & JE HALL	Rates refund for assessment A204208	747.12
EFT80508	28/02/2013	HARVEY WORLD TRAVEL (ALBANY)	RETURN FLIGHTS FOR ETIENNE VORSTER FOR THE ROAD ENGINEERING & MAINTENANCE CONFERENCE 12/13 MARCH 2013.	832.00
EFT80509	28/02/2013	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	2,379.03
EFT80510	28/02/2013	HEAT EXCHANGERS WA PTY LTD	HEAT EXCHANGER SERVICING FOR LAP LEISURE, SPA, LAP POOLS	7,965.10
EFT80511	28/02/2013	HELEN LEEDER-CARLSON	WEDNESDAY PAINTING WITH HELEN	240.00
EFT80512	28/02/2013	HOCKEY WESTERN AUSTRALIA	CLEANING OF HOCKEY TURF FEB 2013	1,812.25
EFT80513	28/02/2013	ICKY FINKS WAREHOUSE SALES	Various Plastic Storage Containers	112.41
EFT80514	28/02/2013	IDEAL OFFICE FURNITURE PTY LTD	MOBILE FOLDING TABLES WITH COMMERCIAL GRADE TABLE TOPS	7,205.00
EFT80515	28/02/2013	TOLL IPEC	FREIGHT FEES - AIRPORT	107.17
EFT80516	28/02/2013	JACK THE CHIPPER	Tractor Mulching located in the Green Waste Site	363.00
EFT80517	28/02/2013	JIMS TEST AND TAG	TEST SINGLE PHASE TO AS 3760 STANDARD	471.35
EFT80518	28/02/2013	JUST SEW EMBROIDERY	EMBROIDERY	66.00
EFT80519	28/02/2013	KEN STONE MOTOR TRIMMERS	RECOVER TWO BENCH BOARDS FROM GYM	288.00
EFT80520	28/02/2013	KINJARLING INDIGENOUS CORPORATION	MONITORING WORKS - NATHAN MINITER - MILLBROOK RD	400.00
EFT80521	28/02/2013	KLB SYSTEMS	Lenovo M92p Tiny, Intel Q77, i5-3470T 2 cores 2.9GHz, 4GB PC3-12800, 128GB SSD,, Lenovo 4GB PC3-12800 DDR3-1600MHz SoDIMM Memory & DELIVERY	6,396.00
EFT80522	28/02/2013	KNOTTS GROUP PTY LTD	PLUMBING REPAIRS/MAINTENANCE	9,366.86
EFT80523	28/02/2013	KOOKAS CATERING	CATERING	2,035.00
EFT80524	28/02/2013	ALBANY PARTY HIRE	EQUIPMENT HIRE	1,355.75
EFT80525	28/02/2013	AUSTRALIAN MEDICAL SUPPLIES PTY LTD	FIRST AID EQUIPMENT & SUPPLIES	333.50
EFT80526	28/02/2013	JOHN MOIR	RUBBISH REMOVAL FROM CAPE RICHE	3,120.00
EFT80527	28/02/2013	MT BARKER COMMUNICATIONS	Replace Base Station Radio at complex	1,949.10
EFT80528	28/02/2013	MSS SECURITY	AIRPORT SECURITY SCREENING	33,420.99
EFT80529	28/02/2013	NATALIE RADIVOJEVIC	ART PRIZE MANAGEMENT	1,698.38
EFT80530	28/02/2013	ALBANY NEWS DELIVERY - ALAC	NEWSPAPER DELIVERIES	180.38
EFT80531	28/02/2013	KATE PARKER	REIMBURSEMENT OF SKYWEST AIRFARE - PERTH TO ALBANY	202.50
EFT80532	28/02/2013	PHILLIPS MEDIA	FEBRUARY - MEDIA CONTRACTING SERVICES	3,491.25
EFT80533	28/02/2013	PLASTICS PLUS	Purchase 4 @ 10L Stashaway Clear Tubs (for Swim Instructor workboxes)	47.99
EFT80534	28/02/2013	KRISTIE PORTER	FITNESS INSTRUCTOR	315.00
EFT80535	28/02/2013	REECE PTY LTD	STORM WATER PIPE & CEMENT	65.65

AGENDA ITEM 4.1 REFERS

EFT80536	28/02/2013	ROBINSON BUILDTECH	CONSTRUCTION OF PADRE WHITE LOOKOUT IN ACCORDANCE WITH C12017. PART 1	188,705.31
EFT80537	28/02/2013	SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	2,355.85
EFT80538	28/02/2013	SKYWEST AIRLINES	AIRFARES FOR STAFF/COUNCILLORS/MAYOR	198.24
EFT80539	28/02/2013	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	30.80
EFT80540	28/02/2013	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING SUPPLIES	40.25
EFT80541	28/02/2013	SPORTSWORLD OF WA	ALAC SPORTS PURCHASES	1,789.70
EFT80542	28/02/2013	ALBANY LOCK SERVICE	LOCKSMITH SERVICES/REPAIRS	1,648.90
EFT80543	28/02/2013	SYNERGY	ELECTRICITY SUPPLIES	72,948.40
EFT80544	28/02/2013	T & C SUPPLIES	PROTECTIVE WORKWEAR	215.66
EFT80545	28/02/2013	TALISMAN MOTORS	TO PICK UP VEHICLE FROM ACCIDENT SITE - STH CST HWY & LWR DENMARK RD AND TAKE TO TALSIMAN MOTORS THEN TO WAYNE TURPIN PANEL BEATERS	515.00
EFT80546	28/02/2013	THE VEGIE SHOP	GROCERIES FOR DAYCARE	288.03
EFT80547	28/02/2013	THERMAGUARD PTY LTD	Yellow Burnover Training blankets & SHIPPING	1,265.00
EFT80548	28/02/2013	MATTHEW RICHARD TOMLINSON	HOURS LABOUR HIRE	2,889.46
EFT80549	28/02/2013	TOTAL EDEN	GARDEN SUPPLIES	591.58
EFT80550	28/02/2013	SARAH VALLENTINE	CASUAL HOURS - 20/2/13 & 21/2/13 VANCOUVER ARTS CENTRE	360.70
EFT80551	28/02/2013	JULIA WARREN	FITNESS INSTRUCTOR	315.00
EFT80552	28/02/2013	WATKINS CONTRACTORS	100 cubes mulch delivered Mercer Rd	2,057.00
EFT80553	28/02/2013	LINDY WEINERT	FITNESS INSTRUCTOR	360.00
EFT80554	28/02/2013	WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	683.10
EFT80555	28/02/2013	WESTERN POWER CORPORATION	PRODUCT & SERVICE CHARGES	357.50
EFT80556	28/02/2013	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	292.79
EFT80557	28/02/2013	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	36.55
EFT80558	28/02/2013	AD CONTRACTORS PTY LTD	Litres of Catamol Emulsion for urban patching truck	286.00
EFT80559	28/02/2013	ALBANY ADVERTISER LTD - NORTH ROAD	ADVERTISING	1,738.16
EFT80560	28/02/2013	ALBANY ADVERTISER LTD - VAC	MONTHLY ADVERTISING	213.13
EFT80561	28/02/2013	ARTCRAFT PTY LTD	ASSORTED ROAD SIGNS & STREET BLADES	645.70
EFT80562	28/02/2013	AUDIOCOM ALBANY	PHONE FOR WORKSHOP	100.00
EFT80563	28/02/2013	BAILEYS FERTILISERS	Tonne of brilliance blend	2,563.00
EFT80564	28/02/2013	BARKERS TRENCHING SERVICES	Locate Telstra cable location at gravel pit on Southcoast Highway	132.00
EFT80565	28/02/2013	BORNHOLM VOLUNTEER BUSH FIRE BRIGADE	REFUND FOR OVERCHARGE INSURANCE EXCESS - REF MPS 0004498	750.00
EFT80566	28/02/2013	C&C MACHINERY CENTRE	VEHICLE MAINTENANCE/PARTS	5.50
EFT80567	28/02/2013	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	544.89
EFT80568	28/02/2013	CHADSON ENGINEERING PTY LTD	CALIBRATE PALINTEST UNIT	239.80
EFT80569	28/02/2013	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	754.14
EFT80570	28/02/2013	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	170.44
EFT80571	28/02/2013	EVERTRANS	VEHICLE REPAIRS REG A3633	2,052.60
EFT80572	28/02/2013	FIRE & SAFETY WA	EQUIPMENT FOR FIRE COJNTROL OFFICER	615.68
EFT80573	28/02/2013	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	138.78
EFT80574	28/02/2013	GREAT SOUTHERN TROPHIES AND ENGRAVING	5 TROPHIES AND ENGRAVING	425.00
EFT80575	28/02/2013	KLB SYSTEMS	COMPUTER EQUIPMENT	1,083.50
EFT80576	28/02/2013	LORLAINE DISTRIBUTORS PTY LTD	CLEANING SUPPLIES	43.20
EFT80577	28/02/2013	M2 TECHNOLOGY PTY LTD	M2 HOLD ON HOLD CUSTOMNET 4VSA VOICE SERVICE AGREEMENT - QUARTERLY INVOICE	402.60
EFT80578	28/02/2013	MICROELECTRONIC TECHNICAL SERVICES	A59924	669.00

AGENDA ITEM 4.1 REFERS

EFT80579	28/02/2013	MODERN TEACHING AIDS PTY LTD	ARTS & CRAFT SUPPLIES - DAYCARE	179.19
EFT80580	28/02/2013	OPUS INTERNATIONAL CONSULTANTS LTD	SUPERINTENDENCE OF THE LOWER DENAMRK ROAD, ELLEKER TOWNSITE UPGRADE	2,073.50
EFT80581	28/02/2013	PAULS PET FOOD	DRY DOG FOOD	57.00
EFT80582	28/02/2013	SALES EXCHANGE	DESK FOR DEPOT	380.00
EFT80583	28/02/2013	SAXXON IT	Reverse Transparent Proxy Server Setup	1,320.00
EFT80584	28/02/2013	SEEK LIMITED	ADD- EXECUTIVE DIRECTOR OF COMMUNITY SERVICES	247.50
EFT80585	28/02/2013	SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	8,536.06
EFT80586	28/02/2013	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	1,132.60
EFT80587	28/02/2013	SOUTHERN TOOL & FASTENER CO	STIHL TS800 QUICK CUT SAW c/w TROLLEY - as per quote 110009714	2,460.00
EFT80588	28/02/2013	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	689.63
EFT80589	28/02/2013	SUNNY SIGN COMPANY	ASSORTED SIGNAGE	940.50
EFT80590	28/02/2013	ALBANY LOCK SERVICE	1 x 120LAL key for Leisure Centre	18.20
EFT80591	28/02/2013	SYNERGY	ELECTRICITY SUPPLIES - AUXILLARY LIGHTING CHARGES	2,207.70
EFT80592	28/02/2013	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	627.72
EFT80593	28/02/2013	TELSTRA LICENSED SHOP ALBANY	ANSWERING PLUS	299.95
EFT80594	28/02/2013	TRAILBLAZERS	UNIFORMS	127.00
EFT80595	28/02/2013	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	237.00
EFT80596	28/02/2013	LANDMARK LIMITED	DRUMS GLYPHOSATE, PULSE PENETRANT, ACCESS HERBICIDE & GRAZON	2,723.26
EFT80597	28/02/2013	WESTERN WORK WEAR	SAFETY BOOTS/UNIFORMS	360.00
EFT80598	28/02/2013	WREN OIL	WASTE DISPOSAL	242.00
EFT80599	28/02/2013	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	150.33

TOTAL

\$ 2,536,627.03

4.2: FINANCIAL ACTIVITY STATEMENT – JANUARY 2013

Responsible Officer : Executive Director Corporate Services (G Adams)

IN BRIEF

- Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 31 January 2013.

**ITEM 4.2: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

The Financial Activity Statement for the period ending 31 January 2013 be RECEIVED.

CARRIED 12-0

BACKGROUND

1. The Statement of Financial Activity for the period ending 31 January 2013 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.

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

STATUTORY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure for the period ending 31 January 2013 has been incurred in accordance with the 2012/13 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

POLICY IMPLICATIONS

7. The City's 2012/13 Annual Budget provides a set of parameters that guides the City's financial practices.
8. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

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

MONTHLY FINANCIAL REPORT

For the Period Ended 31st January 2013

ITEM 4.2 OF THE ORDINARY COUNCIL MEETING

TABLE OF CONTENTS

Statement of Financial Activity

Note 1 Net Current Funding Position

Note 2 Cash and Investments

Note 3 Major Variances

AGENDA ITEM 4.2 REFERS

City of Albany
STATEMENT OF FINANCIAL ACTIVITY
(Nature or Type)
For the Period Ended 31st January 2013

Note	Original Annual Budget	Revised Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) 3	Var. % (b)-(a)/(b) 3	
Operating Revenues		\$	\$	\$	\$	%	
Grants & Subsidies	2,732,950	2,725,277	935,092	917,215	(17,877)	(1.9%)	▲
Contributions, Donations & Reimbursements	373,610	434,000	313,254	490,853	177,600	36.2%	▲
Fees and Charges	14,432,869	14,360,669	10,442,958	10,716,339	273,381	2.6%	▲
Interest Earnings	825,368	825,368	563,496	614,888	51,392	8.4%	▲
Other Revenue	115,000	65,000	8,750	44,385	35,635	80.3%	
Total (Excluding Rates)	18,479,797	18,410,314	12,263,550	12,783,681	520,131		
Operating Expense							
Employee Costs	(18,739,930)	(19,125,926)	(10,714,588)	(10,720,676)	(6,088)	(0.1%)	
Materials and Contracts	(14,259,030)	(14,505,503)	(7,123,520)	(6,637,789)	485,731	7.3%	▼
Utilities Charges	(1,729,483)	(1,728,983)	(959,240)	(945,561)	13,679	1.4%	
Depreciation (Non-Current Assets)	(11,812,900)	(11,812,900)	(6,888,084)	(6,888,084)	0	0.0%	
Interest Expenses	(909,431)	(909,431)	(420,780)	(407,172)	13,608	3.3%	
Insurance Expenses	(722,187)	(722,187)	(421,113)	(389,644)	31,469	8.1%	
Loss on Asset Disposal	(269,049)	(269,049)	0	0	0	0%	
Other Expenditure	(1,721,311)	(1,857,191)	(703,390)	(685,983)	17,407	2.5%	
Less Allocated to Infrastructure	446,022	446,022	283,485	581,400	297,915	(51.2%)	
Total	(49,717,299)	(50,485,148)	(26,947,230)	(26,093,509)	555,806		
Contributions for the Development of Assets							
Grants & Subsidies	6,994,797	10,276,251	3,527,181	3,542,568	15,387	0.4%	
Contributions, Donations & Reimbursements	2,500,000	2,969,480	175,000	175,075	75	0.0%	
Net Operating Result Excluding Rates	(21,742,705)	(18,829,103)	(10,981,499)	(9,592,186)	1,091,324		
Funding Balance Adjustment							
Add Back Depreciation	11,812,900	11,812,900	6,888,084	6,888,084	0	0.0%	
Adjust (Profit)/Loss on Asset Disposal	269,049	269,049	0	0	0	0%	
Funds Demanded From Operations	(9,660,756)	(6,747,154)	(4,093,415)	(2,704,102)	1,091,324		
Capital Revenues							
Proceeds from Disposal of Assets	2,543,100	2,543,100	519,169	514,753	(4,416)	(0.9%)	
Total	2,543,100	2,543,100	519,169	514,753	(4,416)		
Acquisition of Fixed Assets							
Land Held for Resale	0	0	0	0	0	0%	
Land and Buildings	(3,487,640)	(3,508,952)	(413,805)	(181,568)	232,237	127.9%	▼
Plant and Equipment	(4,522,518)	(4,427,518)	(2,014,804)	(2,002,606)	12,198	0.6%	
Furniture and Equipment	(464,700)	(466,900)	(131,595)	(90,827)	40,768	44.9%	
Infrastructure Assets - Roads	(7,726,442)	(8,007,991)	(2,675,540)	(1,394,297)	1,281,243	91.9%	▼
Infrastructure Assets - Other	(8,207,641)	(11,936,483)	(3,352,541)	(1,524,722)	1,827,819	119.9%	▼
Total	(24,408,941)	(28,347,844)	(8,588,285)	(5,194,019)	3,394,265		
Financing/Borrowing							
Debt Redemption	(1,586,608)	(1,586,608)	(409,513)	(403,532)	5,981	1.5%	
Self-Supporting Loan Principal	0	0	0	5,997	5,997	100.0%	
Total	(1,586,608)	(1,586,608)	(409,513)	(397,535)	11,978		
Demand for Resources	(33,113,205)	(34,138,506)	(12,572,044)	(7,780,903)	4,493,151		
Restricted Funding Movements							
Opening Funding Surplus(Deficit)	2,589,921	2,973,800	2,973,800	2,982,441	8,641	(0.3%)	
Transfer to Restricted Cash Funds - Grants	85,000	794,991	0	0	0	0%	
Transfer to Reserves	(2,765,935)	(2,765,935)	(91,980)	(103,492)	(11,512)	(11.1%)	
Transfer from Reserves	6,097,197	6,089,833	0	0	0	0%	
Rate Revenue	27,107,022	27,107,022	27,027,811	27,020,983	(6,828)	(0.0%)	
Closing Funding Surplus(Deficit)	0	61,205	17,337,587	22,119,029	4,483,452		

City of Albany
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st January 2013

Note 1: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
		2012-13		
Note	This Period	Last Period	Same Period Last Year	
	\$	\$	\$	
Current Assets				
Cash Unrestricted	23,090,669	23,445,104	22,281,015	
Cash Restricted	8,231,780	8,209,295	4,295,359	
Receivable - Rates and Rubbish	4,659,533	7,422,854	4,398,160	
Receivables - Other	2,549,112	2,599,245	1,780,455	
Investment Land	1,312,138	1,312,138	2,256,240	
Stock on Hand	502,340	529,036	733,497	
	40,345,571	43,517,672	35,744,726	
Less: Current Liabilities				
Payables	(4,907,126)	(5,701,184)	(7,670,659)	
Income in advance	(153,882)	(120,494)	0	
Provisions	(2,853,236)	(2,761,158)	(4,535,007)	
Retentions	(25,222)	(25,222)	0	
	(7,939,465)	(8,608,057)	(12,205,666)	
Add Back: Loans	2,883,074	2,899,830	6,710,066	
Less: Cash Restricted	(9,110,489)	(9,088,005)	(5,315,734)	
Restricted Other - Unspent Grants	(2,753,521)	(2,753,521)	0	
Self Supporting Loans	5,997			
Investment land	(1,312,138)	(1,312,138)	(2,256,240)	
Net Current Funding Position	22,119,029	24,655,781	22,677,152	

City of Albany
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st January 2013

Note 2: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Transactional Accounts		5,182,257	7,877,647	908,412	285,362	14,253,677	Commonwealth	Call
(b) Term Deposits								
At Call	BBSW+1.75%	2,000,000				2,000,000	ANZ	Call
At Call	BBSW	4,000,000				4,000,000	NAB	Call
At Call	BBSW	3,000,000				3,000,000	Commonwealth	Call
TD 40714	4.85%	3,000,000				3,000,000	ANZ	4/02/2013
TD 33768604	4.01%	2,000,000				2,000,000	Commonwealth	5/02/2003
TD 4081410	4.45%	2,000,000				2,000,000	Bankwest	4/02/2013
TD 9926	4.65%	1,000,000				1,000,000	NAB	28/05/2013
(c) Investments								
Corsair	BBSW+1%				68,771	68,771	Corsair (Kakadu)	20/03/2014
Total		22,182,257	7,877,647	908,412	354,133	31,322,448		

City of Albany
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st January 2013

Note 3: MAJOR VARIANCES

Comments/Reason for Variance in excess of \$50,000

3.1 OPERATING REVENUE (EXCLUDING RATES)

3.1.1 GRANTS & SUBSIDIES

Under variance threshold

3.1.2 CONTRIBUTIONS, DONATIONS & REIMBURSEMENTS

This variance is due to a number of smaller individual variances. Insurance reimbursements, workers compensation payment reimbursement, and some smaller sundry grant/sponsorship funding being received.

3.1.3 FEES AND CHARGES

With the legislated changes to the airport screening process, and increase in passenger levy, there was some degree of uncertainty about the impact this would have on airport usage and revenue. The budgeted revenue was set at the lower end of expectations. This has been exceeded year-to-date. However, there has been a timing delay in receiving the invoice for the security screening contract, so the increase in expenses has not been fully reflected in the Operating Expenses.

3.1.4 INTEREST EARNINGS

Interest earnings on rate instalment payments exceed budget, but similar to last year. Budget estimates for this item are very conservative, due to the uncertainty during budget preparation regarding the interest rate chargeable under amended Local Government regulations being proposed at the time.

3.1.5 OTHER REVENUE

Under variance threshold

3.2 OPERATING EXPENSES

3.2.1 EMPLOYEE COSTS

Under variance threshold

3.2.2 MATERIAL AND CONTRACTS

Timing in receipt of waste contract invoice, the verge hard waste collection has just been completed, but not yet invoiced, with an extra 150 ton of rubbish compared to last year collected. Road and other infrastructure maintenance under budget year to date, due to wet weather in the first quarter of the year. Expect this activity to increase over the summer months. Also a timing delay in the invoicing for airport screening contract.

3.2.3 UTILITY CHARGES

Under variance threshold

3.2.4 DEPRECIATION (NON CURRENT ASSETS)

Under variance threshold

3.2.5 INTEREST EXPENSES

Under variance threshold

3.2.6 INSURANCE EXPENSES

Under variance threshold

3.2.7 LOSS ON ASSET DISPOSAL

Under variance threshold

3.2.8 OTHER EXPENDITURE

Under variance threshold

3.2.9 LESS ALLOCATED TO INFRASTRUCTURE

Additional internal resources used for capital works.

City of Albany
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st January 2013

Note 3: MAJOR VARIANCES

Comments/Reason for Variance in excess of \$50,000

3.3 CONTRIBUTIONS FOR THE DEVELOPMENT OF ASSETS**3.3.1 GRANTS & SUBSIDIES**

Under variance threshold

3.3.2 CONTRIBUTIONS, DONATIONS & REIMBURSEMENTS

Under variance threshold

3.4 CAPITAL REVENUES**3.4.1 PROCEEDS FROM DISPOSAL OF ASSETS**

Under variance threshold

3.5 ACQUISITION OF FIXED ASSETS**3.5.1 LAND AND BUILDINGS**

This is primarily the airport upgrade. Capital works will continue, however the timing of these works is difficult to estimate. If these works are not completed this year, they will be done during 2013/14.

3.5.2 PLANT AND EQUIPMENT

Under variance threshold

3.5.3 FURNITURE AND EQUIPMENT

Under variance threshold

3.5.4 INFRASTRUCTURE ASSETS - ROADS

Many infrastructure projects are weather dependent. Once dry weather has started roads projects can commence on a bigger scale. Gravel resheets totalling \$380 000 to commence in March. Work is in progress for road projects worth \$1.595 million, expected to be on track and completed soon.

3.5.5 INFRASTRUCTURE ASSETS - OTHER

Subject to budget review (not reflected in this months accounts) due to funding received for bike path network. As this requires council co-contribution, some fund reallocation from other projects will be required. North Rd/Sanford Rd intersection drainage work has commenced, so while under budget at January month end, with budget review and commencement of a number of projects, budget should be on track over the next 2 - 3 months. Work on Hanrahan Rd landfill site has also commenced, expected to be completed by 30 May. However, no invoices have yet been received for this.

3.6 FINANCING/BORROWING**3.6.1 DEBT REDEMPTION**

Under variance threshold

3.6.2 SELF-SUPPORTING LOAN PRINCIPAL

Under variance threshold

3.7 RESTRICTED FUNDING MOVEMENTS**3.7.1 OPENING FUNDING SURPLUS(DEFICIT)**

Under variance threshold

3.7.2 TRANSFER TO RESTRICTED CASH FUNDS - GRANTS

Under variance threshold

5.7.3 TRANSFER TO RESERVES

Under variance threshold

5.7.4 TRANSFER FROM RESERVES

Under variance threshold

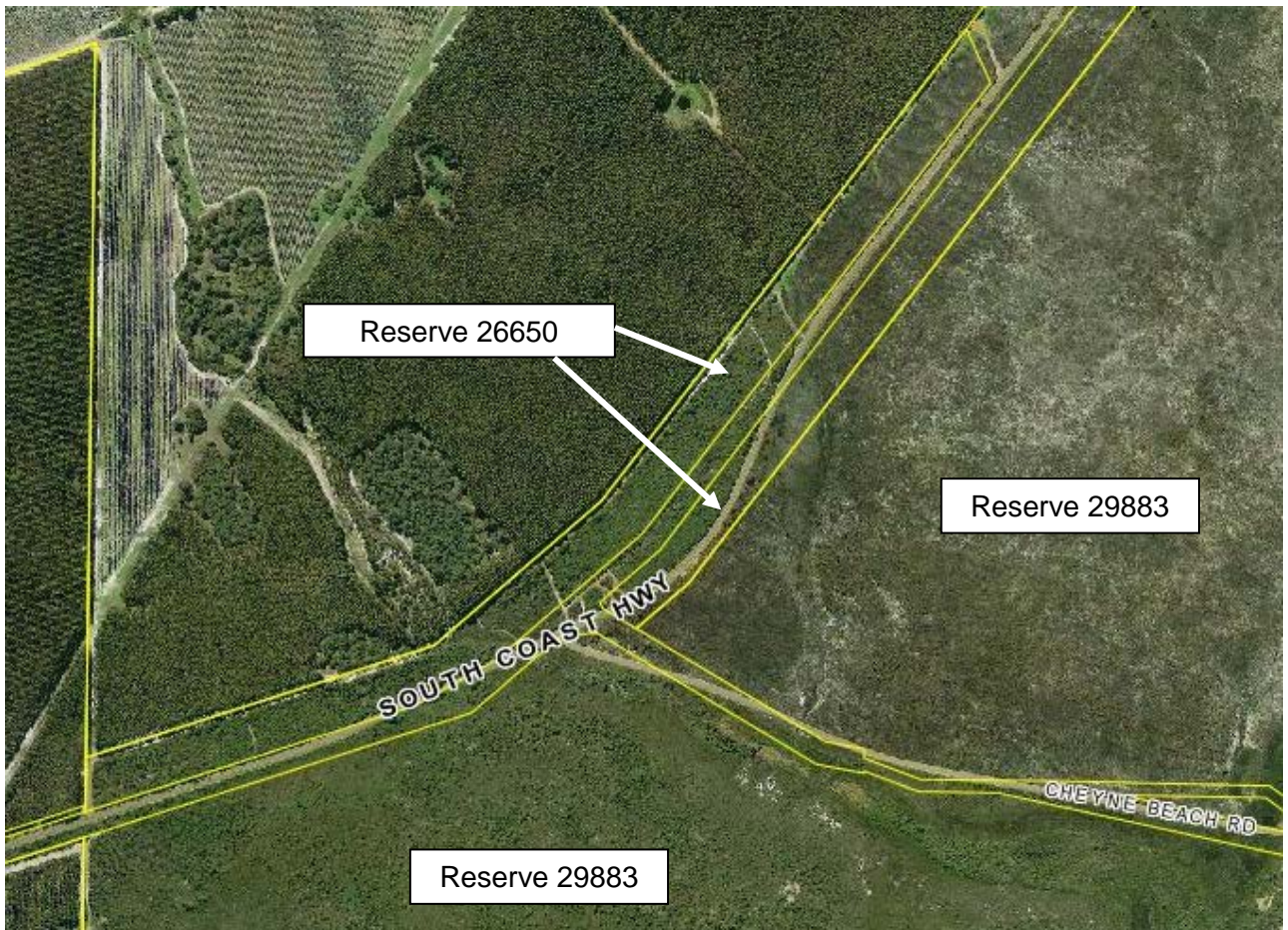
5.7.5 RATE REVENUE

Under variance threshold

**4.3: SOUTH COAST HIGHWAY & CHEYNE BEACH ROAD – MAIN
ROADS WA LAND REQUIREMENT FOR ROAD WIDENING**

Land Description	: Lot 7129 Reserve 29883 and Reserve 26650 South Coast Highway, Cheynes
Proponent	: Main Roads WA
Owner	: State of WA
Attachments	: 2 x Land Requirements Plan (produced by Main Roads WA – Drawings 201201-205-1, 201201-113)
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider the proposal by Main Roads WA to widen portion of South Coast Highway and its intersection with Cheyne Beach Road to accommodate future reconstruction works. This represents the next stage of the upgrading of South Coast Highway. An appropriate resolution of Council is required to meet the land acquisition and road dedication provisions of the *Land Administration Act 1997* to enable this to occur.

**ITEM 4.3: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HORTIN
SECONDED: COUNCILLOR DUFTY**

THAT Council:

- i) **SUPPORTS** the proposal by Main Roads WA to excise land from Reserves 29883 and 26650 South Coast Highway, Manypeaks (as depicted in Drawings 201201-113 and 201201-205-1) to allow the widening of South Coast Highway and the intersection with Cheyne Beach Road, on the condition that the Department for Environment and Conservation supports this proposal;
- ii) **SUPPORTS** the action by Main Roads WA to seek approval of the Minister for Lands, under section 56 of the *Land Administration Act 1997*, to dedicate the land to be taken for road widening as a public road;
- iii) **INDEMNIFIES** the Minister for Lands, on behalf of Main Roads WA, from any claims for compensation, as is required under Section 56 of the *Land Administration Act 1997*; and
- iv) **REQUIRES** that Main Roads WA indemnify the Council against all costs and charges, including any claims for compensation that may arise, associated with this dedication action.

CARRIED 12-0

BACKGROUND

1. Main Roads WA has sought Council's support to take land from two Crown Reserves for inclusion in the road reserves for South Coast Highway and portion of Cheyne Beach Road. This action will allow the reconstruction of this portion of South Coast Highway and the improvement of the intersection with Cheyne Beach Road.
2. Main Roads WA has requested that Council provide an appropriate resolution of concurrence to the road dedication action, in order to satisfy the requirements of the *Land Administration Act 1997*.
3. Main Roads WA has indicated that it will indemnify Council against all costs and charges that relate to the dedication action.

DISCUSSION

4. The upgrading of South Coast Highway is a significant undertaking by Main Roads WA and Council has previously considered other similar requests to allow for the widening of the highway (OCM 21/08/2012 Items 4.3 and 4.4). This project will address the substandard and poor condition of the highway, which currently presents a safety concern.

****REFER DISCLAIMER****

5. At present, portion of the constructed South Coast Highway passes through the adjoining Reserves 29883 and 26650, outside of the dedicated road reserve. Main Roads have advised that they will be taking this opportunity to realign the existing constructed road such that it observes the final road reserve. Those sections of the highway that pass through the adjoining reserves will be removed and rehabilitated.
6. Reserve 26650 is a Class A reserve for the purpose of "National Park", vested in the National Parks Authority of WA and managed through the Department for Environment and Conservation. Reserve 29883 is a Class C reserve for the purpose of "Waychinicup River Catchment Area". This reserve is not currently vested and remains in the control of the State of WA, though the Department for Environment and Conservation have previously expressed an interest in taking over the management of this land, as they currently do maintenance works in this area.
7. The plans as attached to this item indicate that a total area of 1.0742ha will be excised from Reserve 29883 and 6.1148ha from Reserve 26650.
8. Main Roads WA has advised that they will be consulting with both the Department for Environment and Conservation and the Department of Transport while the land resumption process is underway.
9. As the road widening requires the excision of land from an 'A' Class reserve, it is a requirement of the *Land Administration Act 1997* that this matter sit before Parliament for consideration. Main Roads WA is working in conjunction with the Department for Regional Development and Lands to meet this legislative requirement.
10. It is noted that parts of Cheyne Beach Road are constructed outside of the designated road reserve along the whole length of this road. Apart from the intersection with the highway, the City manages this road and will need to address the re-alignment of this road reserve as time and resources permit.

GOVERNMENT CONSULTATION

11. The proposal has been previously discussed with officers at the Department for Regional Development and Lands to clarify the appropriate legislative processes that must be observed. The Department advised that Main Roads WA do not have any power to comply with the provisions of Section 56 of the *Land Administration Act 1997* with respect to road dedication and the Council must do this on their behalf. However, Main Roads WA is responsible for all the consultation, costs and charges associated with this action.
12. It is understood that Main Roads have been consulting with a number of government agencies, including the Department for Transport, the Department for Environment and Conservation and the Department for Regional Development and Lands, to ensure that all requirements are appropriately observed and to seek their support of the road widening action.

PUBLIC CONSULTATION / ENGAGEMENT

13. No public consultation on this proposal is required under the statutory provisions, other than with the affected landowners, which in this circumstance is the Crown. Main Roads is consulting with all relevant government agencies.

STATUTORY IMPLICATIONS

14. Section 42 of the *Land Administration Act 1997* states that any substantive change to a Class A reserve must be laid before each House of Parliament for determination. This proposal is considered to be a substantive change, because the area to be excised is greater than 1 hectare.
15. Section 51 of the *Land Administration Act 1997* allows the Minister for Lands to cancel or amend the boundaries of a reserve or the lots comprising a reserve.
16. Section 56 of the *Land Administration Act 1997* allows the dedication of land as a road. In doing so, the Local Government must indemnify the Minister for Lands against any claim for compensation.
17. Section 168 of the *Land Administration Act 1997* sets the procedure for acquiring land for public works through a Taking by Agreement. Part 10 of the Act states that every person having an interest in land taken under the Act is entitled to compensation. In this case, compensation does not apply, given that the two affected land titles are both Crown reserves.
18. The creation of a road occurs through the subdivision process detailed under Part 10 of the *Planning and Development Act 2005*. Section 168 of this Act states all land shown on a diagram or plan of survey of a subdivision shown as a new road or road widening will be dedicated as a road.

STRATEGIC IMPLICATIONS

19. This item directly relates to the following elements of the 2011 City of Albany Strategic Plan:

Key Focus Area

Lifestyle and Environment

Community Priority

Road Improvements

Proposed Strategies

Advocate to Main Roads for more overpassing lanes on Albany Highway and improvements to South Coast Highway.

POLICY IMPLICATIONS

20. There are no policy implications relevant to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If appropriate Council resolution is not obtained, Main Roads WA cannot proceed with road widening which will allow re-construction works.</i>	<i>Unlikely</i>	<i>Major – Main Roads WA would not be able to proceed with the proposed road works, which have been identified as necessary as the road is currently substandard and there are safety concerns.</i>	<i>Medium</i>	<i>Council supports Main Roads WA request and comply with the provisions of the Land Administration Act 1997 to permit the road works to occur.</i>

FINANCIAL IMPLICATIONS

22. There are no financial implications relevant to this item, as all costs associated with the road widening and re-construction are to be borne by Main Roads WA.

LEGAL IMPLICATIONS

23. The widening of South Coast Highway will ensure that there is sufficient road reserve available to undertake the proposed works on land legitimately reserved for this purpose. It will also correct the existing anomalies where the highway currently passes through other Crown reserves not designated for road purposes.

ALTERNATE OPTIONS

24. There are not considered to be any alternate options in this circumstance, as the Council is simply assisting Main Roads WA to complete necessary road works and comply with the legislative requirements in order for this to be achieved.

SUMMARY CONCLUSION



25. The proposed widening of South Coast Highway and the intersection of Cheyne Beach Road will be undertaken to facilitate roads works to improve the safety and standard of this section of the highway. Main Roads is negotiating with the affected government agencies to seek their agreement to excise the land from Reserves 26650 and 29883. However, Council's resolution is sought to comply with the provisions of the *Land Administration Act 1997* relative to the dedication of this land as a road reserve as Main Roads WA do not have any powers under this Act.

Consulted References	:	Land Administration Act 1997 Planning and Development Act 2005
File Number (Name of Ward)	:	RD.DEC.2
Previous Reference	:	OCM 21/8/2012 Items 4.3, 4.4

NOTES

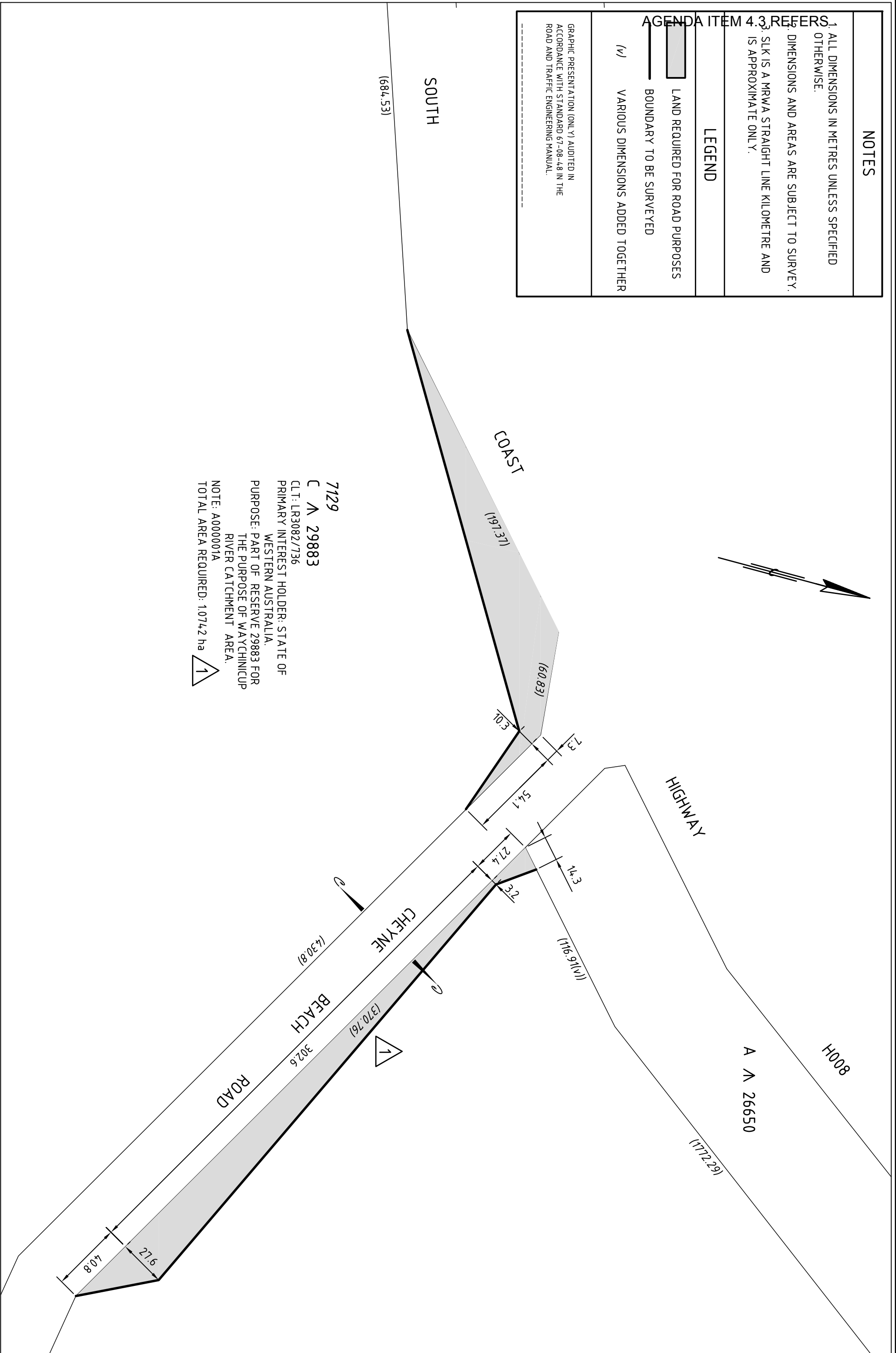
1. ALL DIMENSIONS IN METRES UNLESS SPECIFIED OTHERWISE.
2. DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY.
3. SLK IS A MRWA STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY.

LEGEND

-  LAND REQUIRED FOR ROAD PURPOSES
-  BOUNDARY TO BE SURVEYED
- (v) VARIOUS DIMENSIONS ADDED TOGETHER

GRAPHIC PRESENTATION (ONLY) AUDITED IN ACCORDANCE WITH STANDARD 67-08-48 IN THE ROAD AND TRAFFIC ENGINEERING MANUAL.

AGENDA ITEM 4.3 REFERS



7129
C N 29883
 CLT: LR3082/736
 PRIMARY INTEREST HOLDER: STATE OF WESTERN AUSTRALIA.
 PURPOSE: PART OF RESERVE 29883 FOR THE PURPOSE OF WAYCHINICUP RIVER CATCHMENT AREA.
 NOTE: A000001A
 TOTAL AREA REQUIRED: 10742 ha



1	ADDITIONAL LAND RESUMED	R. STEVENS	1/2/2013
	DESCRIPTION	APPROVED & DATE	NO.
	AMENDMENTS		

	DESCRIPTION	APPROVED & DATE	NO.
	AMENDMENTS		

METADATA

GROUND SURVEY STANDARD:
 DATE OF CAPTURE:
 MAPPING SURVEY STANDARD:
 DATE OF CAPTURE:
 MAIN ROADS PROJECT ZONE:
 HEIGHT DATUM:

Western Australia
 REGIONAL SERVICES DIRECTORATE
 GREAT SOUTHERN REGION
 CHESTERPASS RD
 ALBANY 6332
 Telephone 9892 0555
 Fax 9841 8213

SOUTH COAST HWY - H008
 CHEYNE SECTION
 39.83 TO 46.43 SLK
LAND REQUIREMENT PLAN

LOCAL AUTHORITY: CITY OF ALBANY (802)

DESIGNED	J.B.	VERIFIED	J. BARNES	21/11/2012
DRAWN	MOC	APPROVED	A. DUFFIELD	22/11/2012
FILE NUMBER	12/3307			
DRAWING NUMBER	201201-205-1			

NOTES

1. ALL DIMENSIONS IN METRES UNLESS SPECIFIED OTHERWISE.
2. DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY.
3. SLK IS A MRWA STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY.

LEGEND

- LAND REQUIRED FOR ROAD PURPOSES
- BOUNDARY TO BE SURVEYED
- UNSURVEYED BOUNDARY
- VARIOUS DIMENSIONS ADDED TOGETHER

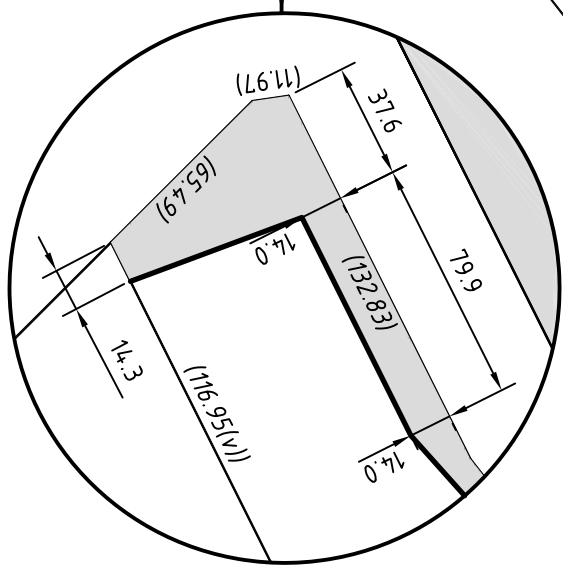
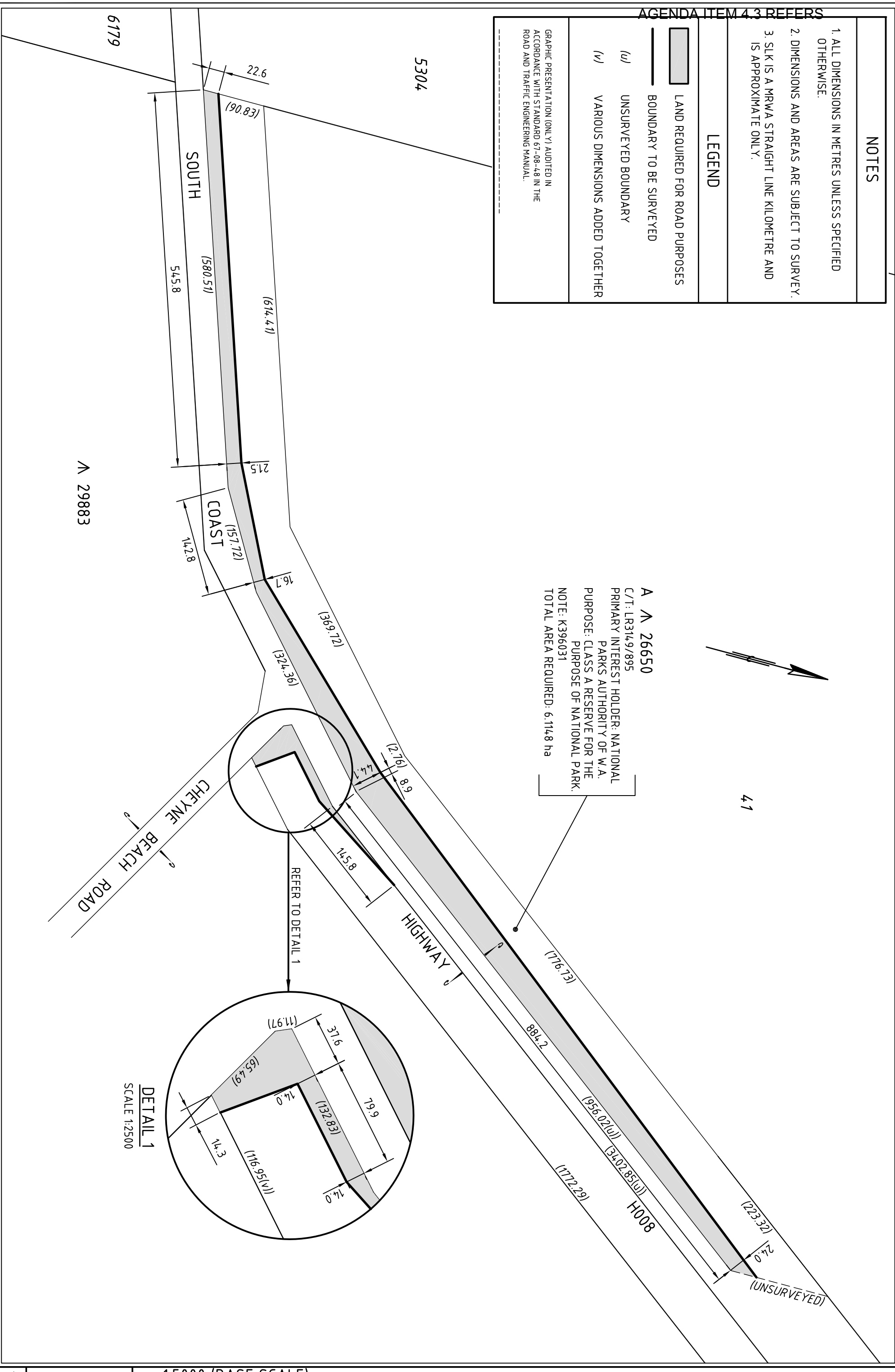
GRAPHIC PRESENTATION (ONLY) AUDITED IN ACCORDANCE WITH STANDARD 67-08-48 IN THE ROAD AND TRAFFIC ENGINEERING MANUAL.

AGENDA ITEM 4.3 REFERS



4.1

A N 26650
 C/T: LR3149/895
 PRIMARY INTEREST HOLDER: NATIONAL PARKS AUTHORITY OF W.A.
 PURPOSE: CLASS A RESERVE FOR THE PURPOSE OF NATIONAL PARK.
 NOTE: K396031
 TOTAL AREA REQUIRED: 6.1148 ha

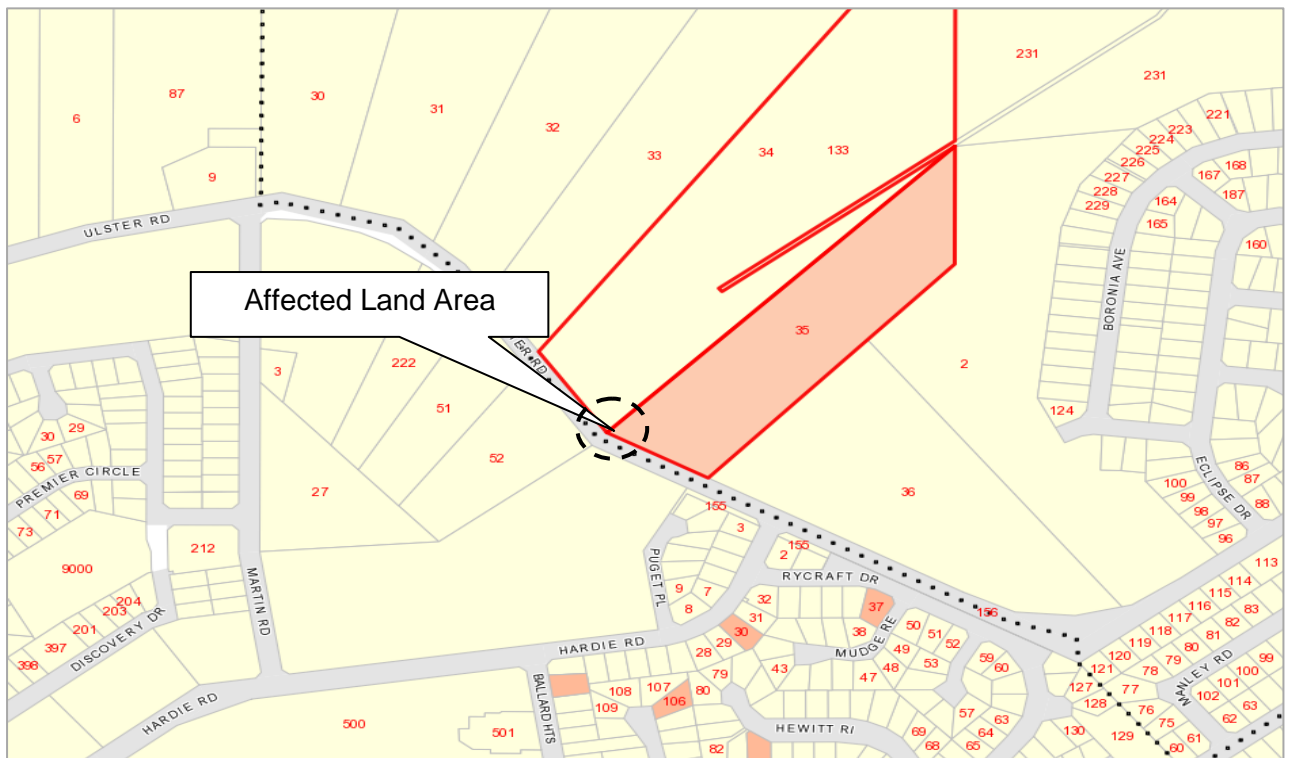


METADATA	
GROUND SURVEY STANDARD:	DATE OF CAPTURE:
MAPPING SURVEY STANDARD:	DATE OF CAPTURE:
MAIN ROADS PROJECT ZONE:	HEIGHT DATUM:
SOUTH COAST HWY - H008 CHEYNE SECTION 39.83 TO 46.43 SLK LAND REQUIREMENT PLAN	
DESIGNED:	VERIFIED:
DRAWN:	APPROVED:
FILE NUMBER:	HOC:
DRAWING NUMBER:	AMENDMENT:
201201-113	A

**4.4: PROPOSED LAND RESUMPTION AFFECTING LOTS 34 & 35
ULSTER ROAD, COLLINGWOOD HEIGHTS**

Land Description	: Lot 34 & Lot 35 Ulster Road, Collingwood Heights
Proponent	: City of Albany
Owner	: R Barker and J & G Manley
Attachments	: Aerial Photography of Lot 34 & Lot 35 Ulster Road, Collingwood Heights showing area to be resumed
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider the resumption of a 45m² portion of land from Lot 34 Ulster Road, Collingwood Heights and a 40m² portion of land from Lot 35 Ulster Road, Collingwood Heights. The subject land currently contains a portion of the constructed Ulster Road in freehold title and it is proposed to bring this existing road into land title that is under the control and management of the City of Albany.

**ITEM 4.4: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DOWLING
SECONDED: COUNCILLOR HORTIN**

THAT Council:

- i) **SUPPORTS** the Taking by Agreement, under section 168 of the *Land Administration Act 1997*, of a 45m² portion of land from Lot 34 Ulster Road, Collingwood Heights and a 40m² portion of land from Lot 35 Ulster Road, Collingwood Heights to allow the widening of the Ulster Road reserve.
- ii) **SEEKS** approval under Section 168 of the *Planning & Development Act 2005* to resume the 45m² portion of land from Lot 34 Ulster Road, Collingwood Heights and the 40m² portion of land from Lot 35 Ulster Road, Collingwood Heights as a public road through the lodgement of a subdivision application; and
- iii) **INDEMNIFIES** the Minister for Lands from any claims for compensation, as is required under Section 56 of the *Land Administration Act 1997*.

CARRIED 12-0

BACKGROUND

1. The southeast corner of Lot 34 Ulster Road and the southwest corner of Lot 35 Ulster Road, Collingwood Heights both extend into what is currently a public road reserve, namely Ulster Road. This land needs to be resumed so that the constructed road is contained in land title designated for this purpose.
2. The landowners of Lot 34 and Lot 35 Ulster Road, Collingwood Heights were contacted on 28 November 2012 and informed of the land issue. They were advised of the City's intent to rectify the situation by resuming a small portion from each of the freehold properties to ensure that the road was wholly contained within the road reserve.
3. A valuation of the subject 45m² portion of Lot 34 Ulster Rd and 40m² portion of Lot 35 Ulster Rd was sought, in order to commence the land resumption process.

DISCUSSION

4. The subject 45m² and 40m² portions of land were valued at \$500 each and the affected landowners were initially offered compensation at this value.
5. This amount was acceptable to the affected landowners and they have signed Consent to Taking by Agreement forms to this effect.
6. It is noted that City officers have delegated authority to negotiate on compensation for road widenings up to \$100,000, though City officers do not have delegated authority to resolve on the legislative requirements associated with this process. A separate item is included on this agenda to discuss delegated authority in more detail.

GOVERNMENT CONSULTATION

7. No consultation with government agencies has occurred on this matter as yet. As part of the subdivision application, which is the process used to resume the land into Crown land title, the Western Australian Planning Commission will refer the proposal to all the relevant servicing and government agencies for comment.

PUBLIC CONSULTATION / ENGAGEMENT

8. There is no requirement under the provisions of the *Land Administration Act 1997* to advertise this matter for public comment. All engagement with the affected landowners has been kept confidential during the negotiation phase of the land resumption process, as is appropriate. No other landowners are considered to be impacted by the proposed land resumption.

STATUTORY IMPLICATIONS

9. Section 56 of the *Land Administration Act 1997* allows the dedication of land as a road. In doing so, the Local Government must indemnify the Minister for Lands against any claim for compensation.
10. Section 168 of the *Land Administration Act 1997* sets the procedure for acquiring land for public works through a Taking by Agreement. Part 10 of the Act states that every person having an interest in land taken under the Act is entitled to compensation.
11. Section 241 of the *Land Administration Act 1997* states that, in determining the amount of compensation to be offered, regard is to be had for the value of the land with any improvements.
12. The creation of a road occurs through the subdivision process detailed under Part 10 of the *Planning and Development Act 2005*. Section 168 of this Act states all land on a diagram or plan of survey as a new road or road widening, will be dedicated as a road.

STRATEGIC IMPLICATIONS

13. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021).

Key Focus Area

Organisational Performance

Community Priority

Policy and Procedures

Proposed Strategies

Develop clear processes and policies and ensure consistent, transparent application across the organisation.

POLICY IMPLICATIONS

14. There are no policy implications relevant to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If the land resumption is not supported, public infrastructure will remain in freehold title, creating concerns about public liability and the City's rights to maintain these works.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>To support the proposed land resumption and allow the public infrastructure to be contained in appropriate land title under the control and management of the City.</i>

FINANCIAL IMPLICATIONS

16. The proposed land resumption will cost approximately \$13,000 in total, providing for the compensation payment and all costs and fees associated with the creation of new titles (i.e. survey charges, creation of plans, Landgate fees, settlement etc). These costs will be accommodated in the budget allocation for Land Administration.

LEGAL IMPLICATIONS

17. The resumption of land containing the public infrastructure located on Lot 34 and Lot 35 Ulster Road, Collingwood Heights will legitimise the current use of the land.

ALTERNATE OPTIONS

18. While Council can defer this item, this means that a portion of a public road that should be under the control and management of the City will remain in freehold title. As agreements with the landowners have now been effectively reached, it is recommended that this matter be expedited as soon as possible.

SUMMARY CONCLUSION



19. The proposed land resumption from Lot 34 and Lot 35 Ulster Road, Collingwood Heights will allow for this entire road to be contained in Crown land title. This land will then come under the control and management of the City, as is appropriate for the City's public infrastructure. As the landowners are now agreeable to the amount of compensation, it is recommended that Council support the proposed land resumption, in line with the requirements of the *Land Administration Act 1997* and the *Planning & Development Act 2005*.

Consulted References	:	Land Administration Act 1997 Planning and Development Act 2005
File Number (Name of Ward)	:	RD.DEC.2 (Breaksea Ward)
Previous Reference	:	No previous references

NOTES

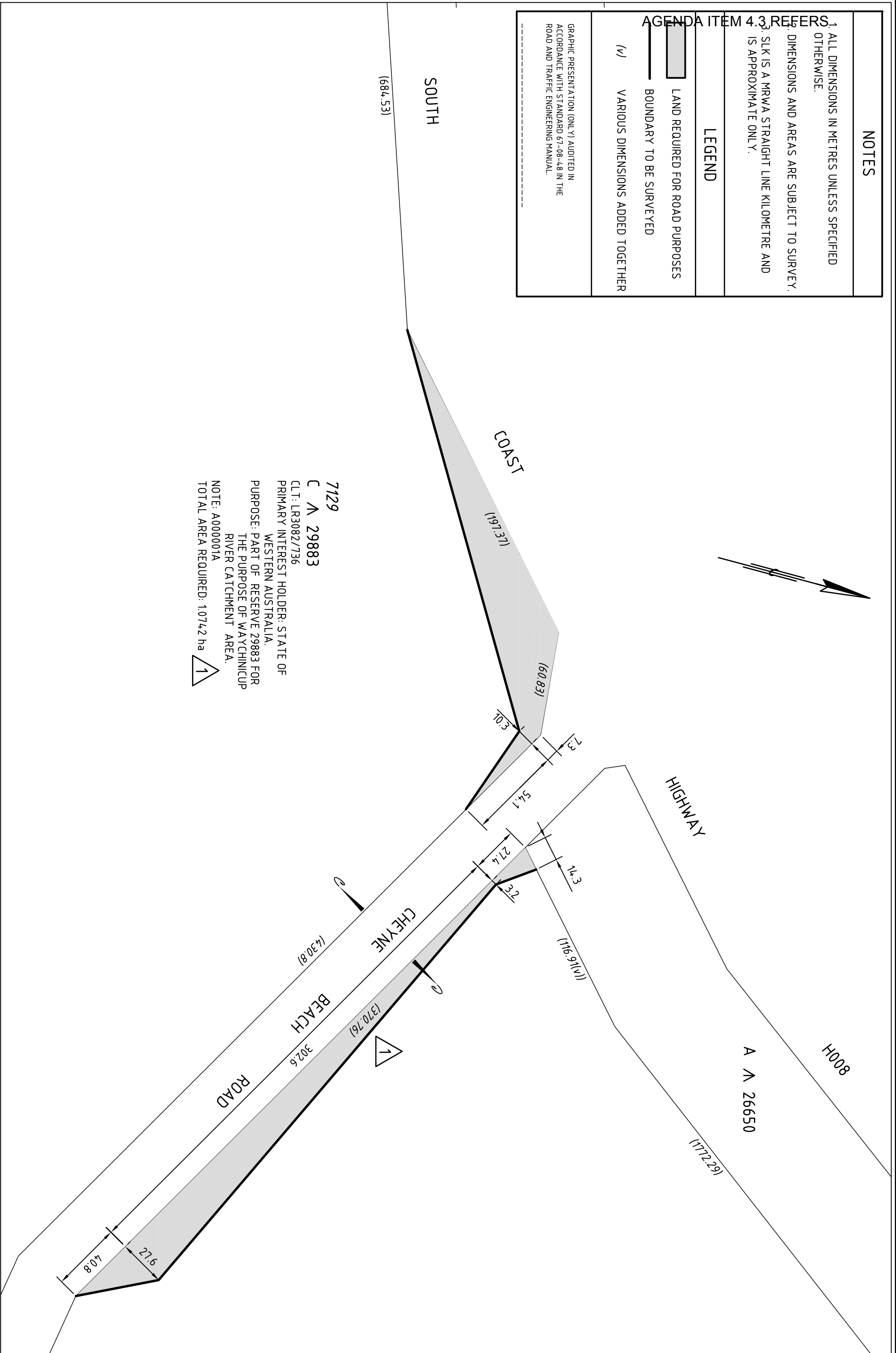
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LEGEND

-  LAND REQUIRED FOR ROAD PURPOSES
-  BOUNDARY TO BE SURVEYED
- (v) VARIOUS DIMENSIONS ADDED TOGETHER

GRAPHIC PRESENTATION (ONLY) AUDITED IN ACCORDANCE WITH STANDARD 67-08-48 IN THE ROAD AND TRAFFIC ENGINEERING MANUAL.

AGENDA ITEM 4.3 REFERS



7129
 C N 29883
 CLT: LR3082/736
 PRIMARY INTEREST HOLDER: STATE OF WESTERN AUSTRALIA.
 PURPOSE: PART OF RESERVE 29883 FOR THE PURPOSE OF WAYCHINICUP RIVER CATCHMENT AREA.
 NOTE: A000001A
 TOTAL AREA REQUIRED: 10742 ha

No.	DESCRIPTION	APPROVED & DATE	No.	DESCRIPTION	APPROVED & DATE
1	ADDITIONAL LAND RESUMED	R. STEVENS 1/2/2013			
	AMENDMENTS			AMENDMENTS	

No.	DESCRIPTION	APPROVED & DATE
	AMENDMENTS	

METADATA

GROUND SURVEY STANDARD:
 DATE OF CAPTURE:
 MAPPING SURVEY STANDARD:
 DATE OF CAPTURE:
 MAIN ROADS PROJECT ZONE:
 HEIGHT DATUM:

Western Australia
 REGIONAL SERVICES DIRECTORATE
 GREAT SOUTHERN REGION
 CHESTERPASS RD
 ALBANY 6332
 Telephone 9892 0555
 Fax 9841 8213

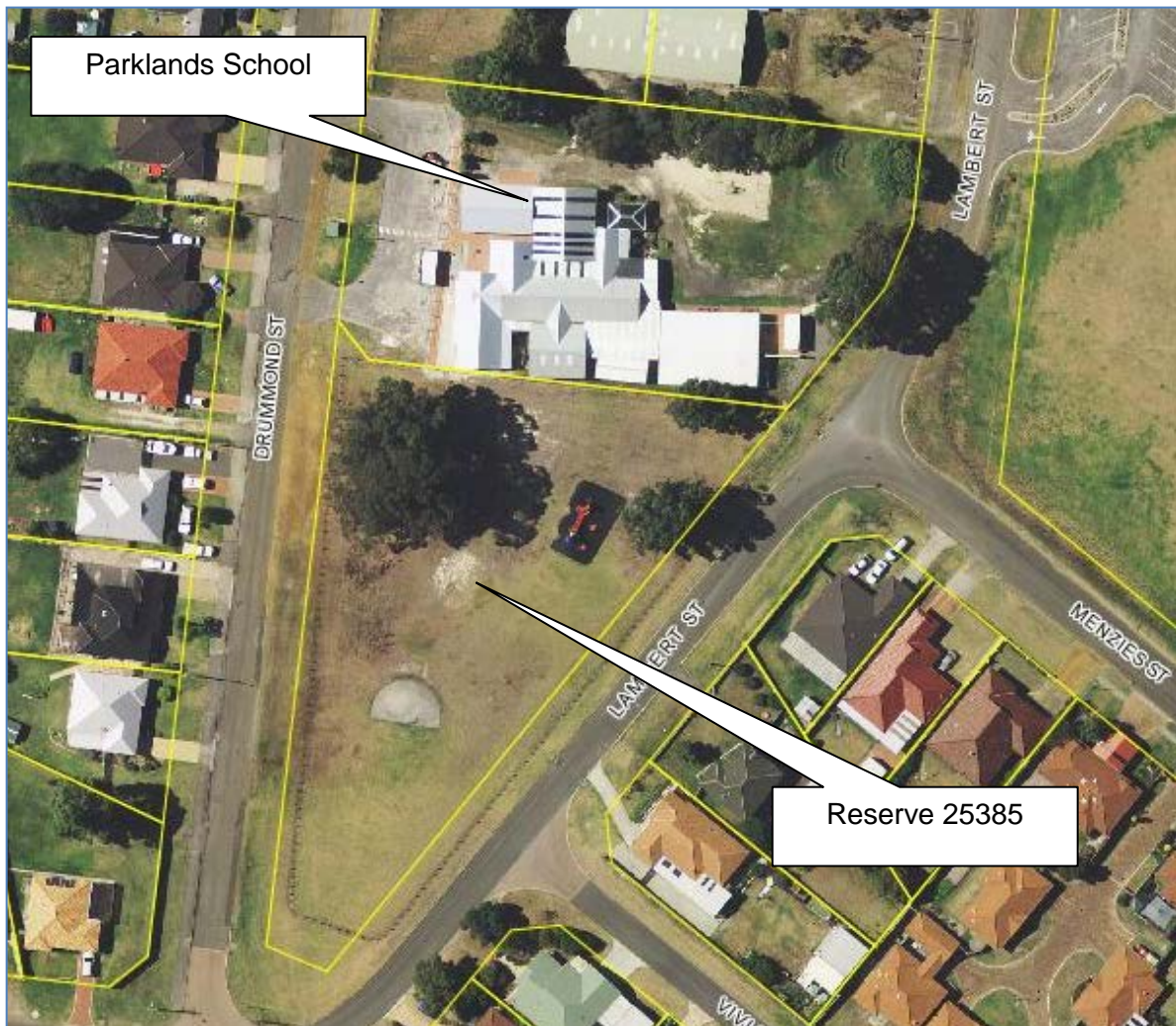
SOUTH COAST HWY - H008
 CHEYNE SECTION
 39.83 TO 46.43 SLK
LAND REQUIREMENT PLAN
 LOCAL AUTHORITY: CITY OF ALBANY (892)

DESIGNED	DRAWN	VERIFIED	APPROVED
J.B.	MOC	J. BARNES	A. DUFFIELD
FILE NUMBER	2012/307	APPROVED DATE	22/11/2012
DRAWING NUMBER	201201-205-1	AMENDMENT	

4.5: PROPOSED ACQUISITION AFFECTING RESERVE 25385 TO ALLOW FOR THE EXPANSION OF PARKLANDS SCHOOL

Land Description	: Lot 6702 Reserve 25385 No 22-30 Drummond Street, Lockyer
Proponent	: Parklands School Association
Owner	: Crown Land, vested in City of Albany
Attachments	Proposed Site Plan
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider the application by Parklands School to purchase or lease part of the adjoining Reserve 25385 to allow the expansion of the school's recreation area and to provide future additional building space.

ITEM 4.5: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR GREGSON

THAT Council:

1. **AGREES** to revoke the management order for Reserve 25385 held by the City of Albany, pursuant to section 50 of the *Land Administration Act 1997*;
2. **REQUESTS** that, pursuant to sections 51 and 74 of the *Land Administration Act 1997*, the Minister for Lands cancel Reserve 25385 and dispose of the land to the City of Albany, under the provisions of the Government Land Policy – Section 20A Public Recreation Reserves;
3. **AGREES** to pay the land costs associated with the section 20A disposal of this Reserve 25385, subject to those moneys being reimbursed by the Parklands School Association;
4. **DELEGATES** authority to the Executive Director Corporate Services, subject to no objections being received during the required public consultation period, to forward these requests to the Minister for Lands and to finalise all dealings on this matter in conjunction with the Department for Regional Development and Lands and the Parklands School;
5. **APPROVES** a lease and licence arrangement to the Parklands School Association for the use of the land currently known as Crown Reserve 25385 and being Lot 6703 on Deposited Plan 190893, subject to the following terms and conditions:
 - a. The Parklands School observing all the agreed financial arrangements, as follows:
 - Parklands School to cover the City's land purchase costs in acquiring this reserve from the State of WA;
 - The City will cover the administration costs and fees associated with the 20A disposal process;
 - Parklands School will own any buildings or improvements constructed in the leasehold area, though removal will be required once the lease is terminated;
 - Parklands School will be responsible for all fees and charges associated with preparing the lease and licence documentation, including any legal and survey costs.
 - b. The lease term being 15 years, with a 10 year option, commencing once the land is held in freehold title by the City of Albany;
 - c. Lease rental being a peppercorn rate of \$10.00 plus GST annum;
 - d. Lease area being approximately 1200m² for the purpose of Educational Establishment;
 - e. Licence area being approximately 3543m² for the purpose of Public Open Space and being maintained by the Parklands School, to the satisfaction of the City of Albany;

- | |
|--|
| <p>f. All costs associated with the development, maintenance and operation of the lease and licence to be payable by the Parklands School</p> <p>g. The lease and licence being consistent with Council Policy – Property Management: Leases and Licences.</p> |
|--|

CARRIED 12-0

BACKGROUND

1. The Parklands School has recently approached the City of Albany with the view to acquiring additional land from the adjoining Reserve 25385. This land will be used for the purposes of providing additional space for the reconfiguration of the existing school, allowing for building expansion and a greater land area for recreational use.
2. The school would like to acquire a 1200m² portion of Reserve 25385 by way of purchase of the land or through a lease arrangement between the City and the school.
3. Parklands School is situated on Lot 6702 No 32-36 Drummond Street, Lockyer, which is a Crown Grant in Trust for the purposes of 'School Site'. This land was granted by the State of WA to Parklands School in 1993 to allow for the development and future operation of the school.
4. Reserve 25385 is a 'C' class reserve vested in the City of Albany for the purposes of "Children's Playground". While there were previously play facilities on this land, they were removed in 2011, as they were badly vandalised and in need of replacement. There is no play equipment on this land at present.

DISCUSSION

5. While it is acknowledged that the Parklands School requires additional space, some concerns are raised with 'dividing' the adjoining Reserve 25385 to allow this to occur. This would reduce the area of the reserve to 3543m² and the City would then be responsible for maintaining a park which would be too small to be developed for any usable recreational purpose, other than as a local park.
6. On this basis, options have been explored for the School to take over the whole of Reserve 25385, including the possible revocation of the City's management order for this land and the re-vesting of the land in Parklands School.
7. This matter was discussed with the Department for Regional Development and Lands and they advised that they would not consider the option of vesting the land in the school, because there is no means by which the Department can monitor the future use and maintenance of the land in this circumstance and it sets an undesirable precedent for other community based organisations to seek similar arrangements.
8. The Department did advise that they would be willing to consider the disposal of the Reserve to the City, under the Section 20A Public Recreation Reserves Policy, such that the land was then held in freehold title by the City and the City could then manage it as it wished. (This is a Policy Statement of the Government Land Policy Manual, maintained by the Department for Regional Development and Lands).

Note: The reference to a section 20A reserve refers to the section of the previous Town Planning and Development Act 1928, which stated that on a plan of subdivision, any land shown on a diagram or plan as being reserved for the purpose of recreation shall be vested in the Crown without the payment of any fee or the need to transfer that land. These recreation reserves are known as "20A reserves" because that is the basis on how they were transferred to the Crown.

Impact of Section 20A Public Recreation Reserves Policy

9. The Section 20A Public Recreation Reserves Policy requires that a Local Government justify the disposal of the public recreation land, providing the reasons for wanting to dispose of the land. In addition, the Policy states that any proceeds from the undertaking be used to either purchase replacement public open space in a more appropriate location or that the funds be applied to capital improvements in other recreation reserves in the general locality. It is noted that the City will not be financially gaining from this land deal and as such, this aspect of the Policy does not apply.
10. This Reserve 25385 is not of a sufficient size or shape to justify significant expenditure on behalf of the City, both in terms infrastructure development and future maintenance, particularly if portion of the land is to be used by the school. It is maintained as a local neighbourhood park only. In addition, there is a significant recreation area immediately adjoining Reserve 25385 and Parklands School, being Weelara Lake Park. This adjoining Reserve 25382 is approximately 3.5 hectares in area and has been the site of Council expenditure to beautify this park and to improve infrastructure provision, including new play facilities.
11. It is not proposed that this Reserve 25385 be disposed of in its entirety. The aim is to modify the land tenure to provide the City management rights to permit the school to use portion of this land for their needs. Given the Department for Regional Development and Lands stance, there seems little option available to the City other than to consider a 20A disposal which means the land will be held in freehold title by the City and it can then be leased and licensed to Parklands School.
12. It is noted that the Section 20A Public Recreation Reserves Policy does not support granting leasing powers in 20A public recreation reserves to avoid private interests being given over such land. As such, the Department is unlikely to support the option of granting the City leasing powers over Reserve 25385, which is why the disposal of the land has been suggested by them.
13. The Section 20A Public Recreation Reserves Policy also carries requirements regarding public consultation and financial arrangements which will be addressed in later sections of this report.

Proposed Use of Land

14. It is proposed that majority of the land, outside of the specified leasehold area, be maintained as public open space and will be licensed, as opposed to leased, to the school so that they do not have exclusive rights to this land. Low height, visually permeable fencing

could be considered, to address safety concerns when being used by the school children, however it is recommended that this space remains open to the public for general use.

15. The lease over an area of 1200m² adjacent to the school provides space for future expansion that may be used exclusively by the school and fenced for security. It is understood the Parklands School will be used this area to reconfigure the layout of the school, with existing transportable buildings being relocated to both provide a more formal entry to Drummond Street and an improved recreational space east of the school buildings (please refer to Proposed Site Plan attached to this report).
16. The lease / licence arrangement aims to address the potential concerns of nearby landowners who may object to the loss of their outlook onto public open space. In addition, the school will be required, as part of the licence arrangement, to maintain the park area and the City does not then need to maintain this small portion of public open space.

Arrangements with Parklands School

17. An initial proposal for the future use of this Reserve 25385 has been put to the school. This proposal considers the requirements of the City's Property Management: Leases and Licences Policy, the costs associated with the both the 20A disposal and the lease/licence arrangement and the potential impact on the nearby community. The financial arrangements will be further clarified in the Financial Implications section of the report.
18. In meetings with City officers, the Parklands School have agreed to the terms and conditions of the lease / licence arrangement as proposed, including the financial arrangements, the terms of the lease, the maintenance of the licence area as public open space etc.

Planning Considerations

19. This Reserve 25385 is reserved for Parks & Recreation under the City of Albany Town Planning Scheme No 1A and will be similarly zoned under the proposed Local Planning Scheme No 1.
20. The development of portion of this land for the school's expansion may require changes to the Town Planning Scheme, as the proposed leasehold is not considered consistent with the Parks and Recreation reservation of the land. Given the current embargo on scheme amendments, the City is exploring the option of modifying the reservation of the proposed leasehold area to Public Use, which will allow for the proposed school development, as part of the adoption of the new Local Planning Scheme.

GOVERNMENT CONSULTATION

21. This matter has been discussed in detail with officers of the Department for Regional Development and Lands, as any possible outcome to support the school's request would require the support of this department and the Minister for Lands. The advice of this department has been detailed in the Discussion section of this report.

PUBLIC CONSULTATION / ENGAGEMENT

22. The provisions of the Section 20A Public Recreation Reserves Policy Statement require that public consultation be undertaken, including the signposting of the reserve, advertising in local newspapers and canvassing of nearby landowners.
23. Should Council support the recommendation of this report, the public consultation processes will be initiated. If objections to the proposal are received, a further item will be presented to Council for consideration.

STATUTORY IMPLICATIONS

24. Section 18 of the *Land Administration Act 1997* states that a person shall not deal with interest in Crown Land or lease or licence Crown land without the prior approval of the Minister of Lands.
25. Section 50 of the *Land Administration Act 1997* allows the Minister for Lands to revoke a management order for a Crown Reserve where the management body agrees that it should be revoked. The City of Albany is the management body for the subject reserve.
26. Section 51 of the *Land Administration Act 1997* allows the Minister for Lands to cancel a reserve.
27. Section 74 of the *Land Administration Act 1997* allows the Minister for Lands to sell Crown land.
28. Section 20A of the previous *Town Planning and Development Act 1928* stated that on a plan of subdivision, any land shown on a diagram or plan as being reserved for the purpose of recreation (or any other public use) shall be vested in the Crown without the payment of any fee or the need to transfer that land.
29. In enacting the above provisions of the *Land Administration Act 1997*, the Department for Regional Development and Lands will have regard to the Government Land Policy Manual, which includes Policy 04.01.05 Section 20A Public Recreation Reserves. The Policy sets the considerations, process and financial arrangements for the disposal of 20A reserves and has been detailed in relevant sections throughout this item.
30. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including the lease of property.

STRATEGIC IMPLICATIONS

31. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021):

Key Focus Area

Community Focussed Organisation

Community Priority

Support for Community Groups

Proposed Strategies

Support community groups by identifying funding opportunities.

POLICY IMPLICATIONS

32. Council's Policy – Property Management: Leases and Licences applies to this item. Under this policy, Parklands School is considered to be a community group, as it is an incorporated charitable fund. The provisions of the policy relevant to this item are as follows:
- The maximum tenure of a lease or licence on freehold land will be at the discretion of Council;
 - The City may enter into a lease or licence with incorporated bodies;
 - Rent for community groups leasing land for community purposes will be a peppercorn rental of \$10 plus GST per annum (no City buildings on the land);
 - The lessee must reimburse the City for all reasonable costs incurred in the development and implementation of the lease or licence.

The proposed lease / licence arrangement will comply with all other standard conditions specified in this policy document.

33. It is noted that under this policy, should any buildings be constructed on the land, the school will own these buildings however they will need to be removed at the termination of the lease. The School has been advised of this requirement.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If this proposal is not supported, the school will remain constrained on their existing site and the City will continue to be responsible for the maintenance of Reserve 25385.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Council supports the recommendation to seek the disposal of Reserve 25385 to the City and lease / licence the land to Parklands School.</i>

FINANCIAL IMPLICATIONS

35. The Section 20A Public Recreation Reserves Policy states that the disposal of a 20A reserve to local government shall be on the basis of payment to the Department of Regional Development and Lands of \$500 or 5% of the unimproved market value, as advised by the Valuer General, whichever is the greater.
36. While the unimproved market value cannot be determined until such time as the formal request is sent to the Department for Regional Development and Lands and they initiate a valuation through the Valuer Generals, an estimate has been sought for discussion purposes. A value of \$238,000 has been applied to this land for the Office of State Revenue's Land Tax purposes and has been used as the basis for determining the 5% fee.
37. The action of obtaining the freehold title of Reserve 25385 may cost the City in the order of \$12,000 plus administrative costs and any associated fees. However, this action is not something the City would pursue if the request had not been received from Parklands School. As such, the following financial arrangement has been suggested to the school:
 - a. The school to cover the City's costs in purchasing this reserve from the State (estimated \$12,000, though this is dependent upon the final valuation);
 - b. The City, as a goodwill gesture, has offered to cover the administration costs and fees associated with the action (as most of these costs are in kind works on the City's behalf);
 - c. A lease term of 15 years, with a 10 year option, at a peppercorn rental of \$10 per year (plus GST) is offered to the school for the use of Reserve 25385; and
 - d. The school will be responsible for all fees and charges associated with setting up the lease / licence arrangement, being approximately \$3,000 (survey and legal fees).
38. The Parklands School have agreed to this financial arrangement.

LEGAL IMPLICATIONS

39. Provided that this action meets all of the relevant legislative requirements, there are no legal implications relevant to this item.

ALTERNATE OPTIONS

40. Council may:
 - a. Pursue the disposal of Reserve 25385 so that it then owns the land in freehold title and may lease / licence the land to Parklands School, allowing them to use portion of this land exclusively and securing the maintenance of the remainder of the land as public open space; or
 - b. Refuse the Parkland's School to utilise portion of the adjoining Reserve 25385.

SUMMARY CONCLUSION

41. Reserve 25385 serves the function of small local neighbourhood park, however it is not of a sufficient size or shape to justify significant expenditure by Council, particularly given that it adjoins a well developed regional park (Weelara Lake Park).
42. Parklands School requires additional land for its future requirements. This land will be used for the reconfiguration of the school, providing a more formal entry to Drummond Street and a greater area for recreational use.
43. The City has discussed the options available to the school with the Department for Regional Development and Lands and they generally support the disposal of this reserve so that the City owns it in freehold title and it may then be managed as it wishes. This action may cost the City approximately \$12,000 in land purchase costs, however the school has agreed to reimburse the City this expense.
44. Once the City controls the land, a lease and licence arrangement is proposed to meet the needs of the school, while minimising impacts on nearby residents and in line with the City's Property Management: Leases and Licences Policy. Again, the school has agreed to pay all costs associated with this action.
45. As such, it is recommended that the Council support the recommended actions to assist the Parklands School to secure additional land area.

Consulted References	:	Land Administration Act 1997 Government Land Policy Manual Planning and Development Act 2005
File Number (Name of Ward)	:	A120096
Previous Reference	:	No previous references

DRUMMOND STREET

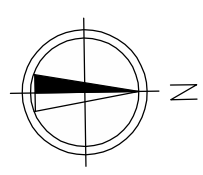
PARKLANDS SCHOOL
 SITE PLAN PROPOSED
 23/01/2013

1:500 @ A3
 1:200 @ A1



LEGEND:

	EXISTING SITE BOUNDARY
	PROPOSED BOUNDARY TO ADDITIONAL LAND
	EXISTING POWER LINE
	EXISTING STORMWATER
	EXISTING FENCE
	PROPOSED FENCE
	EXISTING TREE



LAMBERT STREET

SK 4

H+H
architects

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 TEL: 9421 2552
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 E: info@h+h.com.au

**4.6: REVIEW OF DELEGATIONS CONCERNING LAND ADMINISTRATION
FUNCTIONS**

- Attachments** : 1. Revised & New Delegations Relating to Land Administration
2. Summary of Changes
- Responsible Officer(s)** : Executive Director Corporate Services (G Adams)

IN BRIEF

- Council is requested to consider the review of delegations relative to land administration tasks, with the view to adopting four revised and two new delegations. The two new delegations are, in part, extracted from the existing delegations, with the view to improving clarity and to increase the efficiency with which land administration matters are handled.

**ITEM 4.6: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

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

THAT the four revised and two new delegations relative to the City's Land Administration functions and as attached to this item be ADOPTED.

**CARRIED 12-0
ABSOLUTE MAJORITY**

BACKGROUND

1. Under the provisions of the Local Government Act 1995, a local authority may delegate some of its powers and duties to the Chief Executive Officer to help facilitate the services it provides to the community.
2. The City maintains a Register of Delegations. These delegations are reviewed annually and Council last considered this review at its meeting held on 18 September 2012, where the revised Register of Delegations was adopted.
3. The City currently has over 140 delegations and while the annual review considers the relevance and operation of each delegation, it does not have the scope for a detailed review relative to legislative change and the effectiveness of individual functions of the City.
4. Over the last two years, the City has made great progress in addressing a backlog of land administration matters. To date, many of these issues have been reported to Council. With improved practices and knowledge, it is now proposed to modify and enhance the delegations relating to land administration tasks.

5. The review of the delegations relative to land administration matters has been considered against the relevant legislation, including the *Local Government Act 1995* and the *Land Administration Act 1997*, to ensure consistency with the legislative powers of these Acts.

DISCUSSION

6. Land Administration issues can encompass a variety of matters, including changes to Crown reserves, road closures, the dedication of roads and the resumption of land for City infrastructure. The City currently has four delegations that address these issues in part, however some modifications are required to improve their clarity, accuracy and function. The proposed changes of each delegation will be discussed in detail, as follows:

- a. **Delegation:** Closing Certain Thoroughfares to Vehicles (period exceeding 4 weeks)

Function: This delegation grants authority to close a thoroughfare in accordance with section 3.50 of the *Local Government Act 1995*.

Proposed Modifications:

- This provision of the *Local Government Act 1995* relates to the temporary closure of a thoroughfare, such as for special events or to accommodate road works. It is not intended to be used for the permanent closure of a road, as this function sits with the *Land Administration Act 1997*.
- It is proposed to remove the reference to the permanent closure of a thoroughfare and include additional wording to make clear this delegation refers to the temporary closure of thoroughfares.

- b. **Delegation:** Creation and Change of Purpose of a Crown Reserve

Function: This delegation grants authority to process requests relating to Crown Reserves, pursuant to Part 4 of the *Land Administration Act 1997*.

Proposed Modifications:

- This is a very general delegation and it is considered that more detail relating to the provisions of the *Land Administration Act 1997* would improve its application to functions and make it clear which matters should be presented to Council for consideration.
- A change to the name of this delegation is proposed to reflect its expanded function.
- The reference to State managed leases contained in this existing delegation occurs under Part 6 of the *Land Administration Act 1997*, not Part 4 as included in this delegation. The revised delegation will correct this anomaly.

- c. **Delegation:** Rights of Way – Closure, Part Closure, Amalgamation, Paving, Drainage and Obstruction of

Function: This delegation grants authority to manage rights of way, including closure, part closure, amalgamation, paving, drainage and the placement / removal of obstructions, pursuant to Schedule 6.3(3) of the *Local Government Act 1995*.

****REFER DISCLAIMER****

Proposed Modifications:

- The closure and amalgamation of a right of way no longer occurs under the *Local Government Act 1995*. A right of way is considered to be a road and therefore must observe the road closure procedures defined in the *Land Administration Act 1997*.
- While the provisions relating to the on-ground management of rights of way will be retained, references to the closure or amalgamation of a right of way will be deleted. A new delegation to consider road closures is proposed and will be further discussed in this report.

d. **Delegation: Traffic Management Treatments**

Function: This delegation grants authority to investigate and implement traffic management treatments and obtain road widening for road infrastructure improvements.

Proposed Modifications:

- Road widening is only one example of a land resumption that may be required for the City's infrastructure. It is proposed to remove the road widening provisions of this delegation to create a new delegation relative to land resumptions.
 - Land Resumption occurs under the provisions of the *Land Administration Act 1997*, which is not referenced in this delegation.
 - This delegation is not sub-delegated to the Executive Director Corporate Services, which is where the land administration functions sit. This hinders the efficiency of undertaking a land resumption.
7. Two new delegations are proposed to replace some of the provisions removed from the existing delegations and to make them more specific to land administration functions, while referencing the correct legislative powers.
8. These two delegations will also include some additional delegated authority, based on the matters that have been presented to Council over the last two years. Over this period, Council has considered approximately 30 reports relative to land administration matters. These items rarely raise issues or concerns and generally the officer recommendation is adopted without change. It is proposed that the additional delegated authority will include the straightforward and routine functions relative to matters consider under the *Land Administration Act 1997*.
9. The functionality of the proposed delegations is summarised below:

a. **Delegation: Road Dedications & Closures**

Details:

- New authority is proposed to seek the dedication of a road reserve, including the indemnification of the Minister, where the land is already being used as part of an existing road or right of way or where land is to be resumed for this use. This complements the land resumption delegation, where land is to be resumed for a thoroughfare.

- This dedication picks up the deleted provisions relating to the closure of rights of way.
- It is also proposed to introduce authority to initiate the advertising process for a road closure where it is considered that the road is surplus to current and future requirements. This eliminates the need for Council to consider an item twice when submissions are received during advertising and Council then makes the decision to close the road based on both the City's and the community's views. The final decision to close the road will remain with Council.
- It is proposed to sub-delegate this function to the Executive Director Corporate Services in the first instance, as this is where the land administration functions sit.

b. Delegation: Land Resumption

Details:

- This delegation contains the provisions deleted from the Traffic Management Treatments delegation relative to road widening;
- The delegation provisions are expanded to include the other reasons why the City resumes land i.e. drainage infrastructure, road realignments.
- This new delegation correctly references the relevant provisions of the *Land Administration Act 1997*.
- The delegation includes conditions which reflect the City's current practices for administering a land resumption, including the legal document (Consent to Taking by Agreement) which is signed between the City and the affected landowner.
- It is proposed to sub-delegate this function to the Executive Director Corporate Services in the first instance, as this is where the land administration functions sit.

GOVERNMENT CONSULTATION

10. This matter has not been referred to any government agency for comment, as it relates to the City's internal processes only.

PUBLIC CONSULTATION / ENGAGEMENT

11. There is no requirement for this matter to be advertised for public comment.

STATUTORY IMPLICATIONS

12. The *Land Administration Act 1997* applies to the whole of the City of Albany and provides the basis for undertaking the functions relating to the administration of land tenure.
13. Section 5.42 of the *Local Government Act 1995* enables the delegation of some powers and duties to the Chief Executive Officer.
14. Section 9.10 of the *Local Government Act 1995* allows the appointment of persons or classes of persons to be authorised for the purpose of performing particular functions.

STRATEGIC IMPLICATIONS

15. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021)

Key Focus Area

Organisational Performance

Community Priority

Policy and Procedures

Proposed Strategies

Develop clear processes and policies and ensure consistent, transparent application across the organisation.

POLICY IMPLICATIONS

16. There are no policy implications relevant to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If the revised delegations are not supported, this will limit improvement to efficiency and maintain incorrect references to current legislation and practices.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Adopt the revised and new delegations, as recommended.</i>

FINANCIAL IMPLICATIONS

18. There are no financial implications relevant to this item.

LEGAL IMPLICATIONS

19. The revised and new delegations reflect the correct provisions of the *Local Government Act 1995* and the *Land Administration Act 1997*.

ALTERNATE OPTIONS

20. Council may:
- a. Resolve not to adopt the new delegations and the current delegations will remain in place; or
 - b. Adopt the new and revised delegations, allowing improved clarity in how to apply the delegations and greater efficiency for the handling of land administration functions.

SUMMARY CONCLUSION

21. A review of the delegations relative to land administration functions has been undertaken with the view to improving their clarity and application to current day practices. This review has also resulted in changes to ensure greater consistency with relevant legislation. It is recommended that Council adopt the revised and new delegations, as contained in Attachment 1 to this item.

Consulted References	:	Land Administration Act 1997 Local Government Act 1995
File Number (Name of Ward)	:	PE.AUT.1
Previous Reference	:	OCM 18/9/2012 Item 1.3

Attachment 1 Proposed Delegations Relating to Land Administration

REVISED DELEGATIONS

Closing Certain Thoroughfares to Vehicles (period exceeding 4 Weeks)

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

Authority to:

- (1) Temporary closure of a thoroughfare, wholly or partially, in accordance with the *Local Government Act 1995*, Section s 3.50; and
- (2) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

- (1) Public notice of intentions and reasons, inviting submissions and then considering submissions
- (2) Action taken to temporarily close thoroughfares must be recorded in the appropriate register and Council Members to be advised accordingly.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Works & Services
- Manager Infrastructure

Legislative Powers (Reference):

- *Local Government Act 1995*, s3.50(1a) and 3.50(4).

Group: Works & Services - Community Safety **Delegator**: Council

Matters Relating to Crown Reserves

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

Authority to:

- (1) Process requests related to Crown Reserves, pursuant to section 3.54 of the *Local Government Act 1995* and Part 4 of the *Land Administration Act 1997*.
- (2) Comment on requests to lease Crown land, where the State manages the lease, pursuant to Part 6 of the *Land Administration Act 1997*.
- (3) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

- (1) Authority to process matters relating to Crown Reserves, as follows:
 - Requests to the Minister for Lands to create a new reserve or transfer Crown land from one form to another (i.e. road reserve to Crown reserve; excision of road reserve from Crown reserve etc.)
 - Change of purpose of a Crown reserve;
 - Changes to reserve boundaries;
 - Acceptance of a management order, where the City is currently managing the land or can do so within existing operational budgets;
 - Requests to lease Crown land, where no structure will be built (i.e. leases managed by the State, pastoral leases etc).
- (2) Compliance with the following documents is necessary:
 - City Town Planning Schemes and Local Planning Strategy
 - Adopted Asset Management Plans (Roads; Reserves – Natural and Developed; Drainage)
 - City of Albany Bushfire Strategy
- (3) The revocation of a management order of an existing City managed reserve or cancellation of an existing Crown reserve shall be considered by Council.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Corporate Services
- Executive Director Works & Services
- Executive Director Planning & Development Services

Legislative Powers (Reference):

- *Local Government Act 1995, s 3.54; and*
- *Land Administration Act 1997, Parts 4 and 6.*

Group: Corporate Services – Lands **Delegator:** Council

Rights of Way – Paving, Drainage and Obstruction of

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

- (1) Manage Rights-of-Way, including the paving and drainage and the placement and/or removal of obstructions.
- (2) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

Note: A local government may manage Rights-of-Way, including:

- a. the paving and drainage; and
- b. the placement and/or removal of obstructions.

Conditions: Nil.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Works & Services
- Executive Director Planning & Development Services

Legislative Powers (Reference):

- *Local Government Act 1995, Schedule 6.3(3).*

Group: Works & Services - Infrastructure Enhancement and Maintenance **Delegator:** Council

Traffic Management Treatments

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

Authority to:

- (1) Investigate and develop traffic management treatment proposals and Local Area Traffic Management Scheme proposals in order to identify and address traffic related issues; and
- (2) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

Conditions:

- (1) During the course of investigation contact to be made with the residents/residential groups, as appropriate, to:
 - identify problems and issues;
 - establish objects of traffic management and develop plans of alternative treatments;
 - evaluate alternative treatments and refine selected plan;
- (2) All alternative routes with regard to road construction or re-construction shall be investigated as part of the design process;
- (3) The selected plan with the proposed traffic treatment to then be presented to the Council for approval.
- (4) Where it is only necessary to consider remedial action, the Council's approval is not required.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Works & Services

- Executive Director Planning & Development Services
- Manager Infrastructure
- Manager Compliance & Community Safety
- Coordinator Emergency Management & Community Safety

Legislative Powers (Reference):

- *Local Government Act 1995, s3.*

Group: Works & Services - Infrastructure Enhancement and Maintenance **Delegator:** Council

NEW DELEGATIONS

Road Dedications & Closures

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

Authority to:

- (1) Action requests to the Minister for Lands to dedicate land as a road and indemnify the Minister against any claims for compensation;
- (2) Initiate the public advertising period for the closure of road reserves;
- (3) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

- (1) Requests to dedicate land as a road reserve shall comply with the following conditions:
 - Land is being used as part of an existing road or right of way;
 - Land is to be acquired for road widening as part of a land resumption process.
- (2) Initiation of the public advertising for road closure shall only be actioned where it is identified that the road or right of way is surplus to current requirements and is not required as part of the future planning and development of an area.
- (3) Council to make the final decision on a road closure request following the advertising period, irrespective of whether submissions have been received.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Corporate Services
- Executive Director Planning & Development Services

Legislative Powers (Reference):

- *Land Administration Act 1997, Part 5*

Group: Corporate Services – Lands; **Delegator:** Council

Land Resumption

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

Authority to:

- (1) Obtain land for the City's infrastructure (roads, drainage, footpaths etc).
- (2) Appoint persons to administer any or all of the above functions.

Conditions and Exceptions (*Appointment of persons is restricted to the Chief Executive Officer*):

- (1) All land taking to be based on sound engineering principles, taking into account existing and future road and drainage systems;
- (2) Compensation for the resumption of private land shall be based initially on an independent valuation obtained from a licensed valuer;
- (3) Compensation to a maximum of \$100,000 dollars and within the confines of relevant budget allowances, may be negotiated without referral to Council;

AGENDA ITEM 4.6 REFERS

(4) Landowners are to enter into a Consent to Taking by Agreement for the land to be resumed and agreeing to the compensation amount and any other special conditions;

(5) No payment of compensation is to be paid for the land resumption until a caveat has been placed on title registering the City's interest or the final deposited plan is lodged in order for dealings.

Delegate(s): Chief Executive Officer

Sub-Delegates (*Authorised Officers*):

- Executive Director Corporate Services
- Executive Director Planning & Development Services

Legislative Powers (Reference):

- *Land Administration Act 1997, Parts 9 and 10*

Group: *Corporate Services – Lands*; **Delegator:** *Council*

Attachment 2 Proposed Amendments to Delegations Relating to Lands

Delegation: Closing Certain Thoroughfares to Vehicles (period exceeding 4 weeks)

Amendments Proposed:

- Delete references to permanent road closures, as this does not occur under the *Local Government Act 1995*, this is considered under the *Land Administration Act 1997*.
 - This delegation relates to the temporary closure of roads and minor wording changes are proposed to make this clear.
-

Delegation: Creation and Change of Purpose of a Crown Reserve

Amendments Proposed:

- To update the delegation to reflect changes adopted by Council in the OCM on 15 March 2011.
 - To rename the delegation to reflect its expanded function.
 - To include an updated reference to comment on State managed leases, which occurs under Part 6 of the *Land Administration Act 1997* (not Part 4).
 - To clearly specify the matters addressed under Part 4 of the *Land Administration Act 1997* that may be considered under delegation and those which must be presented to Council for consideration.
 - To re-word the delegation to improve clarity and accuracy pursuant to the provisions of relevant legislation.
-

Delegation: Rights of Way – Closure, Part Closure, Amalgamation, Paving, Drainage and Obstruction of

Amendments Proposed:

- Delete all reference to the closure, part closure or amalgamation of rights of way, which now occurs as part of the road closure provisions of the *Land Administration Act 1997*. This will be picked up in a new delegation relating to road closures.
-

Delegation: Traffic Management Treatments

Amendments Proposed:

- Delete all reference to road widening (including the conditions relating to this part), which is to be included in a new delegation relating to Land Resumptions.
-

Delegation: **NEW** Road Dedications & Closures

Comments:

- Introduce new delegations to seek the dedication of a road reserve, under Part 5 of the *Land Administration Act 1997* where the land is being used as part of an existing road or right of way or to be resumed for this use.
- Introduce new delegations to initiate the road closure advertising process. At present, an item is presented to Council to undertake this part and then a further item to Council is done if any submissions are received.

AGENDA ITEM 4.6 REFERS

- Include sub-delegation to the Executive Director Corporate Services, as this is the division where Lands sits, and the Executive Director Planning & Development Services as an alternate option.
-

Delegation: **NEW** Land Resumption

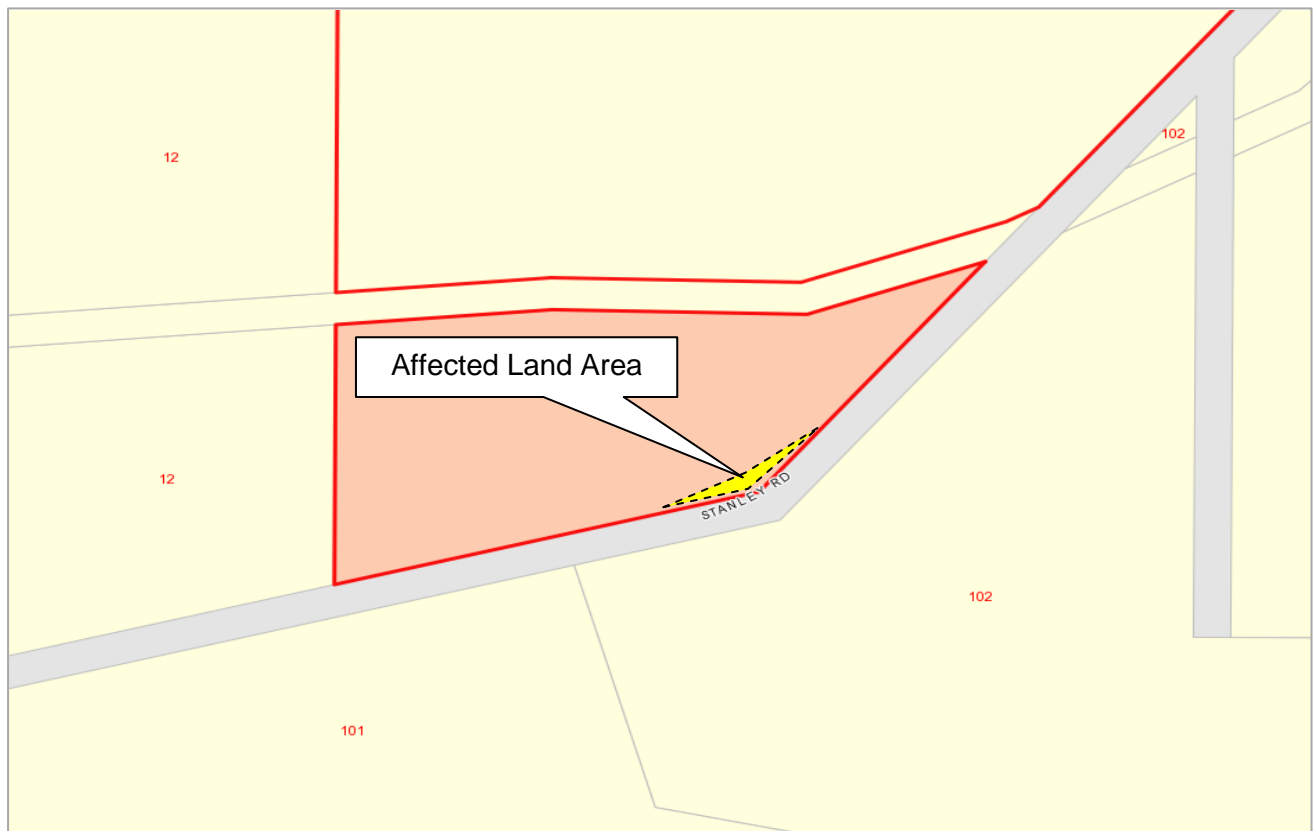
Comments:

- Include the provisions relating to road widening previous included in the Traffic Management Treatments delegation and expand to include the other reasons for land resumption i.e. drainage infrastructure, road realignments etc.
- Include correct references to relevant parts of the Land Administration Act 1997.
- Include conditions which reflect the City's current process for land resumptions i.e. Consent to Taking by Agreement; payment of funds at caveat or at 'in order for dealings'.
- Include sub-delegation to the Executive Director Corporate Services, as this is the division where Lands sits, and the Executive Director Planning & Development Services as an alternate option.

4.7 : PROPOSED LAND RESUMPTION AFFECTING LOT 4559 STANLEY ROAD, YOUNGS SIDING

Land Description	: Lot 4559 Stanley Road, Youngs Siding
Proponent	: City of Albany
Owner	: Andrew Le Fort & Anthony Docherty
Attachments	: Aerial Photography of Lot 4559 Stanley Road, Youngs Siding showing area to be resumed
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider the resumption of a 492m² portion of land from Lot 4559 Stanley Road, Youngs Siding. The subject land currently contains portion of the constructed Stanley Road in freehold title and it is proposed to bring this existing road into land title that is under the control and management of the City of Albany. The City will also be taking additional land in order to upgrade this portion of road, so as to improve the safety of the bend in this location.

RECOMMENDATION

**ITEM 4.7: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR DUFTY**

THAT Council:

- 1. SUPPORTS the Taking by Agreement, under Section 168 of the *Land Administration Act 1997*, of a 492m² portion of land from Lot 4559 Stanley Road, Youngs Siding to allow for the widening of the Stanley Road reserve .**
- 2. SEEKS approval under Section 168 of the *Planning & Development Act 2005* to resume the 492m² portion of land to be taken from Lot 4559 Stanley Road, Youngs Siding as a public road through the lodgement of a subdivision application; and**
- 3. INDEMNIFIES the Minister for Lands from any claims for compensation, as is required under Section 56 of the *Land Administration Act 1997*.**

CARRIED 12-0

BACKGROUND

1. It came to a City of Albany officer's attention that a portion of the Stanley Road reserve was found to be owned in freehold title as part of Lot 4559 Stanley Road, Youngs Siding.
2. The southeast corner of Lot 4559 Stanley Road extends into what is currently a public road reserve, namely Stanley Rd. This land needs to be resumed so that the constructed road is contained in land title designated for this purpose.
3. The landowners of Lot 4559 Stanley Rd were contacted on 8 December 2012 and informed of the land issue. They were advised of the City's intent to rectify the situation by resuming a small portion of the freehold property to ensure that the road was wholly contained within the road reserve.
4. A valuation of the subject 345m² portion of land was sought and valued at \$1000, with the affected landowners being offered compensation of this amount. This sum was acceptable to the landowners and they signed a Consent to Taking by Agreement form on 24 December 2012.

DISCUSSION

5. Since initiating the land resumption action, concerns have been raised about the safety of the bend in the road in this location and upgrading road works have been identified to improve road safety, including providing adequate forward visibility to road users along Stanley Road.

6. The existing signs and guideposts of this section of Stanley Road are old and quite worn and a number of the guideposts are missing. Sight observations by staff have determined that the visibility for vehicles travelling around the bend is below the safe stopping sight distance recommended in the *Austrroads Guide to Road Design*. From these discussions, the City revised its initial land resumption requirements from 345m² to 492m².
7. A revised valuation of the subject 492m² portion of land was sought. The additional 147m² of land did not appreciatively add to the original valuation of \$1000 and the affected landowners were re-offered compensation to this amount. In addition, the City offered to assume responsibility for the relocation of any fencing that may be required to undertake these works.
8. The affected landowner advised that they did not think it equitable that an additional 147m² of land was to be taken without a commensurate increase in the amount of compensation offered. Following further negotiations with this landowner, a compensation amount of \$1350 was agreed, in addition to making good any fencing that may be impacted by the proposed works. A Consent to Taking by Agreement will be signed to this effect.
9. The upgrading works will be scheduled into the 2013/2014 Capital Works Program. As such the Consent to Taking by Agreement form also includes permission for works to progress before the land resumption process has been completed.
10. It is noted that City officers have delegated authority to negotiate on compensation for road widening up to \$100,000, though City officers do not have delegated authority to resolve on the legislative requirements associated with this process. A separate item is included on this agenda to discuss delegated authority in more detail.

GOVERNMENT CONSULTATION

11. No consultation with government agencies has occurred on this matter as yet. As part of the subdivision application, which is the process used to resume the land into Crown land title, the Western Australian Planning Commission will refer the proposal to all the relevant servicing and government agencies for comment.

PUBLIC CONSULTATION / ENGAGEMENT

12. There is no requirement under the provisions of the *Land Administration Act 1997* to advertise this matter for public comment. All engagement with the affected landowner has been kept confidential during the negotiation phase of the land resumption process, as is appropriate. No other landowners are considered to be impacted by the proposed land resumption.

STATUTORY IMPLICATIONS

13. Section 56 of the *Land Administration Act 1997* allows the dedication of land as a road. In doing so, the Local Government must indemnify the Minister for Lands against any claim for compensation.

14. Section 168 of the *Land Administration Act 1997* sets the procedure for acquiring land for public works through a Taking by Agreement. Part 10 of the Act states that every person having an interest in land taken under the Act is entitled to compensation.
15. Section 241 of the *Land Administration Act 1997* states that, in determining the amount of compensation to be offered, regard is to be had for the value of the land with any improvements.
16. The creation of a road occurs through the subdivision process detailed under Part 10 of the *Planning and Development Act 2005*. Section 168 of this Act states all land on a diagram or plan of survey as a new road or road widening will be dedicated as a road.

STRATEGIC IMPLICATIONS

17. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021).

Key Focus Area

Organisational Performance

Community Priority

Policy and Procedures

Proposed Strategies

Develop clear processes and policies and ensure consistent, transparent application across the organisation.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If the land resumption is not supported, public infrastructure will remain in freehold title, creating concerns about public liability and the City's rights to maintain these works.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>To support the proposed land resumption and allow the public infrastructure to be contained in appropriate land title under the control and management of the City.</i>

FINANCIAL IMPLICATIONS

20. The proposed land resumption will cost approximately \$10,000 in total, providing for the compensation payment and all costs and fees associated with the creation of new titles (i.e. survey charges, creation of plans, Landgate fees, settlement etc). These costs will be accommodated in the budget allocation for Land Administration.

LEGAL IMPLICATIONS

21. The resumption of land containing the public infrastructure located on Lot 4559 Stanley Road, Youngs Siding will legitimise the current use of the land.

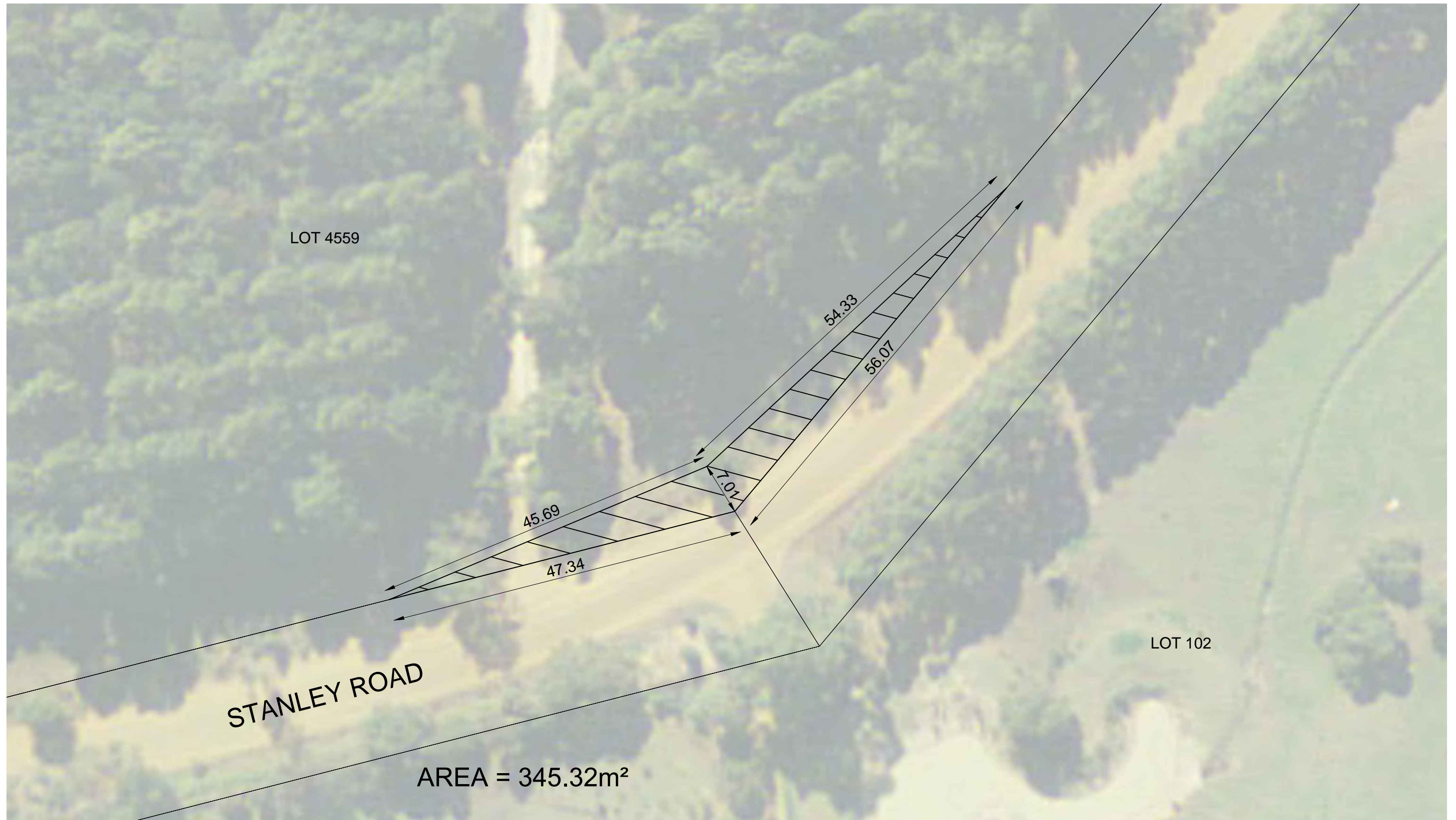
ALTERNATE OPTIONS

22. While Council can defer this item, this means that a public road that should be under the control and management of the City will remain in freehold title. As agreement with the landowner has been effectively reached, it is recommended that this matter be expedited as soon as possible.

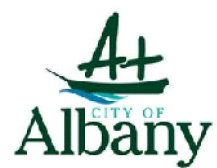
SUMMARY CONCLUSION

23. The proposed land resumption from Lot 4559 Stanley Road, Youngs Siding will allow for much needed safety improvements along this section of Stanley Road and road widening of the Stanley Road reserve, such that all of this road is contained in Crown land title. This land will then come under the control and management of the City, as is appropriate for the City's public infrastructure. As the landowner is agreeable to the amount of compensation, it is recommended that Council support the proposed land resumption, in line with the requirements of the *Land Administration Act 1997* and the *Planning & Development Act 2005*.

Consulted References	:	Land Administration Act 1997 Planning and Development Act 2005
File Number (Name of Ward)	:	RD.ACQ.1 (West Ward)
Previous Reference	:	No previous references



SCALE 1:500



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Email: cityassests@albany.wa.gov.au
Website: www.albany.wa.gov.au

PROPOSED LAND RESUMPTION LOT 4559 STANLEY ROAD

4.8: PROPOSED PERMANENT CLOSURE OF PORTION OF DAY STREET, PORT ALBANY & DISPOSAL TO ADJOINING OWNERS

Land Description	: Day Street Road Reserve, Port Albany
Proponent	: M. Young of No 32 Lot 770 Brunswick Road, Port Albany
Owner	: State of WA
Appendices	: Map of Day Street Road Reserve
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider a ratepayer application to close the unconstructed road reserve adjoining their property at No 32 Lot 770 Brunswick Road, Port Albany, so that they may purchase portion of the resultant land and amalgamate it with their freehold title.

**ITEM 4.8: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR BOWLES**

THAT Council:

- i) INITIATES the advertising of the proposed road closure of portion of the Day Street road reserve between Brunswick Road and Ellicoe Street (undeveloped road reserve), Port Albany; and**
- ii) SEEKS a further item to Council, following the completion of the advertising period, for determination of the road closure application.**

CARRIED 10-2

Record of Vote

Against the Motion: Councillors Bostock and Stocks

BACKGROUND

1. The Day Street road reserve adjoining No 32 Lot 770 Brunswick Road, Port Albany, which runs between Brunswick Road and Ellicoe Street (undeveloped road reserve), is currently under the management of the City of Albany.
2. The City has received a request from the owners of No 32 Lot 770 Brunswick Road, Port Albany, to close the road reserve adjoining their property. These owners wish to purchase a portion of the land currently forming part of the road reserve and amalgamate that land with their freehold title.
3. No 32 Lot 770 Brunswick Road, Port Albany has an area of 845m² and is fundamentally a corner block with frontage to Brunswick Road and two undeveloped road reserves, namely Day Street to the west and Ellicoe Street to the north. The owners have advised that they would like to purchase the road reserve to increase the useable area of their land.

DISCUSSION

Nature & Use of Subject Land

4. There is no constructed road within this portion of the Day Street road reserve at present and there are no plans to construct this road at any time.
5. The subject road reserve is on a steep slope and the nature of the land means it is unlikely that a road or pedestrian access way will ever be constructed in this location. Any proposal to construct a road or pathway will likely involve substantial earthworks, making it a costly venture.
6. There is no existing services or drainage infrastructure within the subject road reserve and it is unlikely that the road reserve will be required for future drainage works. Works and Services have advised that the Day Street road reserve does not support the optimal

placement of drainage infrastructure and such infrastructure would only be required if the land to the north was to be developed, which is unlikely. In this circumstance, land further east along Brunswick Road would be a better location for drainage infrastructure.

Tenure of Surrounding Land

7. The land tenure of these unconstructed road reserves and the unallocated Crown land north of Brunswick Road and fronting Burgoyne Road has been discussed on a number of occasions over the years. It has previously been proposed to freehold the lots fronting Burgoyne Road, allowing the development of this area for residential purposes.
8. It is noted that the City previously opposed the disposal of this land, preferring the option of transferring the land to the Port Authority and closing the public road reserves, thereby preventing the further development of this land. In this way, the City wished to minimise the issues that have previously arisen with sensitive land uses adjoining the Port.
9. It is considered that further review of land use and tenure is needed in this locality, though the closure of portion of Day Street will be considered independently to prevent further delays for the ratepayer making this request.

Planning Considerations

10. The Day Street road reserve is currently zoned Parks and Recreation under the City's Town Planning Scheme No 1A, however it is proposed to be zoned Residential R25 under the new Local Planning Scheme No 1. As such, if the land is to be disposed to adjoining owners, under the new Local Planning Scheme it will be have the same zoning of the land titles to which it would be amalgamated.

Disposal of the Land

11. The Department for Regional Development and Lands will only close a road reserve when it can be disposed to the adjoining landowners. While the application to close this road has come from the owners of No 32 Lot 770 Brunswick Road, they have advised that they only wish to purchase 10m of this 20m wide road reserve. As such, the City also contacted the owner of No 34 Lot 769 Brunswick Road to see whether they are interested in purchasing the remaining portion.
12. This owner initially advised the City that they could not determine their interest until the cost of the land was known. Unfortunately, the cost of the land only becomes available once the road closure request is progressed and forwarded to the Department for Regional Development and Lands. Officially this land is owned by the State of WA and, as such, the disposal to adjoining owners is a transaction managed by this Department.
13. The owner of No 34 Lot 769 Brunswick Road has since verbally advised that they would like further time to consider this matter. However, it was agreed that the matter could be publicly advertised so when Council determines this request, they do so knowing the wishes of all of the adjoining community. This advertising period also provides an opportunity for the subject landowner to consider their position on the future purchase of this land.

14. This is a variation from the City's usual procedure for dealing with road closure requests, however in this instance, a more moderate approach is considered warranted to allow all affected landowners to have input into land tenure changes in this location.

GOVERNMENT CONSULTATION

15. A preliminary conversation with the Department for Regional Development and Lands has occurred to clarify the process for disposal of the land, if the road is to be closed.
16. As part of the road closure advertising requirements specified by the *Land Administration Act 1997*, public utility service providers must be contacted directly and invited to comment on the proposal.

PUBLIC CONSULTATION / ENGAGEMENT

17. Section 58 of the *Land Administration Act 1997* sets out the procedure for permanently closing roads. It is a requirement of the Act that the proposed road closure be advertised in a local newspaper for a period not less than 35 days. Notification will also be sent to nearby landowners and to relevant public utility service providers.
18. Preliminary conversations have been held with the other landowner (No 34 Lot 769 Brunswick Road) adjoining the road reserve. It is the Department for Regional Development and Lands' policy for all adjoining landowners to be offered for purchase equal share of the closed road, therefore this landowner will be impacted by the proposed road closure. The initial views of this landowner have been reported in the discussion above.

STATUTORY IMPLICATIONS

19. Section 58 of the *Land Administration Act 1997* allows a local government to request the Minister for Lands to close a road.
20. Section 74 of the *Land Administration Act 1997* grants the Minister for Lands the power to sell Crown land.

STRATEGIC IMPLICATIONS

21. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021)

Key Focus Area

Organisational Performance

Community Priority

Policy and Procedures

Proposed Strategies

Develop clear processes and policies and ensure consistent, transparent application across the organisation.

POLICY IMPLICATIONS

22. The Albany Historic Town Design Policy applies in this area. This policy has general design guidelines to ensure that new development complements the townscape character and central streetscapes of central Albany.
23. The Albany Port Buffer Policy applies in this area. This policy requires planning approval for all development, notification on title for noise concerns from the operation of the Port and design considerations to reduce noise impacts on any new development.
24. While the above policies would apply to any future redevelopment of the closed road reserve, they do not have a significant impact on the closure of the road.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>If the request to close the road is refused, the road remains under City management and the inappropriate private use of the land will need to be addressed.</i>	<i>Possible</i>	<i>Minor – the resolution of the private use of the road reserve is considered to be a minor matter only.</i>	<i>Medium</i>	<i>To support the road closure request and allow the land being used for private purposes to be purchased by the adjoining owner/s.</i>

FINANCIAL IMPLICATIONS

26. If Council supports the proposed road closure, the applicant will be required to pay a \$450 fee, in line with the City of Albany's Schedule of Fees and Charges. This fee will cover all costs associated with advertising the road closure, including staff time. Any other costs associated with the disposal of the land will be borne by the Department for Regional Development and Lands and the adjoining landowners.

LEGAL IMPLICATIONS

27. There are no legal implications relevant to this item.

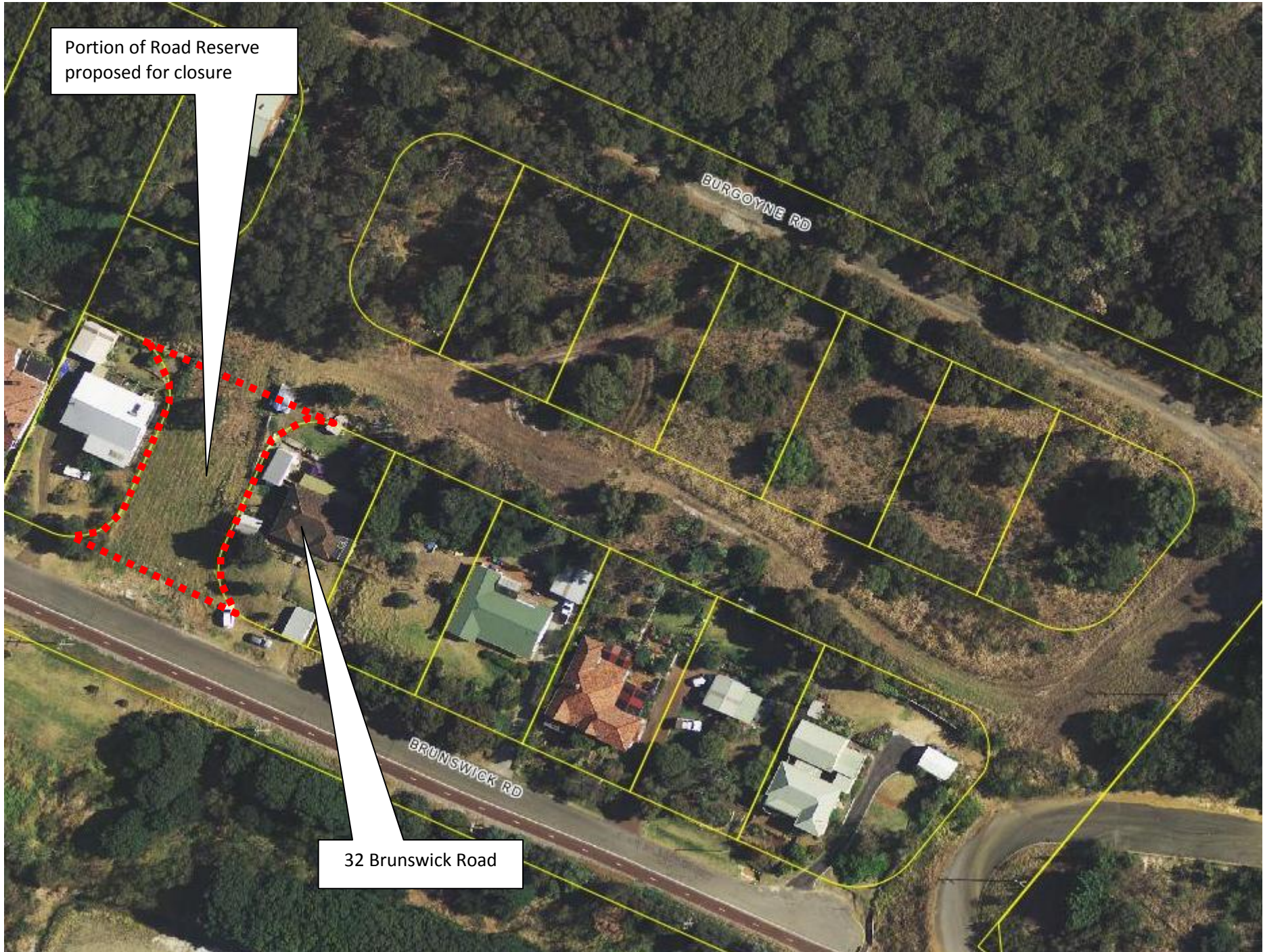
ALTERNATE OPTIONS

28. Council may:
- Support the initiation of the advertising period for the proposed closure of portion of the Day Street road reserve between Brunswick Road and Ellicoe Street, to determine the views of the adjoining landowners, prior to making a further decision on the closure of the road; or
 - Refuse the request to close portion of Day Street and the land will remain as a road reserve.

SUMMARY CONCLUSION

29. There are no plans to construct this portion of Day Street, no utilities or infrastructure will be impacted by the proposed closure and the steepness of the site makes it unsuitable as a pedestrian or vehicle link. However, one of the adjoining landowners is not certain whether they would like to purchase the land or if they are supportive of this proposal. As such, it is not certain whether the land can be disposed, if this road reserve is to be closed. In the short term, it is recommended that the public advertising process for a road closure be observed to determine the views of the local community, prior to making a decision on the closure of this portion of Day Street.

Consulted References	:	<i>Land Administration Act 1997</i> <i>City of Albany Town Planning Scheme No 1A</i> <i>City of Albany (draft) Local Planning Scheme No 1</i> <i>City of Albany Local Planning Scheme No 1A & 3 Policy Manual</i>
File Number (Name of Ward)	:	RD.RDC.2
Previous Reference	:	No previous references could be located



Portion of Road Reserve
proposed for closure

32 Brunswick Road

BURGOYNE RD

BRUNSWICK RD

4.9: VARIATION OF LEASE – THREE ANCHORS PTY LTD – PORTION OF RESERVE 26149, MIDDLETON BEACH

Land Description	: Portion of Crown Reserve 26149 and being Lot 651 on Deposited Plan 191343 and being portion of land comprised in Crown Land Title Volume LR3119 Folio 892, Middleton Beach
Proponent	: Three Anchors Pty Ltd
Owner	: Crown
Business Entity Name	: Three Anchors Pty Ltd
Director of Owner Company	: Jonathon Sylvester Marwick, Kate Patricia Marwick, Kathryn Elizabeth Brown, Kevin Wayne Brown, Christine Hanna Smith and Grant Joseph Smith
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)
Maps and Diagrams:	



IN BRIEF

- Council is requested to consider a variation of the lease for Three Anchors Pty Ltd to amend the existing permitted use of Commercial Cafe, Restaurant, Meeting and Function Room, Gallery and Office to include Tavern.
- Subject to City as Landlord granting approval and the City as local health and planning authority granting approval, the Lessee intends to apply to the Department of Racing, Gaming and Liquor for a Tavern licence.

ITEM 4.9: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR STOCKS

That Council APPROVE a variation of the lease for Three Anchors Pty Ltd over portion of Crown Reserve 26149 and being Lot 651 on Deposited Plan 191343 at 2 Flinders Parade, Middleton Beach, subject to:

- 1. Lease variation to amend the existing permitted use of Commercial Cafe, Restaurant, Meeting and Function Room, Gallery and Office to include Tavern in accordance with Council decision on planning application (P2130009) reported to this Council meeting Item 2.3.**
- 2. All other approvals including the City as local health and planning authority and the Department of Racing, Gaming and Liquor being obtained.**
- 3. All costs associated with the preparation, execution and completion of the Deed of Variation of Lease being payable by the Lessee, Three Anchors Pty Ltd.**
- 4. All costs associated with the ongoing operations of the lease premises being payable by the Lessee.**

CARRIED 12-0

BACKGROUND

1. Crown Reserve 26149 is under a Management Order H633658 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation" for a term not exceeding twenty one years and subject to the consent of the Minister for Lands.
2. At Council Meeting 6 December 2011 Council approved a new lease to the Marwick Family Trust for a 21 year term over the City of Albany property formerly known as Calamari's on portion of Crown Reserve 26149 for the permitted use of Commercial Cafe and Restaurant.
3. When entering the lease, the Lessee intended to undertake some renovations to the property to make it more amenable to customer service with the City undertaking building works to meet environmental health standards.
4. While undertaking the design work for those renovations, the design became more expansive than originally intended by the Lessee, as the Lessee saw opportunity to considerably improve the amenity, customer service facilities, and provide other benefits through a more expanded redevelopment, with benefits accruing to both the Lessee and the City of Albany, as property owner.
5. The Lessee and their architect presented the development and design to the Council's Planning and Development Committee on 24 April 2012. The Lessee sought a financial contribution from the City towards the development works given the development will improve the amenity in the Middleton Beach Reserve generally and improve the City owned property.

6. At Special Council Meeting 1 May 2012 Council agreed to support the redevelopment by contributing up to a maximum amount (plus GST) by way of abatement of monthly lease rent.
7. At Council Meeting 19 June 2012 Council approved a variation and assignment of lease for:
 - Increase in lease area from 1261m² to approx 1351m²;
 - Rent abatement;
 - Development clause;
 - Lease permitted use of Commercial Cafe and Restaurant to include Meeting and Function Room, Gallery and Office; and
 - Assignment from the Marwick Family Trust to Three Anchors Pty Ltd.
8. The majority of the redevelopment was completed in December 2012 allowing the premises to open for trading. There are still some outstanding minor works consisting of brick paving at the front wall, asphalt repair works and associated clean up of grassed area that are required to be completed to the City's satisfaction prior to commencement of the rent abatement.
9. The premises currently have a Restaurant liquor licence (with liquor without a meal permit) which allows for the consumption of liquor by way of table service to patrons seated at a table. It is City understanding that the Restaurant has operated under the licence without incidence or breach.
10. The Lessee, Three Anchors Pty Ltd has requested a variation to the lease to include Tavern as a permitted use for the premises.

DISCUSSION

11. If Tavern is approved as a permitted use under the lease by the City as Landlord, the Department of Racing, Gaming and Liquor would require further approvals relating to liquor licensing also being sort from the City as local health and planning authority (in the form of signed Section 39 & 40 Certificates).
12. The Lessee does require a Section 39 Certificate approved and issued by the City as local health authority which states that the premises comply with all relevant requirements under the *Health Act 1911*.
13. The Lessee does require a Section 40 Certificate approved and issued by the City as local planning authority which states that the selling of liquor is in accordance with planning requirements.
14. The Lessee has submitted an application for Planning Scheme Consent (P2130009) for change of use to Tavern for consideration. This is being reported to this Council meeting Item 2.3 as a separate agenda item. The option of restricting the Tavern use by prohibiting takeaway sales of packaged liquor is discussed in the report. Officer Recommendation supports the change of use to Tavern.

15. A Tavern licence authorises:
 - the sale and supply of liquor for consumption on the premises;
 - the sale and supply of packaged liquor to patrons for consumption off the licensed premises.
16. The proposed change of use to Tavern will assist with the service of liquor on the premises by allowing patrons to purchase a drink over the bar without the requirement to be seated at a table.
17. It is noted that Council Officers do not have delegated authority to approve variations to leases and that all such requests be submitted to Council for consideration.

GOVERNMENT CONSULTATION

18. Pursuant to Section 18 (1) of the *Land Administration Act 1997* the Department of Regional Development and Lands has been consulted and in-principle Minister for Land's consent has been sort for the proposed Deed of Variation of Lease on portion of Crown Reserve 26149.

PUBLIC CONSULTATION / ENGAGEMENT

19. No consultation with the public for the variation of lease is required.
20. The Planning application (P2130009) was advertised in the local paper on 17 January 2013 with the public submission period closing on 7 February 2013. This is being reported to this Council meeting Item 2.3 as a separate agenda item.

STATUTORY IMPLICATIONS

21. 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.
22. As this is Crown land, under Management Order H633658 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation", Minister for Land's consent will be required.
23. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.
24. Under the City's Town Planning Scheme 1A, the subject land is reserved as "Parks and Recreation". A Commercial Cafe, Restaurant, Meeting and Function Room, Gallery, and Tavern are an approved use in accordance with the Scheme.

STRATEGIC IMPLICATIONS

25. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021)

Key Focus Area

- *Organisational Performance.*
- *Sustainability and Development.*

Community Priority

- *Policy and Procedures.*
- *Tourism Development.*

Proposed Strategies

- *Develop clear processes and policies and ensure consistent, transparent application across the organisation.*
- *Improve and expand tourism infrastructure and attractions.*

POLICY IMPLICATIONS

26. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.

27. The Policy aims to ensure that all requests for leases/licences, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.

28. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve variation of lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Further negotiate with Lessee to reach a mutually agreeable outcome.</i>
<i>Council does not approve planning application - Lessee entitled to seek a review by State Administrative Tribunal</i>	<i>Likely</i>	<i>Moderate</i>	<i>Major</i>	<i>Decision to refuse is based on sound reasoning.</i>
<i>Council approves Tavern with takeaway sales of packaged liquor may lead to anti social activities in the adjacent public areas of the playground, amphitheatre and beach</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Restrict takeaway sales of packaged liquor.</i>

FINANCIAL IMPLICATIONS

30. All legal costs associated with the preparation, execution and completion of the Deed of Variation of Lease being payable by the Lessee, Three Anchors Pty Ltd.
31. It is anticipated that the legal costs will be approximately \$300 plus GST plus disbursements (if any).

LEGAL IMPLICATIONS

32. The agreement with the Lessee is a formal Deed of Lease which grants an interest in the land and buildings with enforceable conditions. It is good practice, particularly when amending variables such as permitted use to be by way of a Deed of Variation of Lease.
33. The proposed Deed of Variation of Lease will be prepared by the City's lawyers.

ALTERNATE OPTIONS

34. Council may:
 - a. Refuse the request to vary the lease to include Tavern as a permitted use; or
 - b. Approve the request.
35. Should Council refuse the request then the Department of Racing, Gaming and Liquor would not progress any application for Tavern licence for the Lessee, on the subject site, until Landlord consent was obtained.

SUMMARY CONCLUSION

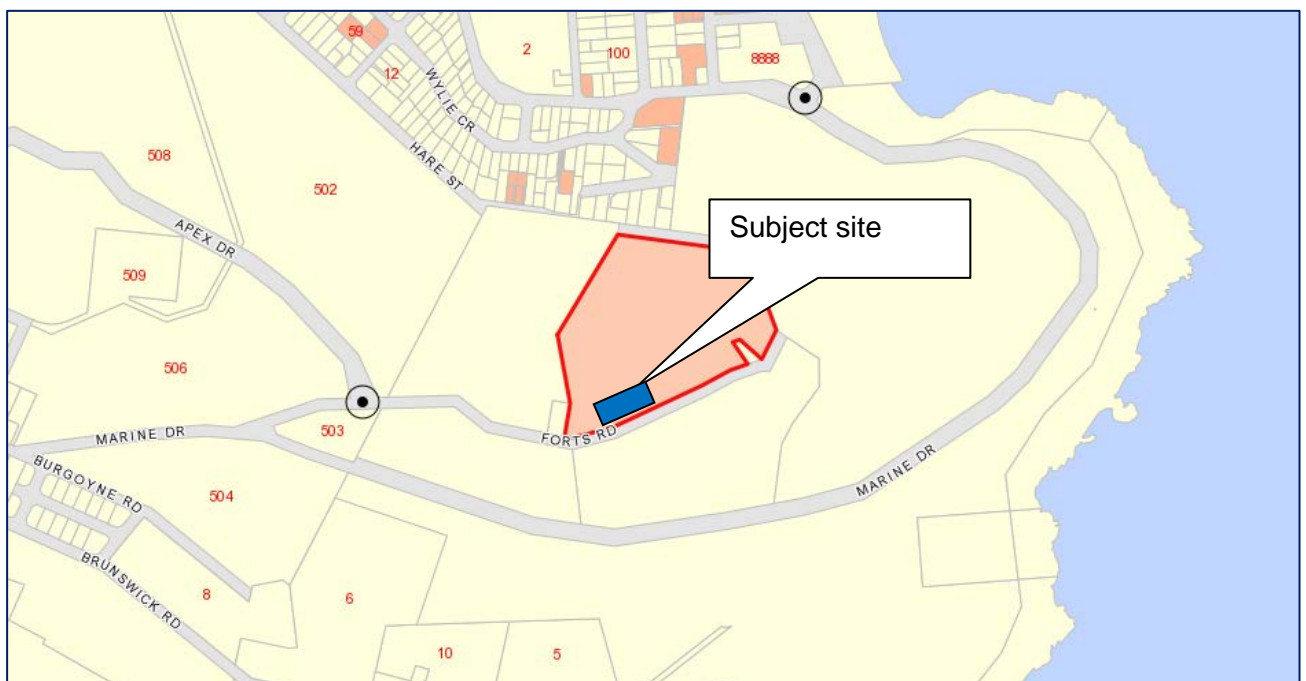
36. The subject land with buildings is leased to Three Anchors Pty Ltd for term of 21 years commencing 9 December 2011 and expiring 8 December 2032 for the permitted use of Commercial Cafe, Restaurant, Meeting and Function Room, Gallery and Office.
37. The Lessee has requested a variation to the lease to include Tavern as a permitted use as they intend to apply to the Department of Racing, Gaming and Liquor for a Tavern licence.
38. The Lessee also requires City as local health and planning authority (in the form of signed Section 39 & 40 Certificates) when applying for a Tavern licence.
39. The Lessee has submitted an application for Planning Scheme Consent (P2130009) for change of use to Tavern for consideration. This is being reported to this Council meeting Item 2.3 as a separate agenda item. The option of restricting the Tavern use by prohibiting takeaway sales of packaged liquor is discussed in the report. Officer Recommendation supports the change of use to Tavern.
40. Staff recommend that the lease variation to include Tavern be in accordance with Council decision on planning application (P2130009) reported to this Council meeting Item 2.3.

41. Council has previously endorsed the redevelopment to the premises with the Lessee recently completing the improvements to the City owned building.
42. There are some outstanding minor works of the surrounding land to be completed to the City's satisfaction prior to commencement of the rent abatement.

Consulted References	<ul style="list-style-type: none">• Council Policy – Property Management – Leases and Licences• <i>Local Government Act 1995</i>• <i>Local Government (Functions and General) Regulations 1996</i>• <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO0070, A223660 (Frederickstown Ward)
Previous Reference	SCM 06/12/2011 Item 6.1 SCM 01/05/2012 Item 6.2 OCM 19/06/2012 Item 4.4

**4.10: VARIATION OF LEASE – FORTS CAFE – PORTION OF RESERVE
38226, MOUNT CLARENCE**

- Land Description** : Portion of Crown Reserve 38226 and being portion of Lot 1347 on Plan 7800 and being all that land comprised in Crown Land Title Volume LR3121 Folio 583, Mount Clarence
- Proponent** : Johnny Voegeler, Natalie Joy Perrella & Hiede Rene Datlen-Reiter, Proprietors of Forts Cafe
- Owner** : Crown
- Attachments** : Aerial Photograph
- Responsible Officer(s)** : Executive Director Corporate Services (G Adams)
- Maps and Diagrams:**



IN BRIEF

- For Council to consider a variation of the lease for Johnny Voegeler, Natalie Perrella & Hiede Datlen-Reiter, Proprietors of Forts Cafe, to extend the lease for a further term of 1 year and 6 months commencing 19 April 2013 and expiring 18 October 2014.

ITEM 4.10: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR HORTIN

That Council APPROVE a variation of the lease for Johnny Voegeler, Natalie Joy Perrella & Hiede Rene Datlen-Reiter, Proprietors of the Forts Cafe, over portion of Crown Reserve 38226 and being portion of Lot 1347 on Plan 7800, Mount Clarence subject to:

- 1. Lease variation to extend the term for a further 1 year and 6 months commencing 19 April 2013 and expiring 18 October 2014.**
- 2. All other terms of the original lease to apply.**
- 3. All costs associated with the preparation, execution and completion of the Deed of Variation of Lease being payable by the City of Albany.**
- 4. All costs associated with the ongoing operations of the lease premises being payable by the Lessee.**

CARRIED 12-0

BACKGROUND

1. Crown Reserve 38226 is under a Management Order H712682 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Parklands, Recreation and Tourism" for a term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. The Forts Cafe is located at Lot 1347 on portion of Crown Reserve 38226, Mount Clarence within the historic Canteen and Military Institute building at the Princess Royal Fortress.
3. The Forts Cafe currently occupies an area of approximately 119m² over the areas historically used as the canteen, sergeants mess and billiard room.
4. Princess Royal Fortress is physically located at Mount Adelaide. However the correct locality is Mount Clarence as Mount Adelaide is not a suburb.
5. In April 1995 the former Town of Albany granted a new lease to David and Christine Duvall for the purpose of tea rooms and kiosk for a term of 3 years with an option for a further 5 year term expiring in April 2003.
6. Since this date the lease has been assigned many times.
7. At Council Meeting 18 March 2003 Council approved a new lease to Michael and Sophie Rogers for a 5 year term with an option for a further 5 year term expiring on 18 April 2013.
8. The *Commercial Tenancy (Retail Shops) Agreement Act 1985* applies to the Forts Cafe lease. The Act regulates lease provisions including terms, rent reviews, terminations, outgoings and trading hours. The lease cannot override the requirements of the Act.

9. Since 2003 the lease has again been assigned several times. The lease was assigned to the current Lessee, Johnny Voegeler, Natalie Perrella & Hiede Datlen-Reiter in June 2009.

DISCUSSION

10. In December 2012, given the uncertainty surrounding the Anzac Centre and the future management of the Forts Precinct which could potentially influence future leasing arrangements, City staff met internally to discuss the Forts Cafe lease past expiry on 18 April 2013, as there was no option for a further term under the lease.
11. The option of varying the lease, prior to expiry, to extend the term for a further 12 months was considered. However, it was acknowledged that at this time there were no definitive recommendations regarding the Forts Precinct available. Taking this into consideration it was agreed that the best way forward would be for the City to offer for the Lessee to remain at the property on a holding over basis past the lease expiry (18 April 2013), should they wish to do so.
12. In January 2013 the City wrote to the Lessee to advise that their current lease was due to expire on 18 April 2013 and that the City of Albany was still continuing to consider the status of the Forts Cafe, the proposed Anzac Centre and the future management of the Forts Precinct.
13. Pending determination of these matters by Council, the City offered for the Lessee to remain at the property on a holding over basis on a month to month tenancy. The conditions of the tenancy would preserve the terms of the original lease, except in respect to the term of the lease.
14. In February 2013 City staff met with the Lessee to further discuss and clarify matters relating to the City's holding over offer. The Lessee raised concerns about there being no long term security of tenure at the property past April 2013 however, acknowledged the City's position given no decisions had been made regarding the Forts Precinct, at this time.
15. The Lessees were advised that the holding over can run indefinitely and that the City would keep them informed once further relevant information regarding the Forts Precinct became available.
16. Since that meeting the location of the Anzac Centre has been determined and the Lessee has been offered and has agreed to a variation of the existing lease to extend the term of the lease to October 2014, subject to Council approval.
17. The original lease provides for market rent reviews every 2 years. The last market review was completed in April 2012 with rent determined at \$1,000 plus GST per annum.
18. It is noted that the rent reviews in the original lease are expressed using actual dates so there will be no provision to undertake rent reviews during the further term unless they are included as a variation in the lease.
19. City staff recommend that the provision for a rent review in April 2014 not be included as an additional variation to the lease given the short period of the further term.

20. It is noted that the Anzac Centre business analysis is currently in progress with an outcome anticipated towards the end of March 2013. This is expected to provide advice on the potential business model, ownership and management of the Anzac Centre at the Mount Adelaide Precinct.
21. The offer to the Forts Cafe Lessee is subject to Council consideration and approval. It is noted that Council Officers do not have delegated authority to approve variations to leases and that all such requests be submitted to Council for consideration.

GOVERNMENT CONSULTATION

22. Pursuant to Section 18 (1) of the *Land Administration Act 1997* the Department of Regional Development and Lands has been consulted and in-principle Minister for Land's consent has been sort for the proposed Deed of Variation of Lease on portion of Crown Reserve 38226.

PUBLIC CONSULTATION / ENGAGEMENT

23. No consultation with the public for the variation of lease is required.

STATUTORY IMPLICATIONS

24. 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.
25. As this is Crown land, under Management Order H712682 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Parklands, Recreation and Tourism", Minister for Land's consent will be required.
26. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.
27. Under the City's Town Planning Scheme 1A, the subject land is reserved as "Parks and Recreation". A Cafe is an approved use in accordance with the Scheme.

STRATEGIC IMPLICATIONS

28. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021)

Key Focus Area

- *Organisational Performance.*
- *Sustainability and Development.*

Community Priority

- *Policy and Procedures.*
- *Tourism Development.*

Proposed Strategies

- *Develop clear processes and policies and ensure consistent, transparent application across the organisation.*
- *Improve and expand tourism infrastructure and attractions.*

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve the variation of lease to extend for a further term – reputational loss to the City</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Further negotiate with Lessee to reach a mutually agreeable outcome.</i>
<i>Council does not approve the variation of lease to extend for a further term – loss of business premises for the Lessee</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Offer Lessee a holding over month to month tenancy to allow the Lessee to remain at the property. A holding over can be terminated by either party with one months notice and can run indefinitely.</i>

FINANCIAL IMPLICATIONS

33. All legal costs associated with the preparation, execution and completion of the Deed of Variation of Lease being payable by the City of Albany.
34. It is anticipated that the legal costs will be approximately \$500 plus GST plus disbursements (if any).

LEGAL IMPLICATIONS

35. The agreement with the Lessee is a formal Deed of Lease which grants an interest in the land and buildings with enforceable conditions. It is good practice, particularly when amending variables such as permitted use to be by way of a Deed of Variation of Lease.
36. The proposed Deed of Variation of Lease will be prepared by the City's lawyers.

ALTERNATE OPTIONS

37. Council may:
- a. Refuse the request to vary the lease to extend the term to October 2014;
 - b. Refuse the request but support the Lessee remaining at the property on a holding over basis on a month to month tenancy;
 - c. Approve the request; or
 - d. Approve the request with amendment to the further term period.
38. Should Council refuse the request, the Lessee would be required to remove their fixtures and fittings and vacate the property upon expiration.
39. Council could then invite expressions of interest to lease the Forts Cafe.
40. Should Council refuse the request Council could then support the Lessee remaining at the property on a holding over basis on a month to month tenancy, with termination by one month's notice by either party.

SUMMARY CONCLUSION

41. The subject land with buildings is leased to Johnny Voegeler, Natalie Perrella & Hiede Datlen-Reiter, Proprietors of the Forts Cafe, expiring on 18 April 2013.
42. The City has offered and the Lessee has agreed to remain at the property until October 2014 by way of a Deed of Variation of Lease to extend the term of the lease, subject to Council approval.
43. It is acknowledged that the location of the Anzac Centre has been determined and noted that that the Anzac Centre business analysis is currently in progress with outcome anticipated towards the end of March 2013. This is expected to provide advice on the potential business model, ownership and management of the Anzac Centre at the Mount Adelaide Precinct.

Consulted References	<ul style="list-style-type: none"> • Council Policy – Property Management – Leases and Licences • <i>Local Government Act 1995</i> • <i>Local Government (Functions and General) Regulations 1996</i> • <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO057, A171322 (Frederickstown Ward)
Previous Reference	OCM 18/03/2003 Item 12.2.3



Forts Cafe – Lot 1347 on portion of Crown Reserve 38226, Mount Clarence

**4.11: ADOPTION OF THE BUDGET REVIEW FOR THE PERIOD ENDING
31 JANUARY 2013**

Attachments : Budget Review for the period ending 31/01/2013
Responsible Officer : Executive Director Corporate Services (G Adams)

IN BRIEF

- Adoption of the Budget Review for the period ending 31/01/2013.

ITEM 4.11: PROCEDURAL MOTION

MOVED: COUNCILLOR BOSTOCK
SECONDED: COUNCILLOR SUTTON

THAT this item be laid on the table.

MOTION WITHDRAWN BY COUNCILLOR BOSTOCK

ITEM 4.11: RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR DOWLING

THAT Council ADOPT the Budget Review for the period ending 31/01/2013.

CARRIED 12-0
ABSOLUTE MAJORITY

BACKGROUND

1. Council adopted the 2012/2013 Budget on 19 June 2012 (total budget of \$75.7M comprising \$24.4M capital works, \$1.6M debt reduction and \$49.7M in operating expenditure).
2. Local governments are required to conduct a budget review between 1 January and 31 March each financial year which is a requirement covered by regulation 33A of the Local Government (Financial Management) Regulations 1996. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual. A review was conducted for the period ending 31 August 2012 and presented to Council on the 16 October 2012. This review for the period ending 31 January 2013 includes budget variations seeking approval by council requiring an absolute majority and also includes budget adjustments brought Council at a prior Meeting and endorsed since from the last review adopted 16 October 2012, this is for Councillor information only.

DISCUSSION

3. This Budget Review identifies expenditure of \$4,172,527 for general works, variations and new projects.
4. Funding of \$4,169,541 inclusive of reduction in expenditures, adjustment of grant funding, additional revenue, reserve funding and increase in opening funds has been identified in this review to maintain a surplus budget.
5. This budget review shows the 2012-13 budget in a surplus position of \$58,219.

6. A copy of the Budget Review for the period ending 31 January 2013 is attached.

GOVERNMENT CONSULTATION

7. City of Albany Executives, Managers and Officers with budget responsibility were consulted in the preparation of the Budget Review.

PUBLIC CONSULTATION / ENGAGEMENT

8. Nil

STATUTORY IMPLICATIONS

9. Under the *Local Government Act 1995*, Section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- a. is incurred in a financial year before the adoption of the annual budget by the local government
- b. is authorised in advance by a resolution (absolute majority required) or
- c. is authorised in advance by the mayor in an emergency.

STRATEGIC IMPLICATIONS

10. This item relates directly to the following elements of the City of Albany Strategic Plan (2011-2021 *Community Vision*):

Key Focus Area

Organisational Performance

Community Priority

Financial Management

Proposed Strategies

Reduce debt through careful financial management, prioritisation of expenditure and investments in secure portfolios.

POLICY IMPLICATIONS

11. Nil

RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve the Budget Review</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>The existing Annual Budget would apply and proposed amendments would not apply.</i>

FINANCIAL IMPLICATIONS

12. A summary of the proposed 2012-13 Budget Review for the period ending 31 January 2013 follows:

BUDGET REVIEW FOR THE PERIOD ENDING 31 JANUARY 2013	
This Review Maintains Council's Budget in a Surplus Position	
	\$
GENERAL WORKS/VARIATIONS. (Additional Funds Required)	(4,172,527)
FUNDED BY	
- Budgeted Closing Funds As At Last Review	61,205
- Adjustment to the audited end of financial year accounts	8,642
- Reduction in Expenditure	3,528,127
- Adjustment in Grant Funding	1,311,216
- Adjustment in Revenue	161,429
- Restricted Cash	<u>(839,873) 4,230,746</u>
Proposed Budgeted Closing Funds As At 31 January 2013	<u>58,219</u>

LEGAL IMPLICATIONS

13. Nil

ALTERNATE OPTIONS

14. Adopt the Budget Review for the period ending 31 January 2013 with amendments (as specified by Council).

SUMMARY CONCLUSION

15. Nil

Consulted References	Adopted Budget 2012-13 <i>Local Government Act 1995</i>
File Number (Name of Ward)	FM.BUG.2
Previous Reference	• Annual Budget – Special Council Meeting 19 th June 2012

5.1: REVIEW OF ASSET MANAGEMENT POLICY

Proponent	: City of Albany
Owner	: City of Albany
Attachments	: Draft Asset Management Policy
Councillor Workstation	: Nil.
Responsible Officer(s)	: Executive Director Works and Services (M Thomson)

Maps and Diagrams:

Nil

IN BRIEF

- Adoption of the revised Asset Management Policy to comply with the amended Local Government (Administration) Regulations 1996, which require local authorities to complete a Strategic Community Plan and Corporate Business Plan that includes the development/review of its asset management program.

RECOMMENDATION

ITEM 5.2 RESOLUTION VOTING REQUIREMENT: SIMPLE MAJORITY

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

THAT Council ADOPT the revised City of Albany Asset Management Policy (as detailed in the attachment) in accordance with Section 5.56(1) and (2) of the Local Government (Administration) Regulations 1996 (as amended).

CARRIED 12-0

BACKGROUND

1. The State Government's Local Government Reform Program has provided an Integrated Planning Framework and Guidelines which reflect a nationally consistent approach to integrated planning as expressed by the Council of Australian Governments' Local Government Planning Ministers' Council.
2. The integration of asset, service and financial plans means the Local Government's resource capabilities are matched to their community's needs.
3. The minimum requirement to meet the intent of this overall plan for the future is the development of a Strategic Community Plan and Corporate Business Plan. As part of the Strategic Community Plan, Local Government must review their Asset programs
4. As an important initial step in respect to Asset Management, Council staff have reviewed its existing Asset Management Policy to align it to the framework requirements.

DISCUSSION

5. Asset management is critical to meeting Local Government strategic goals within an Integrated Planning approach. It gives Local Governments a framework for establishing local priorities and to link this information to operational functions.
6. The current Asset Management Policy has been internally reviewed in order to align the documentation with the amended legislation. It establishes a platform for service delivery and provides the framework that enables the Asset Management Strategy and Plans to be produced. The Asset Management Policy must support a 'whole of life' and 'whole of organisation' approach to asset management.
7. This Policy is an administrative tool to outline a Local Government's asset management objectives, targets and plans.
8. Public consultation will be sought in the development of the Strategic Community Plan, to establish the community's vision for the local government's future, including aspirations and service expectations. Further consultation in respect to the Asset Management Strategy and Asset Management Plans is envisaged as part of this process. It is not considered necessary to seek community feedback on the policy as it serves as an overarching document which aligns the City with current legislation.

GOVERNMENT CONSULTATION

9. The Department of Local Government has amended the Local Government (Administration) Regulations 1996, to direct Local Authorities to ensure that a corporate business plan is made for each district that includes the development and integration of matters relating to resources, including asset management, workforce planning and long-term financial planning.

PUBLIC CONSULTATION / ENGAGEMENT

10. The Local Government Act 1996 legislation and Integrated Planning Framework process requires the City to complete a Strategic Community Plan which involves seeking genuine and, as far as practicable, representative community input. A program of consultation with elected members has commenced.
11. The integration of asset, service and financial plans means the Local Government's resource capabilities are matched to their community's needs and expectations.
12. The alignment of the Asset Management Policy, the subject of this review, to the Integrated Planning Framework ensures that appropriate consultation is undertaken for documents which will flow from the Policy (ie Asset Management Strategy and Asset Management Plans).

STATUTORY IMPLICATIONS

13. Section 19DA of the Local Government (Administration) Regulations 1996 has been amended to require each local government to integrate community aspirations and desired outcomes with community planning, services, assets and land-use to develop achievable operational plans, services and issue-specific strategies.

STRATEGIC IMPLICATIONS

14. This item directly relates to the following elements of the 2011 City of Albany Strategic Plan:

Key Focus Area: *Sustainability and Development*

Community Priority: *Asset Management*

POLICY IMPLICATIONS

15. Council adopted an Asset Management Policy in June 2009. In accordance with the amended legislation, Council is required to review its Asset Management Policy, Strategy and Plans. The Asset Management Plan has been reviewed using the Department of Local Government's Integrated Planning and Reporting Framework Guidelines.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council does not adopt the Asset Management Policy</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Mitigation entirely dependent on Council</i>
<i>Implementation of the Asset Management policy negatively impacts on the City's general operations.</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Management of City assets will be attended to on an ad hoc basis</i>

FINANCIAL IMPLICATIONS

17. There are no direct financial implications in relation to this item.

LEGAL IMPLICATIONS

18. Not applicable.

ALTERNATE OPTIONS

19. The City has a statutory obligation to review its Asset Management program in accordance with the provisions of section 19DA of the Local Government (Administration) Regulations 1996. There is no alternative option.

SUMMARY CONCLUSION

20. The City is required to adopt an Asset Management Policy which outlines a Local Government's Asset Management objectives, targets and plans in accordance with section 19DA of the Local Government (Administration) Regulations 1996.

Consulted References	:	Western Australian Asset Management Improvement Program - Integrated Planning and Reporting Framework
File Number (Name of Ward)	:	CM.RVW.3
Previous Reference	:	OCM 16.06.09 item 13.2.1

Council Policy Asset Management Policy

1. Policy Statement

An Asset Management Policy -

- Outlines a local government's asset management objectives, targets and plans.
- Establishes a platform for service delivery.
- Provides the framework that enables the Asset Management Strategy and Plans to be produced.
- Supports a 'whole of life' and 'whole of organisation' approach to asset management.

2. Objective

The objective of this policy is to ensure that the City of Albany has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

Service delivery may be via the provision of City owned assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.

The policy also assists the City in compliance with the provisions of the State Government's Integrated Planning & Reporting Framework by having an integrated approach to Planning for the Future

3. Scope

This policy covers all service delivery of the City of Albany and relates specifically to the management of assets under the current and future care, control and responsibility of the City that are used to deliver services.

4. Background

The community relies on the City of Albany to deliver and sustain services. The City has finite resources and limited income streams that can be targeted to fund service delivery. The City must ensure that service delivery is well targeted and aligns with the Community's aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important that informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of assets.

To assist with making informed decisions in relation to this issue, the City will put in place the following;

- A Strategic Asset Management Framework that is consistent with National standards in Asset Management and Long Term Financial Planning (Nationally Consistent Approach).
- Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy).
- Develop, maintain and regularly review an Asset Management Strategy that clearly articulates a sustainable path for continuous improvement and identifies resources to implement via the budget process.
- Develop, maintain and regularly review Asset Management Plans.
- Asset Management Plans will document the Council adopted level of service that applies to assets which will be derived from Service Level Plans and the community engagement processes used to develop the Strategic Community Plan.

Ensure processes are in place to train Councillors and Officers in key aspects of asset management and long term financial planning.

5. Key Commitments

Prior to making a decision to either, deliver a new service, vary the current level of service (up or down) or cease the delivery of a service, the following key commitments are to be adhered to;

- The need for the service will be reviewed.
- The service must align with the Community Strategic Plan and fit within the Corporate Business Plan (Capital evaluation process to be developed and utilised to assess this).
- Options to renew assets before acquiring or constructing new assets are to be considered;
 - The whole of life cost of delivering the service
 - The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery (this shall include the preparation of a business case, where appropriate).
 - Where new assets are to be acquired via a third party (eg. land development), the whole of life planning, maintenance, operation, renewal and disposal cost of the asset should be determined and considered as part of the decision making process.
- The service delivery and asset whole of life costs must fit within the 10 Year Long Term Financial Plan (once developed).
- Options to rationalise assets will be considered.

A cross functional, multidisciplinary team will be established and maintained to develop the systems and processes to comply with the above key commitments.

6. Responsibility and Reporting

Council – is responsible for approving (including amendments to) the following documents;

- Asset Management Policy
- Asset Management Strategy
- Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) – is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's Asset Management Policy, Asset Management Strategy and Asset Management Plans. The CEO reports to Council on all matters relating to Asset Management.

Executive Management Team (EMT) – is responsible for monitoring the implementation of asset management across the organisation. The EMT will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Executive Management Group reports to the CEO on all matters relating to Asset Management.

All Directors – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Working Group. All Directors report to the CEO on all matters relating to Asset Management under their area of control.

Asset Management Working Group (AMWG) – the Asset Management Working Group will be responsible for ensuring that Council's Asset Management Strategy is achieved and that Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's Asset Management Policy, Strategy or Plans are identified, the Asset Management Working Group is responsible for reporting this to the EMT for consideration. Where aspects of Council's Policy, Strategy or Plans are not being achieved or adhered to, the Asset Management Working Group is responsible for reporting non-compliances to the EMT for corrective action. The Asset Management Working Group reports to the Executive Management Team on all matters relating to Asset Management.

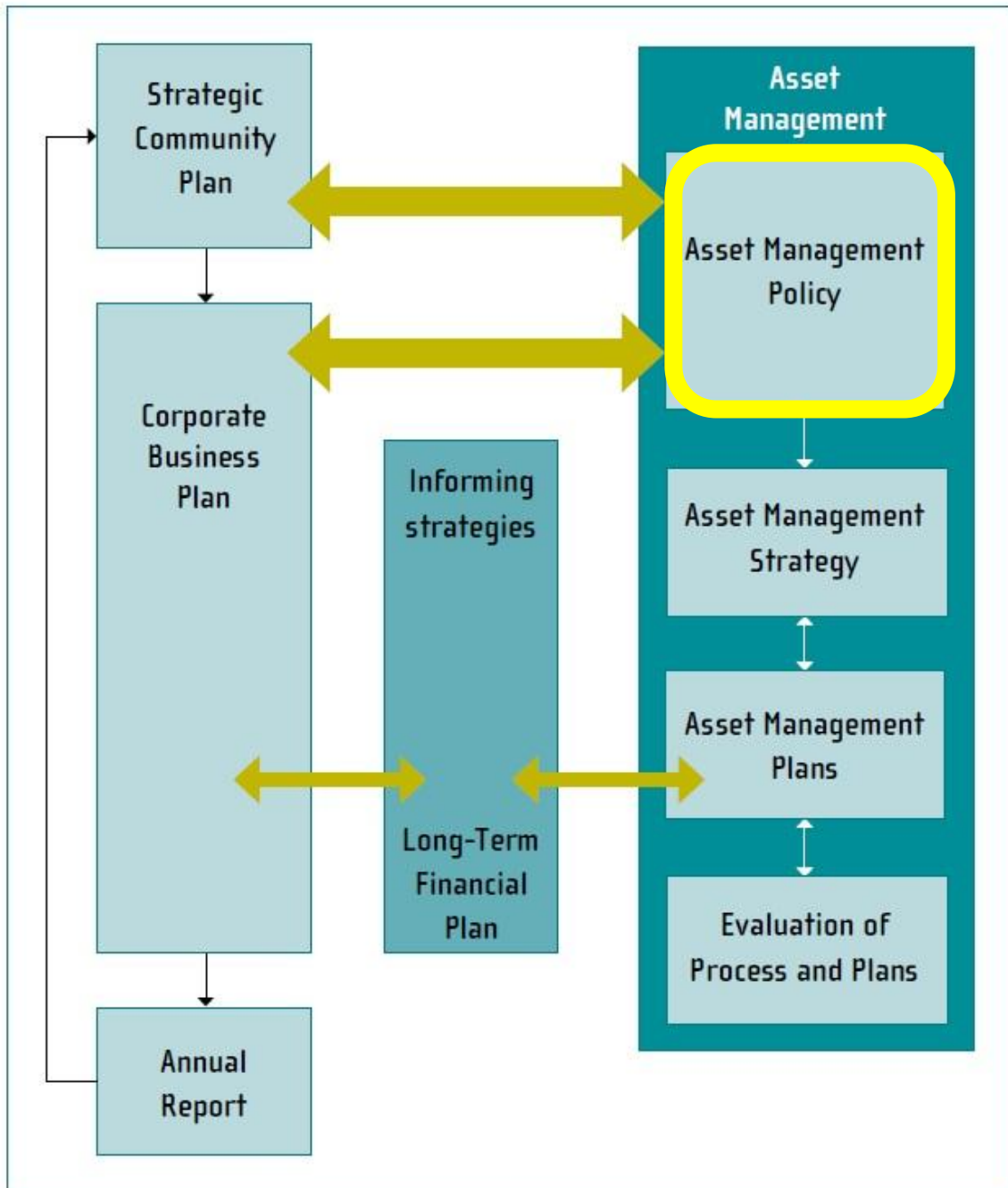
Executive Director Works & Services (EDWS) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Strategy. The EDWS reports to the CEO in relation to Asset Management resource allocation.

Asset Management Co-ordinator (AMC) – is responsible for supporting the Asset Management Working Group and ensuring that resources are commissioned (where appropriate) to assist the Asset Management Working Group achieves its asset management objectives.

7. Linkage to Integrated Strategic Plan (ISP)

This policy links to the Integrated Strategic Plan as follows:

FIG 1 ELEMENTS OF WA ASSET MANAGEMENT FRAMEWORK



8. Legislative and Strategic Context

To provide compliance with the Local Government Act 1995 and Local Government (Administration) Regulations.

9. Review Position and Date

Chief Executive Officer to review on or before **30 June 2017**.

10. Associated Documents

- Local Government Act 1995
- Local Government (Administration) Regulations 1996
- Strategic Community Plan
- Corporate Business Plan
- Asset Management Plans

11. Definitions

“Asset” means a physical item that is owned or controlled by the City of Albany, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.

“Asset Management Plan” means a plan developed for the management of an asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected council (comprising Councillors) of the City of Albany.

“Assets” are assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks, Bridges, Plant and Equipment.

“Level of Service” means the combination Function, Design and Presentation of an asset. The higher the Level of Service, the greater cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Resources” means the combination of plant, labour and materials, whether they be external (contactors/consultants) or internal (staff/day labour).

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its Corporate objectives.

“City” means the collective City of Albany organisation. The Chief Executive Officer of the City of Albany is responsible for ensuring the City’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhancing existing asset to provide higher level of service.

Version Control

Version	Date	Status	Distribution	Comment
01	16/06/2009	Adopted	Internal / External	OCM 16.06.09 Item 13.2.1
02	22/02/2013	Draft	Asset Management Working Group Internal	Draft Version to EMT for Review
03	22/02/2013	Draft	Executive Management Team Internal	Endorsed by EMT
04	19/03/2013	Draft	Internal/External	Referred to OCM 19/03/2013 for adoption

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5.2: CONTRACT C12026 – PROVISION OF ELECTRICAL SERVICES

Proponent : City of Albany
Responsible Officer(s) : Executive Director Works & Services (M Thomson)

Maps and Diagrams:

Nil

IN BRIEF

- Contract C12026 – Provision of Electrical Services be AWARDED to J & S Castlehow for a period up to 31 December 2014, with a mutually agreed and price negotiated increase for a further one year period.

RECOMMENDATION

ITEM 5.2: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR HORTIN

THAT Council ACCEPT the Tender from J & S Castlehow and award contract C12026 for the provision of Electrical Services for a period up to 31 December 2014 with a mutually agreed and price negotiated increase for a further one year period.

CARRIED 12-0
ABSOLUTE MAJORITY

BACKGROUND

1. As Council does not employ a qualified licensed electrician on staff, it is necessary for this service to be sourced from outside the organisation. There is no current Electrical Services contract, with the previous contract expiring in February 2013.

DISCUSSION

2. A total of eleven tender documents were downloaded from the City of Albany website.
3. Only one submission was received on or before the stipulated closing date and time. The following table summarises the tender and overall evaluation score applicable to this submission.

Tenderer	Total Evaluation Score
J & S Castlehow	560.00

4. 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 are tabled below:

Criteria	% Weight
Cost	40
Relevant Skills & Experience	20
Tenderer's Resources	20
Management Systems	20
Total	100

5. On the basis of the total evaluation score which considers cost, technical compliance, relevant skills and experience, resources and management systems, whilst only one submission was received, J & S Castlehow was considered a suitable contractor for this tender.

GOVERNMENT CONSULTATION

6. Nil.

PUBLIC CONSULTATION / ENGAGEMENT

7. A request for tenders was published in the West Australian on 16 January 2013 and the Great Southern Weekender on 17 January 2013

STATUTORY IMPLICATIONS

8. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$100,000.
9. Regulation 18 of the Regulations 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.
10. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

STRATEGIC IMPLICATIONS

11. This item directly relates to the following elements of the 2011 City of Albany Strategic Plan:

Key Focus Area

Lifestyle and Environment

Community Priority

A built environment for active lifestyles

Community Priority

Preservation of Albany's uniqueness

POLICY IMPLICATIONS

12. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Non compliance with contract or business failure</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply goods & services</i>

FINANCIAL IMPLICATIONS

14. The value of this tender is in excess of \$250,000 and therefore the approval is referred to Council for consideration.
15. The cost per job will be included in the specific budget line item.

LEGAL IMPLICATIONS

16. Nil

ALTERNATE OPTIONS

17. Council is not bound to accept the lowest or any tender and can accept or reject the tenders as submitted.

SUMMARY CONCLUSION

18. On reviewing the one submission, the evaluation team assessed J & S Castlehow as being a suitable tenderer across the evaluation criteria in terms of cost, technical compliance and experience, reliability and quality. J & S Castlehow is recommended to be awarded the provision of electrical services contract.

Consulted References	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	:	C12013

XIV. MOTIONS WITH NOTICE

Nil

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

ITEM 15.1: NOTICE OF MOTION BY COUNCILLOR BOSTOCK-REINSTATEMENT OF AGENDA BRIEFING SESSIONS

**MOVED: COUNCILLOR BOSTOCK
SECONDED: COUNCILLOR HAMMOND**

THAT:

- 1. Council reinstate the public Agenda Briefing session two weeks prior to the Ordinary Council Meeting with immediate effect, and the dates of the Agenda Briefings be published in the official calendar.**
- 2. Alternate Motions to those in the Agenda be submitted to staff not later than one week prior to the Ordinary Council Meeting.**

LOST 1-11

Record of Vote

For the Motion: Councillor Bostock

Councillor's Reason:

It is apparent from recent submissions regarding our Strategic Plan by ratepayers that there is a wish for more open and accountable government, which, as the elected representatives of the people, we must endorse.

Removing the ability of the public to ask questions of Councillors and staff until a few minutes before matters are discussed, and decisions made, at the Council meeting does nothing toward implementing these ends, and will inevitably cause community resentment that Council has destroyed one of the few opportunities for individuals to express their views in a way Councillors will have time to act upon.

When the Agenda Briefing is held one week before the full Council meeting and Alternate Motions must be submitted a few hours later, Councillors have little opportunity to properly consider the answers given by staff, or to seek further details which may only become apparent when such considerations have been made.

Allowing one week to elapse before the submission of Alternate Motions will be of benefit to both Councillors and staff as it will remove the necessity for frantic phone calls in the few hours before the deadline and allow more well thought out Alternate Motions to be presented.

Officer's Comment (Chief Executive Officer):

1. NOT SUPPORTED. Councillors have recently expressed a preference to continue Agenda Briefing Sessions in a forum not open to the public. This position was arrived at in the knowledge that residents were still given the opportunity to talk to any item at the Ordinary Council Meeting and that, in the past, this opportunity had often resulted in a repetition of comments made at the Agenda Briefing Session.

Councillors are there to represent the views of the community and there is nothing to stop any resident from approaching any of the thirteen such representatives who may air those views in open Council, whether they be the personal views of the Councillors or not. It is my opinion that Councillors should be afforded the opportunity to question and discuss matters which are not always possible, nor desirable, to do in public. This is not an attempt to hide behind a cloak of secrecy. On the contrary, Councillors should be entitled to quiet contemplation on the matters before them and to hear all details not always possible in a public forum/

2. SUPPORTED. Although it is not always possible, Councillors should be given every opportunity to consider the possible effects and the ramifications of an alternative motion. The more time given for consideration, the better.

ITEM 15.1: AMENDED MOTION BY COUNCILLOR BOWLES

MOVED: COUNCILLOR BOWLES

SECONDED: COUNCILLOR GREGSON

1. That the Briefing Discussions be renamed "Agenda Presentations by Staff and Question Time."
2. That Albany electors be given the opportunity to address Councillors on any matter on the draft agenda prior to Councillors retiring to Agenda Presentations by Staff and Question Time (in closed session) on the following basis:
 - i. Each address be limited to four minutes;
 - ii. Each address to be confined to items on the draft agenda only;
 - iii. Repetition to be avoided;
 - iv. This session to be limited to a half hour duration unless agreed by Council;
 - v. Respect to be shown at all times to Elected Members, staff and community members;
 - vi. Elected members to be given the right to private briefing and question time; and
 - vii. It be acknowledged that electors have every right to address Council before the matter is discussed and resolved at the full and public Council meeting.
3. That Council commence quarterly Community Forums to allow the opportunity for members of the community to raise general issues with Council.
4. That Alternate Motions now be submitted no later than midday (12pm) on the Thursday following the Agenda Presentation by Staff and Question Time.

CARRIED 9-3

Record of Vote

Against the Motion: Mayor Wellington and Councillors Bostock and Hammond

Councillor's Reason:

Council recognises that the previous process was not efficient nor a good use of resources and time for staff, Councillors and electors.

Contrary to the belief of some, a change of format was required to address the repetition for Councillors, staff and electors and more importantly the inefficient use of resources and time.

Therefore, the introduction of a 30 minute time frame displays to the community that this Council supports the electors' right to address Council prior to the day of discussion and decision making.

On a personal note I will share that I am offended by any suggestion that I am not genuinely acting in the best interests of this City and the ratepayers...after all I am one.

This motion consolidates the process of the presentation and questions of Council with staff, thus ensuring a more effective use of time and resources.

The introduction of quarterly Community Forums with Council will provide a regular avenue for community members to raise issues with Council members.

Councillors, there can be little doubt, in good faith, that this motion displays to the community that Council are committed to listening to this community.

Let's not forget that I, like all members of Council, can be contacted by telephone, email and post and therefore, to me, the commitment is evident.

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

XVII. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.

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

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

1.1.1: Governance Committee-Confidential Recommendations

[7:36:58 PM](#) Members of the public, media and staff left the Chambers, with the exclusion of Executive Director Corporate Services and Minute Secretary.

ITEM 19.1 RESOLUTION

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR GREGSON

THAT the meeting go behind closed doors.

CARRIED 12-0

ITEM 19.1: RESOLUTION

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR HORTIN

THAT the meeting come out from behind closed doors.

CARRIED 12-0

Members of the public and media returned to the Chamber. The Mayor informed the meeting of the resolutions of Council. The resolutions are detailed at Item 1.1.1: Governance Committee.

XX. NEXT ORDINARY MEETING DATE

6.00pm 16 April 2013

ITEM 21.0: RESOLUTION

MOVED: COUNCILLOR DUFTY

SECONDED: COUNCILLOR BOWLES

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

CARRIED 12-0

XXI. CLOSURE OF MEETING

7:41:50 PM There being no further business the Presiding Member declared the meeting closed.



Dennis W Wellington
MAYOR

**STATUS REPORT ON DEFERRED ITEMS
 FROM PREVIOUS MEETINGS**

Meeting Date	Item Number	Details/Status
16/11/2010	2.6	<p>Surrender Lease over Hangar Site 2 at Albany Airport. Council resolved that further consideration by Council pending the completion of the Airport Masterplan/Business Plan.</p> <p>Update: The Airport Masterplan/Business Plan has not been finalised.</p>
17/07/2012	2.5	<p>Development Application-Demolition (Single House Listed on Municipal Heritage Inventory)-Lot 49 (45) Seymour Street, Mira Mar.</p> <p>Update: The proponent has refused to prepare and submit development plans. Proponent has requested that the application is represented to Council with no additional information.</p>
21/08/2012	15.1	<p>Notice of Motion by Councillor Bostock- THAT when the final draft of TPS 1 is endorsed by Council, it shall not include any rezoning of freehold land into a category less advantageous to the owner than already exists in the current TPS1(a) or TPS3, without prior specific written agreement from the owner. Examples include the rezoning of land from the "Rural" to "Conservation" classification, or to "Parks and Recreation" from any other category.</p> <p>Laid on the table to allow further consideration of submissions when they are presented to Council.</p> <p>Update: To be dealt with at a Special Council Meeting called for the purpose of consideration of the LPS1.</p>
20/11/2012	2.5	<p>Precinct Plan-Special Site S46-Spencer Park Neighbourhood Centre Precinct.</p> <p>Update: Laid on the table at the November 2012 OCM. Waiting on commitment from the Department of Housing to contribute to necessary infrastructure upgrades and potential traffic hazards.</p>

TABLED DOCUMENTS

NAME	REFERENCE	FILE
Mr Mervyn Leavesley		GO.COM.3
Mr Richard Vogwill	Agenda Briefing Session	GO.COM.3
Mrs Jill Bostock	AGM of Electors	GO.COM.3
Mr Frank Ruggera	Elizabeth Street Lower King	GO.COM.3
Mrs Jill Bostock	Copy of Address Tabled at AGM of Electors 13/03/2013	GO.COM.1
Mrs Kim Stanton	Copy of Address Tabled at AGM of Electors 13/03/2013	GO.COM.1

TABLED DOCUMENTS BY ELECTED MEMBERS

NAME	REFERENCE	FILE
Councillor Bostock	Item 15.1	GO.COM.3

TABLED DOCUMENTS BY STAFF

Nil

TABLED ADDRESS BY MR MERVYN LEAVESLEY

Good Evening Mayor and Councillors,

I stand here tonight with the memory of my late father firmly in my mind. He was one of the lucky ones and survived World War II and was discharged from the RAF with minor disabilities after five years' service.

As a young bloke I remember asking him what the War had been all about and was it really worth the deaths of all those people. He replied that ultimately it was because they were fighting to preserve democracy. At the time it really did not register with me what was so special about democracy.

Democracy of course is special because it allows the individual freedom of speech. It allows the individual the right to criticise his or her Government without fear of persecution. Churchill said of criticism in Government. "Criticism is never agreeable, but it is necessary, it serves the same purpose as pain in the body. It alerts you to when things are not right".

Councillors, it is my opinion you have lost your way with your decision making and your sense of priorities are not in line with the community.

Council you see it a priority to have invested over \$250,000 of ratepayer's money in - if you follow the recommendation of the officers on agenda item 2.3 –what amounts to the fit-out of a tavern.

You see it a priority to have spent over \$250,000 of ratepayer's money on legal advice with regard to the allegations of Ms James, despite the ratepayers already paying for insurance cover via a Directors' and officers' policy.

I remember well that when we faced this situation with Mr Richards the issue was handed over to the insurance company. No 'top end of town' lawyers were employed to defend against Mr Richard's allegations. One wonders what makes it different this time?

It seems you have no problem in finding the money for your priorities.

On the revenue side however you made the decision to raise the cost of using ALAC for people with disabilities initially by 150%. Then after complaints adjusted it down to a rise of only 89%.

Perhaps my moral compass is not in line with others, so councillors can I suggest that tomorrow you all go out and talk to ratepayers - Tell them how you have invested over \$250,000 of their money in a tavern! Tell them how you have spent over \$250,000 of their money on legal fees - despite having insurance indemnity! But also tell them it is alright because you are looking after the revenue side by increasing the cost of using ALAC for people with disabilities by 89%.

How do you think you will go?

An 89% increase to someone on a disability pension is a big impost. I understand the additional revenue this increase is expected to generate is in the order of \$4,000 – I doubt that would cover the annual cost of the bar and refreshments in the Councillor's lounge.

I table this address

Mervyn Leavesley

TABLED ADDRESS BY MR RICHARD VOGWILL

City of Albany, Council Meeting

March 19, 2013

Re: Agenda Item 15.1, Reinstatement of Agenda Briefing Meetings, Councillor Bostock motion

Mr Mayor and Councillors,

I'm hoping tonight that you will support Councillor Bostock's motion to reinstate the Agenda Briefing Meetings, because you have said in the Draft Annual Report that: "***The City of Albany's elected members and staff commit to.....fostering community involvement in decision making.***" You are all elected officials and should represent the wishes of your electorates and use public opinion to assist you in your decisions. Are you committed to fostering interaction with the community or not? It says that you are in the Draft Annual Report.

I have read the CEO's reasons for not supporting reinstatement of the Agenda Briefing Meetings. He says the meetings are repetitive and that Councillors should be entitled to quiet contemplation, away from the public. Excuse my facetious remark, but are we running a monastery or a Council that interacts with the community?

The CEO also says that we can always approach each Councillor individually. Imagine the amount of time this would take compared to addressing the entire Council in Chambers.

The Draft Annual Report says you want to foster community involvement in your decision-making, but you are trying to take away one of the opportunities for the community to address the entire Council and thereby assist you in your decision-making.

This situation appears to have deteriorated further, as Councillors are now starting to complain about the public speaking to them and are also criticising former Councillors. So now, we have the public

TABLED ADDRESS BY MR RICHARD VOGWILL

pointing out certain problems with Council decisions and the Council in turn complaining about having to listen to the public and former Councillors. Obviously not a constructive situation, but this has happened before and I have here a newspaper article (7 October 2010) written by the former Mayor, on behalf of the City, in which he publically apologised for this sort of thing.

To me, it is quite simple. You are all City officials, who are elected by the community. It is therefore within your brief to listen to the community and use their opinions in your decision-making, as you have said you would in the Draft Annual Report.

Removing the Agenda Briefing Meetings is contrary to statements in the Draft Annual Report and is a significant backward step in fostering community involvement in decision-making.

Therefore, can I ask you again to please reinstate the Agenda Briefing Meetings. This would be in line with your stated commitments to the community in the Draft Annual Report.

And lastly, Mr Mayor, I have 3 questions without notice:

- Who wrote: "***The City of Albany's elected members and staff commit to.....fostering community involvement in decision making***" in the Draft Annual Report?
- Who approved the inclusion of this statement in the Draft Annual Report?
- What does this statement mean and how will its success be measured?

Thank you.

Richard Vogwill

La Perouse Road, Goode Beach

TABLED ADDRESS BY MRS JILL BOSTOCK

OCM 19 March 2013

Mayor, Councillors members of the community you will recall that last Wednesday was the Electors Meeting, an annual event enshrined in the Local Government Act. It represents one of the few remaining opportunities for the public to be involved in council affairs.

It was therefore extremely disappointing to feel so unwelcome. It was a very formal meeting, conducted in the same manner as the OCM, an independent observer would be unable to detect any change of emphasis, and ^{little} no consideration was afforded to the fact that this was the peoples meeting.

Even more disappointing is that this meeting was publically misrepresented and Roley Paver, Mervyn Leavesley and I were unjustly criticised by Councillor Sutton who was in no position to comment since he was not there.

How very sad to observe such a breakdown in our democratic system, such a misunderstanding and failure of the most basic principal of democracy, “government for the people by the people”.

I know firsthand just how difficult governance is, the position of Councillor and the responsibility it carries takes exceptional ability and dedication to manage. I therefore appreciate and thank all those prepared to step up and try. Given this onerous task and the never ending demands it is easy for Council to lose sight of it’s first and foremost responsibility, that of representing the community and putting their interests above all others, including oneself, staff or the establishment.

Lack of consideration at Wednesday’s meeting and the subsequent misrepresentation and unwarranted criticism is indicative of the real seat of the problems in Albany. The essential trust relationship between Council and the electorate does not hold the prominent position it should, resulting in a disillusioned and disengaged community.

Jill Bostock

TABLED ADDRESS BY MR FRANK RUGGERA

**Elizabeth Street, Lower King
Frank Ruggera
Secretary
Lower King & Bayonet Head Progress Association**

Baker Street South is a small street that serves 9 households. It is curbed, with underground drainage and is 7 metres wide.

At the end of the street is Elizabeth Street. Spoon drains on each side, no kerbing and five and a half metres wide. Five and a half metres serving a boat launching ramp, Five and a half metres serving a life style village of 33 units and increasing by 2 to 4 each month, Five and a half metres serving a school bus twice a day, five and a half metres serving an increasing residential area.

Vehicles constantly run off the road on to the shoulder when meeting each other. Allowing that drivers on a narrow five and a half metre road are not confident when meeting an oncoming bus or truck or SUV towing a boat or indeed any large vehicle will voluntarily run off the road.

Not a problem when shoulders are level with the road surface and well kept. But an extremely dangerous manoeuvre when the shoulder on one side has a 20cm deep furrow caused by water run off and soft sand not far off the gravel shoulder on the other side.

All of this as you approach a crest where oncoming traffic cannot be seen until the last minute and remember pedestrians also use the road as there is no footpath.

Maintenance has been wound down over the past year because a recommendation was put in that this section of Elizabeth Street be reconstructed in 2013 – 14

Now in order to maintain this road to a safe standard, the shoulders need reconstructing, deep wheel ruts in two sections of the bitumen surface need sectioning off, cut out and reconstructed. At what cost?
All this in 500 metres, half a kilometre.

What do we want?

We request that the council require the CEO to take this issue in hand and elevate Elizabeth Street to top priority for reconstruction in the 2013-14 financial year.

TABLED ADDRESS BY MRS JILL BOSTOCK AT THE ANNUAL GENERAL MEETING OF ELECTORS

Electors Meeting 13 March 2013

It is important as another year passes to acknowledge and recognise the very hard work of the staff under difficult circumstances and I formally thank them for their efforts.

However it is distressing to observe that the City of Albany continues to be embroiled in litigation and the situation has deteriorated to an unacceptable level. I am seriously concerned about the ability of Council to represent the public interest when the Mayor and five Councillors are severely compromised by personal legal action against them by former CEO Faileen James.

It is entirely improper for these Councillors to be involved in any decision making on this issue as they have a clear financial interest. Equally it is unacceptable and incongruous that other Councillors, free of such encumbrance and therefore more able to promote the public interest, are excluded from involvement despite the fact that the City is also a defendant.

It is a matter of grave concern that the people of Albany are unrepresented on such an important issue, which has the potential of unprecedented damage, not only financially but more importantly to the integrity of this organisation.

I am appalled that Albany finds itself in this position for a second time and believe that the whole scenario could have been prevented if Council, the Local Government Department, or any of the regulatory bodies had properly demanded evidence, investigated and held wrong doing to account in both this and the previous case involving Mr. Richards. Protection of the establishment has taken precedence over justice and this has had disastrous consequences for the electors of Albany.

The unencumbered Councillors need to embrace their authority and ensure that the legal challenge against the City is managed, not to protect the establishment, or for commercial expediency but to bring about justice. Only then can the public interest be served and the falling standards in Government arrested.

This is the responsibility of the elected governors and should not be delegated.

I ask that this address be tabled and thank you for the opportunity to speak.

Jill Bostock

TABLED ADDRESS BY MRS KIM STANTON AT THE AGM OF ELECTORS

Elector's Meeting 13th March 2013
Kim Stanton 55 Chipana Drive, Little Grove.

The removal of Agenda Briefings –

As an ex-councillor I believe the City of Albany is loosing opportunities for informing interested community about community issues and with the demise of the Agenda Briefings this information has decreased significantly.

Sure, residents can scroll the C/A website if they have a computer and the time, but if a particular Agenda Item is a concern and they need to ask questions, Agenda Briefings can do that. Often residents find it difficult to contact the “right” C/A Staff or a Councillor.

~~Do Councillors have the opportunity to ask questions etc of developers or Government Agencies before an Item goes to a full Council Meeting?~~ *ELB*

I am not doubting the Staff being competent re the Agenda Item, but often a fact will emerge from outside the C/A system or from a Councillor through local knowledge of the problem that can often alter the Recommendation in the Agenda. I have known Agenda Briefings to do this.

Also residents who are considering running as a councillor at election time, find the Agenda Briefings very useful in gaining an understanding re “just what being a Councillor” is all about and whether they really want to try or not. The Agenda Briefing is usually the only time residents can ask a question and receive an answer and this question time gives councillors elect an understanding of the system.

Also I am concerned that Government Agencies are apparently not being notified until after the Council Decision and only during the time of the 35 day public comment time.

For instance in the 19/2/13 Council Meeting Item 4.9 re the closure of portion of Seawolf Rd, #11 discusses that no public consultation with government agencies has occurred at this point. Surely in some Agenda Items and particularly in this case it should have been and right at the beginning. Because the main Water Pipe for the City of Albany goes along this whole foreshore from the Water Corp Installation in Little Grove, right next to the Bibbulmun track.

The Water Corp has a right to know and comment before it becomes an Agenda Item.

They might not agree or want modifications. I do know they need access to it.

Were they or the DEC contacted before the Item went to Council?

Early input from Government Agencies is essential to make sure that staff and councillors have got it right.

Len Abbott who died recently and was a councillor for many years, was ~~I believe~~ *ELB* a Shire of Albany Councillor not the Town of Albany as mentioned in the Death Notice by the City of Albany. Could the CEO please confirm.

SUBMISSION BY COUNCILLOR BOSTOCK-ITEM 15.1

Submission in support of agenda item 15.1 at the OCM of 19th March 2013 from David Bostock.

1. Part one of the Local Government Act 1995, at 1.3 (2), states the intentions of the Act, among others, to be as follows;
b) greater community participation in the decisions and affairs of Local Governments; and c) greater accountability of local governments to their communities.

The same principles are reiterated in our current standing orders local law, also at section 1.3 which states that the purpose and intent of the local law is to foster c) greater community participation and understanding of the business of the council and d) more open and accountable local government.

The principal committees of the Albany local government are closed to the public as they have no decision making role so the only opportunities the electors had to voice their concerns and ask detailed questions before the assembled councillors was at the agenda briefing session held one week prior to the ordinary Council meeting and immediately before the meeting itself.

Public question time at every OCM is prescribed in the Act but suffers from the defect that councillors have no opportunity to gain further relevant information from staff, nor to speak to members of the public before a decision has to be made. Matters raised at the agenda briefing were not subject to this difficulty and were, therefore, of considerably more value.

It has been suggested, by our CEO among others, that there is nothing to prevent any elector from approaching individual councillors at any time with matters of concern and while that is certainly true, it does not provide a satisfactory alternative to the agenda briefings for the following reasons;

1. The individual approach is most inefficient. There have occasionally been instances when a person has written to each councillor individually, following which every councillor has to contact the relevant staff member, who must then reply to them all and they in turn have to all reply to the original questioner. The effect of this cumbersome system has been to turn what would take 4 minutes at a meeting into a marathon effort involving a disproportionate amount of everyone's time.

On the other hand, because of the excellent council liaison system we now enjoy there is nothing simpler than for a councillor to gain virtually instant access to a senior staff member, it being most unlikely that more than a couple of councillors would have the same query to one executive.

- 2) The majority of residents would prefer to present their questions personally in front of all councillors at once. They can then be certain that all are aware of the matter and can evaluate how their representatives respond to their concerns.

- 3) As in the case of justice, good governance not only has to be done, it has to be seen to be done and the effect of questions raised at agenda briefings is open to evaluation which those at the OCM is not, for reasons already discussed.

As the CEO has so succinctly stated, we are the representatives of the people and I do not understand how that representation can be best served by removing the most effective way for councillors to gain knowledge of what the electors want and what they expect from their

ORDINARY COUNCIL MEETING
MINUTES – 19/03/2013
REFER DISCLAIMER

representatives. Not only is this action against both the letter and spirit of the Local Government Act and our own standing orders, it is also in direct contradiction of the Local Government Operational Guidelines, No. 5, 2004 which at section 51,p.7 reads as follows; 'Agenda forums should be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed' and while I appreciate that this is merely a recommendation it indicates what is generally considered to be best practice in local government.

In conclusion I would ask my fellow councillors to vote for the re instatement of the public briefing sessions, to be held 14 days prior to each OCM, to take effect as soon as the dates can be incorporated in the official calendar.