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# MINUTES

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**Ordinary Meeting of Council**

**Tuesday 23 April 2024**

6.00pm

**Council Chambers**



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**1. DECLARATION OF OPENING** The Mayor declared the meeting open at **6.00pm**.

**2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**

*“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.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders past, present and emerging”*

**3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE**

Mayor	G Stocks
<b>Councillors:</b>	
Councillor	P Terry (Deputy Mayor)
Councillor	L MacLaren
Councillor	A Cruse
Councillor	C McKinley
Councillor	T Brough
Councillor	S Grimmer
Councillor	R Sutton
Councillor	M Lionetti
Councillor	M Traill
Councillor	D Baesjou

**Staff:**

Chief Executive Officer	A Sharpe (Zoom)
Executive Director Corporate & Commercial Services	M Gilfellon
Executive Director Infrastructure, Development & Environment	P Camins
Executive Director Community Services	N Watson
Manager Development Services	J van der Mescht
Manager Governance & Risk	S Jamieson
Meeting Secretary	C Crane

**Apologies:** Nil.

Two members of the media and 30 members of the public were in attendance.

**4. DISCLOSURES OF INTEREST**

Name	Report Item Number	Nature of Interest
Councillor Traill	CCS621	<b>Impartiality.</b> The nature of the interest being that the Museum of the Great Southern Advisory Committee has requested that Council endorse the appointment of Councillor Traill to the Committee. Councillor Traill remained in the Chamber and participated in the vote for this item.

## 5. REPORTS OF MEMBERS

### 6.01pm Councillor MacLaren

#### Summary of key points:

Councillor MacLaren attended:

- Minister for Youth – Launch for Youth Week
- Yakamia Forest Bush Carers Meeting
- South Coast Environmental Quiz Night
- Bronte Van Helden – Ring Tail Possum Expert (Bluff Rock Tour)
- Torbay Catchment Group – Night with Dr Sandra Gilfellow
- Cinefest Oz - Event – Deadly Kinjarling.

### 6.06pm Deputy Mayor Terry

#### Summary of key points:

Deputy Mayor Terry attended:

- Youth Week Launch
- Youth Advisory Council Advocacy
- WALGA Zone Meeting – which discussed local issues such as Housing/Waste Levy/Caravan & Camping Grounds Advocacy.

### 6.09pm Councillor McKinley

#### Summary of key points:

Councillor McKinley attended the Opening Round of Netball Association and will be attending the Local Football opening on Anzac Day (Collingwood Park).

### 6.09pm Councillor Brough

#### Summary of key points:

Councillor Brough commented on the graffiti & vandalism on Kanga's Rock.

### 6.10pm Councillor Grimmer

#### Summary of key points:

Councillor Grimmer attended the Celebration Event of the Elleker & Bornholm Mining Decision.

### 6.12pm Councillor Baesjou

#### Summary of key points:

Councillor Baesjou attended:

- Youth Week Launch & met with Youth Advisors
- Youth Markets
- Cinefest Oz Event – Deadly Kinjarling.

### 6.13pm Councillor Traill

#### Summary of key points:

Councillor Traill attended:

- Youth Week Launch
- Local Bornholm Fire Brigade Meeting – Thank you to Volunteers for Long Service.

## 6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Annual Electors Meeting held on 20 March 2024, Ms Annabel Paulley submitted questions which were taken on notice. The questions and responses are detailed below:

### 1. Who will compile the plan? Will a suitably qualified consultant be employed?

*Response: The City will appoint a suitably qualified consultant.*

### 2. Will the Biodiversity Strategy have an Action Plan?

*Response: Yes, that is the intention.*

### 3. Who sits on the working group?

*Response: It is envisaged that the project will include two reference groups;*

- Technical Working Group: The Technical Working Group will include representatives from key external entities with a primary role of providing/contributing specialized knowledge, provide insights, and offer technical expertise.*
- Community Stakeholder Group: An expression of interest will be circulated to the public for participation in this group. The Community Stakeholder Group would be expected to provide diverse perspectives and local insights from a community perspective.*

### 4. Which City staff member will be leading the Biodiversity Strategy project?

*Response: The project will be managed by a Project Control Group and overseen by a Steering Committee.*

### 5. Will extra staff be employed to implement the strategy actions, and maintain and ensure compliance?

*Response: To be determined.*

### 6. Will the plan go out for public comment and, if so, approximately when?

*Response: Yes, date to be determined.*

### 7. Please provide an overview of the budget breakdown of the \$95,000 being spent on the Biodiversity Strategy. What line items are listed in the budget and how much money will be spent each line item?

*Response: This is business confidential information. In clarification, as the tender is yet to be awarded, the information requested is considered as commercial in confidence.*

### 8. How will the plan be incorporated into planning documents and decision-making?

*Response: To be determined as part of the project.*

### 9. When is the estimated completion date for the plan?

*Response: Approximately April 2025.*

### 10. Please could the survey be listed in the Public Comment area of the City's website.

*Response: Yes, Done.*

### 11. Please provide any other details which will give ratepayers a broader understanding of the Biodiversity Strategy project and how it will be implemented.

*Response: The primary aim of the Local Biodiversity Strategy is to enhance the integration of biodiversity preservation into planning and decision-making processes. Through this strategy, we will assess both the potential benefits and challenges associated with biodiversity conservation, considering factors such as legal requirements and the distribution of habitats and species. Additionally, specific criteria will be established, and priorities will be identified to determine suitable areas for conservation and/or management.*

12.

*Ensuring active participation from the community and stakeholders is imperative for the success of the strategy. To facilitate this, a Community Stakeholder Group will be formed, playing a pivotal role in embedding the strategic objectives of the Biodiversity Strategy into the municipality's planning and decision-making processes.*

At the Ordinary Council Meeting held on 26 March 2024, questions by Dr Chris Thomson were taken on notice. The questions and responses are detailed below:

**1. Why did the City take three weeks to publish your second statement on its website?**

*Response: This occurred because of an inadvertent administrative error. The Mayoral Statement was published online via social media and emailed to the media on 2 March 2024. The same Mayoral Statement was then uploaded to the City's website on Friday 22 March 2024.*

**2. Was a conscious decision made to publish your statement in light of advice contained in the Albany Pride post?**

*Response: No. See the response to Question 1 above.*

**3. Which City officer posted your statement online on March 22?**

*Response: Please see the response to Question 1 above. The administration acts through the power of the Chief Executive Officer.*

**4. Which City officer, officers and/or elected members were involved in the decision to publish your statement?**

*Response: Following approval from the Mayor, the administration acted through the power of the Chief Executive Officer to publish the Mayoral Statement.*

**5. Is any City officer or elected member who was involved in the decision, and/or action, to publish your statement online a member of Albany Pride?**

*Response: No.*

**6. Why was the decision made to attempt to backdate the online publication of your statement?**

*Response: There was no decision made to backdate. The website was amended to reflect the online publication and issue date of the Mayoral Statement on the City's social media page on 2 March 2024.*

**7. Did that decision occur after concerns were raised by any elected member with either yourself or the administration about the City's online publication of the statement?**

*Response: Please see responses to Questions 1 and 6.*

**8. If so, which elected member or members raised the concerns?**

*Response: Not applicable, please see responses to Questions 1 and 6.*

**9. Which City officer, officers and/or elected members were involved in the decision and/or action to attempt to backdate the online publication of your statement?**

*Response: Please see responses to Questions 1 and 6.*

**10. Why did the City attempt to backdate online publication of your statement — to in some way save face?**

*Response: There was no decision made to backdate. The online publication date was 2 March 2024, via social media. Please see responses to Questions 1 and 6.*

**11. Why was a Saturday, when not too many media-control or IT officers were likely to have been at work, chosen as the backdated date for the webpage?**

*Response: The Mayoral Statement was not uploaded on the City's webpage on a Saturday. However, the Mayoral Statement was published online via the City's social media and emailed to the media on Saturday 2 March 2024. The Mayoral Statement was uploaded to the City's webpage on Friday 22 March 2024. Please see responses to Questions 1 and 6.*

**12. Does the City consider the attempt to backdate its online publication of your statement from March 22 to March 2 to be ethical and in full compliance with the Local Government Act 1995?**

*Response: As explained in a previous response above, there was no attempt to backdate. The online publication date of the Mayoral Statement was 2 March 2024, via social media. The City's webpage was amended to reflect this publication date.*

At the Ordinary Council Meeting held on 26 March 2024, questions by Ms Millie Read were taken on notice. The questions and responses are detailed below:

**1. What measures will the City implement to ensure adherence to the principles outlined in the code of conduct, particularly regarding standards of behaviour required by council members and the accuracy and truthfulness of statements made during council meetings?**

*Response: The City of Albany adopted a Code of Conduct for Council Members, Committee Members and Candidates, which sets out the requirements for Council Members' behaviour and a process for if the Code of Conduct is breached. The City of Albany will continue to conduct regular training and encourage the council to review, define and reach a consensus on the policy for communication, and continue to commit to fostering respectful communication without stifling the right to freedom of speech.*

**2. Will the City undertake to participate in an education session with Albany Pride or another similar provider so that they may better understand the work of an organisation such as Albany Pride and the specific challenges faced by the LGBTIQ+ community?**

*Response: The City of Albany's Elected Member Professional Development & Training Policy underscores our dedication to providing opportunities for council members to enhance their knowledge and skills to effectively serve our community. This policy ensures equity and accessibility to individual training and professional development opportunities. We will consider opportunities to incorporate sessions or workshops with appropriate organisations into our professional development offerings in the future.*

**3. What measures will the City be implementing in order to ensure a positive workplace culture for LGBTIQ+ councillors and prospective councillors from other diverse backgrounds?**

*Response: The City has recently conducted Diversity Training and will continue to conduct, promote and extend invitations to our employees and councillors. During the review of the City of Albany Access and Inclusion Plan 2023 to 2027, the City requests feedback and suggestions from employees, councillors and our community to continue to further enhance our efforts in creating a supportive environment for all members of our diverse workforce and community.*

**4. Will the city commit to working with Albany Pride to create a council position on the definition of the LGBTIQ+ community, in line with all relevant international peak queer organisations, which identifies that it does not extend to include criminal activities?**

*Response: As the Mayor, I cannot speak for the Council, a commitment to do this will require a decision of the Council.*



## 7. PUBLIC QUESTION TIME

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

*Clause 4 (6) The total time allowed for public question time will be no more than 30 minutes.*

Any extension to the time period defined by the City of Albany Standing Orders Local Law 2014 (as amended) will be at the discretion of the Presiding Member.

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

*Clause 5) The Presiding Member may decide that a public question shall not be responded to where—*

- (a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*
- (b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

### **6.16pm Dr Chris Thomson, 26 Grey Street East, Albany**

#### **Summary of key points:**

Dr Thomson tabled his address (detailed at Appendix A), including the following questions which were taken on notice:

1. *“The standing orders state that “a member may object, by the way of point of order, only to a breach of any of this local law or any other law”. With regard to Councillor Terry’s objections against Councillor Brough last meeting, my first question is **Upon which purported breach, or breaches, were Councillor Terry’s points of order founded?**”*

In regard to the structure arising at Councillor Lionetti’s property at 56058 Albany Highway:

2. *Has the structure been granted all required/building and/or planning approvals?*
3. *If so, were any of those approvals granted retrospectively?*
4. *Were any building and/or planning applications concerning the structure applied for and/or granted after Councillor Lionetti’s election in October 2023?*

### **6.21pm Ms Sarah Bowles, 8 Albany Street, Little Grove**

#### **Summary of key points:**

Ms Bowles spoke in support of the Committee Recommendation for Report Item CCS617: Investment of Surplus Funds Policy.

### **6.24pm Mr Michael Pemberton – 9A Shorts Place, Mira Mar**

#### **Summary of key points:**

Mr Pemberton tabled his address (detailed at Appendix B) included the following questions which were taken on notice.

*Regarding the cost of the survey / referendum on Deregulated Trading:*

- *Firstly, how much is the City Budgeting for the survey/consultation?*
- *Secondly, how much is the City paying the Chamber for their survey of their members?*
- *Is there any update on the numbers?*
- *Community Consultation and Survey are used to describe the process. Is it one or the other or is it a hybrid?*
- *How are we supporting residents, who aren’t computer literate, to take part in the community consultation?*
- *Furthermore, how are we assisting participation for residents who don’t have access to a computer?*

**6.30pm Ms Yasmin Bartlett, 130 Springdale Heights, Denmark  
Summary of key points:**

Ms Bartlett addressed Council regarding the recent graffiti on Kanga Rock and the World Health Organisation Pandemic Treaty.

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Deputy Mayor Terry be GRANTED Leave of Absence for the period of Wednesday 24 April 2024 to Wednesday 22 May 2024 inclusive.**

**CARRIED EN BLOC**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Mayor Stocks be GRANTED Leave of Absence for the period of Monday 20 May 2024 to Friday 31 May 2024 inclusive.**

**CARRIED EN BLOC**

**9. PETITIONS AND DEPUTATIONS Nil**

**10. CONFIRMATION OF MINUTES**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: DEPUTY MAYOR TERRY  
SECONDED: COUNCILLOR SUTTON**

**THAT the minutes of the Ordinary Council Meeting held on 26 March 2024, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 10-1**

**Record of Vote:**

Against the Motion: Councillor Brough

**11. PRESENTATIONS Nil**

**12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.**

**CCS614: MONTHLY FINANCIAL REPORT – FEBRUARY 2024**

**Proponent / Owner** : City of Albany  
**Attachments** : Monthly Financial Report – February 2024  
**Report Prepared By** : Manager Finance (S van Nierop)  
**Authorising Officer:** : Executive Director Corporate & Commercial Services  
(M Gilfellon)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Leadership.
  - **Outcome:** Strong workplace culture and performance

**IN BRIEF**

- Under the Local Government Financial Management Regulations, a local government is to prepare monthly a statement of financial activity and statement of financial position that is presented to Council.
- The City of Albany’s Monthly Financial Report (inclusive of the statement of financial activity and the statement of financial position) for the period ending 29 February 2024 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City’s Investment of Surplus Funds Policy.
- The financial information included within the Monthly Financial Report for the period ended 29 February 2024 is preliminary and has not yet been audited.

**RECOMMENDATION**

**CCS614: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**Moved: COUNCILLOR MACLAREN**  
**SECONDED: DEPUTY MAYOR TERRY**

**THAT the Monthly Financial Report for the period ending 29 February 2024 be RECEIVED.**

**CARRIED 11-0**

**CCS614: COMMITTEE RECOMMENDATION**

**Moved: COUNCILLOR SUTTON**  
**SECONDED: MAYOR STOCKS**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS614: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Monthly Financial Report for the period ending 29 February 2024 be RECEIVED.**

## **DISCUSSION**

2. To fulfil statutory reporting obligations, the Monthly Financial Report prepared provides a snapshot of the City's year to date financial performance. The report provides the:
  - (a) Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the Local Government (Financial Management) Regulations 1996);
  - (b) Statement of Financial Position (satisfying Regulation 35 of the Local Government (Financial Management) Regulations 1996);
  - (c) Basis of Preparation
  - (d) Explanation of material variances to year-to-date budget;
  - (e) Net Current Asset & Funding Position;
  - (f) Investment Portfolio Snapshot;
  - (g) Receivables; and
  - (h) Capital Acquisitions.
3. Additionally, each year a local government is to adopt a percentage or value to be used in the Statement of Financial Activity for reporting material variances. Under Council item CCS545, Council approved that a variance between actual and budget-to-date of greater than \$100,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2023/2024.
4. The Statement of Financial Activity and Statement of Financial Position may be subject to year-end adjustments and have not been audited.
5. It is noted 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. The Local Government (Financial Management) Regulations 1996 stipulate that each month Local Governments are required to prepare and report a Financial Activity Statement (reg 34) and a Financial Position Statement (reg 35).
7. Each of these statements are to be presented at an ordinary meeting of the council within 2 months after the end of the relevant month, as well as recorded in the minutes of the meeting at which it is presented.

## **POLICY IMPLICATIONS**

8. The City's 2023/24 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

## **FINANCIAL IMPLICATIONS**

10. Expenditure for the period ending 29 February 2024 has been incurred in accordance with the 2023/24 budget parameters.
11. Details of any budget variation more than \$100,000 (year to date) is outlined in the Statement of Financial Activity. There are no other known events, which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

## **LEGAL IMPLICATIONS**

12. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

13. Nil.

**ALTERNATE OPTIONS**

14. Nil.

**CONCLUSION**

15. The Authorising Officer's recommendation be adopted.

16. It is requested that any questions regarding this report are submitted to the Executive Director Corporate & Commercial Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

<b>Consulted References</b>	:	<i>Local Government (Financial Management) Regulations 1996</i>
<b>File Number</b>	:	FM.FIR.7

**CCS615: LIST OF ACCOUNTS FOR PAYMENT – MARCH 2024**

<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: List of Accounts for Payment
<b>Report Prepared By</b>	: Manager Finance (S Van Nierop)
<b>Authorising Officer:</b>	: Executive Director Corporate and Commercial Services (M Gilfellon)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar/Priority:** Leadership.
  - **Outcome:** Strong workplace culture and performance.

**IN BRIEF**

- 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.

**RECOMMENDATION**

**CCS615: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TRAILL  
SECONDED: COUNCILLOR CRUSE**

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 March 2024 totalling \$7,493,513.88 be RECEIVED.**

**CARRIED 11-0**

**CCS615: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR TRAILL  
SECONDED: COUNCILLOR CRUSE**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS615: AUTHORISING OFFICER RECOMMENDATION**

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 March 2024 totalling \$7,493,513.88 be RECEIVED.**

**DISCUSSION**

2. The table below summarises the payments drawn from the City’s Municipal and Trust funds for the period ending 15 March 2024. Please refer to the Attachment to this report.

<b>Fund</b>	<b>Transaction Type</b>	<b>Amount (\$)</b>
Municipal	Credit Cards	\$25,896.19
Municipal	Payroll	\$1,872,029.19
Municipal	Cheques	\$0.00
Municipal	Electronic Funds Transfer	\$5,595,588.50
Trust	N/A	\$0.00
<b>TOTAL</b>		<b><u>\$7,493,513.88</u></b>

3. Included within the Electronic Funds Transfers from the City’s Municipal account are Purchasing Card transactions, required to be reported under Regulation 13(A), totalling: \$828.12.
4. The table below summaries the total outstanding creditors as at 15 March 2024.

<b>Aged Creditors</b>	<b>Amount (\$)</b>
Current	\$359,603.18
30 Days	\$956,493.87
60 Days	\$11,933.17
90 Days	-\$230.48
<b>TOTAL</b>	<b><u>\$1,327,799.74</u></b>
Cancelled Cheques	Nil

**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.
8. As part of the Local Government Regulations Amendment Regulations 2023 (SL2023/106), additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, requires Local Governments to report on payments by employees via purchasing cards.

**POLICY IMPLICATIONS**

9. Expenditure for the period to 15 March 2024 has been incurred in accordance with the 2023/2024 budget parameters.

**FINANCIAL IMPLICATIONS**

10. Expenditure for the period to 15 March 2024 has been incurred in accordance with the 2023/2024 budget parameters.

**LEGAL IMPLICATIONS**

11. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

12. Nil.

**ALTERNATE OPTIONS**

13. Nil.

**CONCLUSION**

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

15. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

<b>Consulted References</b>	:	<i>Local Government (Financial Management) Regulations 1996</i>
<b>File Number</b>	:	FM.FIR.2



**CCS616: DELEGATED AUTHORITY REPORTS – 16 FEBRUARY 2024 to  
15 MARCH 2024**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Executed Document and Common Seal Report
<b>Report Prepared By</b>	: PA to Mayor and Councillors (D Clark)
<b>Authorising Officer:</b>	: Chief Executive Officer (A Sharpe)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Leadership.
  - **Outcome:** A well informed and engaged community.

**RECOMMENDATION**

**CCS616: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR MACLAREN  
SECONDED: COUNCILLOR BAESJOU**

**THAT the Delegated Authority Reports 16 February 2024 to 15 March 2024 be RECEIVED.  
CARRIED 11-0**

CCS616: COMMITTEE RECOMMENDATION

MOVED: MAYOR STOCKS  
SECONDED: COUNCILLOR BAESJOU

THAT the Authorising Officer Recommendation be ADOPTED.  
CARRIED 9-0

CCS616: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 February 2024 to 15 March 2024 be RECEIVED.

**BACKGROUND**

2. In compliance with Section 9.49A of the *Local Government Act 1995* the attached report applies to the use of the Common Seal and the signing of documents under Council's Delegated Authority:
  - **Delegation: 006** – Sign Documents on Behalf of the City of Albany (Authority to Executive Deeds & Agreements and apply the Common Seal)
  - **Delegation: 009** – Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding (Including the provision of sponsorship through the waiver of fees & charges)
  - **Delegation: 018** – Award Contracts (Supply of Equipment, Goods, Materials & Services)

## CCS617: INVESTMENT OF SURPLUS FUNDS POLICY

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Investment of Surplus Funds Policy
<b>Report Prepared By</b>	: Manager Finance (S van Nierop)
<b>Authorising Officer:</b>	: Executive Director Corporate & Commercial Services (M Gilfellon)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Leadership.
    - **Outcome:** Strong workplace culture and performance
  - **Pillar:** Prosperity.
    - **Outcome:** Attract, retain and support a diverse range of businesses and industries to grow the economy and create more local jobs.
  - **Pillar:** Planet.
    - **Outcome:** Develop a sustainable, low waste, circular economy.

### IN BRIEF

- Under the City's Corporate Business Plan, an action is for the City to: *provide a sustainable procurement and investment framework to ensure financial processes and service contracts are aligned with the City's social, economic and environmental outcomes.*
- The City's Investment of Surplus Funds Policy has been reviewed in line with above action.

### RECOMMENDATION

#### CCS617: RESOLUTION VOTING REQUIREMENT: ABSOLUTE MAJORITY

**MOVED: DEPUTY MAYOR TERRY  
SECONDED: COUNCILLOR TRAILL**

**THAT the revised Investment of Surplus Funds Policy be ADOPTED with the following amendment.**

- **Point 18 "Community Bank Albany" as referenced in column one, line two of the figure be REMOVED.**
- **Point 20 "Community Bank Albany" as referenced in column one, line two of the figure be REMOVED.**
- **Point 24 be REMOVED, noting the intent is that there are no exceptions to the Portfolio Credit Framework.**
- **Modification of Point 20 such that the policy figure shows a maximum investment of 35% in one authorised deposit-taking institution for institutions rated AAA and AA, and a maximum of 20% in one authorised deposit-taking institution for institutions rated A and BBB.**

**CARRIED 11-0  
ABSOLUTE MAJORITY**

CCS617: AMENDMENT BY COUNCILLOR BROUGH  
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH  
SECONDED: DEPUTY MAYOR TERRY

THAT:

- Point 18 “Community Bank Albany” as referenced in column one, line two of the figure be REMOVED.
- Point 20 “Community Bank Albany” as referenced in column one, line two of the figure be REMOVED.
- Point 24 be REMOVED, noting the intent is that there are no exceptions to the Portfolio Credit Framework.
- Modification of Point 20 such that the policy figure shows a maximum investment of 35% in one authorised deposit-taking institution for institutions rated AAA and AA, and a maximum of 20% in one authorised deposit-taking institution for institutions rated A and BBB.

CARRIED 7-4

**Record of Vote:**

Against the Motion: Councillors Lionetti, Baesjou, Grimmer, MacLaren

**Councillor Reason for Amendment**

The intent of this amendment is to ensure that the “Investment of Surplus Funds Policy” is underpinned by credit rating performance criteria as assessed by Standard and Poor (S&P), rather than any particular business model of deposit-taking facilities.

This amendment will incentivise deposit-taking facilities to achieve high credit ratings, whilst maintaining an appropriately diverse level of investment opportunities for the City of Albany at an acceptable level of risk tolerance.

Credit rating agencies provide services to investors by assessing credit risk, facilitating standardisation and comparability, supporting risk management, ensuring regulatory compliance, promoting market transparency, and instilling confidence and trust in the financial markets.

The City of Albany has a portfolio credit framework oriented to A-rated deposit-taking facilities. There are several reasons why it is inappropriate or problematic for City of Albany to give any bank (in this case Community Bank Albany (Bendigo Bank)) preferential investment allocation opportunities independent of credit rating.

1. **Risk Management:** A portfolio credit framework which favours a specific banking institution because of its business model, regardless of the credit rating, increases the risk exposure of City of Albany’s investment portfolio. B-rated facilities typically have higher credit risk, which could lead to potential losses if the facility defaults or experiences financial difficulties.
2. **Contradiction to Intent of Investment Policy:** Giving preferential treatment to a B-rated deposit-taking facility contradicts the intent of the investment policy which has been designed to preserve capital and prevent speculative investment. The City of Albany has a history of capital loss due to speculative investment.
3. **Fiduciary Responsibility:** City of Albany has a fiduciary responsibility to act in the best interests of ratepayers when managing public funds. Prioritising a B-rated deposit-taking facility over higher-rated alternatives could be perceived as a breach of this responsibility, as it increases the risk of loss.

4. **Financial Consequences:** Investing greater percentages of funds in a B-rated deposit-taking facility exposes City of Albany to the risk of financial loss if the facility defaults or experiences financial distress. The potential consequences of such losses could negatively impact the financial health and stability of the City, affecting its ability to meet its obligations and provide essential services to the community.

The City has adopted S&P as its preferred ratings agency. S&P has recently increased the credit rating of Community Bank Albany (Bendigo Bank) to A-. Under the new proposed and amended “Investment of Surplus Funds Policy”, the recent change in ratings enables the City to invest up to 35% of surplus funds already, on the basis of improved credit risk.

As such, having earned an A rating, there is no need for Community Bank Albany (Bendigo Bank) to receive special treatment independent of its credit rating.

The guiding principle behind Allocation of surplus funds to investment facilities should be underpinned by a credit performance rating, rather than on the basis of a favourable reputation due to a particular business model. Amending the policy to avoid privileging Albany Community Bank on the basis of business model, and sticking with a ratings agency-based approach provides Council and ratepayers with consistency, objectivity, and transparency.

**Officer Comment:**

In reviewing the Policy, the Authorising Officer has been guided by the City’s Corporate Business Plan, notably the action: “provide a sustainable procurement and investment framework to ensure financial processes and service contracts are aligned with the City’s social, economic and environmental outcomes”.

The Authorising Officer is therefore proposing amendments to ensure the policy aligns to the City’s social, economic, and environmental outcomes, but to also ensure other objectives of the policy are met, such as ensuring the safety and security of public funds by diversifying investments to minimise risk and reduce exposure to any single deposit taking institution.

The amendment by the Authorising Officer is striving to achieve a balance between the objectives, noting this balance is subjective.

Under the current Policy, exposure to an individual counterparty/institution is restricted by its credit rating so that single entity exposure is limited, as detailed in the below table:

S&P Long Term Rating	Maximum % in one authorised institution
AAA	45%
AA	35%
A	20%
BBB	10%

The deposit taking authorisation that is the subject of the agenda item is Community Bank Albany (Bendigo Bank).

When the agenda report (CCS617) was prepared, the S&P rating of Bendigo Bank was BBB, resulting in a maximum portfolio investment of 10%.

On 2nd April 2024, S&P revised its rating of Bendigo Bank to A-, changing the maximum portfolio investment for the City of Albany to 20%.

Based on providing social benefits to the Albany community (and addressing the aforementioned action in the City’s Corporate Business Plan), the Authorising Officer is recommending that an exception is made for Community Bank Albany, allowing investments with Community Bank Albany up to 35%.

This is proposed by amending the individual counterparty/institution table:

S&P Long Term Rating	Maximum % in one authorised institution
AAA, AA, A and Community Bank Albany (Bendigo Bank)	35%
BBB	10%

The authorising officer notes the additional credit risk associated with the proposed change. That is, giving Bendigo Bank the same exposure as AAA and AA rated entities.

The authorising officer also notes that the previous iteration of the policy that went to Council in March 2022 (agenda item AR108) addressed the aforementioned action in the Corporate Business Plan, with the inclusion of the additional clause:

“Investing in environmentally and socially responsible investments is preferred by the City but is not a mandatory requirement. The necessity being to select the investment that best meets the City’s overall investment objectives.”

The fourth dot point will increase exposure to investments placed in A and BBB-rated authorised deposit-taking institutions under the Counter Party Credit Framework.

The authorising officer welcomes the discussion on setting a policy that achieves all objectives regarding investing surplus funds.

*Councillor Brough then moved a second amendment to the Committee Recommendation.*

CCS617: AMENDMENT BY COUNCILLOR BROUGH  
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR GRIMMER

THAT:

- Point 23 in the “Investment of Surplus Funds Policy” be REMOVED.
- *NOTE: Point 23 currently reads:*

*“Investing in environmentally and socially responsible investments is preferred by the City, but is not a mandatory requirement. The necessity being to select the investment that best meets the City’s overall investment objectives.”*

LOST 5 -6

**Record of Vote:**

For the Motion: Councillors Lionetti, Sutton, Brough, Grimmer, McKinley.

*Councillor Brough then proposed an amendment the Committee Recommendation*

CCS617: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CCS617: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GRIMMER  
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 8-1

**Record of Vote**

Against the Motion: Councillor Brough

CCS617: AUTHORISING OFFICER RECOMMENDATION

THAT the revised Investment of Surplus Funds Policy be ADOPTED.

**BACKGROUND**

2. It is a role of Council to determine policy positions.
3. The City has a long-standing policy on the Investment of Surplus Funds.
4. In March 2022, the Policy was reviewed by City Officers, and then subsequently brought to the Audit & Risk Committee and the Ordinary Council Meeting (under item AR108), proposing to be adopted.
5. A summary of the proposed amendments made to the Policy were as follows:
  - (a) This policy must be reviewed by the document owner every two years.
  - (b) Addition of reference to the City's Strategic Community Plan.
  - (c) Removal of Fitch ratings (policy will only follow the Standard & Poor's ratings) to remove any issue if there are differences between the ratings agencies.
  - (d) Added section on environmentally and socially responsible investments. This contributes to the City's objective under 14.2.2 of the Corporate Business Plan 2021-25, being: *Provide a sustainable procurement and investment framework to ensure financial processes and service contracts are aligned with the City's social, economic and environmental outcomes.*
  - (e) Formatting and minor editorial edits applied.
6. Council adopted the revised policy, with an agreed upon amendment to the section on environmentally and socially responsible investments, being:  
*Investing in environmentally and socially responsible investments is preferred by the City, but is not a mandatory requirement. The necessity being to select the investment that best meets the City's overall investment objectives.*
7. The Council also resolved:  
*The Chief Executive Officer be requested to prepare a report for presentation to the Ordinary Council Meeting September 2023 on the impact of the new environmental and/or socially responsible investments element of the Investment of Surplus Funds Policy.*
8. The report prepared for Council in September 2023 (reference CCS564), provided an update on the volume and performance of Environmental, Social and Governance ("ESG") investment products the City had invested in.

## DISCUSSION

9. The City has considered and where possible, invested in environmentally and socially responsible investments, ensuring adherence to the parameters of the City's Investment of Surplus Policy.
10. The City is considering expanding its focus from particular *investments* that are environmentally and socially responsible, to look at *organisations* that are environmentally and socially responsible and are aligned with the City's social, economic and environmental outcomes.
11. Of note in the current policy is the requirement that: *Deposits are limited to authorised deposit taking institutions that have an office presence in Albany.*
12. The City currently invests with
  - (a) Australia and New Zealand Banking Group Limited (ANZ)
  - (b) Commonwealth Bank of Australia (CBA)
  - (c) Community Bank Albany (Bendigo Bank)
  - (d) National Australia Bank (NAB)
  - (e) Westpac Banking Corporation (Westpac)
13. The current Standard & Poor's rating of the above deposit-taking institutions are as follows:
  - (a) ANZ: AA-
  - (b) Bendigo Bank: BBB+
  - (c) CBA: AA-
  - (d) NAB: AA-
  - (e) Westpac: AA-
14. Under the current policy, up to 35% of the City's investment portfolio can be with one AA rated organisation, while up to 10% of the City's investment portfolio can be with one BBB rated organisation.
15. As part of the review of the Policy, the City takes note of the banking model of the Community Bank Albany (Bendigo Bank) and how this aligns to social responsibility.
16. Community banking is based on a 'profit-with-purpose' model, which means the profits are returned directly to the community that has generated them.
17. This model adopted by Community Bank Albany is based on a partnership with Bendigo & Adelaide Bank (as the parent) through a franchise agreement. Noting whilst the model is community-spirited, it must also be commercially viable for both the Community Bank company and Bendigo & Adelaide Bank.
18. The key principals of the model are local ownership, local decision making, local investment, and a focus on broad-based community benefit (with a maximum of 20% of profits being paid to shareholders via dividends).
19. This unique model allows communities to have a direct stake in the success of their local branch and ensures that profits generated stay within the community. Decisions about community initiatives, sponsorships, and support programs are made at the local level, allowing branches to tailor their support to the priorities and needs of their communities.
20. Since 1998, the Bendigo Community Bank network has grown to include more than 300 branches Australia-wide. The community banks are wholly owned by local communities, employing almost 1,600 people and overseen by more than 1,950 directors.
21. The purpose of the community banks is to feed into the prosperity of customers and communities - not off them. To date, more than \$251 million has been returned to strengthen and underpin the local communities which the community banks support.

22. The Community Bank Albany invests in the community’s well-being and prosperity. Since opening in 2006, the Community Bank Albany has invested over \$700,000 into the prosperity of the Albany and surrounding community. As their business grows, so too does their capacity to increase their investment and support back into wellbeing and success of the Albany community.
23. On the basis of providing social benefits to the Albany community, it is recommended that under the policy an exception is made for Community Bank Albany, allowing investments with Community Bank Albany up to the investment threshold of the AA rated deposit-taking institutions.
24. It is recommended the following wording be added to the Policy:  
*To recognise the contributions made to the community of Albany, Community Bank Albany (Bendigo Bank) will have the same limitations provided for in the Portfolio Credit Framework and Counterparty Credit Framework categories as the highest S&P long term rating. The maximum exposure to Community Bank Albany (Bendigo Bank) as a single entity/institution is limited to a maximum direct investment of 35%.*
25. City officers have researched other Local Governments within Western Australia that may have exceptions for particular deposit-taking institutions in their investment policies, and note that local Community Bendigo Bank branches have been granted exceptions at the [City of Kwinana](#), [City of Armadale](#), and [Shire of Donnybrook/Balingup](#).
26. It is worth noting that although Community Bank Albany is the focus of the proposed exception based on their contributions made to the Albany community, it is not to say that the other deposit-taking institutions the City invests in do not focus on environmentally and/or socially focused practices supporting the Albany community.
27. Along with the proposed exception to be included, changes would be required to the Portfolio Credit Framework and Counterparty Credit Framework tables. These proposed changes are as follows:

(a) Portfolio Credit Framework

Currently		Proposed	
S&P Long Term Rating	Maximum % in Credit Rating Category	S&P Long Term Rating	Maximum % in Credit Rating Category
AAA	100%	AAA, AA, A and Community Bank Albany (Bendigo Bank)	100%
AA	100%	BBB	40%
A	60%		
BBB	40%		

(b) Counterparty Credit Framework

Currently		Proposed	
S&P Long Term Rating	Maximum % in one authorised institution	S&P Long Term Rating	Maximum % in one authorised institution
AAA	45%	AAA, AA, A and Community Bank Albany (Bendigo Bank)	35%
AA	35%	BBB	10%
A	20%		
BBB	10%		



28. Other changes to the Policy include:
- (a) The inclusion of a Purpose.
  - (b) Review and rewording the Objectives.
  - (c) Updates to the Legislative Context section
  - (d) Other minor wording and formatting changes

**STATUTORY IMPLICATIONS**

29. The Policy is prepared in accordance with the Local Government Act 1995 s6.14, and the Local Government (Financial Management) Regulations 1996 s19 & s19C.

**POLICY IMPLICATIONS**

30. Yes, as per the proposed changes in the attachment to this agenda item.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Legal &amp; Compliance.</b> Policy positions are inconsistent with legislation.	Possible	Moderate	Medium	Policy positions are reviewed against applicable legislation.
<b>Finance</b> The risk of the deposit-taking institutions going insolvent.	Rare	Severe	Medium	Regular reviews of ratings applied to the institutions by credit rating agencies, monitoring the viability of the institutions. Ensuring diversification of agencies across the City’s portfolio

**FINANCIAL IMPLICATIONS**

32. Investments made by City Officers aim to maximise the return to the community, noting adherence to the Policy regarding legislative requirements, deposits to institutions that have an office presence in Albany, portfolio & counterparty credit limits, environmentally and socially responsible investments, term maturity framework, and liquidity needs of the organisation.

**LEGAL IMPLICATIONS**

33. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

34. Nil.

**ALTERNATE OPTIONS**

35. Council may support the review of this policy or not. Amendments to the Policy are to be considered by the Council.

**CONCLUSION**

36. The Authorising Officer Recommendation be adopted.

<b>Consulted References</b>	:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
<b>File Number</b>	:	CM.STD.7
<b>Previous References</b>	:	OCM 22/03/2022 Resolution AR108 OCM 26/09/2023 Resolution CCS564

**CCS618: CORPORATE SCORECARD - JANUARY TO MARCH 2024  
QUARTER**

**Attachments** : Corporate Scorecard: Q3 2023-24  
**Report Prepared By** : Business Planning and Performance Coordinator  
(A Olszewski)  
**Authorising Officer:** : Manager Finance (S Van Nierop)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany’s Strategic Community Plan 2032 or Corporate Business Plan 2023-2027 informing plans or strategies:
- **Pillar:** Leadership.
  - **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.

**In Brief:**

- The Strategic Community Plan 2032 (SCP) and the first Corporate Business Plan (CBP) were adopted by Council in August 2021.
- The CBP outlines a comprehensive suite of strategic actions that effectively form Council’s priority commitments to the community.
- The ‘Corporate Scorecard’ provides a summary overview of these actions, while adding commentary on those that are not ‘on track’.

**RECOMMENDATION**

**CCS618: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR MCKINLEY**

**THAT the Corporate Scorecard: Q3 2023-24 for the January to March 2024 quarter be NOTED.**

**CARRIED 11-0**

**CCS618: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR TRAILL  
SECONDED: MAYOR STOCKS**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS618: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Corporate Scorecard: Q3 2023-24 for the January to March 2024 quarter be NOTED.**

## BACKGROUND

2. The SCP establishes the results the community expects Council to achieve through the City, while the CBP describes the specific actions necessary to achieve those results.
3. Delivery of these actions are monitored through Business Unit Plans, which define the associated project milestones and enable reporting against them.

## DISCUSSION

4. The attached 'Corporate Scorecard' report provides an update on the status of CBP actions for the January to March 2024 quarter.
5. This report retains the general traffic-light model, with the following threshold specifications:
  - 'Off Track' (red) actions are less than 70% complete relative to the established project milestone.
  - 'Monitor' (amber) actions are more than 70% but less than 90% complete relative to the established project milestone.
  - 'On Track' (green) actions are 90% or more complete relative to the established project milestone.
  - 'No Target Set' actions are yet to commence.
  - Completed actions are subsumed within the 'On Track' actions.
6. In keeping with the effort to develop a report with a more 'strategic' focus (per the Council Strategic Workshop of 12 December 2023), all actions have been reframed (from the December 2023 report) wherever possible as 'projects'; that is, discretionary actions with limited temporal scope designed to improve or expand upon City services.
7. 'Services' and corresponding 'service levels' will be subordinated to a separate, operational-level report provided to the Executive Management Team.
8. CAMMS is currently undertaking a major upgrade of their strategy module and the City is continuing to advise on this process. The partnership provides a unique opportunity to develop the Corporate Scorecard and better accommodate the City's requirements going forward.

## GOVERNMENT & PUBLIC CONSULTATION

9. N/A.

## STATUTORY IMPLICATIONS

10. There are no direct statutory implications, however the Report supports the City's obligations under *Local Government (Administration) Regulations 1996*, regulation 19DA in relation specifically to the Corporate Business Plan:

**Corporate Business Plan** means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in *accordance with section 5.56*, which states:

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *Govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*

- (c) *Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications. **\*Absolute majority required.***
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

**POLICY IMPLICATIONS**

11. N/A.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational/Business Operations:</b> Loss of reputation from not following through on commitments outlined in CBP.	Likely	Minor	Moderate	Staff to review and address areas of concern prior to reconsideration by Council.
<b>Opportunity:</b> Significantly enhanced oversight of CBP Actions, leading to improved community perception of Council leadership.				

**FINANCIAL IMPLICATIONS**

13. N/A.

**LEGAL IMPLICATIONS**

14. N/A.

**ENVIRONMENTAL CONSIDERATIONS**

15. N/A.

**ALTERNATE OPTIONS**

16. Council may choose not to review progress of commitments made in the CBP through the Report, and delegate this oversight to the City’s Executive.

**CONCLUSION**

17. It is recommended the ‘Corporate Scorecard: Q3 2023-24’ be noted.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>Local Government Act 1995, s5.56</li> <li>Local Government (Administration) Regulations 1996, Reg. 19D</li> <li>IPR Framework and Guidelines 2019</li> </ul>
<b>Previous Reference</b>	:	<ul style="list-style-type: none"> <li>OCM 27/02/2024 - Report Item CCS601</li> </ul>

**CCS619: ALBANY AIRPORT MASTER PLAN 2043**

<b>Land Description</b>	: Albany Airport, Drome WA 6330
<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: <a href="#">Albany Airport Master Plan 2043</a> (15/03/2024)
<b>Report Prepared By</b>	: Manager Governance & Risk (S Jamieson)
<b>Authorising Officer:</b>	: Executive Director Corporate & Commercial Services (M Gilfellon)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** 5. Leadership. A well-governed city that uses resources wisely to meet local needs.
  - **Outcome:** 5.1 Proactive, visionary leaders who are aligned with community needs and values

**Local Planning Strategy Reference:**

The master plan and SWOT analysis align with the long-term planning directions outlined in the Local Planning Strategy.

**In Brief:**

- The report provides an overview of the Master Plan for Albany Airport.
- It outlines strategic implications in terms of development scenarios and opportunities for future growth.
- Recommendations are provided to address immediate needs and facilitate long-term development.

**RECOMMENDATION**

**CCS619: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TRAILL  
SECONDED: COUNCILLOR MCKINLEY**

**THAT Council:**

1. **RECEIVE** the **ALBANY AIRPORT MASTER PLAN 2043** and
2. **ENDORSE** the **Code 3 Development Strategy** as outlined in the report.

**CARRIED 11-0**

**CCS619: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR TRAILL  
SECONDED: COUNCILLOR MCKINLEY**

**THAT** the Authorising Officer Recommendation be **ADOPTED**.

**CARRIED 9-0**

CCS619: AUTHORISING OFFICER RECOMMENDATION

THAT Council:

1. RECEIVE the ALBANY AIRPORT MASTER PLAN 2043 and
2. ENDORSE the Code 3 Development Strategy as outlined in the report.

**BACKGROUND**

2. The report details the history and rationale behind the development of the Master Plan for Albany Airport, highlighting the need for strategic planning to support current and future air transport services.

**DISCUSSION**

3. The main facts and arguments are presented regarding the progressive development of Albany Airport over a 20-year planning horizon, focusing on short, medium, and longer-term timeframes.

**Summary of key points:**

4. **Objective:** The Code 3 development strategy aims to retain Albany Airport as a Code 3 aerodrome, supporting current intrastate Albany – Perth air transport (RPT) services and introducing larger Code 3 E190/B737-700 FIFO closed charter aircraft services.
5. **Timeframes:** Short-term (0 - 5 years), medium-term (5 – 10 years), and longer-term (10+ years through to the end of the 20-year master planning horizon).
6. **Scenario Description:** The scenario addresses the urgent need to upgrade/strengthen the main runway 14/32, Taxiway Alpha, and RPT apron pavements to cater for larger E190/B737-700 aircraft and large capacity aerial firefighting emergency services aircraft.
7. **Development Scenarios:**
  - a. Code 3 Development Strategy:
    - Upgrading runway 14/32 and associated taxiway and apron pavements to cater for larger aircraft.
    - Widen RPT apron and upgrade pavement strength to accommodate larger aircraft.
    - Incremental expansion of the passenger terminal to meet demand.
    - Potential reintroduction of passenger and checked baggage security screening for RPT services with aircraft seating over 40.
  - b. Code 4 Development Strategy (Future):
    - Development necessary to cater for future Code 4 interstate services, subject to demand.
  - c. Code 4 (Long Term) Development Strategy:
    - Possible extent of future development considering design constraints and available airport land.
8. **Implementation Considerations:**
  - a. The delivery of each component is dependent on funding availability, market demand, and detailed design processes.
  - b. Timing of development may vary based on these factors.
9. Development scenarios show a logical progression, but actual implementation depends on demand and City of Albany policies promoting airport growth.

**10. Additional Development:**

- a. Essential maintenance works for Runway 05/23, Taxiway B, Taxiway C, and General Aviation (GA)/ Royal Flying Doctor Service (RFDS) aprons as required.
- b. Expansion of the car park adjacent to Albany Highway with approximately 60 additional spaces, subject to detailed design.

**Development Strategy**

- 11. This development strategy outlines a systematic approach to upgrading Albany Airport's infrastructure to accommodate larger aircraft and support future growth in air transport services while considering funding, market demand, and regulatory requirements.

**GOVERNMENT & PUBLIC CONSULTATION**

- 12. Consultation with relevant stakeholders, including State Government Departments and community representatives, has been undertaken to inform the Master Plan development process.

**STATUTORY IMPLICATIONS**

- 13. The statutory authority empowering the Council to make decisions regarding airport development is outlined, ensuring compliance with relevant regulations and standards.

**POLICY IMPLICATIONS**

- 14. The report references the City of Albany's policies related to infrastructure development and land use planning, ensuring alignment with established guidelines.

**RISK IDENTIFICATION & MITIGATION**

- 15. Identified risks associated with airport development are analysed, with mitigation strategies proposed to maximize opportunities and minimise potential hazards.
- 16. The risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.
- 17. The following Risk Rating Matrix provides a structured approach to evaluating risks and opportunities associated with the **Code 3 Development Strategy**, allowing for informed decision-making and effective risk mitigation strategies.
- 18. By carefully assessing and addressing potential risks and leveraging opportunities, the Council can maximise the success of the Code 3 Development Strategy and ensure positive outcomes for Albany Airport and the community.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Business Operation, Reputation &amp; Financial.</b>  <b>Risk: Delays in Implementation of Code 3 Development Strategy.</b>  <i>Delays in the implementation of the Code 3 Development Strategy could have significant consequences for airport infrastructure upgrades. This includes increased costs, missed opportunities, and potential dissatisfaction among stakeholders.</i>  <i>There is a likelihood of delays in the implementation of the Code 3 Development Strategy, which could have major consequences for airport infrastructure upgrades. This includes increased costs, missed opportunities, and potential dissatisfaction among stakeholders.</i></p>	<i>Likely</i>	<i>Major</i>	<i>Medium</i>	<i>Contingency plans should be developed to mitigate potential delays, and stakeholders should be kept informed of progress through transparent communication channels. Securing funding from both State and Federal Governments is required.</i>

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Risk: Environmental Impact.</b> While the likelihood of significant environmental impact is unlikely, the potential consequences of such impact could still be major, leading to environmental degradation and regulatory non-compliance.</p>	Unlikely	Major	Medium	Thorough environmental assessments and collaboration with environmental authorities and stakeholders are crucial to ensure compliance with regulatory requirements and sustainable development practices. Implementing robust environmental mitigation measures will help minimise environmental risks associated with the Code 3 Development Strategy.
<p><b>Opportunity: Cost-Effective Development.</b> The Code 3 Development Strategy offers a chance for affordable upgrades that match the airport's current needs and financial limits. This helps to use resources wisely and get the most out of investments.  <b>Leverage:</b> Highlighting the cost-effectiveness and immediate benefits of the Code 3 Development Strategy will appeal to stakeholders. It shows careful financial planning and a dedication to meeting community needs.  <b>Opportunity: Improved Engagement with Stakeholders.</b> The Code 3 Development Strategy is likely to improve engagement with stakeholders and gain community support for airport development projects.  <b>Leverage:</b> Making the most of opportunities for stakeholder engagement, like public consultations and community forums, will show transparency and inclusivity in the development process. This builds positive relationships and gathers valuable input for planning.</p>				

**FINANCIAL IMPLICATIONS**

19. Short and long-term financial considerations associated with airport development are outlined, ensuring transparency in budget allocation and expenditure planning.

**LEGAL IMPLICATIONS**

20. The legal framework governing the Council's decision-making process regarding airport development is reviewed to ensure compliance with applicable laws and regulations.

**ENVIRONMENTAL CONSIDERATIONS**

21. The report acknowledges the importance of environmental conservation in airport development and outlines measures to mitigate potential impacts on the natural environment.

**ALTERNATE OPTIONS**

22. Alternate courses of action are considered, with the chosen recommendation presented as the most viable option based on the analysis provided.

**CONCLUSION**

23. In conclusion, the Master Plan and SWOT analysis provide valuable insights into the strategic development of Albany Airport, aligning with the City of Albany's long-term goals and objectives. The recommendations outlined in the report aim to support sustainable growth and enhance the airport's role as a key regional transportation hub.

<b>Consulted References</b>	:	Albany Airport Master Plan 2043 (Final Draft)
<b>File Number</b>	:	CP.PLA.2
<b>Previous Reference</b>	:	Nil.



**CCS620: BUDGET REALLOCATION REQUEST – PRINCESS ROYAL HARBOUR COASTAL HAZARD RISK MANAGEMENT ADAPTATION PLAN**

**Supplementary Information & Councillor Workstation** : PRH CHRMAP consultant fee proposal BDA - January 2024  
**Report Prepared By** : Senior Planning Officer – Strategic Planning (A Nicoll)  
**Authorising Officer:** : Executive Director Infrastructure, Development and Environment (P Camins)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Planet
  - **Outcome:** 2.3 A resilient community that can withstand, adapt to, and recover from natural disasters.

**In Brief:**

- This is an additional review of budget allocation outside the normal budget review process.
- The need for a benefit distribution analysis (BDA) has been identified as part of the Princess Royal Harbour Coastal Hazard Risk Management Adaptation Plan (PRH CHRMAP) project.
- The BDA will enhance this process by outlining how benefits resulting from potential coastal protection works are distributed, and it will offer guidance on future funding arrangements and contributions needed.

**RECOMMENDATION**

**CCS620: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR TRAILL**

**THAT Council APPROVE the following budget reallocation:**

1. **INCREASE** Expenditure budget for Princess Royal Harbour/Frenchman Bay Coastal Hazard Risk Management Adaptation Plan (GL Number 71662) by \$85,000 from \$75,000 to \$160,000.
2. **DECREASE** Expenditure budget for LPS 1 Scheme Review (GL Number 71662) by \$50,000 from \$50,000 to \$0.
3. **INCREASE** Income budget for PLANNING - Grants Received (GL Number 15793) by \$35,000 from \$20,000 to \$55,000.

**CARRIED 8-3**  
**ABSOLUTE MAJORITY**

**Record of Vote:**

Against the Motion: Councillors Lionetti, Brough, McKinley

CCS620: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 5-4

**Record of Vote**

Against the Motion: Councillors McKinley, Grimmer, Lionetti and Brough.

CCS620: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE the following budget reallocation:

1. INCREASE Expenditure budget for Princess Royal Harbour/Frenchman Bay Coastal Hazard Risk Management Adaptation Plan (GL Number 71662) by \$85,000 from \$75,000 to \$160,000.
2. DECREASE Expenditure budget for LPS 1 Scheme Review (GL Number 71662) by \$50,000 from \$50,000 to \$0.
3. INCREASE Income budget for PLANNING - Grants Received (GL Number 15793) by \$35,000 from \$20,000 to \$55,000.

**BACKGROUND**

2. The draft PRH CHRMAP is currently being developed by the City, in conjunction with the State Government and Southern Ports. The City has earmarked funds to implement the PRH CHRMAP, with additional support coming from Southern Ports through in-kind contributions and grant funding from State Government agencies.
3. To date, the PRH CHRMAP project has reached the following key milestones:
  - Establishing key community values of the Princess Royal Harbour area to inform preparation and recommended outcomes of the CHRMAP
  - Identification of key assets and risk from coastal processes (erosion and/or inundation) associated with the project area.
  - Completion of vulnerability analysis and evaluation of risk of identified key assets, to inform potential adaptation measures to be implemented to mitigate and/or manage identified risk from coastal processes across each management unit of the PRH CHRMAP project area.
4. The stages of the project currently underway are informed by the work undertaken on the PRH CHRMAP thus far and involve:
  - Finalising the assessment of the risk treatment options report; and
  - Preparation of a draft implementation and monitoring report, including recommended monitoring activities and detailed implementation plans for each management unit.
5. These stages include recommendations for adaptation and/or mitigation works identified for each of the management units of the PRH CHRMAP project area, including protection works in some areas.
6. Following completion of the BDA, a draft CHRMAP, including implementation plan and outcomes of the BDA, will be formally advertised, and subsequently referred to Council for final endorsement.

## DISCUSSION

7. The Department of Planning, Lands and Heritage *State Planning Policy 2.6 State Coastal Planning Policy (SPP2.6)* and associated *Coastal Hazard Risk Management And Adaptation Planning Guidelines* outlines the statutory framework and guidance for landowners, policy and decision makers in regards to assessing, managing and responding to coastal hazard risks.
8. The Funding Implementation section of the Guidelines requires consideration and use of the beneficiary pays principle - a form of cost recovery - when preparing a CHRMAP, with the basic principle that those who benefit from adaptation measures should pay for them.
9. In accordance with the SPP2.6 Guidelines, an assessment is required to be undertaken of the potential benefits and beneficiaries of identified protection measures for specific management units of the CHRMAP, to be set out in a draft implementation plan.
10. A BDA is used so that the beneficiary pays principle can be applied and is therefore recommended by State Government as the preferred approach to be undertaken when protection measures have been identified under CHRMAP implementation plans, to calculate individual contributions by beneficiaries and assist decision-makers in identifying funding models and mechanisms to fund implementation plans.
11. A BDA was not included in the original project scope, as implementation actions identified through the CHRMAP process are based on findings and recommendations identified in the preceding stages. The stages to prepare a CHRMAP are set out under SPP2.6.
12. As the draft implementation and monitoring report identifies recommended protection measures for specific management units, it was noted that a BDA was subsequently required, in order to apply the beneficiary pays principle to determine direct beneficiaries and mechanisms for cost recovery to fund such measures, in accordance with the SPP2.6 Guidelines.
13. It should be noted that adaptation measures, specifically protection measures (to be considered by a BDA), have been identified in the initial draft implementation and monitoring report prepared by the consultant. However the report and draft implementation plan are at initial consideration stage only, and subject to change, following review and modification by the dedicated PRH CHRMAP project groups involved in the process.
14. Following confirmation with DPLH Coastal of the required approach and methodology for the BDA, the City subsequently sought a fee proposal for preparation of a BDA from the lead consultant, with the fee proposal submitted outlining an indicative scope and cost (approximately \$95k) for the preparation of a BDA that addressed the entire PRH CHRMAP project area.
15. The amount quoted in the initial fee proposal has identified the likelihood of a shortfall to the current project budget. It should be noted however, that the future BDA will address recommended adaptation actions for management units that involve protection only, not the entire project area reflected in the initial fee proposal, which will likely reduce the potential budget shortfall.
16. To ensure adequate funds are available to address a potential budget shortfall (based on a reduced amount to initially quoted), the following actions are proposed:
  - a) Re-allocation of funds between expenditure budgets to increase funds in expenditure budget for Princess Royal Harbour/Frenchman Bay Coastal Hazard Risk Management Adaptation Plan (GL Number 71662) by \$85,000 from \$75,000 to \$165,000 and decrease funds available under expenditure budget for LPS 1 Scheme Review (GL Number 71662) by \$50,000 from \$50,000 to \$0.
  - b) Increase the income budget for PLANNING - Grants Received account.
17. The funds currently available under expenditure budget LPS 1 Scheme Review have become surplus to requirements, following gazettal of Local Planning Scheme No. 2 and completion of the LPS1 review project.

18. DPLH have indicated their willingness to contribute a portion of the estimate (approximately 30%) to prepare the Benefit Distribution Analysis, based on existing contribution arrangements in place for the original project scope. Final confirmation of an amount contributed by DPLH will be subject to completion of the formal procurement process, subsequent appointment of a successful consultant, and agreement of formal contribution arrangements between the City and DPLH.
19. Should Council agree to the proposed reallocation of funds to address the shortfall, staff will commence procurement to engage a suitably qualified consultant to undertake the Benefit Distribution Analysis.

**GOVERNMENT & PUBLIC CONSULTATION**

20. Department of Local Government guidelines were followed in the preparation of this report.
21. City of Albany Executives, Managers and Officers with budget responsibility were consulted in the preparation of the Budget Review.

**STATUTORY IMPLICATIONS**

22. Enter 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.
23. The voting requirement for this item is **Absolute Majority**.

**POLICY IMPLICATIONS**

24. Based on the amount quoted in the fee estimate, procurement for the BDA is required to follow the Major Quotation process, in accordance with the City's *Purchasing Policy (Tenders and Quotes)*.
25. Additional funding for the PRH CHRMAP is needed to undertake the BDA, in order to apply the beneficiary pays principle, a requirement set out under SPP2.6 and associated Guidelines, to calculate individual contributions by beneficiaries and assist decision-makers in identifying funding models and mechanisms to fund implementation plans.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Business Operation, Reputation &amp; Financial.</b>                      Risk: Community perception that savings realised should be used for other purposes</p>	Possible	Moderate	High	Clear communication of City's current financial position, noting that the payment will not impact on the City's ability to adequately service its obligations and achieve its operational and financial objectives this financial year.
<p><b>Opportunity:</b></p> <ul style="list-style-type: none"> <li>• To ensure sufficient funds are available to undertake a BDA, a requirement to progress the PRH CHRMAP project currently underway.</li> <li>• Provides Council with an additional opportunity to review the City's current budget position.</li> </ul>				

**FINANCIAL IMPLICATIONS**

The following changes to the budget is required to fund the BDA:

- 27. Increase Expenditure budget for Princess Royal Harbour/Frenchman Bay Coastal Hazard Risk Management Adaptation Plan (GL Number 71662) by \$85,000 from \$75,000 to \$165,000.
- 28. Decrease Expenditure budget for LPS 1 Scheme Review (GL Number 71662) by \$50,000 from \$50,000 to \$0.
- 29. Increase Income budget for PLANNING - Grants Received (GL Number 15793) by \$35,000 from \$20,000 to \$55,000.

**LEGAL IMPLICATIONS**

- 30. There are no legal implications for this item.

**ENVIRONMENTAL CONSIDERATIONS**

- 31. There are no environmental considerations for this item.

**ALTERNATE OPTIONS**

- 32. Council may:
  - a. Adopt the amendment as recommended; or
  - b. Adopt the amendment with alterations (as specified by Council); or
  - c. Reject the recommendation.

**CONCLUSION**

- 33. That the Authorising Officer Recommendation to approve the Budget Amendment be supported.

<b>Consulted References</b>	:	<i>City of Albany Purchasing Policy (Tenders and Quotes)</i> Adopted Budget 2023/2024 <a href="#"><u>Local Government Act 1995</u></a> <a href="#"><u>State Planning Policy 2.6 and Guidelines</u></a>
<b>File Number</b>	:	DB.PLA.9
<b>Previous Reference</b>	:	None

**CCS621: REQUEST FOR ENDORSEMENT OF APPOINTMENT OF COUNCILLOR TRAILL TO THE MUSEUM OF THE GREAT SOUTHERN ADVISORY COMMITTEE**

<b>Business Entity Name</b>	: Museum of the Great Southern
<b>Attachments</b>	: Correspondence from Museum of the Great Southern requesting endorsement of Councillor Traill's appointment.
<b>Report Prepared By</b>	: Manager Governance and Risk (S Jamieson) Senior Team Leader (J Williamson)
<b>Authorising Officer:</b>	: Chief Executive Officer (A Sharpe)

*Councillor Traill declared an Impartiality Interest for this item. Councillor Traill remained in the Chamber and participated in the vote for this item.*

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Leadership.
  - **Outcomes:** Proactive, visionary leaders who are aligned with community needs and values.
  - **Pillar:** Place.
  - **Outcomes:** Local history, heritage and character is valued and preserved.

**In Brief:**

- The City of Albany has received a request from the Museum of the Great Southern Advisory Committee to endorse the appointment of Councillor Traill as an ex-officio representative of Council on that committee.

**RECOMMENDATION**

**CCS621: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR MACLAREN  
SECONDED: COUNCILLOR GRIMMER**

**THAT the appointment of Councillor Traill to the Museum of the Great Southern Advisory Committee be ENDORSED.**

**CARRIED 11-0**

**CCS621: AUTHORISING OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR MACLAREN  
SECONDED: COUNCILLOR GRIMMER**

**THAT the appointment of Councillor Traill to the Museum of the Great Southern Advisory Committee be ENDORSED.**

**CARRIED 11-0**

## BACKGROUND

2. The City received a written request from the Museum of the Great Southern Advisory Committee to endorse the appointment of Councillor Traill as an ex-officio member of the Committee.
3. Council previously endorsed the appointment of Councillor Shanhun at the Ordinary Council Meeting held on 24 August 2021 as its representative on the committee.
4. Councillor Shanhun retired from Council at the Ordinary Local Government election held in October 2023 and his membership of the committee ceased.

## DISCUSSION

5. The appointment of Councillor Traill as a Council representative is recognition of the City of Albany's role as a key stakeholder and major partner with the Museum of the Great Southern.
6. Ex-officio positions on the committee do not have a fixed term of appointment and the Committee is an advisory body only and has no delegated powers.
7. For this reason, the Committee does not have a fixed list of "powers and functions" under the *Museum Act 1969* and therefore considers and advises the Museum on a broad range of matters.
8. The primary role of the Advisory Committee is to link the Museum with the community it serves. This is a "two-way" liaison, representing the community to the Museum and acting as an advocate for the Museum in the community.

## STATUTORY IMPLICATIONS

9. Section 5.9(b) of the *Local Government Act 1995* outlines the composition of committees within local governments.
10. Appointment of elected members to an external committee is by **Simple Majority**.

## POLICY IMPLICATIONS

11. Representatives are required to provide the Council with regular information and feedback from the committee meetings that the elected member considers would be of interest or concern to the Council.
12. An ex-officio representative is part of a committee due to their official role or position, while a regular member of a committee is appointed or elected based on established processes independent of any official role.
13. The ex-officio representative's membership is tied to their position, whereas a committee member's membership is a separate designation based on the Museum of the Great Southern's organisational procedures.

## FINANCIAL IMPLICATIONS

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

## OPTIONS

15. Council may choose to not endorse the appointment of Councillor Traill to the Advisory Committee.

## CONCLUSION

16. That Councillor Traill's appointment to the Museum of the Great Southern Advisory Committee be endorsed.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number</b>	:	GO.COM.3
<b>Previous Reference</b>	:	Report Item CCS385 OCM 24/08/2021

**DIS391: PLANNING AND BUILDING REPORTS MARCH 2024**

**Proponent / Owner** : City of Albany.  
**Attachments** : Planning and Building Reports March 2024  
**Report Prepared By** : Technical Support Officer (P Ruggera)  
**Authorising Officer:** : Manager Development Services  
(J van der Mescht)

**RECOMMENDATION**

**DIS391: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: DEPUTY MAYOR TERRY**  
**SECONDED: COUNCILLOR BAESJOU**

**THAT the Planning and Building Reports for March 2024 be NOTED.**

**CARRIED 11-0**



**LEMC035: RECEIVE THE MINUTES OF THE LOCAL EMERGENCY  
MANAGEMENT COMMITTEE MEETING HELD 14 DECEMBER 2023**

**Attachments** : Confirmed Minutes of the LEMC Meeting held 14/12/2023  
**Report Prepared By** : Personal Assistant to the ED Corporate & Commercial  
Services (H Bell)  
**Authorising Officer:** : Executive Director Corporate and Commercial Services  
(M Gilfellon)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Leadership.
  - **Outcome:** A well informed and engaged community.

**In Brief:**

- Receive the minutes of the Local Emergency Management Committee meeting held on 14<sup>th</sup> December 2023.

**RECOMMENDATION**

**LEMC035: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR MCKINLEY**

**THAT the confirmed minutes of the Local Emergency Management Committee meeting held on 14<sup>th</sup> December 2023 be RECEIVED.**

**CARRIED 11-0**

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL Nil.**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil.**
16. **REPORTS OF CITY OFFICERS Nil.**
17. **MEETING CLOSED TO PUBLIC Nil.**
18. **CLOSURE**

There being no further business the Mayor declared the meeting closed at **7.37pm.**

*(Unconfirmed Minutes)*

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Gregory B Stocks  
**MAYOR**

## TABLED ADDRESS BY CHRIS THOMSON PHD

Good evening, mayor

I'll read my questions verbatim as insurance against the vagaries of the provincial news media. First, as chair of the committee to which Item CCS621 refers, I encourage the council to unanimously endorse Cr Traill's ex-officio appointment.

Second, as the only person here with both a tertiary qualification in history and a doctorate in journalism, I know it's important that what's said here is fairly and accurately reported. So, when councillors or gallery members are mis- or mal-quoted it's crucial that our corrections be heard in full. On Media Watch last week, we heard a high-profile ABC journo from the big smoke say: "there are very junior reporters in the ABC regionals who mostly just write the spin from the weekly government press releases ...". That's very true.

What's more disturbing is that the journo was advising a lobby group how to deal with regional hacks from her own corporation on an ongoing story on which she was presenting. I make no suggestion that anyone involved in creating the ABC's tales about Cr Brough is a member of Albany Pride. However, puerility and partisanship have for some years been rife at the Albany outpost of Aunty.

Following last month's council meeting, suboptimal reportage concerning Cr Brough continued at both of Albany's big-media boondocks, and the character of myself and others was disparaged in the churn.

In a yarn that's been revised so much now as to be laughable, the ABC arguably lumped me in with people purported to have claimed that City staff had tried to silence Cr Brough. I said no such thing; my actual statement is in the minutes of last month's meeting.

Next, the Albany sub-branch of Seven-West Media published a letter from a Mr Anderson, purportedly of Lower King, who claimed that "rednecks and homophobes" were "publicly ugly" at the meeting. That letter could only have referred to three people; the only three who spoke about Cr Brough in non-censorious terms. One is a medical specialist, another holds senior office, and the third is me who has five university degrees in the humanities. Rednecks, unlikely. Homophobes? My record of support here for the Pride festival and other inclusivity measures suggests that I am not one. Nor was there any ugliness, from the gallery or Cr Brough at least. I wrote to The Advertiser, seeking a right of reply, and was ignored.

Turning from The Advertiser's information-control practices to the City's, tonight's agenda confirms that your second statement concerning Cr Brough was not expeditiously published on the City's website due to "inadvertent administrative error". To recap, soon after the statement appeared on the website, the date stamp was backdated by three weeks. I remain mystified as to what, and whom, at Council HQ prompted that backdating.

Next, the standing orders state that "a member may object, by way of point of order, only to a breach of any of this local law or any other law". With regard to Cr Terry's objections against Cr Brough last meeting, my first question is: upon which purported breach, or breaches, were Cr Terry's points of order founded?

ORDINARY COUNCIL MEETING  
MINUTES – 23/04/2024

And finally, with regard to the colossal concrete structure that's rising at Cr Lionetti's property at 36058 Albany Highway:

1. Has the structure been granted all required building and/or planning approvals?
2. If so, were any of those approvals granted retrospectively?
3. Were any building and/or planning applications concerning the structure applied for and/or granted after Cr Lionetti's election in October 2023?

Thank you, mayor. I table my statement for the minutes.

Chris Thomson PhD

**TABLED ADDRESS BY MICHAEL PEMBERTON**

Mr Mayor and Councillors, Michael Pemberton Shorts Place, Mira Mar. I want to address the subject of deregulated trading.

You may recall that I asked two questions, at the Feb OCM, regarding the cost of the survey / referendum on Deregulated Trading

**Firstly** how much is the City Budgeting for the survey/consultation and **secondly** how much is the City paying the Chamber for their survey of their members?

Mr Mayor you felt at the time that you didn't have a budgeted number but you maybe constrained by a **Commercial in Confidence** protocol relating to these numbers.

**Is there any update on the numbers?**

I have read the info on the COA web site and the words **Community Consultation** and **Survey** are used to describe the process. Is it one or the other or is it a hybrid?

**Survey** seems to me to be a **tick and flick** process and here's your hat, see you later.

**Community Consultation** is a "**he says, she says**". process, which infers / implies that there is an education process happening on both sides of the debate. Stephen Covey's 5<sup>th</sup> habit is **Seek first to understand. Then to be understood.**

As someone who has been part of this process for 26 years, I cannot understand why we are trying to destabilise and throw small businesses under the bus. Back in February we heard stories about how Chamber staff and Directors were being harassed. The small business owners are also very concerned about the families they support through their business.

It is interesting tonight to take a cursory glance through the accounts for payment. This list is a preview of what the account list may look like in the future, with more purchases from **Coles, Woolworths, Officeworks,**

**I want to ask two more questions please.**

How are we supporting residents, who aren't computer literate, to take part in the community consultation?

Furthermore, how are we assisting participation for residents who don't have access to a computer?