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# AGENDA

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**Ordinary Meeting of Council**

**Tuesday 23 June 2015**

6.00pm

City of Albany Council Chambers

**CITY OF ALBANY  
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**

**VISION**

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

**VALUES**

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

**Focused: on community outcomes**

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

**United: by working and learning together**

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

**Accountable: for our actions**

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

**Proud: of our people and our community**

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

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**1. DECLARATION OF OPENING**

**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 both past and present”.*

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

**Mayor**

Mayor D Wellington

**Councillors:**

Breaksea Ward	R Hammond
Frederickstown Ward	G Stocks
Frederickstown Ward	C Dowling
Kalgan Ward	J Price
Kalgan Ward	B Hollingworth
Vancouver Ward	S Bowles
Vancouver Ward	N Mulcahy
West Ward	A Goode JP
West Ward	G Gregson
Yakamia Ward	R Sutton
Yakamia Ward	A Hortin JP

**Staff:**

Chief Executive Officer	G Foster
Deputy Chief Executive Officer	G Adams
Executive Director Planning and Development Services	D Putland
Executive Director Community Services	C Woods
Executive Director Works and Services	M Thomson
General Manager Economic & Business	D Lee
Meeting Secretary	J Williamson

**Apologies:**

Breaksea Ward	V Calleja (Apology)
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**4. DISCLOSURES OF INTEREST**

Name	Committee/Report Item Number	Nature of Interest

**5. REPORTS OF MEMBERS**

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

At the Ordinary Council Meeting held on Tuesday 26 May 2015, the following questions were taken on notice with regard to the proposed Perkins Beach Desalination Dump Point:

**Mr Keith Smith:**

- 1. As part of the clearing that took place at Perkins Beach an area of coastal vegetation was cleared. Did Council staff ensure WaterCorp had appropriate approvals to clear this land as it appears some clearing is also on council reserve land?*
- 2. Did Council's approval processes require any community consultation or information provision to community members and in particular any Noongar consultation/information provision?*
- 3. Given the damage to this area through the installation of the truck dumping point what steps is Council putting in place to ensure this area is restored to natural vegetation and how will this be completed in consultation with local stakeholders?*
- 4. I request that after Council has had the opportunity to investigate these points that a written response be provided to these items.*

The following response was provided by the Chief Executive Officer:

I pre-empt these responses by reinforcing that this matter belongs to WaterCorp, not to the City of Albany. The City of Albany shares with the community the disappointment that community engagement was not undertaken. The City appreciates the concerns raised by the community and offers this response respectfully and without prejudice.

1. No such approval was granted. WaterCorp was advised that this would be required.
2. WaterCorp was required to undertake consultation with community and undertake a survey of indigenous heritage requirements. Unfortunately, this did not occur.
3. I thank the community member for this suggestion and this has been actioned. The City will be meeting with WaterCorp on Thursday 11 June to discuss a collaborative effort to rehabilitate the area.

**Ms Mandy Arnold:**

1. *Will Council please provide an explanation as to why Albany residents were not informed of the potential issue?*
2. *Will Council also please seek an explanation from the City's administration as to why the Elected members of Council were not informed of this issue?*
3. *Will Council please identify the timeline of actions by the City of Albany from when the City was first informed of this proposal through to today's date being 26 May 2015?*
4. *Will Council commit to forming a working group with local stakeholders to review and amend the City of Albany's Community Consultation and Engagement policies and procedures and if required develop new policy and procedures so that when future issues such as the Perkins Beach issue arises, appropriate and effective community consultation and information provision is assured.*
5. *I request that after Council has had the opportunity to investigate these points that a written response be provided to these items.*

The following response was provided by the Chief Executive Officer:

I pre-empt these responses by reinforcing that this matter belongs to WaterCorp, not to the City of Albany. The City of Albany shares with the community the disappointment that community engagement was not undertaken. The City appreciates the concerns raised by the community and offers this response respectfully and without prejudice.

1. It was a condition placed on WaterCorp. As managers of the project, they were the body responsible for undertaking consultation with the community, prior to the commencement of any work. WaterCorp agreed that this would occur, but it was not carried out.
2. Council's role is one of strategy and policy, not administration. The requirements placed upon WaterCorp would, if they had been carried out, have meant that the whole community was aware of the proposals prior to the commencement of any action.
3. Timeline:
  - a. 17 April 2015. A meeting took place between City officers and WaterCorp regarding the proposal. The matter was referred to the appropriate officers including seeking comments on the Aboriginal heritage issues.
  - b. 20 April 2015. A site inspection was carried out.
  - c. 30 April 2015. Meeting arranged following contact with WaterCorp by City staff.
  - d. 1 May 2015. Meeting held with WaterCorp representative. Items discussed included requirements for the use of the road and the need for public consultation prior to works commencing. Follow up email from the City to WaterCorp confirming requirements which had to be met including consultation, clearing permits, traffic management plans, joint road condition surveys and indigenous heritage requirements.
  - e. 8 May 2015. Residents contacted the City via the City's website enquiring about the purpose of the roadworks. City staff were unaware at this stage that any works had commenced.

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- f. 12 May 2015. The City was advised that carting had commenced. An email was sent to WaterCorp asking for an explanation as to why work had commenced without approval of a traffic management plan and consultation having been undertaken.
  - g. 13 May 2015. WaterCorp responded by apologising and explained that a small amount of clearing had occurred to facilitate truck reversing. WaterCorp also advised that carting of brine had not occurred and that consultation would commence on the 22 may, approximately two weeks in advance of any further works. A follow up phone call was made by a City officer to WaterCorp reiterating the need to meet all conditions prior to any further work proceeding.
  - h. 15 May 2015. WaterCorp issued an information sheet concerning the works which was forwarded to elected members.
  - i. The City received various complaints/comments via the City's website, and responded with a referral to WaterCorp and distribution of their information sheet.
4. Council is very proud of improvements to its consultation and engagement practices over recent years. That is not say that further improvements could not be made and City staff are happy to discuss potential improvements.

**Ms Rowena De Bonde:**

1. *Given the potential harm that the dumping of this waste could have caused and the potential that other coastal sites within the City of Albany may still be used as potential waste dump sites for desalination by product and other forms of possible waste, I call on the City of Albany elected members to develop a policy that states:*

*“That the City will not support any waste to be dumped in coastal areas or waterways and tributaries that lead to coastal areas within the City of Albany local government area and will actively work with the community to prevent any such dumping from occurring.”*

2. *I also call on the City of Albany to seek clarification from the WA Water Corporation that they will also not endeavour to dump any waste in coastal areas or tributaries that lead to coastal areas within the Albany local government area.*
3. *I request that after Council has had the opportunity to investigate these points that a written response be provided to these items.*

The following response was provided by the Chief Executive Officer:

1. A policy will be drafted and placed before Council at an early opportunity. For practical reasons though, it may differ slightly from the one suggested.
2. This matter will be addressed in the proposed policy.

**7. PUBLIC QUESTION TIME**

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**8.1: DRAFT MOTION**

**THAT Councillor Calleja be granted Leave of Absence for July, August and September 2015.**

**9. PETITIONS AND DEPUTATIONS**

**10. CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the minutes of the Ordinary Council Meeting held on 26 May 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**11. PRESENTATIONS**

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

**ED023: ALBANY VISITOR CENTRE – OPERATIONAL AND PERFORMANCE REVIEW TERMS OF REFERENCE**

<b>Land Description</b>	: Albany Visitor Centre, Albany, Western Australia
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Business Entity Name</b>	: Albany Visitor Centre
<b>Attachments</b>	: Terms of Reference Albany Visitor Centre Review April 2015.
<b>Report Prepared by</b>	: General Manager Business & Economic Development (D Lee)
<b>Responsible Officer</b>	: General Manager Business & Economic Development (D Lee)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Themes:**
    1. Smart Prosperous and Growing
  - b. **Strategic Objectives:**
    - 1.2 To strengthen our region's economic base.
    - 1.3 To develop and promote Albany as a unique and sought after visitor destination
  - c. **Strategic Initiatives:**
    - 1.2.1 CBD revitalisation.
    - 1.3.2 Promote the Albany region as a sought after and iconic tourism destination

**In Brief:**

- At the request of Council, the Chief Executive Officer has directed that a review of the Albany Visitor Centre (AVC) is made to assess alignment with industry best practice and identify opportunities for optimising financial performance in the delivery of services to satisfy contemporary visitor expectations (the Project).
- Terms of reference for this project are provided for review and approval.

**RECOMMENDATION**

**ED023: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council APPROVE the Terms of Reference for the Operational and Performance Review of the Albany Visitor Centre.**

**ED023: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR PRICE  
SECONDED: MAYOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

**ED023: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council APPROVE the Terms of Reference for the Operational and Performance Review of the Albany Visitor Centre.

**BACKGROUND**

2. The Albany Visitor Centre (AVC) provides an important welcoming and information service for visitors and residents to Albany. It operates 7 days per week and is open every day except Christmas Day.
3. The AVC plays an important economic development role promoting visitation to the Albany region, introducing and booking customers to local businesses (both tourism and non tourism) and delivering a positive experience for visitors by providing high levels of friendly and professional service.
4. The City of Albany recognises the significance of the tourism sector in its local economy and the importance of visitor servicing in supporting demand.
5. Prior to, and during, the City's management of the AVC, operating revenues achieved through the sales of services and retail products have been insufficient to offset operating costs; and the City has provided subsidy funding in each year of operations.
6. To fulfil its charter and accountability to the community, the City must periodically review business practices within each area of its activities to ensure it is - to the greatest extent possible - operating at, or close to, industry best practice, and the expenditure of stakeholders' funds is optimised.
7. With fresh insights to the Western Australian visitor centre sector available through the Haeberlin Report, the City has been provided with a benchmark for best practice and may now consider opportunities for reviewing the sustainable financial operation of the AVC.
8. At the request of Council, the Chief Executive Officer has directed that a review of the Albany Visitor Centre is made to assess alignment with industry best practice and identify opportunities for optimising financial performance in the delivery of services to satisfy contemporary visitor expectations.

**DISCUSSION**

9. The General Manager Business and Economic Development prepared the Terms of Reference – Albany Visitor Centre Review 1 April 2015 (TOR) for Council review and input. See full report Attachment 1.
10. This TOR report was distributed to all Councillors on 13 April and requested Councillor review and initial input by 17 April.
11. The TOR is now submitted for formal review and approval by Council via the Council's Economic Development Committee.

12. The objectives of the review are;
- a. *“to critically evaluate the nature and range of services provided by AVC and their congruence with the contemporary expectations of visitors,*
  - b. *to objectively establish the financial performance of each of the revenue generating activities: i.e., retail sales, accommodation booking sales, tour sales and advertising sales,*
  - c. *to identify positive changes to the operating model to align with industry best practice, and*
  - d. *to recommend an optimal operational and financial model - inclusive of resourcing - for the continued, sustainable operation of AVC.”*
13. The scope of the Project *“will solely consider and make recommendations based on analysis of the current and recent past performance of the AVC. This will be accomplished through reference to CoA financial and related reports, the Haeberlin Report and consultation with identified stakeholders The Project will not consider the potential imposts or benefits of closure or a transition in management responsibility for the AVC to a third party”.*
14. The target benefits of the of the Project *“are to identify an optimal model for sustainable operation of the AVC and to ensure that the nature and delivery of services are best aligned with the contemporary expectations of visitors to Albany in keeping with strategic action 1.3: ‘To develop and promote Albany as a unique and sought-after visitor destination.”*

**GOVERNMENT & PUBLIC CONSULTATION**

15. Both internal and external stakeholders will be consulted during the Project. Internally, these will include executive officers of the CoA and staff of the AVC.
16. Principal external stakeholders whose views will be sought are current and past AVC managers, Tourism Western Australia, Tourism Council Western Australia, Haeberlin Consulting, and key AVC clients.

**STATUTORY IMPLICATIONS**

17. Nil

**POLICY IMPLICATIONS**

18. Nil

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Financial. Without regular review there is financial risk that the effectiveness of City funds are not optimised.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Conduct regular reviews of City business unit and operations.</i>

**FINANCIAL IMPLICATIONS**

20. The Review is to assess alignment with industry best practice and identify opportunities for optimising financial performance in the delivery of services to satisfy contemporary visitor expectations.

**LEGAL IMPLICATIONS**

21. Nil

**ENVIRONMENTAL CONSIDERATIONS**

22. Nil

**ALTERNATE OPTIONS**

23. The options are:
- To alter the terms of reference.
  - Not approve the review.

**SUMMARY CONCLUSION**

24. The terms of reference for this Project are provided for Economic Development Committee review and recommendation to Council for approval.

<b>Consulted References</b>	:	City of Albany Community Strategic Plan – Albany 2023 City of Albany Corporate Business Plan 2014-2018 City of Albany Economic Development Strategy 2013-2017 Haeberlin Consulting Report, the Future of Visitor Centres in WA 2014
<b>File Number (Name of Ward)</b>	:	Fredrickstown Ward
<b>Previous Reference</b>	:	OCM March 2015 Notice of Motion 15.2

**PD082: PLANNING AND BUILDING REPORTS MAY 2015**

**Proponent** : City of Albany  
**Attachment** : Planning and Building Reports May 2015  
**Report Prepared By** : Administration Officer-Planning (K Smith)  
**Responsible Officer(s):** : Executive Director Planning & Development Services  
(D Putland)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**PD082: RESPONSIBLE OFFICER RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council NOTE the Planning and Building Reports for May 2015.**

**PD083: PROPOSED REVIEW OF MEMORANDUM OF AGREEMENT AND PLANNING CONTROLS FOR THE ALBANY WATERFRONT PRECINCT**

**Land Description** : Albany Waterfront Precinct  
**Proponent** : City of Albany  
**Owner** : Various land owners  
**Attachments** : Albany Waterfront Precinct Plan  
Albany Waterfront Structure Plan  
Excerpt from the Albany Local Planning Strategy (LPS1)  
Memorandum of Agreement Albany Waterfront  
**Supplementary Information & Councillor Workstation:**  
**Report Prepared by** : Executive Director Planning and Development (D Putland)  
**Responsible Officer** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 3. A connected built environment
  - b. **Strategic Objective:** 3.1 To advocate, plan and build friendly and connected communities
  - c. **Strategic Initiative:** 3.1.3 By strengthening the connections between the CBD, waterfront and surrounding amenities

**In Brief:**

- Landowners and potential developers have stated that overly restrictive planning controls are constraining development of the Albany Waterfront Precinct and elsewhere.
- It is recommended that Council, considers whether it wishes to remove the current height limitations and remove the prohibition of permanent residential accommodation within the Waterfront Precinct and, if it resolves to do so, resolves to undertake these actions in the following order:
  - a. Advertise its intent to negotiate an amendment to the current agreement with the State Government, revoking the elements in Section 5 “Commitments to the Community” that restricts building heights and prohibits permanent residential activity within the Albany Waterfront Precinct, acknowledging its good intent at the time but also its role in restricting investment and employment creation.
  - b. Following consultation, and if community support is evident for the proposed changes to be made, formalise the revised agreement with the State Government.
  - c. Appoint consultants to prepare revised designs for the Albany Waterfront precinct and to prepare the necessary documents to amend the City’s Local Planning Scheme No.1 (LPS1) and revise the Albany Waterfront Precinct Plan and Structure Plan.
  - d. Initiate the necessary Local Planning Scheme amendment and advertise the amendment to LPS1 concurrently with the proposed amendments to the Albany Waterfront Precinct Plan and Structure Plan.

## RECOMMENDATION

**PD083: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RESOLVES to advertise and seek public comment on its intent to amend the current agreement with the State Government, and review clauses in the Memorandum of Agreement that prohibits permanent residential living and limits buildings heights.**

## BACKGROUND

2. The Albany Waterfront Project (AWP) was intended to deliver and integrate with the CBD, a protected boat harbour and land-backed waterfront development incorporating an entertainment/function centre, hotel and function facilities, short-stay serviced tourist apartments and commercial/retail/tourism spaces on the Albany foreshore between the Port to the east and the Anzac Peace Park to the west.
3. Following extensive community consultation, the City adopted the overall Concept Plan for the AWP in June 2005. This was followed by the adoption of the Albany Waterfront Structure Plan in May 2006 and subsequent Precinct Plan in September 2006. Council endorsed modifications to the Albany Waterfront Precinct Plan (Attachment 1) and Structure Plan (Attachment 2) in Oct 2011.
4. The precinct plan provisions were adopted as Scheme provisions in the City's Local Planning Scheme No.1 (LPS1) in April 2014 (Attachment 3).
5. The Precinct Plan, Structure Plan and provisions in the City's Local Planning Scheme (LPS1) provide the planning framework for development, and set out the land use development controls and standards for the AWP. The Structure Plan establishes the strategic background and long-term vision and objectives for the project. The Precinct Plan sets out in detail how the objectives are to be achieved, and includes requirements for the individual precincts, permitted land uses, and planning and design guidelines for each of the subject lots.
6. On the 8<sup>th</sup> October 2007, the Mayor signed a Memorandum of Agreement with the State Government on behalf of the City of Albany for the planning, funding construction and management of the Albany Waterfront Project (Attachment 4).
7. Part 5 of the Memorandum of Agreement sets out the City and State's "Commitments to the Community" as follows:
  - a. Acknowledgement and respect of 24 hour a day, 7 day a week heavy vehicle haulage access to the Port.
  - b. Prohibition of permanent residential activity.
  - c. Unfettered community access to the foreshore.
  - d. Maintenance of the iconic Princess Royal Harbour vista as seen from the York Street Commercial Precinct.

8. Maintenance of iconic vistas and intent to preserve existing views to Princess Royal Harbour are reflected in the height limits and other planning provisions that regulate building height and placement within the Waterfront development area.
  - a. The key views protected by these limits and provisions include;
  - b. The view down York street;
  - c. The view down Spencer Street ;
  - d. View shed from the Base of York street; and
  - e. View shed from the Rotunda in Stirling Terrace.
  
9. The City has since received a number of requests from lot owners and potential developers for relaxation of the current height limitations and design provisions, and for removal of the prohibition of permanent residential activity within the Albany Waterfront precinct. The requests are on the basis that the lack of flexibility of these controls makes development of the area economically unviable.

## DISCUSSION

10. Concerns have been raised that the current restrictions on building height and strict planning controls over land use that are currently exercised over the Albany Waterfront Precinct, particularly the prohibition of permanent residential accommodation, have severely constrained development in the area.
  
11. There is some evidence to support this contention, with the land remaining largely undeveloped. While there have been several parties interested in the “hotel lot”, there appears to have been less interest in other lots, and the hotel proposals themselves have not progressed. Lifting of these restrictions may therefore support development within the Waterfront Precinct and make development of the area as a community precinct more likely.
  
12. It is recommended that Council, considers whether it wishes to remove the current height limitations and remove the prohibition of residential accommodation within the Waterfront Precinct and, if it resolves to do so, resolves to undertake these actions in the following order:
  - a. Advertise its intent to amend the current agreement with the State Government, revoking the elements in Section 5 “Commitments to the Community” that mandate protection of iconic vistas and prohibit permanent residential activity within the Albany Waterfront Precinct.
  - b. Present any submissions to a future Council Meeting for consideration.
  - c. If there is no strong opposition, appoint consultants to prepare revised design guidelines for the Albany Waterfront precinct and to prepare the necessary documents to amend the City’s Local Planning Scheme (LPS1) and revise the Albany Waterfront Precinct Plan and Structure Plan.
  - d. Initiate the necessary Local Planning Scheme amendment and advertise amendment to LPS1 concurrently with the proposed amendments to the Albany Waterfront Precinct Plan and Structure Plan.

## GOVERNMENT & PUBLIC CONSULTATION

13. No formal consultation has been undertaken at this stage. However, extensive consultation will be undertaken if Council resolves to advertise its intent to amend the Memorandum of Agreement.

**STATUTORY IMPLICATIONS**

- 14. The statutory planning process to amend the City’s Local Planning Scheme, Structure Plan and Precinct Plan are outlined in paragraph 11 above. Amendments to these documents will remove the current, restrictive controls and allow Council to consider a broader range of proposals.
- 15. Following amendment of these documents, Council may consider any proposals based on the provisions incorporated in the revised Local Planning Scheme, Structure Plan and Precinct Plan.

**POLICY IMPLICATIONS**

- 16. Policy implications are detailed previously in this report.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b> Proposals to revoke “Commitments to the Community” may raise concerns within some sectors of the local community and cause a level of mistrust to arise.	<i>Very Likely</i>	<i>High</i>	<i>High</i>	<i>Conduct a comprehensive consultation process to gauge the views of the Albany community and allay any concerns prior to making any decisions on whether to revoke the relevant clauses in the Memorandum of Agreement or initiate any amendments to the City’s Local Planning Scheme, Structure Plan or Precinct Plan</i>
<b>Community</b> If current restrictions remain in place, then the area might remain underdeveloped	<i>Very Likely</i>	<i>High</i>	<i>High</i>	<i>Amendments to current restrictions may facilitate development occurring.</i>

**FINANCIAL IMPLICATIONS**

- 18. If the proposal generates community support, the costs for planning consultants to prepare amendments to the Local Planning Scheme, Structure Plan and Precinct Plan are estimated at approximately \$80k.

**LEGAL IMPLICATIONS**

- 19. Nil

**ENVIRONMENTAL CONSIDERATIONS**

- 20. Potential impacts will be addressed during subsequent stages.

**ALTERNATE OPTIONS**

- 21. Council may resolve to seek to amend the Memorandum of Agreement without formal community consultation. However, this is not recommended.
- 22. Council may resolve not to amend the Memorandum of Agreement.

**SUMMARY CONCLUSION**

23. Several landowners and potential developers have complained that overly restrictive planning controls are constraining development of the Albany Waterfront Precinct.
24. It is recommended that Council, considers whether it wishes to remove the current height limitations and remove the prohibition of residential accommodation within the Waterfront Precinct and, if it resolves to do so, resolves to undertake these actions in the following order:
- a. Advertise its intent to amend the current agreement with the State Government, revoking the elements in Section 5 “Commitments to the Community” that mandate protection of iconic vistas and prohibit permanent residential activity within the Albany Waterfront Precinct.
  - b. Appoint consultants to prepare revised designs for the Albany Waterfront precinct and to prepare the necessary documents to amend the City’s Local Planning Scheme (LPS1) and revise the Albany Waterfront Precinct Plan and Structure Plan.
  - c. Initiate the necessary Local Planning Scheme amendment and advertise amendment to LPS1 concurrently with the proposed amendments to the Albany Waterfront Precinct Plan and Structure Plan.

<b>Consulted References</b>	:	Albany Waterfront Precinct Plan Albany Waterfront Structure Plan Albany Local Planning Strategy No.1 Memorandum of Agreement for the Albany Waterfront
<b>File Number (Name of Ward)</b>	:	Frederickstown Ward
<b>Previous Reference</b>	:	OCM 19/09/06 - Item 11.1.2 OCM 20/06/06 - Item 11.1.1 OCM 16/05/06 - Item 11.3.1 OCM 21/03/06 - Item 11.3.2 OCM 19/07/11 – Item 2.2 OCM 11/10/11- Item 2.1

**CSF171: FINANCIAL ACTIVITY STATEMENT – APRIL 2015**

**Proponent** : City of Albany  
**Attachments** : Financial Activity Statement  
**Report Prepared by** : Financial Accountant (S Beech)  
**Responsible Officer** : Deputy Chief Executive Officer (G Adams)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF171: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 30 April 2015.**

**CSF171: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR HORTIN  
SECONDED: COUNCILLOR SUTTON**

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

**CARRIED 11-0**

**CSF171: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 30 April 2015.**

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 30 April 2015 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

**DISCUSSION**

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.
6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.

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

### STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- (1) 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.
  - (2) 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.
  - (3) 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
  - (4) 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.

### POLICY IMPLICATIONS

8. The City's 2014/15 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 30 April 2015 has been incurred in accordance with the 2014/15 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.

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF172: LIST OF ACCOUNTS FOR PAYMENT – MAY 2015**

**Proponent** : City of Albany  
**Attachments** : List of Accounts for Payment  
**Report Prepared by** : Financial Accountant (S Beech)  
**Responsible Officer** : Executive Director Corporate Services (G Adams)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF172: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**That Council received the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 MAY 2015 totalling \$6,510,848.98.**

CSF172: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON  
 SECONDED: COUNCILLOR BOWLES

That the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

CSF172: RESPONSIBLE OFFICER RECOMMENDATION

That Council received the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 MAY 2015 totalling \$6,510,848.98.

**BACKGROUND**

- 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**

- The table below summarises the payments drawn from the municipal fund for the period ending 15 May 2015. Please see the attachment to this report.

**Municipal Fund**

Trust	\$0.00
Credit Cards	\$28,181.86
Payroll	\$1,690,430.44
Cheques	\$159,413.30
Electronic Funds Transfer	\$4,632,823.38

**TOTAL**

**\$6,510,848.98**

3. As at 15 May 2015, the total outstanding creditors, stands at \$560,957.66 and made up as follows:-

Current	\$287,423.69
30 Days	\$260,159.44
60 Days	\$9,374.55
90 Days	\$3,999.98
<b>TOTAL</b>	<b>\$560,957.66</b>

Cancelled cheques: None.

**STATUTORY IMPLICATIONS**

4. 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.
5. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
6. 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.

**POLICY IMPLICATIONS**

7. Expenditure for the period to 15 May 2015 has been incurred in accordance with the 2014/2015 budget parameters.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 15 May 2015 has been incurred in accordance with the 2014/2015 budget parameters.

**SUMMARY CONCLUSION**

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

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF173: DELEGATED AUTHORITY REPORTS**

**Proponent** : City of Albany  
**Attachments** : Executed Document and Common Seal Report  
**Report Prepared by** : Personal Assistant to the DCEO (H Bell)  
**Responsible Officer** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF173: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RECEIVE the Delegated Authority Reports up until 15 May 2015.**

CSF173: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR DOWLING  
SECONDED: COUNCILLOR SUTTON

THAT Council RECEIVE the Delegated Authority Reports up until 15 May 2015.

CARRIED 11-0

CSF173: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Delegated Authority Reports up until 15 May 2015.

**CSF174: COUNCIL POLICY: PAYMENTS TO EMPLOYEES ABOVE CONTRACT OR AWARD**

**Proponent** : City of Albany  
**Attachments** : Draft Policy Position  
**Report Prepared by** : Manager Governance & Risk Management (S Jamieson)  
**Responsible Officer** : Deputy Chief Executive Officer (G Adams)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership
  - b. **Strategic Objective:** 5.1. To establish and maintain sound business and governance structures.
  - c. **Strategic Initiative:** 5.1.1 Develop informed and transparent decision making processes.

**In Brief:**

- The Local Government Act 1995 requires that a local government prepare a policy in relation to employees whose employment with the local government is finishing in respect to payments in addition to contract or award.

**RECOMMENDATION**

**CSF174: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ADOPT the new Policy-Payments to Employees above Contract or Award, as detailed in the report and attached.**

CSF174: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT:

MOVED: COUNCILLOR HORTIN  
SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-3

**Record of Vote**

Against the Motion: Councillors Mulcahy, Price and Hammond

**CSF174: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council ADOPT the new Policy – Payments to Employees above Contract or Award When Finishing Employment with the City, as detailed in the report.

**BACKGROUND**

2. Historically, the subject policy position was encapsulated in the Operational Human Resource Policy Manual, which was rescinded by Council in 2011.
3. A compliance review of the *Local Government Act 1995* (the Act), highlighted that the Council does not have a formal policy position in regards to this matter, as required by the Act.

**DISCUSSION**

4. The Act requires that a local government prepare a policy in relation to employees whose employment with the local government is finishing, setting out:
  - a. the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
  - b. the manner of assessment of the additional amount, and cause local public notice to be given in relation to the policy.

**Recognition of Service**

5. A payment to an employee finishing with the local government is not to exceed that prescribed by regulations and may take the form of cash and / or a non-monetary award.
6. A scale of cash payments dependent on the number of years of (continual) service could be used to offer recognition by Council of the years of service given by the employee to the City of Albany.
7. Sums that could be considered are included in the table below:

Completed Continuous Years of Service	Proposed Monetary Value	Previous Monetary Value
10 years	\$250	\$150
15 years	\$500	\$225
20 years	\$750	\$300
25 years +	\$1,000	\$375
30 years	As above	\$450

**Voluntary Severance**

8. A severance payment can be offered to employees who accept voluntary severance. This payment must be made in accordance with the Regulations pertaining to such a payment (see Regulation 19A *Local Government (Administration) Regulations 1996*).

**Proposed Policy Position:**

The *Local Government Act 1995* requires that a local government prepare a policy in relation to employees, whose employment with the local government is finishing, setting out:

- a. the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- b. the manner of assessment of the additional amount, and cause local public notice to be given in relation to the policy.
- c. payment is not to exceed that prescribed by regulations.

**Assessment:**

Periods of Service:

In recognition of long periods of service to the City of Albany, Council will therefore consider the payment to an employee who is finishing, of an additional cash amount to which they would be entitled.

Completed Continuous Years of Service	Proposed Monetary Value
10 years	\$250
15 years	\$500
20 years	\$750
25 years +	\$1,000

Achievement:

In recognition of exceptional performance in achieving major organisational challenges and goals can be given within the prescribed limits by the Chief Executive Officer, after consultation with the Mayor.

**GOVERNMENT & PUBLIC CONSULTATION**

9. A review of other policy position across the sector has been reviewed in preparation of this report, in particular the City of Kwinana.
10. A local public notice is to be given as soon as practicable of any payment to an employee that is in excess of the amounts provided for in this Policy.

*Note: A payment in excess of this Policy must still be within the limits prescribed in the Act and Regulations.*

**STATUTORY IMPLICATIONS**

11. Detailed in the “In Brief” section of the report.

**POLICY IMPLICATIONS**

12. **Local Government Act 1995. Section 2.7 Role of council:**

*(1) The council —*

*(a) governs the local government’s affairs; and*

*(b) is responsible for the performance of the local government’s functions.*

*(2) Without limiting subsection (1), the council is to —*

*(a) oversee the allocation of the local government’s finances and resources; and*

*(b) determine the local government’s policies.*

13. **Section 5.50. Payments to employees in addition to contract or award:**

*(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —*

*(a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and*

*(b) the manner of assessment of the additional amount, and cause local public notice to be given in relation to the policy.*

*(1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1).*

*(2) A local government may make a payment —*

*(a) to an employee whose employment with the local government is finishing; and*

*(b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government, but local public notice is to be given in relation to the payment made.*

*(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.*

*(4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.*

14. **Local Government (Administration) Regulations 1996:**

*19A. Payments in addition to contract or award, limits of (Act s. 5.50(3))*

*(1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total —*

*(a) the value of the person’s final annual remuneration, if the person —*

*(i) accepts voluntary severance by resigning as an employee; and*

*(ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;*

*or*

*(b) in all other cases, \$5 000.*

*(2) In this regulation — final annual remuneration in respect of a person, means the value of the annual remuneration paid, or payable, to the person by the local government which employed that person immediately before the person’s employment with the local government finished.*

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Legal &amp; Compliance.</b> <i>If a policy position is not adopted, none compliance with the Act will result.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>City Officer’s work with Council to address any areas of concern with the proposed policy position and represent for adoption.</i>

**FINANCIAL IMPLICATIONS**

16. There will be some minor impacts to the City and budgetary considerations are included on an annual basis.

**LEGAL IMPLICATIONS**

17. There are no direct legal implications related to this report. However, the Council must adopt a policy position to ensure compliance with the Act.

**ENVIRONMENTAL CONSIDERATIONS**

18. There are no direct environmental implications related to this report.

**ALTERNATE OPTIONS**

19. Council may consider it appropriate to determine other monetary values.

**SUMMARY CONCLUSION**

20. It is recommended that the Responsible Officer's Recommendation is adopted.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	CM.STD.7 (All Wards)
<b>Previous Reference</b>	:	OCM 15/11/2011 Report Item 1.1.1, Resolution 2.

**CSF175: PROPOSED RESUMPTION**

**Land Description** : REDACTED  
**Owner** : REDACTED  
**Attachments** : Confidential Photograph  
Confidential Letters  
**Report Prepared by** : Nikki Crook, Senior Lands Officer  
**Responsible Officer** : Garry Adams, Deputy Chief Executive Officer

**Responsible Officer's Signature:**



**CONFIDENTIAL REPORT**

In accordance with section 5.23 (2)(b) of the *Local Government Act 1995*, this report will be dealt with as a confidential item, as it pertains to the personal affairs of a person.

**CSF176: 2015-16 CITY OF ALBANY – ADVERTISING OF PROPOSED GENERAL RATING SCHEDULE & WASTE FACILITIES MAINTENANCE RATE**

**Proponent** : City of Albany  
**Report Prepared by** : Manager Finance (D Olde)  
**Responsible Officer** : Deputy Chief Executive Officer (G Adams)

**Responsible Officer's Signature:** 

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership.
  - b. **Strategic Objectives:**
    - 5.1. To establish and maintain sound business and governance structures.
    - 5.3. To engage effectively with our community.
  - c. **Strategic Initiative:** Nil

**In Brief:**

- Accept the report as urgent and approve the proposed general rate in the dollar and minimum payment amounts for advertising and public comment.

**RECOMMENDATION**

**CSF176: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council:**

- a. **ENDORSES and APPROVES** advertising the proposed general rate in the dollar and minimum payment for the 2015-16 financial year as represented in the following table:

Description	Minimum Payment \$	Actual Rate in Dollar 2014-15	Proposed Rate in Dollar 2015-16
<b>Gross Rental Value (GRV)</b>			
General	935.00	9.7920c	10.2179c
Unimproved Value (UV)	1010.00	0.3828c	0.4099c

- b. **ENDORSES and APPROVES** advertising the proposed Waste Facilities Maintenance Rate (Section 66 (1) Waste Avoidance and Resource Recovery Act 2007) for the 2015-16 financial year as represented in the following table:

Description	Minimum Payment \$	Actual Rate in the Dollar 2014-15	Proposed Rate in Dollar 2015-16
Gross Rental Value (GRV) Properties	55.00	0.01c	0.01c
Unimproved Value (UV) Properties	55.00	0.0022c	0.0022c

**CSF176: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR GREGSON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

**CSF176: RESPONSIBLE OFFICER RECOMMENDATION**

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

- a. ENDORSES and APPROVES advertising the proposed general rate in the dollar and minimum payment for the 2015-16 financial year as represented in the following table:

Description	Minimum Payment \$	Actual Rate in Dollar 2014-15	Proposed Rate in Dollar 2015-16
<b>Gross Rental Value (GRV)</b>			
General	935.00	9.7920c	10.2179c
Unimproved Value (UV)	1010.00	0.3828c	0.4099c

- b. ENDORSES and APPROVES advertising the proposed Waste Facilities Maintenance Rate (Section 66 (1) Waste Avoidance and Resource Recovery Act 2007) for the 2015-16 financial year as represented in the following table:

Description	Minimum Payment \$	Actual Rate in the Dollar 2014-15	Proposed Rate in Dollar 2015-16
Gross Rental Value (GRV) Properties	55.00	0.01c	0.01c
Unimproved Value (UV) Properties	55.00	0.0022c	0.0022c

**BACKGROUND**

- On a number of occasions, Council has met with City Executive staff in Council budget workshops to consider and prepare the City of Albany budget for 2015/16. The proposed rates have been determined in order to ensure a balanced budget and enable to the City to continue to provide the required services to the community.
- Rates are determined by a formula which apportions the total amount required across all those properties according to the total values as determined by the Valuer General's Office. This gives a "rate in the dollar" which is then applied to individual properties in the Municipality. The rate in the dollar is a tool for apportioning the total bill. For each category, the rate in the dollar has been determined to give an overall increase of 4.35% in total rates for the 2015/16 year.

**DISCUSSION**

4. As required by the *Local Government Act 1995*, and its Regulations, the City is required to advertise the land rates the Council proposes within its annual budget.
5. Many of the cost pressures faced by the City are outside of its control including such things as significant increases in utility charges and employment costs.
6. The proposed 4.35% increase in rates for the 2015/16 budget year represents an average increase across all properties.
7. If Council does not endorse the above rates, then further discussion regarding the proposed 2015/16 budget will be required in order to determine expenditure reductions.
8. A review of UV rated properties paying minimum rates shows that the majority of these properties are rural lifestyle lots – larger blocks with a single house located on it. The nature of these properties is not primary production or rural use. An equivalent property rated under GRV would have rates levied of \$1300-\$1500. Therefore, increasing the minimum rates for UV rated properties addresses an inequity in the rating strategy of the City.

**GOVERNMENT & PUBLIC CONSULTATION**

9. In the review of the City’s budgeted general rates and minimum payment, there is no requirement for formal government consultation.
10. Under section 6.36 of the *Local Government Act 1995*, the City is required to advertise any differential rating proposal for a minimum period of 21 days. For the 2015/16 year, two general rates are being proposed, and no advertising is required. However, in the interest of public information and disclosure, the proposed general rates will be advertised, and any submissions received will be presented to Council prior to the adoption of the 2015/16 budget.

**STATUTORY IMPLICATIONS**

11. Budget processes and endorsement are strictly regulated by the *Local Government Act 1995* and its Regulations.

**POLICY IMPLICATIONS**

12. There are no Policy implications in relation to the proposed fees and charges structure.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation.</b> <i>Proposed differential general rates or minimum rates not advertised for the required 21 days.</i>	<i>Unlikely</i>	<i>Significant</i>	<i>Medium</i>	<i>Even though the proposed rating schedule is for a general rate. And no advertising is required, it is recommended that the change to rating is advertised.</i>

**FINANCIAL IMPLICATIONS**

14. Rating income is the major source of revenue for the City, and without this income, the City would be unable to provide services, operate and maintain community facilities, and maintain infrastructure assets.

**LEGAL IMPLICATIONS**

15. The City is not required to advertise a general rate separate to the budget, but will do so for public interest and receive submissions for 21 days.

**ALTERNATE OPTIONS**

16. That Council does not endorse the advertising of the proposed rates and minimum payment.

**SUMMARY CONCLUSION**

17. The proposed general rates and minimum payments will be advertised for a period of 21 days, public comments sought, and any comments considered when adopting the Annual Budget.
18. Upon endorsement of this resolution, advertisements will be placed in local newspapers as soon as possible.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	CSF097 OCM June 2014

**CSF177: ALBANY AGRICULTURAL SOCIETY – FUTURE USE AND  
TENURE IN CENTENNIAL PARK**

**Land Description** : **Eastern Precinct**  
Reserve 405 Lot 1359 Lockyer Avenue, Centennial Park  
Lot 305 Lockyer Avenue, Centennial Park  
Lot 32 North Road, Centennial Park  
**Central Precinct**  
Lot 5 North Road, Centennial Park  
Lot 6 and Lot 1003 North Road, Centennial Park  
Lot 115 North Road, Centennial Park

**Proponent** : Albany Agricultural Society  
**Owner** : City of Albany (as freehold, through Crown Grant in Trust or as  
Management Body of Crown Reserve)

**Attachments** : OCM 22 July 2014 Item CS011  
**Report Prepared by** : Senior Land Officer (N Crook)  
**Responsible Officer** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:**
    - 3 A Connected Built Environment
    - 4 A Sense of Community.
  - b. **Strategic Objective:**
    - 3.2 To develop community amenities that support people of all ages and backgrounds.
    - 4.2 To create interesting places, spaces and events that reflect our community's identity, diversity and heritage.
    - 4.3 To develop and support a healthy inclusive and accessible community.
  - c. **Strategic Initiative:**
    - 3.2.2 By developing facilities and activities that enable active and passive recreation.
    - 3.2.3 By developing an integrated approach to planning and development.
    - 4.2.2 By improving the amenity of community spaces to promote participation and wellbeing.
    - 4.3.1 Develop a range of activities and facilities that are appropriate for all ages.
    - 4.3.2 Encourage and support volunteers and community groups.

**Maps and Diagrams:**



**In Brief:**

- Council is requested to consider the options presented to the Albany Agricultural Society to accommodate its future use and tenure within the Centennial Park Sporting Precinct.
- The Albany Agricultural Society's licence arrangement over Centennial Park expired in 2010 and it has continued to operate at this site on holding over provisions, though this arrangement will come to an end in November 2015.
- The City holds a current lease with Albany Agricultural Society over Lot 1135 Hanrahan Road, which operates as the City's waste facility. This lease is current until 2022.
- Whilst the two property dealings are subject to separate agreements, they have operated under an arrangement whereby one offsets the rent for the other.
- In an effort to reach a negotiated agreement with the Albany Agricultural Society, the CEO and City staff has presented a number of offers for consideration (subject to Council approval). It is recommended that Council support the most recent offer made to the Albany Agricultural Society as the final offer for their consideration and endorse a position if this offer is not accepted.

**RECOMMENDATION**

**CSF177: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council:**

1. **ENDORSE** the following final offer being made to the Albany Agricultural Society for their continued use and operation with the Centennial Park Sporting Precinct:
  - a. A cash payment of \$750,000 will be made in exchange for the voluntary surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road (tip site);
  - b. These funds will enable the Albany Agricultural Society to construct its own exhibition and administration building within Lot 32 North Road, immediately adjacent to Knight Street.
  - c. To further assist the Society, the City will remove the existing buildings at its own cost and undertake site works to a value of \$220,000, including the construction and sealing of an access road and parking spaces, connection to sewer and water for the proposed new building;
  - d. The agreed site will allow a building footprint to a maximum of 3600m<sup>2</sup>, and will be leased to the Society for a term of 30 years at a peppercorn rent;
  - e. The City will continue to offer in-kind support up to a value of \$25,000 during the Show period;
  - f. The City will allow the negotiated use of the central and eastern precincts for the operation of the Show. In this respect, the City will consider the use of all facilities (not otherwise permanently occupied) subject to the approval of a Show layout plan. This includes the temporary closure and use of Lockyer Avenue; and
  - g. During the Centennial Park redevelopment, the City will make Albany Leisure and Aquatic Centre and surrounds available for the 2016 Albany Show.
  
2. **NOTIFY** the Albany Agricultural Society that, in the event the above offer is not accepted, the following position will apply:
  - a. In order to meet funding deadlines for the Centennial Park redevelopment, Albany Agricultural Society must vacate the Centennial Oval licence area as per the termination notice issued on 26 November 2014;
  - b. The City will no longer pursue the surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road;
  - c. As per the lease variation agreement, the City will negotiate with the Albany Agricultural Society in good faith to determine an agreed rental of the Hanrahan Landfill Facility situated at Lot 1135 Hanrahan Road, in line with the requirement and intent of the current lease over this land;
  - d. The City will make available the Centennial Park land area to the Society (at no cost) for the annual Albany Show and will continue to work with the Society to determine a sustainable operating model; and
  - e. The City will allow the use of the new Centennial Park buildings during the Annual Show subject to cost recovery.

## BACKGROUND

2. The Albany Agricultural Society (AAS) has used Centennial Park East since the 1900's, however a formal licence agreement was only put in place in 1980. The latest licence expired on 31 December 2010 and AAS have continued to occupy the site under holding-over on the same conditions.
3. The licence states that the holding-over period is terminable by either party on giving 12 months notice. The City has now issued a termination notice in accordance with the licence and the AAS occupation of the site will terminate on 27 November 2015.
4. The licence provides a further termination right (Clause 12) and this was included in the termination notice. The notice states that termination is conditional on the City "requiring the Showgrounds for other purposes and providing alternate premises for the Annual Show". If not for the earlier termination set out above of 27 November 2015, the licence would terminate under clause 12 on 31 December 2015.
5. Under the terms of the licence and termination notice, AAS must:
  - a. Remove from the Showgrounds all furniture on or before the termination date and reinstate the Showgrounds to the same state and condition as at the commencement of the licence; and
  - b. Within 6 months following the termination date, remove AAS buildings as set out on the licence. Following this time the buildings become the property of the City.
6. The Albany Agricultural Society was issued a Crown Grant in Trust over Lot 1135 Hanrahan Road in 1966 for the purpose of "Greater Sports Ground and Showground".

*A Crown Grant is a title to land in free simple (formerly Crown Land) which has been granted by the Queen to a person, company, statutory body or incorporated association for a cash consideration or on the completion of certain developments that may benefit the State.*

*Service or religious organisations may be granted land free of cost to be held in trust for specific purposes which are beneficial to the community, though the land must be used only for that specific purpose. This type of Crown Grant is known as a Crown Grant in Trust or conditional tenure land.*
7. The City of Albany currently has a lease with the AAS over the Hanrahan Landfill Facility at Lot 1135 Hanrahan Road, expiring 31 January 2022. The purpose of the lease is for "Refuse site for the disposal of all kinds of garbage". The original lease of Lot 1135 Hanrahan Road entered into on 3 February 1971 had a peppercorn rental amount of \$1 per year, though this was varied in 2002 to be the equivalent of the minimum rate.
8. Council, at its meeting held on 25 February 2014, resolved:

*"THAT City staff investigate targeted solutions for the Albany Agricultural Society's current and future needs, and these options be presented at a future Council meeting".*
9. Council, at its meeting held on 22 July 2014 (copy of item attached), considered an item which detailed the current status of negotiations with the Albany Agricultural Society (AAS) regarding its ongoing tenure and use within Centennial Park relative to the redevelopment of this sporting precinct. This item considered the impact of these negotiations on the funding milestones associated with the State and Federal grants secured for the redevelopment project. From this meeting, it was resolved:

*“THAT Council:*

- *RECEIVE the Officer’s Report;*
- *ACKNOWLEDGE the Albany Agricultural Society presentation;*
- *RECOMMEND to Council:*
  - *City Staff continue to work with the design team to develop a design for the Annual Agricultural Show to remain at Centennial Park;*
  - *City staff to work with the community groups and sporting and recreational clubs that currently conduct activities in the existing Albany Agricultural Society structures to find suitable alternative venues; and*
  - *City staff to work with Albany Agricultural Society current Centennial Park facility users that conduct agricultural related activities/events throughout the year to source suitable alternate locations.”*

10. City officers have met with and exchanged correspondence with the AAS regularly since these Council resolutions were made in an effort to reach an agreed position with the AAS. The offers made to the AAS will be detailed in the Discussion section below.

## **DISCUSSION**

11. For the purpose of understanding the level to which the City has attempted to accommodate the AAS’s needs in the Centennial Park Sporting Precinct, a history of the offers made to the AAS is summarised below:

### March 2014

- Proposed land swap of the Hanrahan Landfill Facility land for a 19ha area of land at the corner of South Coast Highway and George Street (Crown Reserves 28465 and 28466), which was considered a viable development site for the AAS’s future activities;
- Cash offer of \$250,000 for new infrastructure in Centennial Park so that the show could remain in this location; and
- City to explore options for the AAS to maintain an administrative presence in the precinct.

### May 2014

- Albany Agricultural Show to remain in Centennial Park, with the following in-kind support to be provided by the City:
  - Preparation of the grounds, as part of the Developed Reserves maintenance program (including mowing, moving bollards etc);
  - Remediation of the site following completion of the Show;
  - Provision of a water truck for dust suppression;
  - Provision of appropriate vehicles for towing requirements and placement of various facilities; and
  - Traffic management.
- In return for the voluntary surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road, the City offered the payment of an annual sum of \$30,000 (inclusive of GST and indexed to CPI each year) or a lump sum payment of \$300,000 (including GST).

August 2014

- A permanent office space and continued operation of the Annual Show in the Centennial Park Sporting Precinct;
- In return for the voluntary surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road, the City offered the payment of an annual sum of \$30,000 (inclusive of GST and indexed to CPI each year) or a lump sum payment of \$300,000 (including GST). These funds were offered on the proviso that the funds were used for permanent or temporary infrastructure to assist with the hosting of the annual show; and
- In-kind support by the City as described in the previous offer to remain.

November 2014

- Cash payment of \$550,000 (including GST) in exchange for the voluntary surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road;
- The cash payment would enable the construction of a new, purpose built structure in the eastern precinct in the vicinity of Knight Street. The building to be considered should have a maximum floor space of 3500m<sup>2</sup> and accommodate all of the permanent needs of the AAS including a hall area, administrative space, storage and ablution facilities;
- 30 year lease arrangement for the building footprint within Lot 32 North Road. AAS to own the building, while the City retains ownership of the land;
- Some concessions were made with regard to the fencing of the precinct, though it was recognised that approximately 500m of temporary fencing would be required for the operation of the Show; and
- Possible retention of the cattle yards near the Cockburn Road / Symers Street intersection for a period of 5 years and the AAS to look at the relocation of livestock and traditional agricultural functions after this term, as these uses are no longer considered appropriate in the CBD.

**Recent Options**

12. In February 2015, the City received correspondence from the AAS indicating the requirements for its future use of the Centennial Park Sporting Precinct. This letter proposed almost 9000m<sup>2</sup> in covered space, both as new buildings and a covered car park, in addition to the refurbishment of the Royals building. The AAS also requested that these new structures were in place and Royals refurbished prior to the evacuation and demolition of the existing AAS buildings.
13. It is estimated that the AAS currently have approximately 6400m<sup>2</sup> in covered space in existing buildings (sheds, stock yards, stables etc), though it is understood they hire a further 2200m<sup>2</sup> in temporary marquees for the operation of the Show. This figure of 6400m<sup>2</sup> is based on aerial photography, though the AAS claim to have 6977m<sup>2</sup> in covered space. The AAS has also advised the City that its buildings are valued at \$2.6 million, though the City would argue that this may be the replacement value, rather than current value, given their poor state of repair.
14. Responding to this letter and considering the requests of the AAS relative to the requirements of the Centennial Park Sporting Precinct redevelopment, the City presented three options for the AAS consideration, as follows (and attached):

a. Option 1

- Part lease of the Royals Building as the AAS administration office (shared with Albany Junior Football Association), including a \$100,000 contribution towards the upgrade of this building;
- Possible construction of a storage building in the vicinity of ALAC to house temporary show infrastructure;
- Payment of \$550,000 in exchange for the voluntary surrender of the Crown Grant over Lot 1135 Hanrahan Road;
- Use of ALAC and surrounds for the operation of the Annual Show on a permanent basis and under a licence arrangement;
- Use of Railways football oval for equestrian events;
- Agreement to use the City's temporary infrastructure, including marquees and fencing, as additional in-kind support for the show.

b. Option 2

- Part lease of the Royals Building as the AAS administration office (shared with Albany Junior Football Association), including a \$100,000 contribution towards the upgrade of this building;
- Lease of 2000m<sup>2</sup> for construction of an undercover exhibition space in Central Precinct, north of the Railways Football Club and within the fenced area;
- Payment of \$550,000 in exchange for the voluntary surrender of the Crown Grant over Lot 1135 Hanrahan Road;
- The Annual Show to utilise the Central and Eastern Precincts (including the use of the new arena and stadium building and the temporary closure of Lockyer Avenue). Railways football oval to be used for equestrian events;
- Agreement to use the City's temporary infrastructure, including marquees and fencing, as additional in-kind support for the show.

c. Option 3

- Part lease of the Royals Building as the AAS administration office (shared with Albany Junior Football Association), including a \$100,000 contribution towards the upgrade of this building;
- Lease of 3000m<sup>2</sup> for construction of an undercover exhibition space in the eastern precinct, adjoining Knight Street and commercial uses;
- Payment of \$550,000 in exchange for the voluntary surrender of the Crown Grant over Lot 1135 Hanrahan Road;
- The Annual Show to utilise the Central and Eastern Precincts (including the use of the new arena and stadium building and the temporary closure of Lockyer Avenue). Railways football oval to be used for equestrian events;
- Agreement to use the City's temporary infrastructure, including marquees and fencing, as additional in-kind support for the show.

15. All of the options include:

- a. A part lease of the Royals Building located in Centennial for AAS administration office.
- b. The location of the Annual Show at ALAC during the construction period. AAS has provided in-principle agreement to this arrangement.
- c. The City re-homing some of the existing community and sporting groups that use the AAS buildings. The City has had discussions with many of these users and has reached agreement for them to use other City facilities (i.e. ALAC, Vancouver Arts Centre etc).

16. On 8 April 2015, the AAS responded to the options presented, stating that Options 1 and 2 would be unworkable and could not be financially sustainable for the AAS. They indicated their preference for Option 3, subject to the following requirements being fulfilled:
- a. Sufficient funds should be provided by the City to construct a 3600m<sup>2</sup> building on an east-west alignment, from design stage through to final completion;
  - b. This building shall be leased to the AAS for 30 years with a 30 year option;
  - c. A 4000m<sup>2</sup> covered car park in the vicinity of the soccer clubhouse, with 2.8m drop sides and gable roof should be constructed to house livestock exhibitions during the Show;
  - d. The City shall refurbish (at the City's full expense) the Royals clubhouse for the AAS use as an office space and meeting room;
  - e. Use of the Railways football oval for horse arenas during the Show;
  - f. Use of the full Eastern Precinct including stadium and facilities during the Show period;
  - g. Temporary marquees and fencing to be provided by the City as an in-kind contribution;
  - h. No demolition or exclusion of use of the existing buildings shall occur until all new and refurbished buildings are completed and handed to the AAS under the AAS management;
  - i. Lockyer Avenue shall be closed on Show days; and
  - j. Retention of the existing cattle yards.
17. In response to this considerable counter offer, the City advised the AAS on 8 May 2015 that this position presented under cover dated 8 April 2015 was far greater than what the City has proposed or what we are able to offer, however the following revised offer was put forward for consideration:
- a. A cash payment of \$750,000 will be made in exchange for the voluntary surrender of the Crown Grant in Trust over Lot 1135 Hanrahan Road;
  - b. These funds would enable the construction of a 3,600m<sup>2</sup> building in the vicinity of Knight Street. It is intended that this building would house the AAS administrative functions and the Royals building was excluded from this revised offer;
  - c. The City would undertake or fund site works to a value of \$220,000, including the construction and sealing of an access road and parking spaces, connection to sewer and water and site works for the proposed building;
  - d. The site of the building will be leased to the AAS for a term of 30 years;
  - e. In-kind support up to a value of \$25,000 during the Show period, including use and assembly of temporary fencing and marquees; and
  - f. Negotiated use of the central and eastern precincts for the operation of the Show. In this respect, the City will consider the use of all facilities (not otherwise permanently occupied) subject to the approval of a Show layout plan and cost recovery options. This includes the temporary closure and use of Lockyer Avenue.

18. It is noted that the figure of \$750,000 for Lot 1135 Hanrahan Road is partly based on the value of the adjoining Lot 202 Hanrahan Road, which the City purchased in 2013. This 18ha parcel of land cost \$440,000 (ex GST). While a market valuation would be difficult to achieve on the landfill site, based on the value of the adjoining land, the 31ha of Lot 1135 could be valued in the vicinity of \$750,000.
19. The AAS was advised that this offer was subject to Council approval. At the time of writing this item to Council, no formal response to the 8 May offer has been received.

#### **Further Comment on Offers Made**

20. While the cash offer has been made as an enticement to surrendering the Crown Grant in Trust over Lot 1135, it is considered that these monies could be used to keep the AAS financially sustainable in the longer term.
21. The acceptance of the cash offer will allow the AAS to construct a new building in Centennial Park which they can manage as a more viable source of income and will enable the City to manage the Hanrahan Road Waste Facility unencumbered.
22. It is recognised that in the medium to long term, it would be preferable to see the relocation of traditional agricultural activities from Albany's central areas. These uses were appropriate when Albany was a smaller country town, but as it has transitioned over time to a larger regional centre, agricultural uses have moved to outlying areas. It would be preferred that the AAS also follow this trend and look at taking up options to co-locate at other compatible facilities. It is questioned whether it is appropriate to encourage uses involving livestock animals in close proximity to an expanding central business district.
23. With regard to the matter of co-location, the City has suggested that the AAS consider a number of alternate sites for their future operations. This includes the Albany Racecourse, the Albany Trotting Club and Collingwood Football Oval. It is understood these groups may also be agreeable to co-location options in order to secure their long term financial viability, as maintenance and operation costs can be difficult for community groups to meet. However, these suggestions have not been supported by the AAS on the basis that they believe they should remain in the Centennial Park Sporting Precinct.
24. It was originally intended that eventually the showgrounds would be developed at Lot 1135 Hanrahan Road, which is outside of the CBD and while this is no longer feasible, it is contrary to the argument that the AAS must maintain their presence in the CBD.

#### **Options if Agreement Not Achieved**

25. In the event that agreement is not reached with the AAS, then the following considerations are noted:
  - a. The redevelopment of the Centennial Park Sporting Precinct has been supported by the Council and has received regional, State and Federal support. This critical project should not be further delayed and funding arrangements jeopardised;
  - b. In accordance with the holding over provisions of the licence, the City has issued a Termination Notice to the AAS for the vacation of the site by 27 November 2015. The AAS has no further property rights over Centennial Park past this date.
  - c. The City holds a lease over Lot 1135 Hanrahan Road for the landfill facility use until 2022. The City does have the option of continuing this lease and closing the facility, in line with an approved closure plan. The lease will then terminate and the management of the land will revert to the AAS.

This is not a preferred position of the City, however it is considered that the City has done everything reasonably practicable to reach a mutually agreeable position with the AAS.

26. The City's lease agreement for the Hanrahan Landfill Facility states that the rent of the land shall be an amount equivalent to the Gross Rental Value of the Centennial Oval and in the event that AAS does not lease Centennial Oval from the City, then the rent shall be such amount as shall be agreed between the City and AAS from year to year, set annually and subject to GST. The City would need to negotiate with AAS to determine this rental value.
27. It is noted that irrespective of which option results, the City will be responsible for ensuring that the landfill facility is closed and made good in line with a landfill closure plan to be approved by the Department of Environment Regulation. There may also be requirements for ongoing monitoring of groundwater.

### GOVERNMENT & PUBLIC CONSULTATION

28. Extensive consultation with the AAS has occurred to date. The City has also discussed options for relocation with various community and sporting groups currently using the AAS buildings and secured new locations for many of these groups, with their full support.
29. All other stakeholder and sporting clubs within the Centennial Park Sporting Precinct have provided written endorsement of the Master Plan and concept design for the precinct redevelopment.
30. The City has also maintained close consultation with the Department of Lands throughout the negotiation process.

### STATUTORY IMPLICATIONS

31. There are no statutory implications related to this report.

### POLICY IMPLICATIONS

32. The options to accommodate the AAS may impact on the Centennial Park Sporting Precinct Master Plan previously adopted by Council and could be considered a departure from this plan.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Financial.</b> Funding of development lost due to not meeting grant funding conditions and milestones, may result due to delay reworking adopted master plan.	Likely	Severe	High	Council adopts a position that will guide the finalisation of development and structures, which will in turn facilitate grant funding conditions.
<b>Reputation.</b> If agreement is not reached on a suitable option for AAS occupation within Centennial Park, the termination of current arrangements with AAS will likely attract significant negative attention.	Likely	Major	High	City to manage public reaction in a measured way and make clear the risks of allowing negotiations to remain unresolved.

## FINANCIAL IMPLICATIONS

34. The cash payment offer made in exchange for the voluntary surrender of Lot 1135 Hanrahan Road would be drawn from the Waste Reserve. This is considered a legitimate expenditure from this Reserve, as it will safeguard an existing landfill facility and provide options for a future transfer station to be located on site.
35. Other offers made (i.e. site works) are not currently funded in the scope of the Centennial Park redevelopment and will need to be funded from outside of the current allocated budget.
36. The existing grant funding is subject to delivering upgrades as outlined in the Master Plan and meeting key milestones so that the grant is acquitted by March 2017. Financial penalties apply for failing to meet contractual requirements.

## LEGAL IMPLICATIONS

37. The City sought legal advice regarding termination of the AAS Licence over the Centennial Oval site. The City provided the AAS a termination notice in accordance with the licence on 26 November 2014. The Licence will terminate on 27 November 2015.
38. The City sought legal advice regarding the rental arrangements for Lot 1135 Hanrahan Road, in the event that the AAS's licence over Centennial Oval completes. There are other potential options that could be explored to affect a transfer of the Hanrahan Road site, however, given the lease remains in place for another 6 years, there is no urgency for this to be pursued.

## ENVIRONMENTAL CONSIDERATIONS

39. The City is responsible for the management of the Hanrahan Landfill Facility under the terms and conditions of the licence granted by the Department of Environment Regulation. Any closure of this facility will be similarly regulated by this agency via an approved closure plan.
40. The *Contaminated Sites Act 2003* will place serious restrictions on the future use of Lot 1135 Hanrahan Road and it is considered unlikely that more sensitive uses (such as recreational uses) will be permitted on the site.

## ALTERNATE OPTIONS

41. This report documents the options presented to the AAS throughout the negotiation period and the most recent offer made. On this basis, Council may:
  - a. Support the most recent offer made to the AAS under cover dated 8 May 2015;
  - b. Make an alternate recommendation on the final offer to be made to the AAS; and/or
  - c. On the basis that no offer is accepted by the AAS, decide to move forward with the termination of the AAS uses within Centennial Park and see out the term of the lease over Lot 1135 Hanrahan Road.

**SUMMARY CONCLUSION**

- 42. The redevelopment of the Centennial Park Sporting Precinct has been discussed with the AAS for a long period of time and, in line with Council's July 2014 resolution, the City has been negotiating intensively with this group to reach an agreement for its future use and occupation with Centennial Park.
- 43. The report details how the City has made increasingly generous offers to bring the AAS activities in line with the adopted Centennial Park Sporting Precinct Master Plan. To date, none of these offers have been accepted by AAS.
- 44. The most recent offer made under cover 8 May 2015 is considered to be a very generous offer and will allow the AAS to build its own building in the Centennial Park Sporting Precinct. This building will then permit the AAS to both have a base for the Show, admittedly in a revised operational model, and to provide a future source of income through rental of the facility.
- 45. It is the staff recommendation that Council endorse the most recent offer made to the AAS as the final offer. In the event that this offer is not accepted, it is recommended that Council notify the AAS of its intent to see out the termination of their use of Centennial Oval and see out the lease of Lot 1135 Hanrahan Road.

<b>Consulted References</b>	:	Past documentation, correspondence & items to Council
<b>File Number (Name of Ward)</b>	:	CP.DEC.1
<b>Previous Reference</b>	:	OCM 22/07/2014 Item CS011 OCM 25/02/2014 Item CS008 OCM 16/07/2013 Item 3.1

**WS074: EYRE PARK ALL ABILITIES REGIONAL PLAY SPACE**

**Land Description** : Eyre Park  
**Proponent** : City of Albany  
**Owner** : Freehold land – owned by the City of Albany  
**Attachments** : Preliminary Plan  
Probable Costings  
**Report Prepared by** : Developed Reserves Coordinator (J Purvis)  
**Responsible Officer** : Executive Director Works and Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2. Clean, Green and Sustainable
  - b. **Strategic Objective:** 2.2 To maintain and renew city assets in a sustainable manner
  - c. **Strategic Initiative:** 2.2.1 Asset management

**In Brief:**

- Subject to Council approval, the play equipment at Eyre Park is scheduled for renewal in the 15/16 financial year.
- A concept plan of the proposed new play space has been prepared and Council consideration is sought for the plan to be adopted.
- **Executive Director Works and Services advised the Works and Services Committee that City Staff made a submission to the Royalties for Regions, Great Southern Regional Grants Scheme and this was not successful. The Committee was advised that the project will be staged and City staff will look at options for other funding sources.**

**RECOMMENDATION**

**WS074: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council APPROVE the preliminary plan for the Eyre Park All Abilities Regional Play Space.**

WS074: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES  
SECONDED: COUNCILLOR GREGSON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED: 5-0

**WS074: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council APPROVE the preliminary plan for the Eyre Park All Abilities Regional Play Space.

**BACKGROUND**

2. The City of Albany submitted an application to Royalties for Regions, Great Southern Regional Grants Scheme in December 2014, for the creation of an All Abilities Regional Play Space at Eyre Park, as per City of Albany's adopted Coastal Parks Enhancement Plan (CPEP).
3. This work compliments the City of Albany Asset Management Plan for developed reserves in that the existing play equipment requires replacement. Recent playground audits have confirmed this.

**DISCUSSION**

4. The Coastal Parks Enhancement Plan was adopted by Council in September 2014, of which there was a recommendation to create a centralised all abilities play space at Eyre Park.
5. The current playground has been forecast for renewal in the 15/16 financial year which presents the opportunity to replace existing equipment with components that can be accessed and utilised by the whole community, including those with autism and/or other disabilities including sight and hearing impairment, seniors, toddlers, teenagers and families.
6. A new improved all abilities play space will increase safety, usability, diversity, age appropriateness and accessibility and create a regional community hub where all ages and abilities can experience fun and challenging play alongside their friends and family members.
7. The majority of the existing components have been recommended for replacement due to high maintenance requirements and age, from a safety audit completed in 2012. Some equipment has had to be removed for safety which has reduced the diversity of the play ground.
8. Eyre Park is regularly frequented for its playground, picnic facilities, youth activity area, and for exercise groups, bocce and events. This inland park offers a more sheltered, complementary experience to the coastal parks with large open spaces, amenities and slopes which make it the ideal location.
9. This will increase the usability of Eyre Park for large events which will bring in benefits to the local business community through higher visitation to the area.
10. If the funding is not forthcoming, the project can be staged.

**GOVERNMENT & PUBLIC CONSULTATION**

11. There was extensive community and stakeholder consultation in developing the CPEP which included presentations to the City's Access and Inclusion Working Group, local businesses, Nyoongar Elders Group, Friends Groups and the local community. This also included internal workshops within the City of Albany with representatives from Planning, Community Services and Corporate Services. The draft plan was then put out for public comment. It was concluded that the broader community would like to see enhancement of the parks facilities and amenities to enhance park experience and under one of the main themes 'A Place for Everyone'.

12. The detailed design will be circulated to the key stakeholders for feedback prior to implementation.

**STATUTORY IMPLICATIONS**

13. Nil.

**POLICY IMPLICATIONS**

14. Nil.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community/Reputation:</b> <i>Negative comments lack of nature play elements.</i>	<i>Almost Certain</i>	<i>Moderate</i>	<i>High</i>	<i>Implement works as planned which contains nature play elements.</i>
<b>People Health &amp; Safety:</b> <i>Current equipment is not compliant to standards.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Implement works complimented by asset management plan.</i>

**FINANCIAL IMPLICATIONS**

16. The project is listed in the draft 15/16 budget for approval.
17. The City's contribution to this project comprises of in-kind staff time, materials for landscaping, play components, and signage for interpretation to the value of \$297,550 from POS contributions: \$194,000 and Capital Works Programme: \$103,550.
18. Should the funding not be forthcoming, the City can implement stage 1 and look for alternative sources of funding.

**LEGAL IMPLICATIONS**

19. There are no legal implications relating to this matter.

**ENVIRONMENTAL CONSIDERATIONS**

20. All on ground works will be referred to the Environmental Officers prior to commencement to ensure there are no issues in particular with regards to water management and drainage.

**ALTERNATE OPTIONS**

21. The Council may elect to not to approve the preliminary sketch and further consultation can occur.

**SUMMARY CONCLUSION**

22. The Eyre Park All Abilities Regional Play Space is consistent with the City's asset management plans and adopted Coastal Parks Enhancement Plan. It is recommended that the preliminary plan be approved to enable implementation to occur subject to funding and budget considerations.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	PR.DEC.18
<b>Previous Reference</b>	:	Nil

**WS075: C15009 PANEL OF SUPPLIERS: SUPPLY AND DELIVERY OF CONCRETE DRAINAGE PRODUCTS**

**Proponent** : City of Albany  
**Owner** : City of Albany  
**Report Prepared by** : Depot Administration Coordinator (T. Sudran)  
**Responsible Officer** : Executive Director Works & Services (M. Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2. Clean, Green & Sustainable
  - b. **Strategic Objective:** 2.2 To maintain and renew city assets in a sustainable manner.
  - c. **Strategic Initiative:** 2.2.1 Asset Management

**In Brief:**

- Council approval is sought to accept tendered rates from a range preferred suppliers to supply and deliver concrete drainage products under a panel arrangement.

**RECOMMENDATION**

**WS075: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ACCEPT the tendered rates for C15009 Panel of Suppliers-Supply and Delivery of Concrete Drainage Products from the following suppliers:**

- **Ball Concrete;**
- **Newman's Concrete;**
- **MJB Industries;**
- **Duracast; and**
- **Humes.**

WS075: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR DOWLING

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

**WS075: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council ACCEPT the tendered rates for C15009 Panel of Suppliers – Supply and Delivery of Concrete Drainage Products from the following suppliers:

- Ball Concrete
- Newmans Concrete
- MJB Industries
- Duracast
- Humes

**BACKGROUND**

2. The City of Albany is seeking to establish a Panel of Suppliers for the supply and delivery of concrete drainage products on a schedule of rates basis.
3. Under the panel arrangement the highest weighted supplier for the particular item will be selected for supply with subsequent suppliers selected (in order) if the higher weighted supplier is not able to meet the specific operation requirements at that time.
4. The panel arrangement ensures operational efficiency, timeliness and flexibility particularly for reactionary maintenance works or projects operating under an accelerated timeframe.

**DISCUSSION**

5. A total number of nine tender documents were issued.
6. Tenderers were asked to provide a price/item to include all necessary materials and minor accessories required to successfully install the pipes. Price was based on bulk delivery rates.
7. The tender documents included 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:-

<b>Criteria</b>	<b>% Weight</b>
Cost	50
Relevant Experience	10
Key Personnel skills and experience	15
Tenderer's Resources	10
Demonstrated Understanding	10
Corporate Social Responsibility	5
<b>Total</b>	<b>100</b>

8. Five completed tender documents were submitted on or before the stipulated closing date and time. The following table summarises the tenderers and overall evaluation scores applicable to each product.

**Reinforced Concrete Products**

<b>Tenderer</b>	<b>Weighted Score</b>
Ball Concrete Pipes	591.53
MJB Industries	566.89
Newmans Concrete	556.02
Humes	519.40
Duracast	481.11

**Box Culverts/Bases/Link Slabs**

<b>Tenderer</b>	<b>Weighted Score</b>
Duracast	707.91
Newmans Concrete	694.09
Humes	614.99
MJB Industries	610.26
Ball Concrete Pipes	573.25

**Precast Headwalls**

<b>Tenderer</b>	<b>Weighted Score</b>
Ball Concrete Pipes	574.93
Duracast	563.17
Humes	552.35
MJB Industries	527.95
Newmans Concrete	496.55

**Chambers/Cylinders**

<b>Tenderer</b>	<b>Weighted Score</b>
Duracast	691.41
Newmans Concrete	690.49
Ball Concrete Pipes	536.89
Humes	466.98
MJB Industries	329.19

**Soakwells**

<b>Tenderer</b>	<b>Weighted Score</b>
Humes	604.23
MJB Industries	558.79
Newmans Concrete	549.57
Duracast	521.83
Ball Concrete Pipes	480.52

**Conversion Slabs**

<b>Tenderer</b>	<b>Weighted Score</b>
MJB Industries	806.60
Duracast	760.40
Newmans Concrete	759.07
Ball Concrete Pipes	703.11
Humes	313.30

**Chambers/Cylinder Bases**

<b>Tenderer</b>	<b>Weighted Score</b>
Humes	596.18
Newmans Concrete	591.62
Duracast	544.63
MJB Industries	539.34
Ball Concrete Pipes	443.19

**Grates**

<b>Tenderer</b>	<b>Weighted Score</b>
MJB Industries	632.65
Newmans Concrete	597.27
Ball Concrete Pipes	549.88
Humes	523.18
Duracast	411.96

**Covers**

<b>Tenderer</b>	<b>Weighted Score</b>
Duracast	671.42
Ball Concrete Pipes	545.80
Humes	508.07
MJB Industries	524.35
Newmans Concrete	465.29

**Other Items**

<b>Tenderer</b>	<b>Weighted Score</b>
Humes	603.47
MJB Industries	578.64
Ball Concrete Pipes	556.43
Duracast	536.76
Newmans Concrete	439.66

9. Should there be a requirement for other products not on the preferred supplier listing, then the normal procedure for quoting for these services will apply.

**GOVERNMENT & PUBLIC CONSULTATION**

10. A request for tenders was published in the West Australian on 8th April 2015 and the Albany Weekender on 9<sup>th</sup> April 2015.

**STATUTORY IMPLICATIONS**

11. 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, worth more than \$100,000.00.
12. 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.
13. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

**POLICY IMPLICATIONS**

14. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i><b>Financial</b> City not obtaining competitive pricing for item or delays in supply causing inefficiency or time overruns.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Tender process ensures competitive pricing. Flexibility of panel arrangements mitigates potential problems arising with respect to supply delays.</i>

**FINANCIAL IMPLICATIONS**

16. The value of this tender is in excess of \$500,000.00 and therefore the approval is referred to Council for consideration.
17. Tenderers were required to provide a schedule of rates for goods. The supply and delivery of concrete drainage products is budgeted for in the capital works and maintenance budgets. The tendered prices are within those allocations.

**LEGAL IMPLICATIONS**

18. Nil

**ENVIRONMENTAL CONSIDERATIONS**

19. Nil

**ALTERNATE OPTIONS**

20. Council can accept or reject the tenders as submitted. .

**SUMMARY CONCLUSION**

21. On review of the tender submissions the evaluation team has prioritised tenderers according to best price, relevant experience, key personnel skills and experience, tenderer’s resources, demonstrated understanding and corporate social responsibility. It is recommended that the tenders nominated be accepted under a panel arrangement.

<b>Consulted References</b>	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
<b>File Number (Name of Ward)</b>	:	C15009
<b>Previous Reference</b>	:	Nil

**WS076: C15007 SUPPLY OF EXTRUDED CONCRETE KERBING AND OR ASPHALT**

**Proponent** : City of Albany  
**Owner** : City of Albany  
**Report Prepared by** : Depot Administration Coordinator (T Sudran)  
**Responsible Officer** : Executive Director Works & Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2. Clean, Green & Sustainable
  - b. **Strategic Objective:** 2.2 To maintain and renew city assets in a sustainable manner.
  - c. **Strategic Initiative:** 2.2.1 Asset Management

**In Brief:**

- Council approval is sought to appoint the preferred tender contractor to supply extruded concrete kerbing and/or asphalt.
- Contract to commence on 1 July 2015 or the date of award (whichever occurs latest) until 31 August 2017, with a mutually agreed and price negotiated option to extend for a further one year period, in accordance with the Specification to the Principal's satisfaction.

**RECOMMENDATION**

**WS076: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ACCEPT the tender from Gordon Walmsley for C15007 Supply of Extruded Concrete Kerbing and/or Asphalt.**

WS076: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR DOWLING  
SECONDED: COUNCILLOR BOWLES

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

WS076: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ACCEPT the tender from Gordon Walmsley for C15007 Supply of Extruded Concrete Kerbing and/or Asphalt.

**BACKGROUND**

2. The City of Albany is seeking to engage a Contractor for the supply and application of:
  - a. Premixed concrete and the construction of extruded concrete kerbing along roads and car parks (“Concrete Works”)
  - b. Hot mix asphalt on roads (“Asphalt Works”)
3. Previously Concrete Works and Asphalt Works had been tendered separately. This was reviewed and it was determined that the best methodology to acquire these services was to combine the tender with the option that the contractor could tender for either the asphalt or concrete kerbing portions of the Contract, or both.

**DISCUSSION**

4. A request for tender was published in the West Australian on 22<sup>nd</sup> April 2015 and the Albany Weekender on 23<sup>rd</sup> April 2015.
5. A total number of ten tender documents were issued.
6. Tenderers were asked to provide a schedule of rates to allow for prices to suit a range of kerbing requirements and for the supply of asphalt.
7. The tender documents included 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:-

<b>Criteria</b>	<b>% Weight</b>
Cost	40
Relevant Experience	15
Key Personnel skills and experience	15
Tenderer’s Resources	15
Demonstrated Understanding	10
Corporate Social Responsibility	5
<b>Total</b>	<b>100</b>

8. One completed tender document was submitted on or before the stipulated closing date and time. The following table summarises the tenderer and the overall evaluation scores applicable.

<b>Tenderer</b>	<b>Weighted Score</b>
Gordon Walmsley	634.85

9. Gordon Walmsley is the City’s incumbent contractor and has provided a reliable and quality service during the term of the current contract.

**GOVERNMENT & PUBLIC CONSULTATION**

10. Not applicable.

**STATUTORY IMPLICATIONS**

11. 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 \$100,000.00.

12. 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.
13. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council’s decision.

**POLICY IMPLICATIONS**

14. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Financial City not obtaining competitive pricing.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Public tender process ensures competitive pricing.</i>

**FINANCIAL IMPLICATIONS**

16. The value of this tender is in excess of \$500,000.00 and therefore the approval is referred to Council for consideration.
17. Tenderers were required to provide a schedule of rates for goods. The supply of extruded concrete kerbing and/or asphalt is budgeted for in the capital works and maintenance budgets. The tendered prices are within those allocations.

**LEGAL IMPLICATIONS**

18. Nil

**ENVIRONMENTAL CONSIDERATIONS**

19. Nil

**ALTERNATE OPTIONS**

20. Council can accept or reject the tenders as submitted. .

**SUMMARY CONCLUSION**

21. On review of the tender submission the evaluation team has chosen to accept the tender based on best price, relevant experience, key personnel skills and experience, tenderer’s resources, demonstrated understanding and corporate social responsibility. It is recommended that the nominated tender be accepted.

<b>Consulted References</b>	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
<b>File Number (Name of Ward)</b>	:	C15009
<b>Previous Reference</b>	:	Nil

**WS077: APPROVAL FOR DELEGATED AUTHORITY TO AWARD  
TENDERS FOR CENTENNIAL PARK SPORTING PRECINCT**

**Land Description** : Centennial Park Sporting Precinct  
**Proponent** : City of Albany  
**Owner** : City of Albany  
**Report Prepared By** : Manager City Engineering (D King)  
**Responsible Officer(s):** : Executive Director Works & Services ( M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2. Clean Green & Sustainable.
  - b. **Strategic Objective:** 2.2. To maintain and renew City assets in a sustainable manner.
  - c. **Strategic Initiative:** 2.2.1. Asset management.

**In Brief:**

- Delegated authority is sought for the CEO to award specific tenders, exceeding the value of \$500,000, for the Centennial Park Sporting Precinct.

**RECOMMENDATION**

**WS077: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council AUTHORISE the CEO under delegated authority to award the Centennial Park Sporting Precinct Project Tenders as follows:**

1. **C15018 – Supply and Installation of Turf**
2. **C15019 – Supply and delivery of Sand**

WS077: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES  
SECONDED: COUNCILLOR DOWLING

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

**WS077: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council AUTHORISE the CEO under delegated authority to award the Centennial Park Sporting Precinct Project Tenders as follows:

1. C15018 – Supply and Installation of Turf
2. C15019 – Supply and delivery of Sand

**BACKGROUND**

2. The Centennial Park Sporting Precinct (CPSP) is an ongoing project tied to various funding agreements with execution timetables related to funding conditions and other practical issues around growing times for new sports turf and scheduling of sporting clubs.
3. The first stage of works is scheduled to commence in July 2015.
4. The initial package of work involves the sporting fields in the Western precinct.
5. This will be undertaken using City of Albany plant and staff resources combined with contractor supply and delivery of construction materials.
6. Utilising this approach will accelerate the construction timeframe enabling increased time for the new fields to settle in and to become usable.

**DISCUSSION**

7. The CPSP construction phase covers an eighteen month to two year period from July 2015 to December 2016, enabling the City to access a total of \$22,527,771 in funding for the construction/upgrade of CPSP of which \$1,901,771 has been spent to date on Railways Oval and Multi Use Playing field.
8. The City of Albany intends to commence construction in the Western Precinct in particular the western most fields in July 2015. The works will involve the procurement of two “supply and deliver” contracts for sports field turf and growing medium sand.
9. Due to the size of the project, it is preferable to commence works at the earliest possible time, to ensure practical completion in accordance with funding requirements and to minimise disruption to the sporting clubs affected by the works.
10. As the tender process requires advertising for submissions, a closing date for submissions of at least a month, review of the documentation, and then Council approval before any contract can be awarded, it is considered prudent to maximise the timeframe for completion of the practical works by seeking a specific delegated authority approval for the CEO to award the tenders.
11. To ensure the works can be completed through this period and comply with the designated funding deadline, specific Council approval is sought for the CEO to assess and award the tender for this project. The cost of the materials tenders is expected to be in excess of \$500,000, which is above the current level for delegated authority for the CEO.
12. The standard tender process will apply, ensuring the necessary accountability and transparency when considering submissions. The tender is evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall point score for the tender.

**GOVERNMENT & PUBLIC CONSULTATION**

- 13. All relevant Government departments including Department of Environment Regulation, Department of Indigenous Affairs and SWALSC have been consulted on the project.
- 14. Requests for tenders will be published in the West Australian and the Great Southern Weekender for each project to ensure compliance with the tender regulations.

**STATUTORY IMPLICATIONS**

- 15. 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.
- 16. 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.
- 17. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council’s decision.
- 18. In accordance with the provisions of the Local Government Act 1995, section 5.42, the Council may delegate to the Chief Executive Officer any of its powers other than those referred to in section 5.43.
- 19. The voting requirement is **ABSOLUTE MAJORITY**.

**POLICY IMPLICATIONS**

- 20. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisation’s Operations.</b> <i>Failure to deliver project within specified timeframe.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Reduce process timeframe by providing CEO delegated authority.</i>

**FINANCIAL IMPLICATIONS**

- 22. The value of the tender is expected to be in excess of \$500,000 and therefore approval is required to be referred to Council for consideration.

**LEGAL IMPLICATIONS**

- 23. There are no legal implications associated with this item.

**ENVIRONMENTAL CONSIDERATIONS**

- 24. There are no clearing permits required for the works.

**ALTERNATE OPTIONS**

- 25. Council can follow the usual tender process. This would result in some delay to the project.

**SUMMARY CONCLUSION**

26. CEO delegated authority is sought from Council to award two tenders to enable the Centennial Park Sporting Precinct project to progress in a timely manner.
27. This report recommends that the CEO be given delegated authority to award tenders in this instance.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1995</i> Council Policy – Purchasing Council Policy – Buy Local (Regional Price Preference)
<b>File Number (Name of Ward)</b>	:	RD.DEC.43
<b>Previous Reference</b>	:	OCM 26/05/2015 Report Item CSF169 (Delegations)

**BFAC001: COUNCIL POLICY: RADIO COMMUNICATION ALLOCATION TO BRIGADE MEMBERS**

**Proponent** : City of Albany  
**Attachments** : Council Policy – Radio Communication Allocation to Brigade Members (Proposed)  
**Report prepared by** : Manager Ranger & Emergency Services (T Ward)  
**Responsible Officer(s)** : Executive Director Planning & Development (D Putland)

**Responsible Officer (Signature):**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership.
  - b. **Strategic Objectives:** 5.1. To establish and maintain sound business and governance structures.
  - c. **Strategic Initiative:** The radio communication network which City of Albany Volunteer Bush Fire Brigades (VBFBs) utilise is owned and operated by the Department of Fire and Emergency Services (DFES). Equipment purchases are funded by the State Government of Western Australia through the Emergency Services Levy (ESL). The communications equipment supplied through the Western Australian Emergency Radio Network (WAERN) project became the property of the City of Albany upon its installation and the City of Albany has a responsibility to the VBFB members to ensure that equipment is operational and adequately maintained.

**In Brief:**

- Note that radio allocation is now administered under delegated authority, by Designated Officers in consultation with the Chief Bush Fire Control Officer.
- Adopt the revised policy.

**RECOMMENDATION**

**BFAC001: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ADOPT the revised Volunteer Bushfire Brigade Radio Communication Allocation Policy.**

BFAC001: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR GOODE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 7-0

BFAC001: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the revised Volunteer Bushfire Brigade Radio Communication Allocation Policy.

## **BACKGROUND**

2. The WAERN radio network was established to provide uniform radio communications infrastructure across the state of Western Australia.
3. The City of Albany adopted a Council policy position in 2008. The current policy states:  
*“...this policy seeks to establish a policy framework upon which the allocation, replacement and maintenance of the emergency radio network should be determined...”*
4. On 24 June 2014, Council delegated the following authority to staff:

**Function:** Authority to: (1) Issue directions to Bush Fire Brigades (includes authority to issue direction regarding burning bush on, or at the margin of, streets, roads and ways under the care, control and management of the local government and give direction to Bush Fire Control Officers, appointed under the Bush Fires Act 1954).

**Conditions:** (a) Issue direction to a registered Bush Fire Brigade: Having reasonably sought information prior to issuing directions and so satisfying themselves that direction is needed.

## **DISCUSSION**

5. The City of Albany Emergency Management Administration is charged with the responsibility of logistically supporting the City’s Volunteer Bush Fire Brigades.
6. The current adopted policy position has been superseded.
7. The allocation of equipment, in particular radios should be defined by need, administered by Designated Officers, in consultation with the Chief Bush Fire Control Officer.
8. It is the responsibility of Designated Officers, in consultation with senior bushfire brigade management and DFES regional Officers to ensure that brigades are appropriately resourced.
9. Prior to the fire season and as part of on-going review, resource allocation must be evaluated and appropriately monitored and reported on.
10. Relocation and redistribution will only occur when Designated Officers are satisfied that re-allocation or redistribution is needed.

## **GOVERNMENT AND PUBLIC CONSULTATION**

11. The Chief Bush Fire Control Officer (CBFCO) has been consulted in regards to this report.
12. It has been requested that any allocation (additions/reductions/re-allocations) conducted under delegated authority are reported to the Chief Bush Fire Control Officer (CBFCO) as per condition (a) of the delegations, being: *Having reasonably sought information prior to issuing directions and so satisfying themselves that direction is needed.*

## **STATUTORY IMPLICATIONS**

13. There are no statutory implications related to this report.

**POLICY IMPLICATIONS**

14. The current Council policy will be updated (revised) and radio allocation will be administered under delegated authority.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Business Interruption.</b> <i>Could result for a period of more than 11 to 24 hour if radio resources are not responsive to operational need.</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>Exercise radio allocation under delegated authority to ensure re-allocation if required is administered responsively.</i>  <i>Update the current policy position to ensure relevance.</i>

**FINANCIAL IMPLICATIONS**

16. There are no direct financial implications related to this report, however minor administrative costs may be incurred through ESL administration and logistical support.

**LEGAL IMPLICATIONS**

17. There are no legal implications related to this report.

**ENVIRONMENTAL CONSIDERATIONS**

18. There are no direct environmental considerations related to this report.

**SUMMARY CONCLUSION**

19. It is recommended that the Committee recommend to Council to adopted the revised policy.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	<i>(All Wards)</i>
<b>Previous Reference</b>	:	<i>OMC 20/05/2008 Item 11.5.1, Document Reference: NP085371.</i>

**ATTACHMENT**

<b>Policy Position (Current)</b>	<b>Policy Position (Proposed)</b>
<p><i>To ensure an adequate level of radio communications is established throughout the City of Albany, and to ensure equity in the use of public funds (supplied through the Emergency Services Levy contributions), the City of Albany will request FESA to supply VHF(H) radios to be installed using the following principles:</i></p> <ul style="list-style-type: none"> <li>• <i>All City of Albany fire appliances shall be provided with a mobile radio;</i></li> <li>• <i>The CBFCO shall be supplied with 1 base station, 1 mobile radio and 1 hand held radio;</i></li> <li>• <i>The DCBFCO (south west and north east) shall each be supplied with 1 base station, 1 mobile radio and 1 hand held radio;</i></li> <li>• <i>The FCOs for each VBFB shall be supplied with 1 base station and 1 mobile radio;</i></li> <li>• <i>The DFCOs for each VBFB shall be supplied with 1 base station and 1 mobile radio;</i></li> <li>• <i>VBFB members specifically tasked as a Call Out Officer (at the date of implementation of this policy) shall be supplied 1 base station;</i></li> <li>• <i>Each FWO shall be supplied 1 base station;</i></li> <li>• <i>Fire stations manned during a vehicle call out shall be supplied one base station;</i></li> <li>• <i>The Wellstead and Youngs Siding General Stores shall be supplied 1 base station;</i></li> <li>• <i>The City of Albany Rangers shall each be supplied 1 mobile radio;</i></li> <li>• <i>The North Road Administration Building Incident Control Centre and Emergency Management Co-ordinator shall receive 3 base stations; and</i></li> <li>• <i>The Incident Control Centres located at Little Grove, Bornholm and Wellstead shall each receive 1 base station.</i></li> </ul>	<p><i>To ensure an adequate level of radio communications is established throughout the City of Albany, and to ensure equity in the use of public funds (supplied through the Emergency Services Levy contributions), the City of Albany may allocate radios using the following principles:</i></p> <ul style="list-style-type: none"> <li>• <i>All City of Albany fire appliances shall be provided with a mobile radio;</i></li> <li>• <i>The CBFCO shall be supplied with 1 base station, 1 mobile radio and 1 hand held radio;</i></li> <li>• <i>The DCBFCO shall be supplied with 1 base station, 1 mobile radio and 1 hand held radio;</i></li> <li>• <i>The Senior FCO South West Sector; Senior FCO North East Sector and nominated Deputy will be supplied with 1 base station, 1 mobile radio and 1 hand held radio;</i></li> <li>• <i>The primary and secondary FCO for each VBFB shall be supplied with 1 base station and 1 mobile radio;</i></li> <li>• <i>VBFB members specifically tasked as a Call Out Officer (at the date of implementation of this policy) shall be supplied 1 base station;</i></li> <li>• <i>Each FWO shall be supplied 1 base station;</i></li> <li>• <i>Fire stations manned during a vehicle call out shall be supplied one base station;</i></li> <li>• <i>The Wellstead and Youngs Siding General Stores may, subject to operational requirements, be supplied 1 base station;</i></li> <li>• <i>The City of Albany Ranger and Emergency Services vehicles shall each be supplied 1 mobile radio;</i></li> <li>• <i>The North Road Administration Building Incident Control Centre and Emergency Management Co-ordinator shall receive a total of 3 base stations;</i></li> <li>• <i>The Incident Control Centres located at Little Grove, Bornholm and Wellstead shall each receive 1 base station.</i></li> </ul> <p><i>Variations to this allocation for specific local operational purposes may occur at the discretion of the Manager, Ranger and Emergency Services, in consultation with the Chief Bushfire Control Officer.</i></p>

<b>Policy Position (Current)</b>	<b>Policy Position (Proposed)</b>
<i>Where a VHF(H) radio is supplied through the WAERN project, an existing VHF(M) is to be returned to the City of Albany, by the VBFB or the officer, for decommissioning or for destruction.</i>	
<i>The installation of the VHF(H) radios shall commence during the second week of April 2008, subject to the availability of technicians, at Wellstead in the North East sector and conclude at Nullaki in the South West sector.</i>	
<i>The City of Albany will agree to maintain the VHF(M) repeater network in operating condition for a period of five (5) years to allow VBFBs to phase out or replace exiting VHF(M) radios utilised by VBFB members. During the phase out period, the City of Albany will assist VBFB to explore appropriate call out alternatives (eg. telephone systems, UHF radio, pagers, etc).</i>	
<i>Upon a change in appointment of an officer, the allocated radio(s) is to be returned to the City of Albany for reallocation to the VBFB officer appointed to assume the designated position.</i>	<i>Upon a change in appointment of an officer, the allocated radio(s) is to be returned to the City of Albany for reallocation by the City's Designated Officer.</i>
<i>VHF(M) radios purchased by a VBFB shall remain the property of the VBFB and shall not be included in the WAERN replacement project.</i>	<i>VHF radios purchased by a VBFB shall remain the property of the VBFB and are not included in the WAERN maintenance and future replacement projects.</i>
<i>Where, due to specific operational circumstances, a VBFB officer does not consider the level of radio equipment supplied to that officer is warranted, that equipment may, with the approval of the City of Albany, be distributed to another VBFB officer within the brigade, provided that the allocated radio(s) will be surrendered to the City should a change in VBFB officers occur (as detailed in clause 10 above).</i>	<i>Where, due to specific operational circumstances, a VBFB Designated Officer does not consider the level of radio equipment supplied to that officer is warranted, that equipment may, be distributed to another VBFB officer within the brigade.</i>
<i>All radio equipment supplied to the City of Albany VBFB officers under the WAERN project are to remain the property of the City of Albany with installation, maintenance and removal undertaken by a qualified communications technician. All communications equipment shall be programmed to FESA standards and no officer shall alter the programmed settings of the communications equipment".</i>	<i>All radio equipment supplied to the City of Albany VBFB officers under the WAERN project are to remain the property of the City of Albany with installation, maintenance and removal undertaken by a qualified communications technician. All communications equipment shall be programmed to DFES standards and no officer shall alter the programmed settings of the communications equipment.</i>

**BFAC003: CITY OF ALBANY OWNED BUSH FIRE BRIGADE  
APPLIANCES**

**Proponent** : City of Albany  
**Report Prepared By** : Manager Ranger & Emergency Services (T Ward)  
**Responsible Officer(s):** : Executive Director Planning & Development (D Putland)

**Responsible Officer's Signature:**



**REPORT BFAC003  
WITHDRAWN**

**This report will be submitted to the  
July 2015 Ordinary Meeting of  
Council, with additional  
information.**

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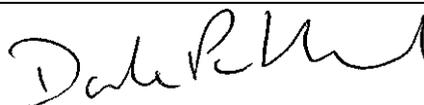
**REPORT BFAC 003  
WITHDRAWN**

**This report will be submitted to the  
July 2015 Ordinary Meeting of  
Council, with additional  
information.**

<b>BFAC004: MINIMUM VOLUNTEER BUSH FIRE BRIGADE TRAINING REQUIREMENTS</b>
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**Attachments** : Nil  
**Report Prepared by** : Manager Ranger & Emergency Services (T Ward)  
**Responsible Officer** : Executive Director Planning & Development (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Bush Fire Plan 2014 – 2019:

- **Focus Area:** Preparedness
- **Focus Objective:** 1.10 Volunteer Bush Fire brigade.

*“Brigade preparations will be enhanced through targeted training programs to improve each brigade’s capacity to respond to incidents with suitably skilled volunteers.”*

2. This item relates to the following elements of Corporate Business Plan 2014-2018.

- **Rangers and Emergency Services.**
- **Key Focus Area** – Emergency Management
- **Outcome 3** - Bushfire Brigade management and support.

**In Brief:**

- The WorkSafe improvement notices issued to the City of Albany in the aftermath of Black Cat Creek require the City of Albany to ensure all volunteers are adequately trained before entering a fire ground.
- The minimum training required by City of Albany Volunteer Bush Fire Brigade volunteers was defined in the City of Albany Strategic Bush Fire Plan (2000 – 2005). However, these training courses have since been superseded by new DFES training courses.
- The 2000-2005 Strategic Plan has been superseded by the City of Albany Strategic Bush Fire Plan 2014 – 2019 which does not stipulate minimum training requirements.
- New minimum training standards need to be established to ensure that only suitably trained volunteers are permitted to enter the fire ground.

**RECOMMENDATION**

**BFA004: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council:**

- (1) Endorses the minimum training requirements to qualify a City of Albany Volunteer Bush Fire Brigade member to undertake fire activities.**
- (2) Endorses that the standard minimum training requirement be the completion of DFES training course:  
Introduction to Bushfire Fire Fighting and Burn over/Blanket Training.**

**BFA004: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR HOLLINGWORTH**

**SECONDED: COUNCILLOR GOODE**

**THAT Council:**

- (1) Endorses the minimum training requirements to qualify a City of Albany Volunteer Bush Fire Brigade member to undertake fire activities.
- (2) Endorses that the standard minimum training requirement be the completion of DFES training course:  
Introduction to Bushfire Fire Fighting and Burn over/Blanket Training.

**CARRIED 8-0**

*Committee discussed responsible officer recommendation and proposed amendment by removing the reference to “active fire activities” and reference changed to “fire activities”.*

**BFA004: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- (1) Endorses the minimum training requirements to qualify a City of Albany Volunteer Bush Fire Brigade member to undertake active fire suppression activities on a fire ground.
- (2) Endorses that the standard minimum training requirement be the completion of DFES training course: Introduction to Bushfire Fire Fighting and Burnover/Blanket Training.

**BACKGROUND**

3. The *City of Albany Strategic Bush Fire Plan (2000 - 2005)* defined the minimum training requirements for volunteers to engage in active fire suppression activities as completion of the following DFES training courses:
  - Bush Fire Safety
  - Bush Fire Behaviour
  - Bush Fire Suppression.
4. The duration of these courses was approximately 1.5 days. These courses ceased operating in early 2000s.

5. When DFES courses were reviewed Bush Fire Safety, Behaviour and Suppression were largely replaced with Introduction to Fire Fighting and Bushfire Fire Fighting or Introduction to Bushfire Fire Fighting as beginning training courses. The City of Albany did not adapt previous minimum training requirements in line with course offerings and different interpretations on minimum training requirements eventuated.
6. Department of Fire and Emergency Services (DFES) have recently adopted a six stage Training Pathway that identifies the training requirements appropriate to the different fire fighting roles. Under the DFES pathways system a Volunteer Fire Fighter Level 1 is expected to have successfully completed the following courses (total duration of approx 3 days):
  - Introduction to Fire Fighting
  - Bushfire Fire Fighting
  - AIIMS Awareness.
7. Some fire fighters, particularly those who only want limited involvement in their bushfire brigade, have difficulty attending 2.5 days of training to complete Introduction to Fire Fighting and Bushfire Fire Fighting.
8. An alternative recognised DFES training course, Introduction to Bush Fire Fighting provides has adequate course content to qualify a volunteer to participate in active fire suppression activities. The duration of this course is 1.5 days.

## **DISCUSSION**

9. This proposal addresses this requirement in that it requires essential bush fire volunteer training be completed prior to involvement on a fire ground. It then goes on to identify what the minimum requirements are:

A - Training Delivery Module 1 – Completion of both Introduction to Fire Fighting and Bushfire Fire Fighting.

### **Introduction to Bushfire Fighting - course contents:**

- Teamwork and Safety
- Bush Fire Behaviour
- Bush Fire Suppression
- Bush Fire Safety Awareness
- Incident Command and Control (included basic AIIMS awareness)
- Radio Communications A
- Maps A

*N.B. Burn over and Blanket Training will still be required.*

B - Training Delivery Module 2 – Completion of Introduction to Bushfire Fighting only.

### **Introduction to Fire Fighting – course contents:**

- Team Work and Safety
- Basic Fire Theory
- Incident Command and Control (included basic AIIMS awareness)
- Radio Communications
- Use and Maintain Equipment

**Bushfire Fire Fighting – course contents:**

- Bush Fire Behaviour
- Bush Fire Suppression
- Map Reading
- Bush Fire Safety Awareness
- Hand Tools

**GOVERNMENT & PUBLIC CONSULTATION**

10. Consultation has been conducted with DFES in relation to training recommendations.

**STATUTORY IMPLICATIONS**

11. Under the *Bush Fires Act (1954)* the City of Albany is responsible for maintaining bush fire brigades. Department of Fire and Emergency Services have determined that this section of the Act includes local government determining minimum training required before volunteers are deemed suitably qualified to enter a fire ground.
12. s36 (d) of Bushfires Act (1954), states “A local government may, notwithstanding anything to the contrary contained in any other Act – (d) establish and maintain bush fire brigades as part of its organisation for the prevention, control and extinguishment of bush fires;
13. Some local governments choose to adopt a ‘hands off’ approach to their statutory responsibilities. By way of contrast City of Albany adopts a proactive approach towards its bush fire act responsibilities. .

**POLICY IMPLICATIONS**

14. Identifying minimum training requirements as per this proposal ensures the City of Albany fulfils its statutory requirements under the Bush Fires Act.
15. The DFES Volunteer Fire Fighter Level 1 pathway identifies a higher level of training required than that proposed here. The acceptance of a ‘lower standard’ may be questioned in the event of an unfortunate incident occurring.
16. The acceptance of this proposal ensures minimum standards of training are applied equally across the whole of the City of Albany thus reducing the likelihood of volunteer fire fighters being injured in the course of their duties.
17. The re-introduction of mandatory minimum training standards may be met with some resistance from some brigades and/or individual volunteers who may consider this an additional impost on their time.
18. Other VBFB members may welcome the introduction of uniform training standards aimed at reducing the risks to all volunteers.
19. This policy only applies to new bush fire volunteers as existing members have will had previous experience recognised and/or have completed sufficient training.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Environment.</b> Environmental risks are increased due to inadequate training resulting in fires being larger than they may have otherwise been required.	Likely	High	High	Accept. There are some fires which will not be stopped due to the climatic and environment factors present at the time.  Treat: Establish minimum training standards to help in improving overall fire responses.
<b>Legal and Compliance.</b> Failure to implement minimum training requirements exposes the City of Albany to Worksafe action.	Likely	Major	High	Treat. Explicit minimum training requirements minimise this possibility.
<b>People Health and Safety.</b> Injury to volunteers resulting from a lack of training	Likely	Major	High	Accept: Fire fighting includes an inherent level of risk.  Treat & Monitor. Adopt minimum training requirements reduces the risk to other volunteers and the community.
<b>Reputation.</b> Further injury or loss of equipment resulting from a lack of training exposes City of Albany to adverse publicity and enquiry.	Almost Certain	Major	Extreme	Accept: Fire fighting includes an inherent level of risk.  Treat & Monitor. Implement minimum training requirements reduces the risk to City of Albany reputation.

**FINANCIAL IMPLICATIONS**

21. Some additional costs would be incurred delivering training to more distant locations within the City of Albany municipality. These additional costs are considered negligible and would be covered in existing Emergency Management Budget. .

**LEGAL IMPLICATIONS**

22. Without rigorous application of appropriate minimum training standards the City of Albany is exposed to possible action by WorkSafe. This possibility is now ongoing as a result of Black Cat Creek Improvement Notices.

**ENVIRONMENTAL CONSIDERATIONS**

23. Not applicable

**ALTERNATE OPTIONS**

24. Continue the current regime without explicit minimum training requirements and continue to expose Council to possible Worksafe consequences.
25. Council may consider Introduction to Fire Fighting and Bushfire Fire Fighting as minimum requirements and Endorse Introduction to Fire Fighting and Bushfire Fire Fighting as minimum

26. Council can accept DFES Volunteer Pathway (Level 1) as minimum requirements. This will require a number of existing volunteers to upgrade their level of training to include AIIMS Awareness.

**SUMMARY CONCLUSION**

27. The City of Albany proactively supports and manages its brigades and is fully conversant of its statutory requirements. Explicitly identifying the minimum training requirements fulfils Council obligations.
28. Introduction to Bushfire Fire Fighting suitably addresses the training needs of all volunteers who join a brigade and, at the same time, addresses Worksafe improvement notices.

<b>Consulted References</b>	:	<i>Bush Fires Act 1954</i>
<b>File Number (Name of Ward)</b>	:	(All Wards)
<b>Previous Reference</b>	:	Nil

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

CSF175: PROPOSED RESUMPTION-LOT 15 NO 411 COLLINGWOOD ROAD

18. **CLOSURE.**