



AGENDA

WORKS AND SERVICES COMMITTEE

14 October 2015

5.30pm

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.

TERMS OF REFERENCE

(1) Function:

The Works & Services Committee will be responsible for the delivery of the following Clean and Green Objectives contained in the City of Albany Strategic Plan:

- (a) To protect and enhance our pristine natural environment;
- (b) To promote environmental sustainability;
- (c) To promote our region as clean and green.

(2) It will achieve this by:

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community ; and
- (g) Making recommendations to Council.

(3) Chairperson: Cr Alan Hortin JP

(4) Membership: Minimum of 4 and a maximum of 7 elected members.

Current Membership: Mayor Wellington, Councillor Hortin JP, Councillor Gregson, Councillor Dowling, Councillor Bowles, Councillor Hollingworth

(5) Meeting Schedule: Monthly

(6) Meeting Location: City of Albany Council Chambers

(7) Executive Officer: CEO or Executive Director Works and Services

(8) Delegated Authority: None

WORKS AND SERVICES COMMITTEE
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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 (Member)

Councillors:

Member

A Hortin JP (Chair)

Member

S Bowles (Deputy Chair)

Member

C Dowling

Member

B Hollingworth

Member

G Gregson

Staff:

Executive Director Works and Service

M Thomson

Minutes Secretary

S Parker

Apologies:

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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

7. PUBLIC QUESTION TIME

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. PETITIONS AND DEPUTATIONS

10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Works and Services Committee Meeting held on 9 September 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

WS087: CONTRACT C15016 – PROVISION OF SECURITY SERVICES

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 a renew city assets in a sustainable manner
 - c. **Strategic Initiative:** 2.2.2 Deliver effective asset maintenance programs

In Brief:

- Council approval is sought to appoint the preferred tenderer to provide security services for the City of Albany
- The contract is to commence from 1st November 2015 for an initial two (2) year period with an option to extend for a further one (1) year and then a further (1) year after that.

RECOMMENDATION

WS087: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ACCEPT the tender from Southcoast Security and AWARD Contract C15016 – Provision of Security Services.

BACKGROUND

2. Tenders were called for the Provision of Security Services for a period of up to four years (including options). The tender is seeking to engage an experienced and licensed Security Services Contractor to provide various security services and offer an on call response service 24 hours per day, 365 days per year.
3. The services include:
 - Security Patrols & Public Convenience Inspections
 - Cash Collection Services
 - Static Guard/Doorman/Security Escort/Crowd Control Services
 - Alarm and Emergency Callouts
4. The current contract expires 31st October 2015.

DISCUSSION

5. A request for tender was published in the West Australian 29th July 2015 and the Albany Weekender on 30th July 2015.
6. Tender documents were evaluated using the weighted attribute method. This method scored the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria are tabled below:-

Criteria	% Weight
Cost	40
Relevant Experience	20
Key Personnel skills and experience	15
Tenderer's Resources	20
Corporate Social Responsibility	5
Total	100

7. A total number of twenty nine (29) tender documents were issued with five (5) completed tender documents submitted on or before the stipulated closing date and time.
8. The following table summarises the tenderers and the overall evaluation scores applicable.

Tenderer	Weighted Score
Southcoast Security	842.93
M & C Security	716.65
Hawk Eye Protection	655.14
Gentleman Guards	611.23
Swift Security	181.50

9. Southcoast Security is the City's incumbent contractor and has provided a reliable 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 \$150,000.00 (recently amended).

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 Preferences 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
Property <i>Contract personnel have access to facilities after hours and could access confidential information, cause damage or steal items</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Importance is given to the experience and reliability of the tenderer in the evaluation process</i>
Financial & Organisational Operations <i>Non compliance, delays or failure to carry out contracted works or business failure</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services</i>
Reputation <i>Community dissatisfied with the standard of behaviour demonstrated by the contractor</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services</i>
People Health & Safety <i>Failure to report potential hazards within the community</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Specific contract performance compliance clauses have been included in the contract</i>

FINANCIAL IMPLICATIONS

16. Each facility maintains individual budgets for security services with the tendered price being shared across the organisation. Each directorate and facility manager has provided for security services in their respective budgets as required.
17. The value of this tender is in excess of \$500,000.00 which exceeds officer delegation and therefore the approval is referred to Council for consideration.

LEGAL IMPLICATIONS

18. Nil.

ENVIRONMENTAL CONSIDERATIONS

19. Nil.

ALTERNATE OPTIONS

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

SUMMARY CONCLUSION

21. On reviewing the submissions, the evaluation team assessed Southcoast Securities as being the most advantageous tenderer across the evaluation criteria for the provision of the City's security services. It is recommended that the nominated tenderer be accepted.

Consulted References	:	<i>Local Government (Functions and General) Regulations 1995</i> <i>Council Policy – Purchasing (Tenders & Quotes)</i> <i>Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	<i>C15016</i>
Previous Reference	:	<i>C11004</i>

**WS088: CITY OF ALBANY PROPERTY LOCAL LAW 2011
DETERMINATION – PROHIBITION OF MOTORISED WATERCRAFT**

Land Description	: City of Albany Managed Reserves (Vested in the Care and Control of the City of Albany)
Proponent	: City of Albany
Owner	: Crown land – City of Albany Management Order
Report Prepared by	: Reserves Officer (A Tucker)
Responsible Officer	: Executive Director Works & Services (M Thomson)

Responsible Officer's Signature:	
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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:** 2 - Clean, Green & Sustainable and 5 - Civic Leadership.
 - b. **Strategic Objectives:** 2.1 - To protect and enhance our natural environment and 5.1 - To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:**
 - 2.1.3 - Protect and enhance the health of our catchments and waterways.
 - 5.1.2 – Develop informed and transparent decision making processes that meet our legal obligations.

In Brief:

- Make a determination under the City of Albany Property Local Law 2011, which will control the use of motorised watercraft on dams/lakes/rivers within the Albany municipality.

Purpose & Effect:

- **Purpose:** Protection of the waters placed in the care and control of the City of Albany and public safety.
- **Effect:** Where water depth and/or condition poses a risk to the natural environment and/or public safety authorised officers will be empowered to restrict the use of motorised watercraft.

RECOMMENDATION

WS088: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- (1) APPROVE the following determination under the City of Albany Property Local Law 2011, for the purpose of Public Consultation:**

Determination: Motorised Watercraft

- (i) A person is prohibited from operating a motorised watercraft on bodies of water (rivers, lakes, dams) located on local government property except on water which is gazetted by the Department of Transport or approved by the City of Albany.**
- (ii) Authorised person have the authority to close a dam/lake/river to motorised watercraft if the water depth or condition may result in damage to the natural environment or pose a threat to public health and safety.**
- (iii) Definition: Motorised Watercraft means a craft propelled by an inboard or outboard motor powering a water jet pump or propeller. This includes the following watercraft vessel descriptions: Powerboats, Personal Water Craft (Jet Ski), Recreational Vessels.**
- (2) Pending no objections being received during the public consultation period, ADOPT the determination detailed above.**

BACKGROUND

2. Use of motorised water craft (Jet Skis, Water skiing) is a popular recreational activity; however it does pose risks to the natural environmental and public safety if it is uncontrolled.
3. The indiscriminate use of motorised watercraft, in particular water skiing on water bodies not suitable for the activity is both an environmental hazard and a public safety concern.

DISCUSSION

4. All Water Ski areas within the State must be gazetted by the Department of Transport (DoT) under Regulation 48 (a) of the *Navigable Waters Regulations 1958*.
5. The following information is considered by DoT when making a determination for a gazettal:
- local government support;
 - DoT regional office support;
 - Department of Parks & Wildlife (DPaW) support; and
 - Department of Water (DoW) support, minimum water depth and water body size as well as other aquatic usage.
6. The City of Albany currently has five sites gazetted for water skiing activities:
- Shoal Bay;
 - Northern end of Oyster Harbour;
 - Southern end of Oyster Harbour;
 - Waterbay Point (King George Sound); and

- Kalgan River (which is set aside for the Albany Water Ski club).
7. One such area that people are using for water skiing currently is Lake Mullocullup (also known as Warriup Lake), Reserve Number: R16367.
 8. This freshwater lake is a remote City of Albany managed reserve to the east of the City centre. The City, via the DoT, received a complaint on 7 May 2015 regarding the increase use of the reserve by water skiers.
 9. In discussion with DoT, it was determined that the lake does not meet the minimum standards required for gazettal and therefore it is suggested that Council prohibit motorised watercraft from this reserve.

GOVERNMENT & PUBLIC CONSULTATION

10. Should Council agree, in principle, to the proposed determination public consultation will be undertaken to seek the necessary feedback from the community.

STATUTORY IMPLICATIONS

11. Clause 2.8 of the City's Local Government Property Local Law 2011 stipulates inter alia:

(3) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –

(e) taking or using a boat, or a particular class of boat;
12. Voting Requirement: Simple Majority.

POLICY IMPLICATIONS

13. There is no specific Council policy position, as boating on crown land is dealt with under the Local Government Property Local Law 2011.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Community, People Health and Safety <i>Indiscriminate water skiing on water bodies not suitable for the activity</i>	<i>Almost certain</i>	<i>Moderate</i>	<i>High</i>	<i>Proceed with recommended determination under the City's Local Law, to allow Council Rangers to provide public education and enforcement if necessary.</i>

FINANCIAL IMPLICATIONS

15. Costs for installation of signage and closing of access to the water using physical barriers will be funded, as required per site, within the natural reserves budget. Any signage installed will be placed on the City's register for capital maintenance and replacement.

LEGAL IMPLICATIONS

16. Determinations under the Local Government Property Local Law 2011 must be implemented in accordance with the *City of Albany Local Government Property Local Law 2011*, clause 2.2

ENVIRONMENTAL CONSIDERATIONS

17. It is likely that inland water bodies suitable for water skiing activity will also have some level of environmental value. These values will be fully considered at the time of making a determination whether to prohibit motorised watercraft or not in that area.

ALTERNATE OPTIONS

18. Council may resolve to:
- a. Not support the determination; or
 - b. Support the determination with modification.

SUMMARY CONCLUSION

19. In principle support for the proposed determination under the Property Local law 2011 will allow staff to prohibit the use of motorised watercraft on unsuitable dams/lakes/rivers under the management of the City of Albany as necessary.

Consulted References	:	<i>City of Albany Local Government Property Local law 2011</i>
File Number (Name of Ward)	:	<i>Kalgan Ward</i>
Previous Reference	:	<i>Not applicable.</i>

**WS089: WA TOURISM – CARAVAN AND CAMPING ACTION PLAN
OVERFLOW ALLOCATION PROJECT**

Land Description : Various
Proponent : City of Albany
Owner : Crown lands – management orders City of Albany
Attachments : WA Tourism Funding Agreement - signed
Report Prepared by : Facilitator Strategy & Improvement (S Grimmer)
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:** 2.1 To protect and enhance our natural environment
 - c. **Strategic Initiative:** 2.1.2 Sustainably protect and enhance our iconic coastline and reserves

In Brief:

- WA Tourism has provided funding to six Great Southern local governments (Shire of Plantagenet, Shire of Denmark, City of Albany, Shire of Jerramungup, Shire of Ravensthorpe and Shire of Esperance) as a part of the Caravan and Camping Action Plan Overflow Allocation Project.
- The City of Albany is to be the facilitator of the grant and is responsible for devolving the money to the other Councils.
- The funding totals \$1,000,000, with \$255,000 being allocated to the City of Albany.
- This report recommends that the offer be NOTED.

RECOMMENDATION

WS089: RESPONSIBLE OFFICER RECOMMENDATION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

- (1) **NOTE the acceptance of funding totalling \$1,000,000 from WA Tourism for the Caravan and Camping Action Plan Overflow Allocation Project;**
- (2) **ENDORSE that the 2015/16 budget be amended to include additional income of \$1,000,000, expenditure of up to \$255,000 for projects within the City of Albany, as identified, and for remaining funds to be distributed as follows:**

a) Shire of Denmark	\$60,000
b) Shire of Esperance	\$230,000
c) Shire of Jerramungup	\$120,000
d) Shire of Ravensthorpe	\$215,000
e) Shire of Plantagenet	\$120,000

BACKGROUND

- (3) The six councils within the Great Southern Region (Shires of Denmark, Esperance, Jerramungup, Ravensthorpe and Plantagenet) were presented with an opportunity by WA Tourism to apply for \$1,000,000 to contribute to the cost of installing basic camping infrastructure to meet visitor requirements at existing nature based camping grounds and overnight rest stops.
- (4) During negotiations with WA Tourism and the other five councils, City representatives volunteered the City of Albany to act as the facilitator of the grant and will devolve the required funds to each of the other five local governments (project partners) as per the grant agreement.
- (5) As the facilitator, the City of Albany signed the funding agreement with Tourism WA, on behalf of the participant Councils, on 18 August 2015 (attachment one).

DISCUSSION

- (6) This project provided a great opportunity to upgrade nature based camping facilities to a similar standard over the entire South Coast region.
- (7) The following table shows the budget breakdown between each of the six Councils

Project Partners	Grant Amount (GST Exclusive)
<i>City of Albany</i>	\$255,000
Shire of Denmark	\$60,000
Shire of Esperance	\$230,000
Shire of Jerramungup	\$120,000
Shire of Ravensthorpe	\$215,000
Shire of Plantagenet	\$120,000
Total Project Budget:	\$1,000,000

- (8) The projects identified for City of Albany, based on community consultation are listed a below:

City of Albany Project	Allocated Funds	Project Description
Cape Riche Campground	\$85,000	Improve internal road network, improve drainage, delineate camp sites, fire mitigation works, upgrade information bay and signage
Cosy Corner East Campground	\$58,000	Install speed humps, upgrade track from Perkins Beach, realign 4X4 track around site, improve day use area, install information bay and signage
Betties Beach Campground	\$8,000	Install information bay and signage
East Bay Campground	\$8,000	Install information bay and signage

Normans Beach Campground	\$8,000	Install information bay and signage
Torbay Inlet Campground	\$8,000	Install information bay and signage
Amity Quays Overnight Parking Bays	\$28,000	Delineate bays for overnight parking, install information bay and signage. (note: to be established as a trial initially, works will not be abortive. If to remain permanently subject to further community consultation and report to Council.)
Signage	\$12,000	Develop interpretive signage appropriately branded.
Wellstead Chemical Dump Point and Day Parking Bays	\$40,000	Install a chemical dump point for caravans and recreational vehicles with access to water and power
Total	\$255,000	

- (9) As a priority due to the upcoming National Campervan and Motor Home Club of Australia event being held in Albany from 26 October to 1 November 2015, it is intended to complete works at Amity Quays for Overnight Parking and Wellstead for a Chemical Dump Point and Day Parking.

GOVERNMENT & PUBLIC CONSULTATION

- (10) The works that are planned to be undertaken for these projects have been referred to the Noongar Consultative Committee on 14 September 2015 and are awaiting clarification of any conditions.
- (11) A Camping Ground Working Group was formed in 2014, to ensure public consultation with the various local communities affected, via the Bornholm, Torbay, Wellstead and Youngs Siding Progress Associations, to determine their needs and preferences regarding camping ground facilities. Local caravan park owners were also consulted to seek their input into the tourism proposals.
- (12) Public meetings were held from October 2014 to July 2015 to gauge community support and identify agreed infrastructure priorities for the program.

STATUTORY IMPLICATIONS

- (13) Under the *Local Government Act 1995*, Section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
- Is incurred in a financial year before the adoption of the annual budget by the local government
 - Is authorised in advance by a resolution (absolute majority required) or
 - Is authorised in advance by the Mayor in an emergency.

POLICY IMPLICATIONS

- (14) There are no policy implications relating to this matter.

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>Property, Environment, Community, Reputation, and Financial: If the project is not pursued, an opportunity to improve public infrastructure upgrade and funding will be missed.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Proceed with project.</i>

FINANCIAL IMPLICATIONS

- (16) The City’s contribution to this project comprises in-kind staff time for project management and facilitation, which can be accommodated within current operational budgets.
- (17) There is no net impact of the current budget resulting from this funding.

LEGAL IMPLICATIONS

- (18) There are no legal implications relating to this matter.

ENVIRONMENTAL CONSIDERATIONS

- (19) An internal City of Albany environmental assessment has been completed for all City of Albany work sites and no major concerns were raised. However all works will follow the City of Albany Environmental Code of Conduct – Guidelines for works on Council controlled land.

ALTERNATE OPTIONS

- (20) Council may elect not take any further part in the program and not receive the funding as provided.

SUMMARY CONCLUSION

- (21) This project provided a great opportunity to upgrade nature based camping facilities to a similar standard over the entire South Coast region. More specifically it will allow for the infrastructure within the six existing City of Albany nature based campgrounds to be brought up to standard and for the upgrade of the two campervan parking bays and dump points to ensure the City can provide excellent service to visiting tourists.

Consulted References	:	<i>AMT15192250</i>
File Number (Name of Ward)	:	<i>GS.APC.173</i>
Previous Reference	:	<i>Nil</i>

WORKS AND SERVICES COMMITTEE MEETING
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15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
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