



MINUTES

WORKS AND SERVICES COMMITTEE MEETING

Wednesday 9 March 2016

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.

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: *Councillor Sutton*

(4) Membership: *Mayor Wellington, Councillor Stocks, Councillor Smith, Councillor Moir, Councillor Sutton, Councillor Hollingworth, Councillor Shanahun*

(5) Meeting Schedule: 2nd Wednesday of the month

(6) Meeting Location: Council Chambers

(7) Executive Officer: Executive Director Works and Services

(8) Delegated Authority: None

WORKS AND SERVICES COMMITTEE
MINUTES – 09/03/2016

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1. DECLARATION OF OPENING

[6:00:42 PM](#) The Chair declared the meeting open.

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

Councillors:

Member	R Sutton (Chair)
Member	A Moir (Deputy Chair)
Member	G Stocks
Member	S Smith
Member	B Hollingworth
Member	J Shanhun

Staff:

Executive Director Works and Service	M Thomson
Minute Secretary	A Paulley

Apologies:

Mayor Mayor D Wellington (Member) (Apology)

One media representative and eight members of the public were in attendance.

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
Nil		

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

6. PUBLIC QUESTION TIME

[6:01:15 PM](#) Mr Wayne Winchester

Summary of key points:

- Spoke in support of the Responsible Officer Recommendation for WS101: Albany Artificial Surf Reef Feasibility and Scoping Study.

[6:06:24 PM](#) Darryn Oostdam, President Albany Board Riders

Summary of key points:

- Spoke in support of the Responsible Officer Recommendation for WS101: Albany Artificial Surf Reef Feasibility and Scoping Study.

[6:08:16 PM](#) There being no further speakers the Chair declared Public Question Time Closed.

7. PETITIONS AND DEPUTATIONS Nil

8. CONFIRMATION OF MINUTES

RESOLUTION

MOVED: COUNCILLOR MOIR

SECONDED: COUNCILLOR HOLLINGWORTH

THAT the minutes of the Works and Services Committee Meeting held on 10 February 2016, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 6-0

9. PRESENTATIONS Nil

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

WS101: ALBANY ARTIFICIAL SURF REEF FEASIBILITY & SCOPING STUDY

Land Description	: Middleton Beach
Proponent / Owner	: City of Albany
Attachments	: <ul style="list-style-type: none">• Albany Artificial Surfing Reef Feasibility Study (Executive Summary)• Albany Artificial Surf Reef Community Engagement Report
Supplementary Information & Councillor Workstation	: <ul style="list-style-type: none">• <i>Commercial-in-Confidence: Albany Artificial Surfing Reef Feasibility Study (Full Report)</i>• Middleton Beach Surf Reef Feasibility Study – ICM and Report Appendices dated 18/02/2003.• PRDW Middleton Beach Artificial Reef Summary Memo Exec Summary - Rev 01 12 June 2013
Report Prepared By	: Manager Major Projects (A McEwan)
Responsible Officer:	: Executive Director Works & Services (M. Thomson)

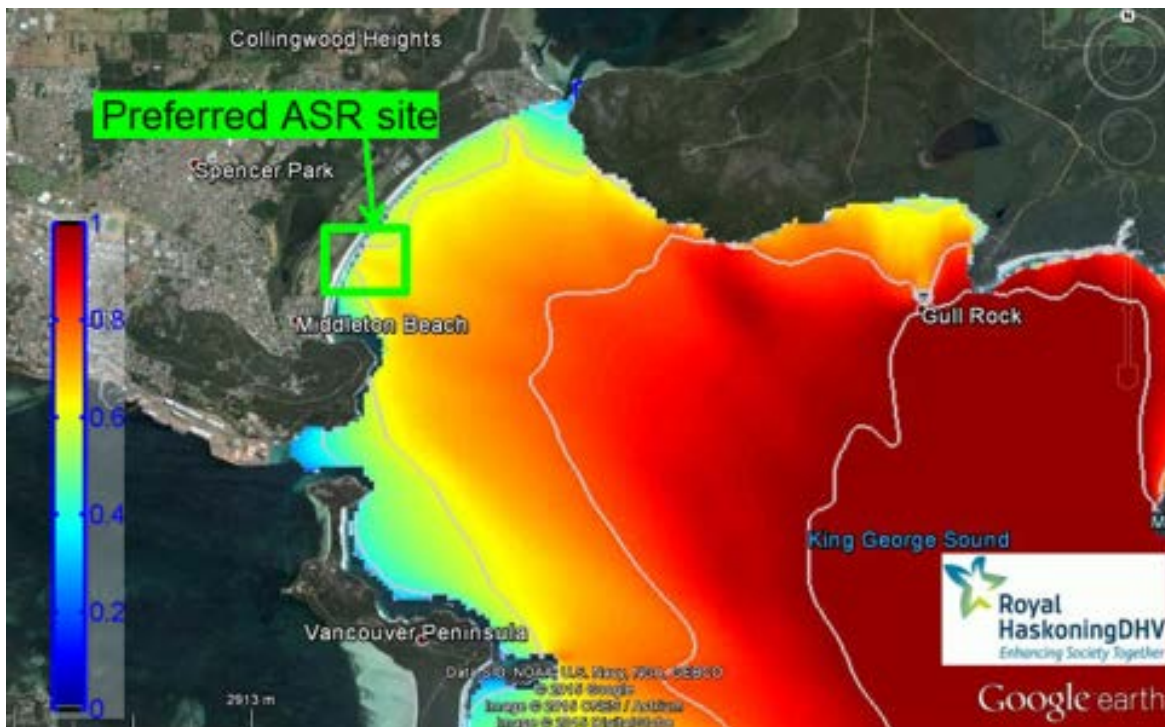
Responsible Officer's Signature:



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:** 4. A Sense of Community
 - b. **Strategic Objectives:** 4.3 To develop and support a healthy, inclusive and accessible community.
 - c. **Strategic Initiatives:** 4.3.1 Develop a range of activities and facilities that are appropriate for all ages.

Maps and Diagrams:



In Brief:

- The City of Albany commissioned a feasibility study for the creation of an Artificial Surf Reef at Middleton Beach.
- Council is requested to review and consider the Albany Artificial Surfing Reef Feasibility & Scoping Study.
- Community survey results revealed overwhelming support for the project.
- Council consideration of the completed study is sought in advance of the 2016/2017 budget to fund the development of a business case and commence environmental approvals to enable the project to progress should funding opportunities arise.

RECOMMENDATION

WS101: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR MOIR

SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 6-0

WS101: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. SUPPORT the Middleton Beach Artificial Surf Reef project in principle.
2. RECEIVE the Middleton Beach Artificial Surf Reef Feasibility & Scoping Study acknowledging the valuable support of the community, in particular, the volunteer members of the Steering Group.
3. NOTE that the Middleton Beach Artificial Surf Reef Project will be presented for consideration in the 2016/2017 budget for the following:
 - (a) *To undertake the business research phase. This phase would deliver a business case including funding strategies, return on investment business models, and how the project would be sustainable as an economic investment once installed and in the long term; and*
 - (b) *To progress the environmental approvals process.*

BACKGROUND

2. The local Albany surfing community have been advocating for an artificial surf reef for over a decade. A series of comprehensive reports have been privately undertaken in relation to the creation of an artificial surf reef in Albany.
3. As a response from community and the Council, the City of Albany included an allocation in the 2015/2016 budget to investigate further feasibility studies into the proposed artificial surf reef at Middleton Beach. A previous study was undertaken in 2003, and was laid on the table with a recommendation to seek funding, mitigate environmental works through further scientific studies on coastal protection, and develop a more robust feasibility study considering the environmental impacts.
4. On 12 February 2015 an Albany Artificial Surf Reef Steering Group was established. The Steering Group's role was to guide and monitor project development against identified objectives and provide guidance to the consultant engaged to develop the Feasibility and Scoping Study including development of the vision, scope and methodology.
5. The Steering Group consisted of volunteer community members and City of Albany representatives with six (6) Steering Group meetings held over the course of the year.
6. In March 2015 Royal Haskoning DHV (RHDHV) was engaged by the City of Albany to investigate the feasibility of developing an Artificial Surfing Reef at Middleton Beach.

7. RHDHV have specialised almost exclusively in the coastal and maritime space and are considered a world leader in this technical area as well as one of the top two coastal and maritime modelling and design consultants worldwide.
8. City staff, consultants and key stakeholders through the Steering Group, and one on one meetings, were part of the feasibility study process. The primary objective developed by the Steering Group was:
“The creation of a consistent, surfable wave, which maximises available swell conditions and is central to Albany, driving benefits in tourism, economic development and retention of Albany’s younger age demographic.”
9. RHDHV presented a significant amount of scientific and technical studies and subsequent preliminary design options to the Steering Group. This work was produced as a result of months of comprehensive data compilation and modelling analysis.
10. The Feasibility and Scoping Study prepared by the specialist consultant team has been developed taking into consideration; recreational amenity and performance, direct and indirect ecological and environmental impacts, approvals process, constructability and an order of costs. The preferred option that met the objectives of the brief is detailed in the Executive Summary of the final report.
11. The information received as a result of this commission is an invaluable resource for any future coastal adaption and protection works outside of this specific project and is not considered sacrificial.

DISCUSSION

12. A community survey was undertaken. The public comment period was held from 17 September to 30 September 2015. It was extended due to public feedback requesting an extension until 20 November (open for 65 days).
13. The City of Albany received a total of 732 feedback documents, the largest response for any City of Albany community survey undertaken to date, which included:
 - 728 surveys;
 - 4 submissions, 3 of those from individuals and 1 from a representative organisation; and
 - Social media conversations was shared by 12 pages, attracting 78 comments.
14. Community survey results revealed 90% support for the creation of an Artificial Surf Reef at Middleton Beach.
15. City of Albany staff and the Steering Group reviewed the survey submissions (including written and email responses). The following key points summarise community feedback:
 - The respondents believe that the Artificial Surf Reef would have many additional social and economic benefits for broader Albany community an increase in activities for young people and an increase in visitors to the region through tourism.
 - Environmental and financial challenges exist.
 - There was a sense that the community have been waiting for over a decade for the idea to come to fruition. A definitive answer is required.
 - Suggestion to expand the Steering Group’s scope to plan and investigate a business case, including advocating for funding, demonstrating economic and social development benefits to the region including undertaking research to demonstrate the social cohesion and recreation benefits to the Albany community to support funding opportunities.
16. The progression of a business research phase will assist in determining funding strategies, return on investment business models, and how the project would be sustainable as an economic investment once installed in the long term.

17. The approvals process can be lengthy given the data required to satisfy the various Acts. Early liaison with approval authorities and other stakeholders is recommended in order to enable the project to be progressed if an opportunity is to arise..
18. Approval requirements include the need to:
 - Develop an understanding of baseline coastal processes;
 - Develop an understanding of seagrass distribution at Middleton Beach;
 - Develop a long term management plan in relation to sea dumping (*Environmental Protection Sea Dumping Act 1981*); and
 - Undertake stakeholder engagement.
19. The information collated as a result of the approvals will contribute to the City's understanding of our coastal processes and benefit studies undertaken as part of the Emu Point to Middleton Beach Coastal monitoring.
20. The study is subject to a detailed design phase to determine exact requirements for the project implementation. Optimisation of the design, including the possibility to shift the proposed artificial reef structure shoreward, may result in cost savings to the estimated \$8-11million implementation estimate.

GOVERNMENT & PUBLIC CONSULTATION

21. **Government:** The City has undertaken consultation and engagement with key government stakeholders (Department of Transport & Southern Ports Authority). Both these authorities together with Grange Resources have provided large amounts of research data and information related to the coastal environment to the City.
22. The Department of Fisheries were also provided a briefing on the project scope.
23. **City of Albany:** The Steering Group has representation from across the City of Albany including the Major Projects Team, Community Services, Works & Services, Economic & Tourism Development, and Planning & Development Services. The Steering Group has been led by the Manager of Major Projects.
24. **Key Community Groups:** The Steering Group has representation from key community user groups including the Albany Surf Life Saving Club, Middleton Beach Group, Surfing WA, and the Albany Boardriders,
25. A briefing on the project scope (only) was also given to representatives of UWA, Friends of Emu Point and the City of Albany's Let's Chat Focus Group, facilitated by the Manager Stakeholder Relations.
26. **Broad Community:** The City of Albany has undertaken a number of broad community engagement activities including public submission period (survey).

STATUTORY IMPLICATIONS

27. The voting requirement of Council is to be **Simple Majority**.

POLICY IMPLICATIONS

28. Should the project be supported and funding become available, Federal and State policies would apply to the project implementation.
29. The Artificial Surf Reef will be considered for inclusion in the City's Sport & Recreation Futures Plan.

RISK IDENTIFICATION & MITIGATION

30. The risk identification and categorisation relies on the City’s Enterprise Risk Management Framework 2014.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation. <i>If feasibility Study is not supported by Council to commence further studies the project cannot be progressed.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>City officers will address concerns and resubmit for Council approval.</i> <i>Note: (Supporting documentation, referenced in this report).</i>
Reputation. <i>The completed Feasibility Study raises community expectations that the artificial surf reef will be implemented.</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>Clearly articulate Council’s rational for decision.</i> <i>Develop a media and Communication Strategy to manage community expectations.</i>

FINANCIAL IMPLICATIONS

31. Council funding in the 2016/2017 budget will be sought for the development of a business case. Funds would be in the order of \$15,000 - \$20,000. Quotes are currently being sought as a guide.
32. Council funding in the 2016/2017 budget is sought for the commencement of the approvals process. Funds would be in the order of \$60,000.
33. Note that with Council support, the City would look to commence funding advocacy for the implementation of the Middleton Beach Artificial Surf Reef.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

35. The Albany Artificial Surf Reef Feasibility Study identifies the following:

Benefits:

- Environmental Benefits – the creation of the rock structure in an area largely devoid of similar substrate and seagrass materials is likely to significantly enhance marine ecology in and around the reef.
- Societal benefits – increasing the areas available for recreational activity.

36. The report recommends that early approval processes are undertaken to:

- Develop an understanding of baseline coastal processes
- Develop an understanding of seagrass distribution at Middleton Beach

Impacts:

37. The feasible design has been developed to minimise any impact on the existing coastline and coastal processes.

Note: Potential environmental impacts can be addressed through data collection to develop an understanding of the coastal processes and impacts at the project site.

38. The project will be subject approvals under the following legislation:

- *Environmental Protection Act 1986;*
- *Environmental Protection and Biodiversity Conservation Act 1999;*
- *Environment Protection - Sea Dumping Act 1981.*

ALTERNATE OPTIONS

39. Council may chose not to SUPPORT the Albany Artificial Surfing Reef Feasibility & Scoping Study.

CONCLUSION

40. The community response revealed overwhelming support for the project.
41. In line with the community feedback the City recommends to continue with a research business phase to ensure the potential implementation of this project would have positive impacts to retain youth and be an economic driver for tourism into the future.
42. In line with community feedback, the City would like to continue with data collection in relation to the approvals process to ensure any potential environmental impacts are addressed and satisfy community concern.
43. Council support of the Artificial Surfing Reef Feasibility & Scoping Study completes the community engagement process.
44. Support of the Artificial Surfing Reef Feasibility & Scoping Study will allow funding advocacy to commence and improve the community’s confidence in the City’s ability to deliver recreational projects that contribute to Albany’s liveability and reputation as one of WA’s key tourism destinations.

Consulted References	:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • Commercial-in-Confidence: Albany Artificial Surfing Reef Feasibility Study • Middleton Beach Surf Reef Feasibility Study – dated 18/12/2003 • Community Engagement Report • Middleton Beach Artificial Reef Summary Memo (A003/01/03) – Executive Summary
File Number (Name of Ward)	:	EM.PLA.28 (Breaksea Ward)
Previous Reference	:	<ul style="list-style-type: none"> • <i>2015/2016 City Adopted Budget</i> • <i>Strategic Briefing Presentation dated 23/06/2015</i>

WS102: INCREASED DELEGATED AUTHORITY TO CHIEF EXECUTIVE OFFICER TO AWARD SPECIFIC TENDERS – CENTENIAL 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. **Strategy:** 2.2.1. Deliver effective asset planning and delivery programs.

In Brief:

- Delegated authority is sought for the CEO to award specific tenders, up to the value of \$1 million, for the Centennial Park Sporting Precinct.

RECOMMENDATION

WS102: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR SMITH

THAT Council:

1. **AUTHORISE** the CEO under delegated authority, subject to tenders being less than \$1 million in value, and no more than fifteen percent above the City's quantity surveyors estimate, to award the following tenders:
 - C16005 - Supply and Installation of Irrigation for Centennial Park Eastern Precinct; and
 - C16006 - Supply and Installation of Sports Lighting for Centennial Park Eastern Precinct
2. **NOTE** that the Executive Director Works & Services will provide a confidential briefing note prior to award of tenders and a formal report will be presented for Council to note following award.

CARRIED 6-0

WS102: AMENDED MOTION BY COUNCILLOR STOCKS

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be AMENDED to read for point 1 as follows:

- 1. AUTHORISE the CEO under delegated authority, subject to tenders being less than \$1 million in value, and no more than fifteen percent above the City's quantity surveyors estimate, to award the following tenders:**

CARRIED 6-0

WS102: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. AUTHORISE the CEO under delegated authority, subject to tenders being less than \$1 million in value, to award the following tenders:
 - o C16005 - Supply and Installation of Irrigation for Centennial Park Eastern Precinct; and
 - o C16006 - Supply and Installation of Sports Lighting for Centennial Park Eastern Precinct
2. NOTE that the Executive Director Works & Services will provide a confidential briefing note prior to award of tenders and a formal report will be presented for Council to note following award.

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 programming of sporting clubs.
3. Works in the Western Precinct are well underway with the sporting field construction complete and awaiting final commissioning of the sports field lighting in March 2016. The cricket and soccer pavilion is in progress.
4. Works in the Eastern precinct have commence with demolition and earthworks underway and the commencement of the main stadium imminent.
5. The majority of the civil works are being undertaken using City of Albany plant and staff resources, combined with contractor supply and delivery of construction materials and plant hire. Discrete separate packages of work have been tendered where works are outside the City's in house capacity.
6. Utilising this approach has accelerated the construction timeframe.

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 Eastern Precinct in particular the stadium field in March 2016. The works will involve the procurement of services of irrigation electrical contractors.

9. The two specific tenders are:
 - o C16005 - Supply and Installation of Irrigation for Centennial Park Eastern Precinct; and
 - o C16006 – Supply and Installation of Sports Lighting for Centennial Park Eastern Precinct
10. Due to construction sequences it is important to commence these 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.
11. 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
12. 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 tenders for this project. The value of the tender is expected to be in excess of \$500,000, which is above the current level for delegated authority for the CEO.
13. 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.
14. City staff will provide a report to Council following the award for noting.

GOVERNMENT & PUBLIC CONSULTATION

15. All relevant Government departments including Department of Environment Regulation, Department of Indigenous Affairs and SWALSC have been consulted on the project.
16. 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

17. 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.
18. 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.
19. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.
20. 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.
21. Voting requirement for this item is **Absolute Majority**.

POLICY IMPLICATIONS

22. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.
23. Council has delegated CEO up to \$1 million.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Organisation's Operations. Delay in project delivery due to tender process timeframe.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Reduce process timeframe by providing increased CEO delegated authority.</i>

FINANCIAL IMPLICATIONS

25. The financial implications of the tenders will be assessed at the time of evaluation. It is expected that tenders will be beneath budget estimates, however if there are issues then Council will be briefed prior to award.

LEGAL IMPLICATIONS

26. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

27. There are no environmental issues relating this item.

ALTERNATE OPTIONS

28. Council can follow the usual tender process however this will result in some delay to the project.

SUMMARY CONCLUSION

29. Increased CEO delegated authority is sought from Council to award the Centennial Park Sporting Precinct Project Tender C16005 and C16006 to enable the Centennial Park Sporting Precinct project to progress in a timely manner.
30. This report recommends that the CEO be given delegated authority to award these specific tenders.

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

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL** Nil
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN** Nil
16. **REPORTS OF CITY OFFICERS** Nil
17. **MEETING CLOSED TO PUBLIC** Nil
18. **CLOSURE** There being no further business the Chair declared the meeting closed at [6:58:56 PM](#)

(Unconfirmed Minutes)

Councillor Robert Sutton
CHAIR