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# AGENDA

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## **CORPORATE SERVICES AND FINANCE COMMITTEE MEETING**

**8 DECEMBER 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 Corporate Services and Finance Committee will monitor and comment on the financial health and strategies of Council and will be responsible for the delivery of the following Civic Leadership Objectives contained in the City of Albany Strategic Plan:

- (a) To establish and maintain sound governance structures;
- (b) To provide strong, accountable leadership supported by a skilled and professional workforce;
- (c) To engage effectively with our community.

**(2) It will achieve this by:**

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

**(3) Chairperson:** *Councillor Elect*

**(4) Membership:** *Mayor Wellington, Councillor Goode, Councillor Stocks, Councillor Mulcahy, Councillor Hollingworth, Councillor Shanhun, Councillor Hammond, Councillor Terry, Councillor Dowling, Councillor Price, Councillor Smith*

**(5) Meeting Schedule:** 2<sup>ND</sup> Tuesday of the Month

**(6) Meeting Location:** Council Chambers

**(7) Executive Officer:** Executive Director Corporate Services

**(8) Delegated Authority:** None

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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**

D Wellington

**Councillors:**

Member

G Stocks (Chair)

Member

A Goode JP (Deputy Chair)

Member

P Terry

Member

S Smith

Member

B Hollingworth

Member

J Shanhun

Member

R Hammond

Member

J Price

Member

N Mulcahy

**Staff:**

Chief Executive Officer

A Sharpe

Executive Director Corporate Services

D Olde

Meeting Secretary

H Bell

**Apologies:**

Member

C Dowling

CORPORATE SERVICES AND FINANCE COMMITTEE  
AGENDA – 08/12/2015

**4. DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Committee/Report Item Number</b>	<b>Nature of Interest</b>

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

**6. PUBLIC QUESTION TIME**

**7. PETITIONS AND DEPUTATIONS**

**8. CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**THAT the minutes of the Corporate Services and Finance Meeting held on 10 November 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**9. PRESENTATIONS**

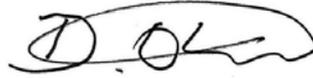
AAS Presentation

**10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS**

**CSF206: FINANCIAL ACTIVITY STATEMENT – OCTOBER 2015**

**Attachment** : Financial Activity Statement  
**Responsible Officer** : Acting Executive Director Corporate Services (D Olde)

**Responsible Officer's Signature:**



**CSF206: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 31 October 2015.**

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 31 October 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:
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
    - a. annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
    - b. budget estimates to the end of the month to which the statement relates;
    - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
    - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e. the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
    - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c. such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a. according to nature and type classification;
    - b. by program; or
    - c. by business unit
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
    - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - b. recorded in the minutes of the meeting at which it is presented.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period ending 30 October 2015 has been incurred in accordance with the 2015/16 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

**POLICY IMPLICATIONS**

9. The City's 2015/16 Annual Budget provides a set of parameters that guides the City's financial practices.
10. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

<b>File Number (Name of Ward)</b>	FM.FIR.2 - All Wards
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**CSF207: LIST OF ACCOUNTS FOR PAYMENT – NOVEMBER 2015**

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

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF207: 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 NOVEMBER 2015 totalling \$5,922,232.36.**

**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 November 2015. Please refer to the Attachment to this report.

<b>Municipal Fund</b>		
Trust		\$1,280.00
Credit Cards		\$16,822.17
Payroll		\$1,203,109.38
Cheques		\$78,439.25
Electronic Funds Transfer		\$4,622,581.56
<b>TOTAL</b>		<b><u>\$5,922,232.36</u></b>

- As at 15 November 2015, the total outstanding creditors, stands at \$629,874.10 and made up as follows:-

Current	\$187,022.10
30 Days	\$444,979.11
60 Days	\$43.43
90 Days	-\$2,170.54
<b>TOTAL</b>	<b><u>\$629,874.10</u></b>

Cancelled cheques: 30889 – cheque reissued on cheque numbers 30895 and 30896.  
30893 – incorrect creditor used, cancelled and reprocessed to correct creditor.

**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 November 2015 has been incurred in accordance with the 2015/2016 budget parameters.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 15 November 2015 has been incurred in accordance with the 2015/2016 budget parameters.

**SUMMARY CONCLUSION**

9. That list of accounts have been authorised for payment under delegated authority.
10. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF208: 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 (A Sharpe)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF208: RESPONSIBLE OFFICER RECOMMENDATION**

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

**CSF209: APPOINT THE WAEC TO CONDUCT ORDINARY AND EXTRA  
ORDINARY ELECTIONS**

**Proponent** : City of Albany  
**Attachments** : ICR15203849-Letter from Electoral Commissioner  
**Report Prepared By:** : Manager Governance & Risk Management (S Jamieson)  
**Responsible Officer** : Chief Executive Officer (A Sharpe)

**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:** 5.3.2. Improve community engagement processes and platforms

**In Brief:**

- Agree to conduct ordinary and extraordinary elections by postal vote.
- Declare that the WA Electoral Commissioner be responsible for the conduct of all elections until the end of 2017.

**RECOMMENDATION**

**CSF209: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- **DECLARE** in accordance with section 4.20(4) of the Local Government Act 1995 (the Act), that the Electoral Commissioner be responsible for the conduct of all elections until the end of 2017.
- **DECIDE**, in accordance with section 4.61(2) of the Act, that the method of conducting the elections during this period will be postal.

## BACKGROUND

- The current agreement between the City of Albany and the Electoral Commissioner to conduct postal elections for the City expires at the end of 2015.

## DISCUSSION

- The Electoral Commissioner is responsible for conducting postal elections in Western Australia and conducts elections on request under the Local Government Act 1995 (the Act).
- By making the Western Australian Electoral Commission (WAEC) responsible for the extraordinary and future elections, the City of Albany can ensure that the election is conducted by professional, experienced staff that are independent and impartial.
- Other advantages for the City of Albany having the election conducted by the WAEC:
  - Ensures that all statutory requirements are fulfilled, noting that it is not the core business of the CEO to run elections;
  - A full election report (including statistics) is prepared by the WAEC for presentation to Council;
  - The vast majority of elector and candidate enquiries are received and resolved by either the Returning Officer or the appointed election Project Manager; and
  - Processes, materials and equipment used meet contemporary electoral standards.
- Declaring the Electoral Commissioner to be responsible for the conduct of all elections until the end of 2017 is appropriate to ensure that Council does not need to go through this process again should a vacancy arise prior to the 2017 Ordinary Election.

## GOVERNMENT & PUBLIC CONSULTATION

- There is no requirement to conduct public consultation for this item.
- Noting section 4.20(4) of the Act (see Statutory Implications), approval was sought from the WA Electoral Commissioner, with approval being received on 23 November 2015.

## STATUTORY IMPLICATIONS

- Section 4.20(4) of the Act states: *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

***\*Absolute majority required.***

## POLICY IMPLICATIONS

- There are no policy implications related to this item.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Legal and Compliance</b> <i>Appointment of the WAEC to conduct the elections is not supported</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>The Election would be run by City of Albany staff.</i>

### FINANCIAL IMPLICATIONS

12. The cost for the WAEC to conduct the ordinary election is approximately \$90,000, and extra ordinary elections being approximately \$18,000.
13. Costs not incorporated in the estimate include (approximately \$2,000):
  - a. non-statutory (i.e. additional advertisements in community newspapers and promotional advertising);
  - b. any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns; and
  - c. one local government staff member to work in the polling place on election day.

### LEGAL IMPLICATIONS

14. There are no legal implications related to this report except for compliance with specific provisions of the *Local Government Act 1995*.

### ENVIRONMENTAL CONSIDERATIONS

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

### ALTERNATE OPTIONS

16. **Option One.** “postal election” which is an election in which the method of casting votes is to be posting or delivering them to an electoral officer on or before election day; or
17. **Option Two.** “voting in person election” which is an election in which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with the regulations.

### SUMMARY CONCLUSION

18. That the WA Electoral Commissioner be appointed to conduct ordinary and extraordinary elections by postal vote until the end of 2017.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM 18/12/2012 Item 1.3 OCM 6/12/2011 Item 6.2 SCM 27 November 2013 Item SCM004

**CSF210: NEW LEASES – WAYNE CORNELL BIRSS – ANDREW GORDON CRUICKSHANK – DAVID KEVAN WHEATCROFT – CHEYNE ROAD, CHEYNE BEACH**

**Land Description** : Portion of Crown Reserve 878 Lot 7442 on Deposited Plan 214689, the subject of Head Certificate of Title Volume LR3082 Folio 959, Cheyne Beach

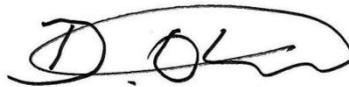
**Proponent** : Wayne Cornell Birss  
Andrew Gordon Cruickshank  
David Kevan Wheatcroft

**Owner** : Crown

**Report Prepared by** : Team Leader Property and Leasing (T Catherall)

**Responsible Officer** : Executive Director Corporate Services (D Olde)

**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:** Civic Leadership
  - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
  - c. **Strategic Initiative:** 5.1.2 Develop informed and transparent decision making processes that meet our legal obligations.

**Maps and Diagrams:**



**IN BRIEF**

- Council is requested to consider the renewal of the following three leases in order to continue the existing use of accommodation associated with the commercial fishing industry at Cheyne Beach:
  - a. Wayne Cornell Birss over lot 8 Cheyne Road for a term of 10 years with an option for a further 10 year term.
  - b. Andrew Gordon Cruickshank over lot 9 Cheyne Road for a term of 10 years with an option for a further 10 year term.
  - c. David Kevan Wheatcroft over lot 11 Cheyne Road for a 10 year term with an option for a further 10 year term.
- All structures and buildings are the liability of the lessee and the Lease is for the land only.
- The recommendation proposes that Council approve the three new leases.

**RECOMMENDATION**

**CSF210: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council APPROVE the following leases on portion of Reserve 878 to:**

- 1. Wayne Cornell Birss over Lot 8 Cheyne Road, Cheyne Beach.**
- 2. Andrew Gordon Cruickshank over Lot 9 Cheyne Road, Cheyne Beach.**
- 3. David Kevan Wheatcroft over Lot 11 Cheyne Road, Cheyne Beach.**

**subject to:**

- a) **Lease purpose being “Accommodation associated with the Commercial Fishing Industry” in accordance with the Management Order for the reserve.**
- b) **Lease is conditional upon the lessee continuing to operate under a commercial fisherman’s licence for the Cheyne Beach area issued by the Department of Fisheries Western Australia.**
- c) **Lease areas being approximately 1826m<sup>2</sup> to be confirmed by survey.**
- d) **Lease rent being \$2,500 plus GST per annum as determined by market valuation provided by a licensed Valuer.**
- e) **Rent reviews by market valuation every three years with Consumer Price Index applied for intervening years.**
- f) **Lease term being 10 years with an option for a further 10 years.**
- g) **Lease commencement date being 1 February 2016.**
- h) **All costs associated with the ongoing operations of the lease property being payable by the lessee.**
- i) **All costs associated with the preparation, execution and completion of the lease documentation being payable by the lessee.**
- j) **Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent being obtained.**
- k) **The proposed leases being advertised to comply with Section 3.58 of the *Local Government Act 1995* requirements.**
- l) **Cheyne Beach Planning Policy will apply to future development approvals.**
- m) **Lease being consistent with Council Policy – Property Management (Leases and Licences).**

## **BACKGROUND**

2. Crown Reserve 878 is under management order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of “Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station” for any term not exceeding 21 years subject to the consent of the Minister for Lands.
3. Crown Reserve 878, with an area of approximately 115 hectares, is located at Cheyne Beach. The reserve is surrounded by approximately 3,500 hectares of National Park under the management of the Department of Parks and Wildlife.
4. The reserve currently hosts 29 Holiday Accommodation leases, seven accommodation associated with the Fishing Industry leases and one associated Fishing licence for access to the waterfront for fish loading operations.
5. In total there are 16 surveyed lots within Reserve 878 along Cheyne Road that are gazetted for the purpose of accommodation associated with the Cheyne Beach fishing industry. The City of Albany fire shed is situated on Lot 15 within this gazetted area. Only lots 2 and 3 are located on waterfront land.
6. Cheyne Beach Holiday Accommodation leases are located along Baxteri Road, Cheynes.
7. The Cheyne Beach Caravan Park was originally part of Reserve 878 but this has been excised and is now freehold land adjacent to the 16 surveyed lots reserved for fishing accommodation land.
8. In February 1996 the former Shire of Albany entered into lease agreements with Wayne Cornell Birss, Andrew Gordon Cruickshank (Snr) and David Kevan Wheatcroft enabling the commercial fishermen to formalise their fishing accommodation needs at Cheyne Beach.
9. Commercial fishermen have been fishing the Cheyne Beach area in excess of 60 years and it is understood the families of the three proponents have a long term association with the Cheyne Beach fishing industry.
10. The leases for a term of 10 years, commenced 1 February 1996, with a 10 year further term option exercised, are due to expire 31 January 2016. Current lease rental payable to the City, reviewed every second year by market valuation is \$2,350.00 plus GST per annum.
11. The lease for Lot 9 was assigned to the current lessee, Andrew Gordon Cruickshank (Jnr) from the Estate of Andrew Gordon Cruickshank (Snr) in August 2008.
12. The leases granted to the commercial fishermen allowed them to construct buildings and infrastructure on the land to support them in their commercial fishing activities. The lessees are responsible for providing adequate electricity supply, adequate potable water supply, an effluent disposal system and parking.
13. The three lease sites have been developed by each lessee with dwellings to accommodate their needs during the fishing season.

14. Council has recently renewed lease and licence over waterfront lots 2 and 3 Cheyne Road to Westerberg Bros for accommodation associated with the fishing industry and fish loading operations for term of 10 years. The term was based on waterfront land with special lease conditions around erosion on foreshore boundaries demising the useable lease area and potential damage to existing lessee infrastructure.
15. It is noted the proposed three leases for lots 8, 9 and 11 Cheyne Road are not located on waterfront land.

## **DISCUSSION**

16. The three lessees have requested approval to a renewal of their leases for a 10 year term with an option for a further 10 year term to allow them continue their commercial fishing activities from Cheyne Beach.
17. A term of 10 years with an option for a further 10 year term is consistent with existing Cheyne Beach commercial fishing leases not located on waterfront land and Council Policy – Property Management (Leases and Licences).
18. A lease can be considered with commercial fishermen seeking accommodation at Cheyne Beach, provided they are actively engaged in the fishing industry at Cheyne Beach and hold a current commercial fishing licence issued by the Department of Fisheries Western Australia.
19. The lessee may also be required to provide evidence of submitted catch information each year. Evidence should be capable of independent verification by production of licences and submitted catch information. Should any of these requirements not be met in any year holding the lease, the lease may be terminated.
20. It is noted that each lessee has provided a current commercial fishing licence.
21. The lessee will be required to use the location for own or direct employee accommodation only.
22. The three lessees have met the obligations of their previous lease including payment of rent and outgoings and holding required licences.
23. The proposed leases will be developed in line with Council Policy – Property Management (Leases and Licences).

## **GOVERNMENT & PUBLIC CONSULTATION**

24. The Department of Lands will be consulted, as it is a requirement of Section 18 of the *Land Administration Act 1997* that the Minister for Land's consent is obtained.
25. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased/licensed land and buildings. The Act requires the following:
  - a. A local government must give local public notice of the proposed lease/licence inviting submissions from the public, for a period of two weeks.
  - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
  - c. A local government can then proceed with the lease/licence.

26. The new leases will be advertised to comply with the requirements of Section 3.58 of the *Local Government Act 1995*.

### **STATUTORY IMPLICATIONS**

27. Section 18 the *Land Administration Act 1997* states that a person shall not assign, sell, transfer or otherwise deal with interests on Crown land or create or grant an interest in Crown land without the prior approval in writing of the Minister for Lands.
28. As this is Crown land, under Management Order held by the City, the Minister's consent will be sought.
29. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings including advertising requirements. The proposed leases will be advertised.
30. The *Aboriginal Heritage Act 1972* applies to any place or object of importance to persons of Aboriginal descent and Section 17 of this Act makes it an offence to destroy, damage or alter in any way an Aboriginal site or object. This Act applies to known and unknown sites.
31. In past discussions with the local Noongar community regarding the Cheyne Beach area, including visits on site, it is known to staff that there are areas in this locality of significance to the Noongar community. A full Aboriginal Heritage Survey was recently undertaken to consider a range of future proposals in the Cheynes locality to manage any risk of disturbing Aboriginal cultural heritage.
32. Any future development needs to be considered in the context of the recommendation of the Heritage Survey.

### **POLICY IMPLICATIONS**

33. Council adopted a revised Property Management (Leases and Licences) Policy in July 2015.
34. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
35. The recommendation is consistent with Council Policy – Property Management (Leases and Licences).

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<b>Reputation:</b> <i>Renewal of leases not approved.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<b>Reputation:</b> <i>If new leases are not approved – accommodation for the Cheynes fishing industry will be limited.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<b>Reputation:</b> <i>New leases not approved – lessees to remove buildings and make good the land – may lead to closure of fishing operations</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>City to manage lessee's reaction in a measured way and ensure open communication with lessees.</i>

## FINANCIAL IMPLICATIONS

37. All costs associated with the development, execution and completion of the lease documentation will be met by the lessees.
38. Lease rental being \$2,500 plus GST per annum as determined by market valuation provided by a licensed Valuer.
39. The new lease rental will be placed into the Cheyne Beach Improvement Reserve for the purpose of facilitating community maintenance and enhancement projects in the Cheyne Beach locality.

## LEGAL IMPLICATIONS

40. The Deed will be prepared by City's lawyers, at the lessee's expense.

## ENVIRONMENTAL CONSIDERATIONS

41. There are no environment considerations.

## ALTERNATE OPTIONS

42. Council may:
- a. Approve the proposed new leases; or
  - b. Decline the leases.
43. Should Council decline the leases, alternate accommodation may be sought by the lessees should they wish to reside at Cheyne Beach to undertake commercial fishing operations. This may prove difficult given limited land available for development within the reserve.
44. Should Council decline the leases, lessees may be required to vacate the property, demolish and remove all buildings and improvements and make good the land.

**SUMMARY CONCLUSION**

45. The current Cheyne Beach Commercial Fishermans Accommodation leases for Wayne Cornell Birss, Andrew Gordon Cruickshank and David Kevan Wheatcroft over lots 8, 9 and 11 Cheyne Road, Cheyne Beach are due to expire on 31 January 2016.
46. The three lessees have requested to renew their leases for a term of 10 years with an option for a further 10 year term so they may continue their commercial fishing activities at Cheyne Beach.
47. All three lessees hold current commercial fishing licences.
48. It is understood all three lessees have long term family connections with the Cheyne Beach fishing industry.
49. It is recommended that the proposed renewal of leases be supported.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• Council Policy – Property Management (Leases and Licences)</li><li>• <i>Local Government Act 1995</i></li><li>• <i>Land Administration Act 1997</i></li></ul>
<b>File Number (Name of Ward)</b>	:	PRO196, A225795 (Kalgan Ward) PRO198, A52441 (Kalgan Ward) PRO210, A52455 (Kalgan Ward)
<b>Previous Reference</b>	:	OCM 14.07.2015 Item CSF181 OCM 11.07.2015 Item CSF188

**CSF211: RATING SUBSIDY POLICY – SPORTING & COMMUNITY GROUPS**

**Business Entity Name** : City of Albany  
**Attachments** : Draft Council Policy: Rating Subsidy – Sporting and Community Organisations  
**Report Prepared by** : Executive Director Corporate Services (D. Olde)  
**Responsible Officer** : Executive Director Corporate Services (D. Olde)

**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:** Nil

**In Brief:**

- Consider adoption of the Rating Subsidy – Sporting and Community Organisations policy position.

**RECOMMENDATION**

**CSF211: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council ADOPT the Rating Subsidy – Sporting and Community Organisations Policy.**

**BACKGROUND**

2. For a number of years, the City has offered a subsidy on rates for a select group of sporting and community organisations.
3. No legislative requirement exists requiring any subsidy to be offered, unlike the exemption claimed by charitable organisations.

**DISCUSSION**

4. No policy or formal program currently exists for the allocation of rating subsidies.
5. A program has existed for a number of years giving rating subsidies to community and sporting groups. The origins of this program are unclear. In the past, this subsidy has been part of various community financial assistance programs. Regardless of the precise nature of any program, a rating subsidy has been given to various organisations since 1999.

6. A draft Council policy position has been drafted for Council consideration for the purpose of:
  - a. transparency and accountability; and
  - b. for providing an opportunity to eligible organisations to receive the subsidy.
7. The policy outlines the type of organisations that would be considered eligible to receive a rates subsidy; and the evidence that may be required to make an informed and transparent assessment.
8. To ensure that Council is fully informed on the total cost of the subsidy an estimate of the subsidy and the list of recipients will be presented for endorsement and approval as part of the budget approval process.
9. This policy will be effective from 1 July 2016.
10. For the 2015/16 subsidy, item CSF195 was endorsed at the Ordinary Council meeting held on 22 September 2015.
11. The following table lists the organisations currently receiving a rating subsidy.

<b>Assess No.</b>	<b>Community / Sporting Group Name</b>
A133873	ALBANY ATHLETICS GROUP
A179378	ALBANY BOATING & OFFSHORE FISHING CLUB
A161280	ALBANY BOWLING CLUB
A161537	ALBANY BRIDGE CLUB INC
A149179	ALBANY CLUB INC (1932)
A204735	ALBANY ENTERPRISE GROUP
A174427	ALBANY EQUESTRIAN CENTRE
A124369	ALBANY GIRL GUIDES ASSN
A136770	ALBANY GOLF CLUB
A14758	ALBANY HARNESS RACING CLUB INC
A14780	ALBANY ITALIAN CLUB
A82145	ALBANY KINDERGARTEN
A156611	ALBANY LIGHT OPERA & THEATRE COMPANY
A130471	ALBANY MARITIME FOUNDATION
A204721	ALBANY MODEL AERO CLUB
A140446	ALBANY MODEL RAILWAY
A79732	ALBANY PLAY GROUP INCORPORATED
A6791	ALBANY RACING CLUB INC
A64947	ALBANY ROWING CLUB
A187399	ALBANY SPEEDWAY CLUB
A171336	ALBANY SPRINT KART CLUB
A185660	ALBANY TAOIST TAI CHI SOCIETY
A97368	ALBANY WOMEN'S' INSTITUTE
A30213	CITY OF ALBANY BAND INC
A155029	EMU POINT SPORTING CLUB
A96087	GREAT SOUTHERN SOCCER ASSOCIATION
A65539	GREEN RANGE COUNTRY CLUB
A162430	JAYCEES WHALEWORLD (DISCOVERY BAY)
A65999	KING RIVER HORSE & PONY CLUB
A6037	KING RIVER RECREATION CENTRE
A74368	LAWLEY PARK TENNIS CLUB
A136225	LOWER GREAT SOUTHERN HOCKEY ASSOC
A227280	LOWER KING COMMUNITY KINDERGARTEN
A50479	MERRIFIELD PARK TENNIS CLUB

A84446	MIDDLETON BEACH BOWLING CLUB
A116479	NORTH ALBANY FOOTBALL CLUB
A64820	PRINCESS ROYAL SAILING CLUB
A92223	RAILWAYS FOOTBALL CLUB
A64799	RIVERVIEW COUNTRY CLUB
A92354	ROYALS FOOTBALL CLUB
A74354	SCOUT ASSOC OF WA
A104446	SENIOR CITIZENS CENTRE
A64785	SOUTH COAST COUNTRY MUSIC CLUB INC
A157843	SPECTRUM THEATRE INC
A176287	STIRLING CLUB INC
A96429	TS VANCOUVER NAVAL CADETS
A64866	WA VETERAN CAR CLUB

**Table 1**

12. All organisations currently receiving a rating subsidy will be requested to submit information as detailed in the policy. This will allow an assessment to be made on the eligibility to receive the subsidy.
13. If an organisation that is currently receiving the subsidy is found to not satisfy the criteria, a phasing in period will apply until no subsidy is allowed. This phasing in will be over a number of years, as detailed in the table below:

Financial Year	Subsidy offered
2016/17	75%
2017/18	50%
2018/19	25%
2019/20	Nil

**Table 2**

14. By phasing out the subsidy over a number of years, any impacted organisation will have time to adjust budgets and financial impact.

#### **GOVERNMENT & PUBLIC CONSULTATION**

15. All of the organisations currently receiving the subsidy will be contacted upon policy endorsement. Rates for the 2016/17 year will not be raised until August 2016, and not due until mid to late September 2016. By adopting this policy in 2015, City officers will have at least six months to contact and work with the various organisations to address the eligibility criteria.

#### **STATUTORY IMPLICATIONS**

16. The *Local Government Act 1995* does not provide a definition of what constitutes a charitable purpose, or for a public purpose.
17. Using case law precedence, each local government has the responsibility to assess and decide on applications from organisations seeking an exemption from paying rates. No application has been found from these organisations requesting exemption, and the case law precedence would indicate that the organisations listed would not be eligible for this exemption.

#### **POLICY IMPLICATIONS**

18. No policy currently exists. Adoption of this policy will ensure transparency and accountability is established.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community &amp; Organisational Operations.</b> Failure to adopt the policy leaves some uncertainty amongst community organisations and City officers regarding eligibility and amount of subsidy.	Possible	Minor	Medium	Support the officer's recommendation and adopt the policy.
<b>Reputation.</b> Failure to adopt the policy may result in some dissatisfaction within sporting & community groups not currently receiving any subsidy.	Possible	Minor	Medium	Support the officer's recommendation and adopt the policy.

**FINANCIAL IMPLICATIONS**

20. The total value of the subsidy for 2015/16 was \$202,190.26. It is anticipated that this amount will change in line with the annual change in rates.
21. A number of these groups lease land from the City, and pay a lease or licence fee for the use of City owned or managed assets. Any lease or licence fee is covered by *Council Policy: Property Management (Leases and Licences)*.

**ALTERNATE OPTIONS**

22. That no rating subsidy policy for sporting and community organisations is adopted.

**SUMMARY CONCLUSION**

23. For a number of years, a number of sporting and community groups have been receiving a rating subsidy with no policy framework in place.
24. To address this, it is recommended that Council resolve to adopt the proposed policy position attached.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Council Property: Property Management (Leases and Licences)</li> </ul>
<b>File Number (Name of Ward)</b>	:	Nil (All wards)
<b>Previous Reference</b>	:	OCM 22/09/2015 Resolution CSF195

**CSF212: ORDINARY COUNCIL MEETING DATES AND COMMITTEE  
PLANNING MEETING CALENDAR**

**Proponent** : City of Albany  
**Attachments** : Council and Committee Meeting Schedule 2015-16  
**Report Prepared By** : Manager Governance and Risk Management (S Jamieson)  
**Responsible Officer** : Chief Executive Officer (A Sharpe)

**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:** 5.3.2. Improve community engagement processes and platforms

**In Brief:**

- Council is requested to review the Ordinary Council Meeting and Committee meeting dates and timings set by Council at the Ordinary Council Meeting held on 28 April 2015; and
- Adopt the proposed meeting schedule for the following 12 months (up to December 2016).

**RECOMMENDATION**

**CSF212: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council, for the purpose of public notice:**

- (1) **REAFFIRM THE Council decision of 28 April 2015 that fixed the following Council Committee days and times:**
  - (a) **First week of the month**
    - Tuesday: Community Services Committee (5.30pm)
    - Tuesday: Economic Development Committee (6.15pm)
    - Wednesday: Planning & Development Committee (5.30pm)
  - (b) **Second week of the month**
    - Tuesday: Corporate Services & Finance Committee (5.30pm)
    - Wednesday: Works & Services Committee (5.30pm)
  - (c) **Third week of the month**
    - No meetings
  - (d) **Fourth week of month**
    - Tuesday: Ordinary Council Meeting (6.00pm)

*(Note: The exception being the months of January and December)*

**(2) APPROVE the proposed meeting dates for ordinary meetings of Council, for the next 12 months:**

- January 2016 (No meetings scheduled)
- 23 February 2016
- 22 March 2016
- 26 April 2016
- 24 May 2016
- 28 June 2016
- 26 July 2016
- 23 August 2016
- 27 September 2016
- 25 October 2016
- 22 November 2016
- 14 December 2016 (third Tuesday)

**(3) APPROVE the attached Council Committee Meetings Calendar.**

**BACKGROUND**

2. At the Ordinary Council Meeting held on 29 October 2013, Council established a new Council Committee Structure (Standing Committees) to act as a conduit for proposed and reviewed strategy and policy positions.
3. At the Ordinary Council Meeting held on 24 February 2015, Council resolved to cease holding Agenda Briefing Sessions effective March 2015.
4. The current City of Albany Ordinary Council and Committee Meeting Calendar was approved at the Ordinary Council meeting held on 28 April 2015; However, Council resolved to ratify the dates and timings after October 2015 Ordinary Local Government Elections.

**DISCUSSION**

5. The Agenda for the Ordinary Council Meetings are comprised of reports presented to Council Committees. In order to facilitate the timely presentation of these reports to Council for decision making, Council Committee meetings are scheduled to be held prior to the ordinary council meeting.
6. This scheduling enables all Council Committee report items to be presented to Council in the same month as the Committee meetings have occurred.
7. Currently ordinary meetings of Council are scheduled at 6.00pm on the basis that all meetings should be held outside of normal working hours to enable attendance by all Councillors and interested members of the public, however, Council may consider this is an appropriate time to review these timings, noting that Council Committee meetings generally start at 5.30pm, with the exception of the Economic Development Committee that start at 6.15pm.

**GOVERNMENT & PUBLIC CONSULTATION**

- 8. The proposed meeting dates and times are based on current practice.
- 9. Feedback from the Community has requested that meetings that are open to the public are not held prior to 6.00pm.
- 10. The proposed date for the Ordinary Council Meeting for the month of October has been scheduled to not conflict with local government elections that are historically held on the third weekend of October and state and national public holidays.

**STATUTORY IMPLICATIONS**

- 11. It is a statutory requirement for Council to give Local Public Notice at least once each year of when Council plans to hold Council and Committee meetings that are open to public attendance.
- 12. *Local Government Act 1995, s 5.25(1)(g) and as prescribed by the Local Government (Administration) Regulations 1996, Regulation 12:*  
  
  - (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
    - (a) *the ordinary council meetings; and*
    - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*
  - (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).*
- 13. Voting requirement for this item is **Simple Majority**.

**POLICY IMPLICATIONS**

- 14. There are no policy implications related 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
<b>Legal and Compliance.</b> <i>Local Public Notice is not given of the dates and times at which the Ordinary Council Meetings will be held.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Reaffirm current meeting day and dates, prior to giving local public notice.</i>  <i>Noting and times are subject to change.</i>

**FINANCIAL IMPLICATIONS**

- 16. A budget line exists for the cost of giving public notice and advertising.

**LEGAL IMPLICATIONS**

17. Local public notice must be given to ensure legislative compliance, detailing changes to the forecast ordinary meeting schedule.

**ENVIRONMENTAL CONSIDERATIONS**

18. There are no direct environmental considerations related to this item; however an efficient meeting schedule will reduce wasted resources (time, travel, and office consumables).

**ALTERNATE OPTIONS**

19. Council may consider alternate days, dates, committee meeting order and timings.

**SUMMARY CONCLUSION**

20. It is recommended that the proposed amended 2015-16 Meeting Calendar be approved.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	(All Wards) <ul style="list-style-type: none"> <li>• Airport Emergency Committee – ES.MEE.5</li> <li>• Audit and Risk Committee - FM.MEE.3</li> <li>• Bush Fire Advisory Committee – ES.MEE.1</li> <li>• Community Services Committee – CS.MEE.9</li> <li>• Corporate Services &amp; Finance Committee – CM.MEE.9</li> <li>• Economic Development Committee – ED.MEE.10</li> <li>• Local Emergency Management Committee – ES.MEE.5</li> <li>• Ordinary Council Meeting - GO.COM.3</li> <li>• Planning &amp; Development Committee – LP.MEE.1</li> <li>• Works &amp; Services Committee – RD.MEE.6</li> </ul>
<b>Previous References</b>	:	OCM 19/02/2013 Report Item 1.3 OCM 27/08/13 Report Item CSF003 OCM 24/02/2015 Report Item CSF142 OCM 28/04/2015 Report Item CSF160

## CSF213: FEE FOR MICROCHIPPING OF DOGS AND CATS

**Proponent** : City of Albany  
**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 Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** Civic Leadership
  - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
  - c. **Strategic Initiative:** 5.1.2 Develop informed and transparent decision making processes that meet our legal obligations.

### In Brief:

- State legislation requires dogs and cats to be microchipped unless exempt.
- Local governments are empowered to insert microchips in impounded dogs and cats and recover reasonable charges.
- Penalties apply for transfer of ownership on non-microchipped dogs and cats.
- A fee is proposed to recoup reasonable costs.

### RECOMMENDATION

#### CSF213: RESPONSIBLE OFFICER RECOMMENDATION

#### THAT Council:

1. **Adopt a fee of \$60.00 to recover costs incurred from microchipping impounded dogs and cats prior to their release**
2. **Advertise the proposed fee by public notice; and**
3. **Introduce the new fee as from 1 February 2016**

### BACKGROUND

2. Current practice has been to allow owners of impounded non-microchipped animals, within 14 days from the release date of their animal from the pound, to arrange microchipping. This involved the owner signing a declaration and Ranger staff following up to ensure compliance.
3. Changes to the *Dog Act 1976* which came into effect on 1 November 2015 mean that this arrangement is no longer an option, as all dogs must now be microchipped in order to be registered.

## DISCUSSION

4. Both the *Dog Act 1976* and the *Cat Act 2011* allow local governments to have non-microchipped animals that enter the pound microchipped at the owner's expense prior to release.
5. The qualifications required to become a microchip implanter are defined in the *Dog Regulations 2013* and the *Cat Regulations 2012*. The City of Albany currently employs one Ranger who holds the required qualifications and is in the process of having a second Ranger trained.
6. The proposed fee would cover the expenses incurred by the City of Albany associated with the microchipping procedure and be comparable to the lower end of fees charged by this procedure by the local veterinary clinics.
7. The introduction of a fee would allow the City of Albany to charge the animal owner for the cost of microchipping at the time of release (along with other associated fees).
8. The alternative action would involve a Ranger transferring a dog to a veterinary clinic for the procedure to be carried out by a vet and the City on-billing the costs of the procedure to the animal owner through the issue of a creditor invoice.

## STATUTORY IMPLICATIONS

9. Under the *Dog Act 1976*, it is a requirement that as at 1 November 2015 all dogs are microchipped (unless under the age of three months or a veterinary surgeon has provided a certificate of exemption).
10. The Act allows for the operator of a dog management facility to do anything necessary to ensure that a dog kept at the facility is microchipped before the dog is reclaimed or otherwise transferred from the facility and to charge the owner of the dog reasonable costs associated with the implantation of a microchip.
11. Under the *Cat Act 2011*, it is a requirement that all cats are microchipped (unless under the age of three months or a veterinary surgeon has provided a certificate of exemption).
12. The Act allows for the operator of a cat management facility to have cat microchipped and sterilised before the cat is reclaimed or otherwise transferred from that facility and to charge the owner the reasonable costs associated with the implantation of the microchip.
13. The City of Albany currently employs a Ranger who currently holds the qualifications required under the *Cat Regulations 2012* and *Dog Regulations 2013* to implant microchips in cats.
14. The setting of the level of fees and charges is governed by s.6.17 of the Local Government Act. The recoverable costs for the implantation of a microchip is estimated to be \$60 which is comparable to the lower end of the price range for this service provided by local veterinary services.
15. *Local Government Act 1995*, section 6.19, section states: "Local government to give notice of fees and charges.  
  
*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of—*  
*(a) its intention to do so; and*  
*(b) the date from which it is proposed the fees or charges will be impose.*

*Fees and charges are to be imposed when adopting the annual budget but may be —*  
*(a) imposed\* during a financial year; and*  
*(b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

**POLICY IMPLICATIONS**

16. Nil.

**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>Legal &amp; Compliance.</b> <i>Dog or cat released from pound without a microchip in breach of the Dog Act 1976 or Cat Act 2011</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Suitably qualified Ranger to insert microchip prior to releasing any non-microchipped animal from the Pound.</i>

**FINANCIAL IMPLICATIONS**

18. The following costs have been used to calculate the \$60.00 fee for the microchipping of an animal:

- a. Microchip device \$12.50
- b. Ranger time (1 hour @ \$36.17per hour – inc overheads) \$36.17
- c. Administration (0.5 hour @ \$33.34 per hour – inc overheads) \$16.67

**LEGAL IMPLICATIONS**

19. The City of Albany risks contravening the *Dog Act 1976* and the *Cat Act 2011* if it releases non-microchipped animals to owners.

**ALTERNATE OPTIONS**

- 20. Option 1 - Rangers insert the microchip at the pound (preferred option); or
- 21. Option 2 - Rangers transfer the animal to a vet clinic, wait for the animal to have the chip implanted and return the animal to the pound for release to the owner.

**SUMMARY CONCLUSION**

22. That the Responsible Officer Recommendation be adopted, noting that the introduction of a fee for microchipping dogs and cats prior to release from the Animal Management Facility (Pound) would allow the City of Albany to recover the associated costs incurred in the compliance with state legislation requiring dogs and cats to be microchipped.

<b>Consulted References</b>	:	<i>Dog Act 1976, Cat Act 2011, Local Government Act 1995, Dog Regulations 2013, Cat Regulations 2012</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	2015/2016 Budget Adoption

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