



MINUTES

COMMUNITY AND CORPORATE SERVICES COMMITTEE

Tuesday 11 April 2023

6.00pm

Council Chambers



STRATEGIC COMMUNITY PLAN 2032



Community & Corporate Services Committee
Terms of Reference

Functions: The Committee is responsible for the following functions:

The Community and Corporate Services Committee is responsible for the following functions:

- **Community Services** – delivery of the outcomes defined in the Strategic Community Plan 2032 under the **People Pillar** and the **Leadership Pillar**:
 - Diverse and inclusive community;
 - Happy, healthy and resilient community; and
 - A well-informed and engaged community.
- **Corporate Services** – delivery of the outcomes defined in the Strategic Community Plan 2032 under the **Leadership Pillar** and **Prosperity Pillar**:
 - A safe community;
 - A resilient community that can withstand, adapt to and recover from natural disasters;
 - A strong diverse and resilient economy with work opportunities for everyone;
 - A highly sought after tourist destination;
 - Proactive, visionary leaders who are aligned with community needs and values; and
 - Strong workplace culture and performance.
- Monitoring and commenting on the financial health and strategies of the City.
- Service Complaint Internal Review.

It will achieve this by:

- Developing policies and strategies;
- Establishing ways to measure progress;
- Receiving progress reports;
- Considering officer advice;
- Debating topical issues;
- Providing advice on effective ways to engage and report progress to the Community; and
- Making recommendations to Council.

Membership:	Open to all elected members
Meeting Schedule:	Monthly
Meeting Location:	Council Chambers
Directorates:	Corporate & Community Services
Executive Officer(s):	Executive Director Corporate & Commercial Services, Executive Director Community Services
Delegated Authority:	None

COMMUNITY AND CORPORATE SERVICES COMMITTEE
MINUTES – 11/04/2023

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1. **DECLARATION OF OPENING** The Chair declared the meeting open at 6pm.

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

“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

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

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

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

Mayor

D Wellington

Councillors:

Breaksea Ward

A Cruse

Breaksea Ward

P Terry (Chair)

Frederickstown Ward

G Stocks

Frederickstown Ward

M Traill

Kalgan Ward

T Brough

Kalgan Ward

M Benson-Lidholm JP

Vancouver Ward

J Shanhun

Vancouver Ward

D Baesjou

West Ward

S Smith (Deputy Chair)

West Ward

S Grimmer

Yakamia Ward

R Sutton

Yakamia Ward

C Thomson

Staff:

Chief Executive Officer

A Sharpe

Executive Director Community Services

N Watson

Executive Director Corporate & Commercial Services

M Gilfellow

Manager Public Health & Safety

S Reitsema

Meeting Secretary

C Crane

Apologies:

1 member of the public, and 1 member of the media were in attendance

COMMUNITY AND CORPORATE SERVICES COMMITTEE
MINUTES – 11/04/2023

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

In accordance with *City of Albany Standing Orders Local Law 2014* (as amended) the following points apply to Public Question Time:

- Clause 5) The Presiding Member may decide that a public question shall not be responded to where—*
- (a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*
 - (b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

Ms Kim Stanton, 55 Chipana Drive, Little Grove

Ms Kim Stanton spoke to the item CCS516: Ranger Body Worn Camera Trial.

Ms Stanton tabled her address. Please see Appendix 1.

7. PETITIONS AND DEPUTATIONS Nil.

8. CONFIRMATION OF MINUTES

MOTION

**MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR TRAILL**

**THAT the unconfirmed minutes of the Community and Corporate Services Committee meeting held on 14 March 2023, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.
CARRIED 13-0**

9. PRESENTATIONS Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.

CCS518: FINANCIAL ACTIVITY STATEMENT – FEBRUARY 2023

Proponent / Owner	: City of Albany
Attachments	: Financial Activity Statement – February 2023
Report Prepared By	: Manager Finance (S van Nierop)
Authorising Officer:	: Executive Director Corporate & Commercial Services (M Gilfellon)

STRATEGIC IMPLICATIONS

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

IN BRIEF

- Under the Local Government Financial Management Regulations, a local government is to prepare on a monthly basis a statement of financial activity that is presented to Council.
- The City of Albany's Statement of Financial Activity for the period ending 28 February 2023 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City's Investment of Surplus Funds Policy.
- The financial information included within the financial activity statement for the period ended 28 February 2023 is preliminary and has not yet been audited.

RECOMMENDATION

CCS518: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR SMITH**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 13-0

CCS518: AUTHORISING OFFICER RECOMMENDATION

THAT the Financial Activity Statement for the period ending 28 February 2023 be RECEIVED.

DISCUSSION

2. 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.
3. In order to fulfil statutory reporting obligations, the Financial Activity Statement prepared provides a snapshot of the City's year to date financial performance. The report provides:
 - (a) Statement of Financial Activity by Nature or Type;
 - (b) Explanation of material variances to year to date budget;
 - (c) Net Current Funding Position;
 - (d) Investment Portfolio Snapshot;
 - (e) Receivables; and
 - (f) Capital Acquisitions.

4. Additionally, each year a local government is to adopt a percentage or value to be used in the Statement of Financial Activity for reporting material variances. Under Council item CCS457, Council approved that a variance between actual and budget-to-date of greater than \$100,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2022/2023.
5. The Statement of Financial Activity may be subject to year-end adjustments and has not been audited by the appointed auditor.
6. It is noted that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."

STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
 - 34(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, 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); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (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.
 - 34(2) Each statement of financial activity is to be accompanied by documents containing-
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (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.
 - 34(3) The information in a statement of financial activity may be shown –
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
 - 34(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
 - 34(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

8. The City's 2022/23 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 28 February 2023 has been incurred in accordance with the 2022/23 proposed budget parameters.
11. Details of any budget variation in excess of \$100,000 (year to date) is outlined in the Statement of Financial Activity. There are no other known events, which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

LEGAL IMPLICATIONS

12. Nil.

ENVIRONMENTAL CONSIDERATIONS

13. Nil.

ALTERNATE OPTIONS

14. Nil.

CONCLUSION

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

Consulted References	:	<i>Local Government (Financial Management) Regulations 1996</i>
File Number (Name of Ward)	:	FM.FIR.7 - All Wards

CCS519: LIST OF ACCOUNTS FOR PAYMENT – MARCH 2023

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

STRATEGIC IMPLICATIONS

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

IN BRIEF

- Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

RECOMMENDATION

CCS519: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SMITH
SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be ADOPTED

CARRIED 13-0

CCS519: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 March 2023 totalling \$6,175,896.28 be RECEIVED.

DISCUSSION

- The table below summarises the payments drawn from the municipal fund for the period ending 15 March 2023. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$0.00
Credit Cards	\$19,564.22
Payroll	\$1,745,288.78
Cheques	\$43.70
Electronic Funds Transfer	\$4,410,999.58
TOTAL	<u>\$6,175,896.28</u>

- The table below summaries the total outstanding creditors as at 15 March 2023.

Current	\$467,849.98
30 Days	\$954,477.72
60 Days	-\$1,421.32
90 Days	\$23,671.15
TOTAL	<u>\$1,444,577.53</u>
Cancelled Cheques	Nil

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996*, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

POLICY IMPLICATIONS

8. Expenditure for the period to 15 March 2023 has been incurred in accordance with the 2022/2023 budget parameters.

FINANCIAL IMPLICATIONS

9. Expenditure for the period to 15 March 2023 has been incurred in accordance with the 2022/2023 budget parameters.

LEGAL IMPLICATIONS

10. Nil

ENVIRONMENTAL CONSIDERATIONS

11. Nil

ALTERNATE OPTIONS

12. Nil

CONCLUSION

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

Consulted References	:	<i>Local Government (Financial Management) Regulations 1996</i>
File Number (Name of Ward)	:	FM.FIR.2 – All Wards

**CCS520: DELEGATED AUTHORITY REPORTS – 16 FEBRUARY 2023 to
15 MARCH 2023**

Proponent / Owner	: City of Albany
Attachments	: Executed Document and Common Seal Report
Report Prepared By	: PA to the ED Corporate & Commercial Services (H Bell)
Authorising Officer:	: Chief Executive Officer (A Sharpe)

STRATEGIC IMPLICATIONS

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

RECOMMENDATION

CCS520: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR SUTTON**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 13-0

CCS520: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 February 2023 to 15 March 2023 be RECEIVED.

BACKGROUND

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

CCS516: THREE MONTH TRIAL PERIOD FOR BODY WORN CAMERAS BY CITY RANGERS

Proponent / Owner	:	City of Albany
Attachments	:	<ul style="list-style-type: none">• Body Worn Camera Policy – Draft• Standard Operating Procedure (SOP) - Draft• Confidential Briefing Note (S Jamieson)
Report Prepared By	:	Manager Public Health and Safety (S Reitsema)
Authorising Officer:	:	Executive Director Corporate & Commercial Services (M Gilfellon)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** People
 - **Outcome:** A safe community
 - **Objectives:**
 - Improve community safety.
 - Encourage responsible animal management.
 - **Pillar:** Leadership
 - **Outcome:** Strong workplace culture and performance

In Brief:

- The Committee is requested to consider the endorsement of an initial three-month Body Worn Camera trial for the purpose of training, evaluation and testing of administrative policy and associated procedures.

RECOMMENDATION

CCS516: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR SMITH

THAT the Amended Authorising Officer Recommendation be ADOPTED.

CARRIED 10-3

Record of Vote

Against the Motion: Councillors Thomson, Brough and Benson-Lidholm

CCS516: AMENDED AUTHORISING OFFICER RECOMMENDATION

THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons.

ADDENDUM

- The views and questions raised at the March Committee meeting were reviewed by City Officers and additional information sought post meeting.
- Additional Information detailed in the attached Confidential Briefing Note, which includes the amended officer recommendation for noting of the subject report by the Committee only.
- The responsibility for use of body worn cameras by authorised officers' rests with the administration (the City's Executive).
- In accordance with the City's Standing Orders Local Law, this matter is required to be brought back to the Committee as a result of the procedural motion to refer/adjourn (DEFER) the matter.
- Recommended way forward is for the Committee to NOTE the report only as the determination to use BWC is an administrative function.

As the Alternate Motion by Councillor Thomson was lost, the Committee then considered the Amended Authorising Officer Recommendation.

CCS516: ALTERNATE MOTION BY COUNCILLOR THOMSON

MOVED: COUNCILLOR THOMSON

SECONDED: COUNCILLOR BROUGH

THAT:

1. Before the end of 2023, the administration present a draft council policy regarding the use of body worn cameras for endorsement, or otherwise, of the city council;
2. The above-mentioned draft policy be accompanied by a report that comprehensively addresses advantages and disadvantages, potential unintended consequences, likely efficacy, and other ranger and community safety measures that may complement the use, of body worn cameras; and
3. Recognising the legislative limits on councils intervening in administrative matters, and the fact that in some other Western Australian municipalities it has been councils rather than administrations that have decided whether to introduce body worn cameras, the administration consider inserting a recommendation in the above-mentioned report concerning council endorsement, or otherwise, of the introduction of body worn cameras for authorised City of Albany staff.

LOST 3-10

Record of Vote

For the Motion: Councillors Thomson, Brough and Benson-Lidholm

Councillor Reason:

Introducing body worn cameras for City rangers and other authorised personnel, as proposed by the administration, is an escalation in the surveillance of the Albany community.

Potential impacts on the civil liberties and safety of the community, as well as on the safety of rangers and other authorised staff, are of strategic importance. They therefore warrant comprehensive, transparent consideration and debate by the full city council.

The administration has advised that, technically, it has the power to introduce body worn cameras without endorsement of the city council. Yet, in other parts of Western Australia, the decision to introduce body worn cameras has been made, transparently in open public forum, by municipal councils rather than by unelected administrations.

The administration has further advised that a decision on whether to introduce a body worn cameras council policy would be the remit of the city council.

As will be outlined below, the council should receive more complete information on the advantages and disadvantages of body worn cameras than it has been provided to date.

At the time this alternative motion was submitted, elected members had been provided with no expert, independent, third-party evidence with regard to body worn cameras' efficacy in relation to improving ranger or community safety.

In addition, questions remained over how City of Albany rangers were surveyed with regard to their views, and precisely what proportion of rangers had expressed support for the cameras' introduction. I note the administration has since prepared a response to questions I asked in that regard, and I thank officers for that. Nonetheless, important supplementary questions remain as to the results of the administration's consultation with rangers.

Questions also remain over whether footage from body worn cameras would or could be used in an attempt to punish, rather than constructively manage the performance of, rangers after suboptimal interactions with the public. This, and the appropriate management of body worn camera footage so that rangers are not unfairly treated, are important matters that elected members should consider before acquiescing to the introduction of body worn cameras and an associated policy.

The administration's report recommends that the Community and Corporate Services Committee note the introduction of body worn cameras for use and evaluation by City of Albany authorised staff. A draft body worn cameras administrative policy is appended to the report, as are draft standard operating procedures for the cameras' use.

The administration has advised that if the committee were to decide merely to note the current officer recommendation, as per the administration's recommendation, the agenda item would not be likely to proceed to the full council. In such a circumstance, the administration would likely proceed to introduce body worn cameras for its rangers and other authorised personnel. The city council would not have the opportunity to either endorse, or even note, the introduction of body worn cameras and associated policy and operating procedures.

The draft policy and operating procedures raise as many questions as they answer. If the committee were to accede to the officers' recommendation and merely note that the policy and cameras would be introduced, the committee would be acquiescing to both. No substantial committee or council debate about advantages or disadvantages of the cameras, or the policy or operating procedures would occur, against which to test and potentially modify the administration's advice.

In such a circumstance, the council would waive its responsibility to establish appropriate settings in advancing the safety of the Albany community, delegating this important task to the unelected administration.

At the ordinary council meeting on March 28, it was stated that council consideration of body worn cameras would be *ultra vires*, i.e. beyond the power of the Council to decide. No legal advice was, or has since been, furnished to validate that assertion.

Contrary to that stated opinion, Clause 2.7(2)(b) of the *Local Government Act* affirms it is the role of the council, among other things, to "determine the local government's policies". The council's policy determination function is doubly important with regard to body worn cameras, because community safety and workplace health and safety are key elements of the City's guiding and overarching corporate document, the Strategic Community Plan 2032 (see pp. 8, 12, 14, 28 and 31).

Clause 5.41(d) of the *Local Government Act* states it is a function of the CEO to “manage the day to day operations of the local government”. Unilateral implementation of body worn cameras, and an associated policy, would appear to go well beyond the day to day operations of Albany’s local government.

Decisions on policies concerning safety are a strategic, rather than operational, matter and a core function of the council. Such decisions should be the domain of elected members, with the non-elected administration responsible for implementing council decisions.

At the time of first submitting this alternative motion, after receiving a request on March 13, the administration declined to nominate more than four municipalities, among Western Australia’s 138, that have introduced the cameras. Subsequent advice since the initial submission of this alternative motion indicates that other LGAs have implemented body worn cameras.

Of the LGAs that have, or plan to, implement body worn cameras, the Town of Claremont and Shire of Esperance introduced the cameras only after their councils – as elected representatives of the people – were afforded the opportunity to vote upon, and authorise, introduction of the cameras and associated policies. That is to say that introducing body worn cameras was not considered *ultra vires* for the councils, or an administrative rather than strategic matter, in those municipalities. Further investigation may reveal more LGAs where introducing body worn cameras has been subject to council endorsement.

Acquiescing to body worn cameras, and a related draft policy, rather than insisting that a decision at least on the latter be made by the council, would run counter to the practice of the two above-mentioned municipalities and any others where the matter was subject to a council decision.

The statement at Point 5 of the officers’ report, that the *Albany Rangers OSH Risk Review Report* “recommended that body worn cameras be used as they have been proven to reduce the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community” is not correct. The *Albany Rangers OSH Risk Review Report* made no such recommendation. Further, it made no such conclusion as to the efficacy of body worn cameras.

A relevant, related, point is that the *Albany Rangers OSH Risk Review Report* recommended other initiatives to improve ranger safety, and none of these has been advanced in the original or current officer report. Considering the implementation of body worn cameras in isolation is a piecemeal approach to improving ranger and community safety.

At the March Community and Corporate Services meeting, I drew to the administration’s and elected members’ attention two recent research articles that concluded there was little-to-no evidence to suggest that police use of body worn cameras had any impact on community or police officer safety. This, and other, recent expert research on the topic of body worn cameras is readily available on the internet. Despite advising the council and administration of that, the officer report for the April Community and Corporate Services Committee meeting does not reflect any engagement with the expert literature.

Further, in an effort to validate anecdotal information provided by officers on past abuse of rangers, quantitative data from incident reports was requested and has not been provided. This is an issue of some concern.

Elected members have not received nearly enough evidence on which to make a sound decision concerning body worn cameras.

With most types of criminal offences decreasing in Albany (City of Albany, *Safer Albany Plan, 2020-2023*, p.21), introducing body worn cameras and an associated policy via administrative fiat would appear to be premature. There has been no evidence presented to the council that the necessary evidence base has not been assembled. And the Albany community has not been invited to comment.

Given that the *Albany Rangers OSH Risk Review Report* was completed five years ago, there appears to be no particular need to rush the introduction of body worn cameras. A more consultative, comprehensive and transparent approach would lead to a better decision for city rangers and the Albany community.

This alternative motion has been moved so the administration might:

1. Provide a report to the council that includes:
 - a draft council policy on body worn cameras appended for decision;
 - information on experience with the use of body worn cameras by other local governments;
 - consideration of peer-reviewed research on the efficacy of body worn cameras;
 - advice on other means of improving ranger safety nominated in the *Albany Rangers OSH Risk Review Report*;
 - feedback from the Albany community;
 - analysis of trends in ranger incident statistics; and
 - advice on whether the council or, in the alternative, the administration might be the most appropriate body to endorse, or otherwise, the introduction of body worn cameras; and
2. Consider inserting a recommendation in the above-mentioned report concerning council endorsement, or otherwise, of the introduction of body worn cameras for authorised City of Albany personnel.

Officer Comment (Executive Director Corporate and Commercial Services:

The administration highly values our trusted and cooperative relationship and cooperative approach with Council. It is for this reason that the administration put a report to the Corporate and Community Services Committee regarding the introduction of Body Worn Cameras. By presenting the report, it gives the awareness to the committee of the proposed introduction and gives the ability to influence the decisions of administration through the introduction of a Council Policy, statement of a position or other.

The administration will respect the governance process. Should the committee want further information before progressing, want to recommend to Council to adopt a policy position on the use of Body Worn Cameras or even develop a position that they don't want the administration to introduce Body Worn Cameras, then the administration will respect this position.

CCS516: COMMITTEE RECOMMENDATION (PROCEDURAL MOTION)

MOVED: COUNCILLOR THOMSON

SECONDED: MAYOR WELLINGTON

THAT this report be DEFERRED and be re-presented to the April 2023 round of meetings.

CARRIED 10-2

Record of Vote

Against the Motion: Councillors Terry and Shanhun

[The amendment was not put to the vote as a Procedural Motion to defer consideration of this item was moved from the floor.](#)

CCS516: AMENDMENT BY COUNCILLOR STOCKS

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be AMENDED to read as follows:

- 1. THAT Council NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons (Rangers) for a 3 month trial;
and add point 2:**
- 2. That the evaluation of the trial period be reported to Council before BWC are adopted for ongoing use.**

Councillor Stocks then moved an Amendment to the substantive motion.

CCS516: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CCS516: AUTHORISING OFFICER RECOMMENDATION

THAT Council NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons (Rangers).

BACKGROUND

2. The nature of complaints investigated by City of Albany Rangers (Authorised Persons), where they are required to ensure compliance with state legislation and local laws, from time to time brings them face to face with persons who may become confrontational and aggressive.
3. In acknowledging that aggression in the workplace is a serious hazard that requires management, the City of Albany engaged a consultant to undertake an assessment of risks faced by the Ranger Team in undertaking their day-to-day duties.
4. The “*Albany Rangers OSH Risk Review Report*” (the Franklyn Report) was produced in 2018.
5. The consultant recommended that body worn cameras be used as they have been proven to reduce the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community.
6. Body worn cameras may also improve the safety of community members by ensuring transparency and accountability of authorised officers in their interactions with members of the community.
7. The use of body worn cameras by local government officers is becoming increasingly prevalent, providing an independent and objective resource to capture incidents and interactions between officers and members of the community.

DISCUSSION

8. Body worn cameras, which are attached to the front of an officer’s uniform and are capable of capturing audio, video and photos, are recognised to aide in reducing the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community.
9. Body worn cameras also ensure transparency and accountability of authorised officers in their interactions with members of the community.

10. The use of body worn cameras by local government officers is becoming increasingly prevalent, providing an independent and objective resource to capture incidents and interactions between officers and members of the community.
11. Local governments in WA that have adopted the use of body worn cameras include the City of Perth, Town of Claremont, Shire of Toodyay and Shire of Wyndham/East Kimberley.
12. Rangers and other authorised officers can record footage in certain circumstances that concern their safety, the safety of another person, in a violent incident or if the officer suspects that a violent incident will occur, or to gather evidence in relation to a breach of an Act, Legislation, Regulation or Local Law.
13. Body worn cameras are intended to capture specific incidents, minimising collateral intrusion to those not directly involved in particular situation.

Administrative Policy (Proposed)

14. A proposed administrative policy position has been developed and a Standard Operating Procedure (SOP) has been developed to ensure that body worn cameras are used in an appropriate, effective, auditable (accountable) and legislatively compliant manner.
15. In summary the draft Policy and SOP documents set out clearly the intent, purpose, when to use, storage and retrieval of data.
16. It is proposed that the decision to start or stop recording with a body worn camera, will rest with the Authorised Officer, having due regard to all the circumstances, guiding policy and the supporting SOP.

Privacy and Responsible Information Sharing

17. This is addressed in the Risk Identification and Mitigation and Legal Implication sections of this report.

Evaluation

18. At the completion of an initial evaluation period, feedback received from the Ranger Team and community will be reviewed. That feedback will inform any changes to the policy and procedures governing the use of BWCs by City staff.
19. Audits will be also conducted on the audio-visual recordings and the suitability of the data storage and software used.
20. It is the intention of the City to deploy the body worn cameras on a permanent basis and to provide the opportunity to other authorised persons within the City to utilise body worn cameras whilst fulfilling their duties.

Advantages

21. The ability to record events electronically as they occur has a range of benefits specifically relating to the safety of City officers including:
 - Moderated behaviour of people present at incidents;
 - Increased officer accountability, transparency and professionalism;
 - Increased public trust;
 - Reduction in complaints against officers;
 - Use as a training tool; and
 - Improved collection of evidence.
22. Body worn camera footage may:
 - Enable the City to efficiently process any incident reported by the community or authorised officers of the City;
 - Allow for the review of interactions with community members by authorised officers whilst undertaking their day to day duties; and
 - Provide the means and opportunity to capture evidence related to reportable incidents by recording visual and audio evidence.
23. Overall, with the use of body worn cameras, community members should feel protected, and staff feel secure in performing their duties.

Disadvantages

24. Body worn cameras may be unsafe in certain situations, particularly when in a public place where people may be under the influence of drugs and/or alcohol.
25. Recording of footage which is not in compliance with City of Albany policies and procedures or relevant legislation is possible; however it should be noted that this would result in disciplinary action if required.

Storage of Body Worn Camera Footage

26. The storage of body worn camera footage must be a secure system, in accordance with evidence management requirements and relevant legislation.
27. Recorded data that is required (or potentially required) as evidence must be retained in accordance with the State Records Act 2000. This is currently seven years.
28. Footage may not be edited or altered, however in very specific circumstances, for example, irrelevant footage can be removed if not required or where it has been captured in error.
29. Body worn camera footage is to be released or distributed only upon application and in accordance with relevant legislation. Access to body worn camera footage should be restricted, monitored and audited.
30. A member of the public has the right to apply for access to their personal information held by the City of Albany under the *Freedom of Information Act 1992*.
31. Any applications for access to body worn camera footage under Freedom of Information legislation will be processed in accordance with the provisions of that Act.

STATUTORY IMPLICATIONS

32. Statutory implications are the application of the following legislation on BWC use and the subsequent audio-visual record (data):
 - a. *Surveillance Devices Act 1998*
 - b. *State Records Act 2000*
 - c. *Freedom of Information Act 1992*
 - d. *Evidence Act 1906*
 - e. *Criminal Procedures Act 2004*
33. The *Privacy Act 1988* is a federal law which does not cover local, state or territory government agencies, and therefore does not apply in this instance. However, the City of Albany does adhere to the principles of the *Privacy Act 1988*.
34. The Office of the Information Commissioner (WA) administers the *Freedom of Information Act 1992* which includes some privacy principles related to the disclosure and amendment of personal information held by Western Australian State and local government agencies.
35. The voting requirement for this item is **Simple Majority**.

POLICY IMPLICATIONS

36. The use of body worn cameras by authorised officers will be in accordance with the *City of Albany Body Worn Camera Policy*.
37. The Policy and Procedures related to BWCs also address the Standard Operating Procedure (SOP) to ensure that body worn cameras are used in an appropriate, effective, auditable (accountable) and legislatively compliant manner.
38. The decision to start or stop recording with a BWC will rest with the Authorised Person/s, having due regard to all the circumstances including information contained within the City BWC Policy document and Standard Operating Procedures.
39. The draft Policy and Standard Operating Procedure documents set out clearly the intent, purpose, use of a body worn camera and the storage and retrieval of data.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Legal and Compliance: <i>Unauthorised use of a body worn camera.</i>	<i>Rare</i>	<i>Major</i>	<i>Low</i>	<i>Policy and procedures are in place to govern the use of body worn cameras, including monitoring and auditing of footage.</i>
People Health and Safety: <i>Risk of verbal or physical abuse or assault on Rangers or other authorised City Officers in the course of their work.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Body worn cameras may reduce the risk of physical injury or psychological harm to City of Albany authorised officers.</i>
Opportunity: <i>The ability to record events electronically as they occur has a range of benefits specifically relating to the safety of City officers including:</i> <ul style="list-style-type: none"> • <i>Moderated behaviour of people present at incidents;</i> • <i>Improved officer conduct and professionalism;</i> • <i>Reduction in complaints against officers; and</i> • <i>Improved collection of evidence.</i> 				

FINANCIAL IMPLICATIONS

41. The City purchased five body worn cameras, associated hardware, software and licencing at a cost \$11,866 in 2020. The body worn cameras have not yet been used, due to delays with the establishment of the Policy and Procedure documents.
42. Whilst the Milestone CCTV server provides a digital storage and playback capacity, it is a limited platform for the management of digital evidence.
43. A Digital Evidence Management System would be the preferred method of storing and managing the digital evidence and will incur an annual subscription cost.

LEGAL IMPLICATIONS

44. The Surveillance Devices Act 1998 regulates the use of listening devices and optical surveillance devices in respect of private activities and conversations.
45. BWC audio-visual recordings will be stored and retained in accordance with the *State Records Act 2000*.
46. Applications for access to audio-visual footage from a BWC can be made in accordance with the *Freedom of Information Act 1992*.
47. Audio-Visual recordings may be tendered as evidence in the event of a prosecution.

CONCLUSION

48. The evaluation period will provide an opportunity to ensure that policies and procedures related to the use of body worn cameras are appropriate.

Consulted References	:	<ul style="list-style-type: none"> • <i>Surveillance Devices Act 1998</i> • <i>State Records Act 2000</i> • <i>Freedom of Information Act 1992</i> • <i>Evidence Act 1906</i> • <i>Criminal Procedures Act 2004</i>
File Number (Name of Ward)	:	All Wards
Previous Reference	:	CCS Committee 14/03/2023 Report CCS516

CCS521: CORPORATE SCORECARD

- Attachments** : Attachment – ‘CS Dashboard Q3 2022-23’
- Report Prepared By** : Business Planning and Performance Coordinator
(A Olszewski)
- Authorising Officer:** : Acting Manager People & Culture (D Waugh)

STRATEGIC IMPLICATIONS

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

In Brief:

- The Strategic Community Plan 2032 (SCP) and Corporate Business Plan 2021-2025 (CBP) were adopted by Council in August 2021.
- The CBP outlines a comprehensive suite of actions that effectively form Council’s priority commitments to the community.
- The Corporate Scorecard (CS) Dashboard concept was developed to provide a quarterly update to Council on the status of these actions.

RECOMMENDATION

CCS521: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED: 13-0

CCS521: AUTHORISING OFFICER RECOMMENDATION

THAT the Corporate Scorecard Dashboard be NOTED.

BACKGROUND

2. The SCP establishes the results the community expects Council to achieve through the City, while the CBP describes the specific actions necessary to achieve those results.
3. These actions are monitored through Business Unit Plans, which define (on a minimum quarterly basis) associated service levels and enable assignment of a simple ‘traffic light’ status to each action.
4. The first iteration of the CS Dashboard was presented to Council at the November 2021 CCS Committee meeting for feedback, and subsequently endorsed at the December OCM.

DISCUSSION

5. The ‘CS Dashboard Q3 2022-23’ (attached) provides an update on the status of CBP actions for the January to March 2023 quarter, identifying those actions potentially ‘at-risk.’
6. ‘At-risk’ actions include those assigned with a traffic light status of either:
 - Red (a service *not meeting* its service level, or a project *not on track*), or
 - Orange (a service *under strain*, or a project that has *stalled*).
7. Commentary on any ‘at-risk’ actions is provided at the conclusion of the CS Dashboard.

GOVERNMENT & PUBLIC CONSULTATION

8. N/A.

STATUTORY IMPLICATIONS

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

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

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *Govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. ***Absolute majority required.***
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

POLICY IMPLICATIONS

10. N/A.

RISK IDENTIFICATION & MITIGATION

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

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

FINANCIAL IMPLICATIONS

12. N/A.

LEGAL IMPLICATIONS

13. N/A.

ENVIRONMENTAL CONSIDERATIONS

14. N/A.

ALTERNATE OPTIONS

15. Council may choose not to review progress of commitments made in the CBP through the proposed CS Dashboard, and delegate this oversight to the City's Executive.

CONCLUSION

16. It is recommended the CS Dashboard be noted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995, s5.56</i>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i>• <i>IPR Framework and Guidelines 2019</i>
File Number (Name of Ward)	:	All Wards
Previous Reference	:	OCM 28/02/2023 - Report Item CCS511

CCS522: REGIONAL EVENTS SPONSORSHIP ROUND 1 – 2023/2024

Proponent / Owner : City of Albany
Report Prepared By : Personal Assistant to Executive Director Community Services (C Crane)
Authorising Officer: : Executive Director Community Services (N Watson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** People
 - **Outcome:** A happy, healthy and resilient community

In Brief:

- To seek Council endorsement of the Assessment Panel recommendations for Regional Events Sponsorship Round 1 – 2023/2024.

RECOMMENDATION

CCS522: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR THOMSON
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 13-0

CCS522: AUTHORISING OFFICER RECOMMENDATION

THAT the Regional Event Sponsorship Assessment Panel recommendations as outlined in Paragraph 20 – Table 1 of this report be ENDORSED.

BACKGROUND

2. The City of Albany's Regional Events Sponsorship (RES) program is designed to attract and support the staging of events that are regional economic drivers for Albany as a destination.
3. A Regional Event is defined as possessing the capability to attract significant numbers of visitors from outside the region and is more than just a local festival; it must possess substantial drawing power.
4. Council allocates \$80,000 annually within its budget for RES. This is reflected in Council's Long Term Financial Plan and demonstrates a continued commitment to have budget capacity to support community and regional events.
5. The funding allocation is offered across two funding rounds annually, with Round 1 for events being held between 1 July and 31 December, and Round 2 for events being held between 1 January to 30 June.
6. This approach was introduced in 2022 in discussion with Elected Members (CCS430) to make the funding more accessible to event organisers.

DISCUSSION

7. The funding being considered in this report is for Round 1 of 2023/2024, with 3 applications received.

Program Overview

8. Applications for RES funded activity for events being held between 1 July 2023 to 31 December 2023 opened for applications on December 8, 2022 and closed on 13 February 2023.
9. The City received three applications for events in this round.
10. The RES program 2023 eligibility criteria include:
 - a. Increasing visitor expenditure in the Albany region (economic impact);
 - b. Involves and inspires the local community (social benefits);
 - c. Attracts media coverage that will help raise the profile of Albany as a visitor destination (media impact);
 - d. Demonstrate continuity and is likely to engage the community into the future (sustainability).
11. The program is a competitive funding application process and is designed to encourage and support applicants to leverage additional funding support from other sources, such as Tourism WA RES funding.
12. Events that are funded by Council are required to enter into a Contractual Agreement with the City inclusive of post-event acquittals, project reports and milestone payments where relevant.

Assessment

13. Applicants were encouraged to shape their proposed activities to the sponsorship criteria, and officers gave guidance to applicants who did not meet the eligibility criteria.
14. An assessment panel comprising Mayor Wellington, Councillor Thomson and Councillor Traill received guidance from City officers.
15. The process included an in-person pitch from the applicants. All applicants presented their events to the assessment panel on March 27.
16. The applications were:
 - a. Application 1 – Albany Mountain Bike Club, Southern Peaks 2023
 - Two-day event on Saturday, September 23 and Sunday, September 24;
 - Western Australia's first State Pump Track Championship at Youth Challenge Park;
 - Jump Fest on Saturday night at Youth Challenge Park dirt jumps;
 - XCM State Championship – cross-country event involving 50km, 37km and 17km categories;
 - Expected to attract 1100 visitors (1000 intrastate & 100 interstate) to the region for an average stay of 3 nights.
 - b. Application 2 – ArtSouth WA, 2023 Southern Art & Craft Trail
 - 20th anniversary year;
 - 16-day art trail from Saturday, September 23 to Sunday, October 8;
 - Involves up to 400 artists and 60 venues across the region, including exhibitions and workshops;
 - 15,000 program booklet distributed across the Great Southern and the west-coast south of Perth;
 - Includes Art Trail Tours with an Albany-based tour bus operator;

- Third year of including a ‘Schools of the Art Trail’, which involved 16 schools last year. Schools partner with retailers and public spaces to create displays of student artwork;
- Inclusion focus to involve indigenous, disability and migrant communities;
- Expected to attract 15,000 visitors (13,000 intrastate, 1600 interstate, 400 international) to the region and stay for up to 5 nights.

c. Application 3 – Albany International Folk & Shanty Festival 2023

- Established in 2018 and remains only maritime folk & shanty festival in Australia;
- Three-day event from Friday, September 29 to Sunday, October 1.
- Involves multiple venues, free events, family/children’s event, maritime-themed talks and a new ‘Shanty Hub’ marquee on Albany Waterfront;
- Program includes an international folk n’ shanty group and a number of national acts
- Involves about 20 visiting WA artists as well as large complement of local artists;
- Expected to attract 1610 visitors (1500 intrastate, 100 interstate, 10 international) with an average stay of 3 nights.

17. Applications were evaluated by City officers using an event assessment tool developed to measure the economic value, visitor numbers and budget sustainability of each application.

18. The assessment panel supported the three applications and made its funding recommendations based on the funding criteria, information supplied and applicant presentations.

19. The panel recommended supporting all three (3) of the applications.

Panel Recommendations

20. A summary of applications recommended for funding is outlined in Table 1.

Table 1 - Regional Events Sponsorship – Assessment Panel Recommendations

	Applicant / Event	Event Type	Comments	Amount Requested	Panel Recommendation
1.	Albany Mountain Bike Club:	<u>Sporting Event</u>	Utilising the new Youth Challenge Park pump-track to hold the first Pump Track State Championship in WA with potential for growth.	\$20,000	\$15,000
2.	ArtSouth WA	<u>Cultural Event</u>	An established, well run regional festival that is celebrating its 20 th anniversary and attracts a substantial number of visitors from outside the region across its 16-day program.	\$20,000	\$20,000
3.	International Folk & Shanty Festival	<u>Cultural Event</u>	Unique event involving international acts. Program engages local businesses and venues, attracts visitors from outside the region and has potential for growth	\$20,000	\$15,000
Totals				\$60,000	\$50,000

21. The table of panel recommendations is for cash support only.

GOVERNMENT & PUBLIC CONSULTATION

22. Not applicable.

STATUTORY IMPLICATIONS

23. Nil.

POLICY IMPLICATIONS

24. The Regional Events Sponsorship program aligns with the City of Albany Sponsorship Policy & Guidelines.
25. Approval of RES funding recommendations is required by Council.
26. Funded applications are required to enter into a Funding Contract with the City.
27. Funded applicants are required to submit an Event Approval Application to the City no later than 3 months prior to their event, where applicable.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation: Funding recommendations not endorsed may result in negative feedback from the community and/or applicants.	Unlikely	Minor	Low	A rigorous application and assessment process has been applied to ensure Council has confidence in assessment panel funding recommendations.
Reputation: Negative feedback from applicants declined for funding.	Possible	Minor	Medium	Communicate the justification and reasoning to unsuccessful applicants.
Community: Community safety is put at risk by not following appropriate procedures.	Possible	Major	High	An Event Approval Application is to be submitted to the City where applicable. Officers will communicate with event organisers about their application and conditions for running the event safely.

FINANCIAL IMPLICATIONS

29. Management and oversight of funding and event sponsorship is undertaken using existing staff resources within the Community Relations business unit, within existing allocated budgets.
30. Council allocates \$80,000 annually within its budget for RES. This is reflected in Council's Long Term Financial Plan and demonstrates a continued commitment to have budget capacity to support community and regional events.
31. Due to the quality of the events in this round of applications, the assessment panel has recommended allocating \$50,000 to Round 1 and allocating \$30,000 to Round 2.
32. Should Round 2 attract substantial quality applications that oversubscribes the allocated funding, the assessment panel will need to take this into consideration when recommending funding amounts.

LEGAL IMPLICATIONS

33. Nil.

ENVIRONMENTAL CONSIDERATIONS

34. Nil.

ALTERNATE OPTIONS

35. Council may make alternative recommendations for funding including substitute dollar amounts for recommended applicants. This is not recommended given the rigorous assessment process undertaken which has carefully considered each application on its merits.

CONCLUSION

36. The process for RES Application Assessment is considered transparent and equitable.
37. It is recommended that the Authorising Officer’s recommendation be endorsed.

Consulted References	:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • City of Albany Sponsorship Policy & Guidelines • City of Albany Regional Events Sponsorship Guidelines 2023
File Number (Name of Ward)	:	CR.SPO.44 (All Wards)
Previous Reference	:	<ul style="list-style-type: none"> • Regional Events Sponsorship Round 1 2022/2023 – CCS430 (OCM: 26/04/2022) • Regional Event Sponsorship Round 2 2022/2023 – CCS472 (OCM: 27/09/2022)

CCS523: QUARTERLY REPORT – TENDERS AWARDED – JANUARY TO MARCH 2023

Proponent : City of Albany
Attachments : Quarterly Report – Tenders Awarded – January to March 2023
Report Prepared by : Senior Procurement Officer (H Hutchinson)
Authorising Officer : Executive Director Corporate & Commercial Services (M Gilfellow)

STRATEGIC IMPLICATIONS

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

RECOMMENDATION

CCS523: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 13-0

CCS523: AUTHORISING OFFICER RECOMMENDATION

THAT the Quarterly Report – Tenders Awarded – January to March 2023 be RECEIVED.

**CCS524: ALBANY MOTORSPORT VENUE INCORPORATED (AMV INC.)
– COMMUNITY NOMINATION**

Land	:	Lot 5780 Down Road South, Drome, Western Australia
Attachments	:	<ul style="list-style-type: none">• Nominee Submission (Confidential)
Report Prepared By	:	Manager Governance & Risk (S Jamieson)
Authorising Officers:	:	Chief Executive Officer (A Sharpe) Executive Director Corporate & Commercial Services (M Gilfellon)

CONFIDENTIAL ATTACHMENT

The attachment to the report is confidential in accordance with 5.23 (2) (b) the personal affairs of any person; and (e) a matter that if disclosed, would reveal —(iii) information about a person (entity), other than the local government.

STRATEGIC IMPLICATIONS

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

In Brief:

- Note the City’s received one nomination for referral to the AMV Inc. Board for consideration and the confidential report.

RECOMMENDATION

CCS524: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR STOCKS**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 13-0

CCS524: AUTHORISING OFFICER RECOMMENDATION

THAT the application for the current Community Representative AMV Inc. board director vacancy be NOTED and the nominee be referred to the AMV Inc. Board for consideration.

RESOLUTION

**CARRIED: COUNCILLOR SMITH
SECONDED: COUNCILLOR SUTTON**

THAT the meeting be re-opened.

CARRIED 13-0

At 7.35pm the meeting was re-opened to the public. No public returned.

RESOLUTION

**MOVED: COUNCILLOR SUTTON:
SECONDED: COUNCILLOR SMITH**

THAT in accordance with clause 4.1 of the City of Albany Standing Orders Local Law, the meeting be closed to members of the public to discuss Report CCS524: Albany Motorsport Venue Incorporated (AMV Inc.) Community Nomination.

CARRIED 13-0

At 7.31pm the meeting was closed to the public.

BACKGROUND

2. The Albany Motorsport Venue Inc. (Albany Motorsport Park Governance Model) allows for two Community Representatives on the AMV Inc. board.
3. The City has received one application for the current Community Representative AMV Inc. board director vacancy.

AMV Inc. – Board Governance

4. AMV Inc. was incorporated (as a not-for-profit incorporated association) on 10 March 2022, certificate of incorporation attached.
5. AMV Inc. consists of a Board of Directors (the Board).

Make-up of the Board

6. The Albany Motorsport Park Board is made up of:
 - a. Two (2) community representatives recommended by the City of Albany for the Board's consideration.
 - b. One (1) representing Motorsport Australia;
 - c. One (1) representing Motorcycling Western Australia (MWA);
 - d. One (1) representing 4-wheel racing clubs;
 - e. One (1) representing 2-wheel racing (motorcycle road racing) clubs; and
 - f. One (1) representing motocross clubs.
7. The Chairman of the Board is elected by the Directors.
8. Appointments are to be up to a two-year term, with skills determined by the Board.
9. The Directors are ultimately responsible for ensuring:
 - a. The Board meets regularly (i.e. monthly or on more occasions if the need dictates);
 - b. Employment of an Operations Manager and any other staff deemed necessary to ensure safe and compliant operations of the Venue.
 - c. Appropriate insurance of the tracks, roads and any other permanent buildings and fixtures on the Venue.
 - d. The development of an Albany Motorsport Park Strategic Development Plan and overseeing the implementation of the strategies and supporting policies.
 - e. The development and implementation of systems to enable it to comply with its legal and policy obligations, adhering to accounting standards and ensuring the Venue assets are protected through appropriate risk management.
 - f. The Venue is appropriately managed (i.e. day to day safe operations and programming and marketing of events).

DISCUSSION

10. Community Representative nominees were requested to submit a resume/CV, and short cover letter.
11. Only one nomination was received.
12. The nominee's submitted documentation demonstrates a financial, risk management, and general business acumen.
13. No formal interview or reference check was undertaken, as that is for the AMVI board to undertake to its own satisfaction.
14. The AMVI Chair was provided a copy of the submission and they have advised they support the nomination to be presented to the board for approval.

GOVERNMENT & PUBLIC CONSULTATION

15. Expressions of interest were called for membership by way of public advertisement in early December 2022 and closed on 1 February 2023.
16. The public were engaged through the placement of the attached advertisement in the Albany Advertiser and promoted on City social media and website.

STATUTORY IMPLICATIONS

17. The City has no formal governance role in the formation of the AMV Inc. board.
18. Being an independent organisation, the AMV Inc. board is not required to accept the City nominees if they feel they are not suitable for the positions.
19. The City continues to encourage the AMV Inc. board to undertake its own due diligence and review of nominee suitability regarding skills and experience for director positions.

FINANCIAL IMPLICATIONS

20. There are no direct financial implications related to this report.
21. \$1,250.00 was spent on advertising, at City cost.

LEGAL IMPLICATIONS

22. There are no direct legal implications relating to this item.
23. AMV Inc. is a separate legal entity and the City has no legal right or obligation to provide governance oversight.
24. AMV Inc. has the right to consider City's sourced nominations or seek their own.

RISK IDENTIFICATION & MITIGATION

25. It is in the City's interest that the AMV Inc. has an effective board.
26. If the board fails to provide appropriate oversight, Venue management options will need to be considered by Council.
27. Council needs confidence in the AMV Inc. board to manage the motorsport lease area and operations when granting the lease.
28. Due diligence (i.e. Character reference checks etc.) has not been undertaken by the City as that is the remit of the AMV Inc. board. However, the City will encourage the board to:
 - a. Set up a skills matrix so that they can ensure prospective directors fill the gaps in the skills and qualities the board needs.
 - b. Reference check, call prospective directors.
 - c. Set the prospective directors up for success through the provision of board development training or a mentor to help bring them along.

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational: City unable to source a nominee.	Likely	Major	High	The City assist the AMV Inc. approach suitable prospective directors.
Reputational: AMV Inc. is unable to fulfil lease obligations to City.	Possible	Major	High	Council consider options to the AMV Inc to assist compliance with lease obligations.
Reputational: Board fails to provide appropriate oversight and fulfil lease obligations.	Possible	Major	High	Council considers the provision of mentorship, assistance and/or support from organisations, such as the Australian Institute of Company Directors (AICD).
Opportunity: The opportunity to assist the AMV Inc. board may contribute to the successful development and future operation of the motorsport park.				

CONCLUSION

30. It is recommended that the Nominees be referred to the AMV Inc. Board for consideration.

Consulted References	:	<ul style="list-style-type: none"> • Local Government Act 1995 • Associations Incorporation Act 2015 • Application for Incorporation – AMV Inc. • Certificate of Incorporation – Albany Motorsport Venue Inc. dated 10 March 2022. • A Guide for Incorporated Associations in Western Australia • Incorporated Body Model Rules & Guidance Notes (WA) • Albany Motorsport Park Draft Governance Model
File Number (Name of Ward)	:	RC.PJT.2 RC.MEE.20
Previous Reference	:	OCM 26/04/2022 Resolution CCS432 & OCM 23/02/2021 Resolution DIS245

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN: Nil.

12. MEETING CLOSED TO THE PUBLIC

13. CLOSURE

There being no further business the Chair declared the meeting closed at 7.35pm.

(Unconfirmed Minutes)

Councillor Paul Terry
CHAIR

Andrew Shogre
 CEO
 11/14/2023
 CCS Meeting

Kim Stanton 55 Chipana Drive Little Grove –
 Re 11/4/23 CoA Agenda Item CCS 516 - 3 months trial for Rangers Body Cameras.

After the City bought 5 body cameras in 2020, when did the Policies and Procedure documents for body cameras go to Ordinary Council Meetings to be approved. Did Council approve these and did these Policies go out to the general community for Public Comment. If so, what comments came forward. Have the present day Councillors seen any of these Policies etc and Public Comments if any.

As reported, Perth City Council, Town of Claremont, and the Shires of Toodyay and Wyndham/East Kimberley now use body cameras. Have reports from these councils been evaluated re the “success” of the cameras and shown to our Councillors?

What evidence is there of past problems in Albany to show that Rangers and some staff need body cameras. Full disclosure and information re incidents need to be shown to support the City of Albany asking for these cameras.

Considering the risk of privacy issues etc , I would have thought this important decision would go out for Community Comment before being approved formally by the councillors and then after the 3 months trial, do another Community Comment period before the final approval by Council.

Who audits the audio-visual recordings. The City Staff or the Police when there is a need to do so.

In the Addendum I quote:

“The responsibility for use of body worn cameras by authorised officers’ rests with the administration (the City’s Executive).
 Recommended way forward is for the Committee to NOTE the report only, as the determination to use BWC is an administrative function.”

Therefore does that mean the Administrative (the City’s Executive) does not need the Councillors at an Ordinary Council Meeting to approve the use of these Body Cameras.

Meaning the final decision would be entirely up to the City Executive not the City’s Councillors here tonight representing Albany Residents on this important decision.

CK Stanton