



MINUTES

COMMUNITY AND CORPORATE SERVICES COMMITTEE

11 September 2019

6.00pm

City of Albany Council Chambers

UNCONFIRMED MINUTES

**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.

CARETAKER PERIOD STATEMENT

During a Caretaker Period the CEO will ensure that reports and or recommendations made by officers for consideration by Council do NOT constitute major policy decisions which may commit Council to a certain course of action, financial or otherwise. All reports considered by Council during the Caretaker Period have been reviewed by the CEO, and the CEO has determined that those reports do not constitute a major policy decision. The Caretaker Period Policy does not impede the day to day administrative decisions required for the smooth running of the organisation.

Community & Corporate Services Committee
Terms of Reference

Functions: The Committee is responsible for the following functions:

Community Services:

The delivery of "*Community Health & Participation Objectives*" contained in the City of Albany Strategic Plan:

- To build resilient and cohesive communities with a strong sense of community spirit.
- To create interesting places, spaces and events that reflect our community's identity, diversity and heritage.
- To develop and support a healthy inclusive and accessible community.

Corporate Services:

Monitoring and commenting on the financial health and strategies of Council.

The delivery of "*Leadership Objectives*" contained in the City of Albany Strategic Plan:

- To establish and maintain sound business and governance structures.
- To provide strong, accountable leadership supported by a skilled & professional workforce.
- To engage effectively with our community.

Economic Development:

Considering and recommending to Council ways to strengthen the local Albany economy.

The delivery of "*Smart, Prosperous and Growing Objectives*" contained in the City of Albany Strategic Plan:

- To strengthen and grow our region's economic base.
- To develop a smart city that supports economic growth.
- To develop and promote Albany as a unique and sought-after visitor location.

Governance:

- Review of Council's policies;
- Supporting Elected Members in their governance role;
- Developing amendments to existing, or new, local laws;
- Consideration of the Council's draft Strategic Plan;
- Consideration of the Council's draft Annual Report;
- Matters pertaining to the conduct of the Council's Annual General Meeting;
- Consideration of the proposed meeting schedule for Council and its Committees;
- Receiving reports from Council representatives on outside bodies, and from other bodies as determined by Council; and
- Considering matters not falling within the terms of reference of any other Council committee.

Service Complaint Internal Review:

- Responsible for reviewing unresolved service complaints, in accordance with the Service Complaints Policy.

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 Services,
Executive Director Community Services

Delegated Authority: None

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1. DECLARATION OF OPENING: Meeting commenced at 6.00pm

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

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

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Councillors:

Mayor	D Wellington
Member	R Hammond
Member	A Goode JP
Member	S Smith
Member	A Moir
Member	R Sutton
Member	P Terry (Chair)
Member	R Stephens
Member	T Sleeman
Member	J Shanhun

Staff:

Chief Executive Officer	A Sharpe
A/Executive Director Corporate Services	D Olde
Executive Director Community Services	S Kay
Executive Director Infrastructure & Environment	P Camins
A/Executive Director Development Services	J Van Der Mescht
A/ Manager Planning & Land Information Services	A Bott
Meeting Secretary	H Bell

Apologies:

Member	B Hollingworth
Member	E Doughty (Deputy Chair)
Member	G Stocks
Acting Manager Finance	S Van Nierop

Members of Public

Monica Mullane
Maureen Riches
Jim Riches
Jamie Scally
Delma Baesjou – Candidate in the October 2019 Local Government Election (from 7.03pm)
Michael Traill - Media

Members of the public who are candidates in the October 2019 Local Government Election must identify themselves and be acknowledged by the Committee Chair, in accordance with the Caretaker Period Policy.

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
NIL		

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE –

Mr Ian Skalko, 146 Hare Street, Mt Clarence

Why are Greenwaste passes now 2 cubic metres?

Response attributed to Executive Director Infrastructure and Environment

The City of Albany's agreement with our green waste contractor is that ratepayers may take one load of garden waste of up to 2 cubic metres per year to the depot on John Street.

There are a number of steps to the processing of the green waste that determine its cost, with one of the most labour intensive components occurring at drop-off. Because of this, to process a single delivery of 2m³ would not be significantly different to the cost of processing a single 1m³ delivery.

The City is charged on a tendered rate per load up to 2m³ and this has been determined by the contractor based on an assumed average volume anticipated, so some they win and some they lose.

It is suggested that ratepayers load their trailers to make the most of this allowance which is clearly marked on the passes issued.

6. PUBLIC QUESTION TIME

Monica Mullane – Representing Dance Groups

7. PETITIONS AND DEPUTATIONS

8. CONFIRMATION OF MINUTES

DRAFT MOTION

MOVED COUNCILLOR SMITH

SECONDED COUNCILLOR SHANHUN

THAT the minutes of the Community and Corporate Services Committee held on 13 August 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10 - 0

9. PRESENTATIONS

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

UNCONFIRMED MINUTES

CCS176: FINANCIAL ACTIVITY STATEMENT – JULY 2019

Proponent	: City of Albany
Attachments	Statement of Financial Activity
Report Prepared by	: Acting Manager Finance (S Van Nierop)
Responsible Officer	: Acting Executive Director Corporate Services (D Olde)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

CCS176: COMMITTEE RECOMMENDATION

**MOVED COUNCILLOR SUTTON
SECONDED COUNCILLOR SMITH**

THAT the Financial Activity Statement for the period ending 31 July 2019 be RECEIVED.

CARRIED 10 - 0

CCS176: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Financial Activity Statement for the period ending 31 July 2019 be RECEIVED.

BACKGROUND

1. The Statement of Financial Activity for the period ending 31 July 2019 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 \$100,000 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.

POLICY IMPLICATIONS

8. The City's 2019/20 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 31 July 2019 has been incurred in accordance with the 2019/20 proposed budget parameters.
11. Details of any budget variation in excess of \$100,000 (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.

File Number (Name of Ward)	FM.FIR.7 - All Wards
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UNCONFIRMED MINUTES

CCS177: LIST OF ACCOUNTS FOR PAYMENT – AUGUST 2019

Business Entity Name : City of Albany
Attachments : List of Accounts for Payment
Report Prepared By : Manager Finance (S Van Nierop)
Responsible Officers: : Executive Director Corporate Services (D Olde)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

CCS177: COMMITTEE RECOMMENDATION

MOVED COUNCILLOR GOODE
SECONDED COUNCILLOR MOIR

That Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 August 2019 totalling \$6,987,542.78.

CARRIED 10 - 0

CCS177: RESPONSIBLE OFFICER RECOMMENDATION

That Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 August 2019 totalling \$6,987,542.78.

BACKGROUND

1. 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

2. The table below summarises the payments drawn from the municipal fund for the period ending 15 August 2019. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$556.10
Credit Cards	\$30,297.26
Payroll	\$2,245,794.88
Cheques	\$62,858.45
Electronic Funds Transfer	\$4,648,036.09
TOTAL	\$6,987,542.78

As at 15 August 2019, the total outstanding creditors stands at \$291,566.43 and is made up as follows:-

Current	\$239,261.24
30 Days	\$51,958.33
60 Days	-\$105.34
90 Days	\$452.20
TOTAL	\$291,566.43
Cancelled Cheques	One

STATUTORY IMPLICATIONS

3. 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.
4. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
5. 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

6. Expenditure for the period to 15 August 2019 has been incurred in accordance with the 2018/2019 budget parameters.

FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 August 2019 has been incurred in accordance with the 2018/2019 budget parameters.

CONCLUSION

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

File Number (Name of Ward)	:	FM.FIR.2 - All Wards
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CCS178: DELEGATED AUTHORITY REPORTS – JULY TO AUGUST 2019

Proponent : City of Albany
Attachments : Executed Document and Common Seal Report
Report Prepared by : Personal Assistant to the ED Corporate Services (H Bell)
Responsible Officer : Chief Executive Officer (A Sharpe)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

Background:

In compliance with Section 9.49A of the *Local Government Act 1995* and Part IV of the *Local Government (Functions and General) Regulations 1996* 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 (Chief Executive Officer)
- Delegation: 009 - GRANT FUNDING, DONATIONS, SPONSORSHIP
- Delegation: 018 - CHOICE OF TENDER, AWARD CONTRACT

RECOMMENDATION

CCS178: COMMITTEE RECOMMENDATION

**MOVED COUNCILLOR STEPHENS
SECONDED COUNCILLOR SLEEMAN**

THAT the Delegated Authority Reports 16 July 2019 to 15 August 2019 be RECEIVED.

CARRIED 10 - 0

CCS178: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 July 2019 to 15 August 2019 be RECEIVED.

**CCS179: ADOPTION OF THE BUDGET REVIEW FOR THE PERIOD
ENDING 31 JULY 2019**

Proponent	: City of Albany
Attachments	: Budget Review for the period ending 31 July 2019
Report Prepared by	: Business Analyst/Management Accountant (D Harrison)
Responsible Officer	: Executive Director Corporate Services (D Olde)

Councillor Sleeman moved motion to discuss contractual agreements on Eastern Pavilion budget item behind closed doors at 6.25pm. Seconded Councillor Stephens Carried 6 – 4
Against Mayor Wellington, Cr Shanhun, Cr Goode, Cr Sutton

Councillor Sutton moved motion to come out from behind closed doors at 6.40pm
Seconded Councillor Moir Carried 10 - 0

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:
 - **Theme 1:** Leadership.
 - **Objective 1.1:** To establish and maintain sound business and governance structures.
 - **Community Priority 1.1.1:** Implement systems and controls that ensure the prudent use of rates and ensure value for money in all aspects of Council operations.

In Brief:

- Local governments are required to conduct a budget review between 1 January and 31 March each financial year which is a requirement covered by regulation 33A of the Local Government (Financial Management) Regulations 1996. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual.
- This review is for the period ending 31 July 2019 and reports a surplus of \$64,218 Budget inclusive of the proposed Budget Review allocations.

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

CCS179: COMMITTEE RECOMMENDATION

**MOVED COUNCILLOR SLEEMAN
SECONDED COUNCILLOR HAMMOND**

THAT Council ADOPT the Budget Review for the period ending 31 July 2019.

CARRIED 10 - 0

CCS179: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the Budget Review for the period ending 31 July 2019.

BACKGROUND

2. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual.

DISCUSSION

3. Council adopted the 2019/2020 Budget on 23 July 2019. The total adopted budget of \$109.5M comprised:
 - a. \$37.5M capital works;
 - b. \$ 2.6 M debt reduction; and
 - c. \$69.4 M in operating expenditure.
4. This Budget Review identifies expenditure of \$1,420,373 for general works, variations and new projects of which \$959,106 is of a non cash nature "Depreciation" amendments.
5. The funding of \$461,267 inclusive of reduction in expenditures, adjustment of grant funding, additional revenue, reserve funding and the movement opening funds has been identified in this review to maintain a budget in a surplus position.
6. An adjustment for carry forward works has been made (pages 9 to 15 in the attached copy of the Budget Review for the period ending 31 July 2019 reducing the amount required from \$14,599,519 to \$14,111,541 to complete 2018/19 projects, listed on pages 49 to 52 of the 2019/2020 Annual Budget.
7. This budget review shows the 2019/2020 budget is in a surplus position of \$64,218 at 30th June 2020.
8. A copy of the Budget Review for the period ending 31 July 2019 is attached.
9. Budget adjustments thereafter of an urgent nature will be brought to a Council Meeting as an item to be discussed when required and actioned outside of this review.

GOVERNMENT & PUBLIC CONSULTATION

10. Department of Local Government guidelines were followed in the preparation of this report.
11. City of Albany Executives, managers and officers with budget responsibility were consulted in the preparation of the Budget Review.

STATUTORY IMPLICATIONS

12. Under the *Local Government Act 1995*, section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
 - a. is incurred in a financial year before the adoption of the annual budget by the local government
 - b. is authorised in advance by a resolution (absolute majority required) or;
 - c. is authorised in advance by the mayor in an emergency.
13. The voting requirement of Council is Absolute Majority.

POLICY IMPLICATIONS

14. There are no policy implications related to this report.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p>Reputation & Organisation's Operations. Non approval of the budget review, may result in significant delays to achieving deliverables.</p> <p>Opportunity: Provides Council with an additional opportunity to review the City's current budget position.</p>	Unlikely	Moderate	Medium	<p>In the short term the existing Annual Budget would apply and proposed amendments would not apply.</p> <p>Adopt the Budget Review with amendments (as specified by Council).</p>

FINANCIAL IMPLICATIONS

BUDGET REVIEW FOR THE PERIOD ENDING 31 JULY 2019			
This Review Maintains Council's Budget in a Surplus Position			
			\$
GENERAL WORKS/VARIATIONS. (Additional Funds Required)			(1,420,373)
FUNDED BY			
- Reduction in Expenditure		236,870	
- Adjustment in Grant/Contributions Funding		295,595	
- Adjustment in Revenue		5,000	
- Restricted Cash Adjustments		520,196	
- Adjustment Non Cash Activities		959,106	2,016,767
Balance			<u>596,394</u>
Budgeted Opening Position		(1,764,749)	
- NB - Adjustments From 2018/19 Financial Year (Pg's 9 - 15)		(145,855)	
		<u>(1,910,604)</u>	
Actual Opening Position		(2,442,780)	(532,176)
2019/20 Budgeted Closing Position			<u>64,218</u>

LEGAL IMPLICATIONS

16. Nil.

ENVIRONMENTAL CONSIDERATIONS

17. Nil.

ALTERNATE OPTIONS

18. For the period ending 31 July 2019, Council may consider to:
- a. Adopt the Budget Review as recommended; or
 - b. Adopt the Budget Review with amendments (as specified by Council)

SUMMARY CONCLUSION

19. That the Responsible Officer's Recommendation to adopt the Budget Review for the period ending 31 July 2019 be supported.

Consulted References	:	Adopted Budget 2019/2020 <u>Local Government Act 1995</u>
File Number (Name of Ward)	:	FM.BUG.12
Previous Reference	:	Annual Budget – OCM 23/07/2019 Resolution CCS167

UNCONFIRMED MINUTES

CCS180: PROPOSED DEED OF PARKING AGREEMENT

Land Description	:	REDACTED
Proponent	:	City of Albany
Report Prepared By	:	Team Leader Property and Leasing (T Catherall)
Responsible Officers:	:	Acting Executive Director Community and Corporate Services (D Olde)

CONFIDENTIAL REPORT

This Report will be considered behind closed doors in accordance with section 5.23 (2) (c) & (e) of the Local Government Act 1995, is a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and would reveal information that has information about the business, professional, commercial or financial affairs of a person.

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

CCS180: COMMITTEE RECOMMENDATION

**MOVED COUNCILLOR HAMMOND
SECONDED COUNCILLOR SLEEMAN**

THAT the Confidential Recommendation contained in CCS180 be ADOPTED

CARRIED 10 - 0

CCS180: OFFICER RECOMMENDATION

THAT Council APPROVE the Proposed Deed of Parking Agreement

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. MEETING CLOSED TO THE PUBLIC

CCS180 - PROPOSED DEED OF PARKING AGREEMENT – **CONFIDENTIAL**

13. CLOSURE 6.48pm

UNCONFIRMED MINUTES