



MINUTES

COMMUNITY AND CORPORATE SERVICES COMMITTEE

Tuesday 13 October 2020

6.00pm

Council Chambers

**CITY OF ALBANY
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**

VISION

Western Australia's most sought after and unique regional city to live, work and visit.

VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

Focused: on community outcomes

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

United: by working and learning together

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

Accountable: for our actions

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

Proud: of our people and our community

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

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 & Commercial Services,
Executive Director Community Services

Delegated Authority: None

COMMUNITY AND CORPORATE SERVICES COMMITTEE
MINUTES – 13/10/2020

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1. **DECLARATION OF OPENING** The Deputy Chair declared the meeting open 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 past, present and emerging”.

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

Mayor	D Wellington
Councillors:	
Member	R Hammond
Member	G Stocks (Deputy Mayor)
Member	M Benson-Lidholm JP
Member	S Smith (Deputy Chair)
Member	A Goode JP
Member	C Thomson
Member	R Sutton
Member	R Stephens
Member	T Sleeman

Staff:

Executive Director Corporate & Commercial Services	D Olde
Acting Executive Director Community Services	N Watson

Meeting Secretary	C Crane
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Apologies:

Member	E Doughty (Apology)
Member	P Terry (Chair) (Apology)
Member	J Shanhun (Apology)
Chief Executive Officer	A Sharpe (Apology)

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
Councillor Thomson	CCS298	Impartiality: The nature of the interest being that Councillor Thomson is a signatory to the Climate Change Declaration petition lodged with Council. Councillor Thomson remained in the Chamber and participated in the discussion and vote for this item.
Councillor Sleeman	CCS298	Impartiality: The nature of the interest being that Councillor Sleeman was a signatory to the Climate Change Declaration petition lodged with Council. Councillor Sleeman remained in the Chamber and participated in the discussion and vote for this item.

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

6. PUBLIC QUESTION TIME

Mr Simon Lyas representing Regional Development Australia

Summary of key points:

Mr Lyas spoke in support of the Responsible Officer Recommendation for CCS297: Variation to Existing Lease and New Ground Floor Lease for Regional University Centre-Regional Development Australia Great Southern WA Inc.-Albany Co-operative Society Building-Portion Reserve 42401.

7. PETITIONS AND DEPUTATIONS Nil.

8. CONFIRMATION OF MINUTES

RESOLUTION

**MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR STEPHENS**

THAT the minutes of the Community and Corporate Services Committee held on 8 September 2020, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10-0

9. PRESENTATIONS Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.

CCS294: FINANCIAL ACTIVITY STATEMENT – AUGUST 2020

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

RECOMMENDATION

CCS294: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: MAYOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS294: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Financial Activity Statement for the period ending 30 August 2020 be RECEIVED.

COVID-19 IMPACT

- Impacts to the financial performance of the City are detailed in the 'Explanation of Material Variances to the YTD Budget in Excess of \$100,000' (Note 1) of the Attachment to this report (Statement of Financial Activity).

BACKGROUND

1. The Statement of Financial Activity for the period ending 30 August 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 2020/21 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 30 August 2020 has been incurred in accordance with the 2020/21 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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CCS295: LIST OF ACCOUNTS FOR PAYMENT – SEPTEMBER 2020

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 and Commercial Services
(D Olde)

RECOMMENDATION

CCS295: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SLEEMAN
SECONDED: COUNCILLOR STEPHENS

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS295: 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 September 2020 totalling \$3,729,378.59.

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 September 2020. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$0.00
Credit Cards	\$90.00
Payroll	\$1,454,660.97
Cheques	\$919.34
Electronic Funds Transfer	\$2,273,708.28
TOTAL	\$3,729,378.59

As at 15 September 2020, the total outstanding creditors stands at \$1,456,501.46 and is made up as follows;

Current	\$300,690.05
30 Days	\$1,145,593.42
60 Days	\$10,254.42
90 Days	-\$36.43
TOTAL	\$1,456,501.46
Cancelled Cheques	Nil

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 September 2020 has been incurred in accordance with the 2019/2020 budget parameters.

FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 September 2020 has been incurred in accordance with the 2019/2020 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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CCS296: DELEGATED AUTHORITY REPORTS – AUGUST TO SEPTEMBER 2020

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

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

CCS296: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR BENSON-LIDHOLM

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS296: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 August 2020 to 15 September 2020 be RECEIVED.

COVID-19 IMPACT

- COVID-19 has no impact on this report.

CCS297: VARIATION TO EXISTING LEASE AND NEW GROUND FLOOR LEASE FOR REGIONAL UNIVERSITY CENTRE – REGIONAL DEVELOPMENT AUSTRALIA GREAT SOUTHERN WA INC.– ALBANY CO-OPERATIVE SOCIETY BUILDING – PORTION RESERVE 42401

Land Description	: Crown Reserve 42401, Lot 1411 on Diagram 26101 the subject of Certificate of Title Volume LR3123 Folio 712, Albany.
Proponent	: Regional Development Australia Great Southern WA Inc.
Owner	: Crown (City of Albany under Management Order)
Report Prepared By	: Team Leader Property and Leasing (T Catherall)
Responsible Officers:	: Executive Director Corporate and Commercial Services (D Olde)

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:** Leadership.
 - **Objective:** To establish and maintain sound business and governance structures.
 - **Community Priority:** Provide informed and transparent decision making that is consistent with our strategic direction, meets our legal obligations, reflect the level of associated risk and are adequately explained to community.
- **Theme:** Smart Prosperous & Growing
- **Objective:** To develop a smart City that supports economic growth.
- **Community Priority:** Partner with learning networks, schools and training providers to deliver education and training programs that support families and encourage a culture of lifelong learning.

Maps and Diagrams:



In Brief:

- Council is requested to consider a variation to existing lease with Regional Development Australia, Great Southern WA (RDA) to remove the licence hire provisions for the ground floor of the Albany Co-operative Society building (Co-op building) located within Reserve 42401.
- This will allow for a new lease over the ground floor plus the surrounding area of Reserve 42401 comprising carpark and grounds to RDA for the purpose of establishing and operating a Regional University Centre (RUC).
- RDA currently occupy the Co-op building under lease for office space on the first floor and manage the hiring of community meeting space under licence arrangements for the ground floor.
- RDA have secured Commonwealth funding to establish a RUC in Albany for regional students to access online tertiary courses.
- It is recommended the request to vary the existing lease and approve a new lease is supported.

RECOMMENDATION

CCS297: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR HAMMOND

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS297: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council APPROVE a variation of existing lease and grant a new lease to Regional Development Australia, Great Southern WA over Reserve 42401, subject to:

- a) Lease variation to remove the existing licence provisions for the ground floor of the Co-operative Society building.
- b) New lease area being the ground floor of the Co-op building and the surrounding area of Reserve 42401 comprising carpark and grounds, being approximately 725m² to be determined by survey.
- c) Lease permitted use being to establish and operate a Regional University Centre.
- d) Lease rent being peppercorn \$10 plus GST per annum.
- e) Lease commencement date being as soon as practicable, for a term to run concurrent with existing RDA lease, expiring 22 April 2024.
- f) Lease being conditional on a Development Application approved for use of the site.
- g) Lease being conditional on Minister for Lands consent pursuant to Section 18 of the *Lands Administration Act 1997*.
- h) All costs associated with the ongoing operations of the lease property being payable by the tenant.
- i) All costs associated with the preparation, execution and completion of the lease documentation being payable by the tenant.
- j) Lease being consistent with Council Policy – Property Management (Leases and Licences).

BACKGROUND

2. The Co-op building is located at 44 Frederick Street, Albany on Reserve 42401 and is contained on various heritage lists.
3. Following significant renovation works to the building in 2016 to restore its usability and an expression of interest process to secure a tenant, Council at its meeting in November 2017 approved a new lease and licence to RDA.
4. RDA lease the first floor for office space and hold a licence over the ground floor to manage community access to the space. At times when this space is not required, RDA are able to use it for their own purposes. Current rent is \$15,795.25 plus GST pa.
5. RDA sublease a portion of the first office space to Amazing South Coast Tourism Inc for a gross annual rental of \$8,950 plus GST, paid to RDA by the City as part of the Destination Marketing Organisation funding agreement due to expire April 2021.
6. RDA formed a working group comprising community representatives from UWA, TAFE, GSDC and City of Albany to develop options to attract university study options in the region.
7. A funding submission was prepared to establish a RUC in Albany to provide regional students access to higher education facilities without having to leave their community.
8. RDA has been successful in securing Commonwealth funding and has approached the City to consider leasing the ground floor of the Co-op building for the purpose of a RUC.
9. The City has previously provided in principal support to the project and committed to any lease arrangement for a RUC being for a peppercorn rent, subject to Council approval.

DISCUSSION

10. RUC's provide workspaces for students studying online, computing facilities, videoconferencing and high speed internet access. Students will also have access to administrative, academic and student support services.
11. RDA considered a number of premises in the Albany CBD for the establishment of the RUC. However, many of the buildings were either unavailable or exceeded the available rental/outgoings budget.
12. Under the RUC proposal the ground floor area will be transformed into a space that will provide students with a specifically designed space for them to undertake their chosen University education.
13. RDA acknowledge the heritage status of the Co-op building and envisage proposed works will have minimal impact. The proposed works may require development application with referral to Heritage Council.

DISCUSSION

14. City Officers have been in discussion with RDA regarding lease terms. Parties have agreed in-principle to the following summarised terms and conditions subject to all approvals including Development Application, Council and Minister for Lands.

ITEM	DETAILS
Tenant	Regional Development Australia, Great Southern WA Inc
Land Description	Lot 1411 on Diagram 26101 the subject of Certificate of Title Volume LR3123 Folio 712 and being Crown Reserve 42401 44 Frederick Street, Albany
Area	Approximately 725m ² subject to survey
Land Ownership	Crown (City of Albany under Management Order)
Infrastructure Ownership	City
Permitted Use	To establish and operate a Regional University Centre
Term	To run concurrent with RDA existing lease – expiry 22 April 2024
	RDA may end the term by giving 30 days written notice should Federal Government funding cease entirely
Rent	\$10.00 plus GST per annum
Outgoings & Utilities	Tenant responsibility
Insurance	Public Liability Policy for a minimum of \$20 million
Indemnity	Indemnify the City and Minister for all claims resulting from any damage, loss, death or injury in connection with the Council Property, unless such claims arise out of City's negligence
Maintenance	Tenant responsible for own maintenance including carpark, gardens and grounds within Reserve 42401
Fit out	Tenant responsibility and subject to relevant approvals
	City will install a door to screen the toilet area and blinds (x3) in the ground floor, at City cost
Costs	All costs associated with the development and implementation of any new lease document will be at the tenant cost
Special Conditions	<ul style="list-style-type: none"> Tenant acknowledges the building may be affected by damp Tenant occupies the building at own risk and indemnifies the City and Minister for Lands against any loss resulting from the tenant's occupation of the site Tenant will perform its maintenance and cleaning obligations having regard to the presence of damp City will continue to manage building damp issues, at City cost
	Lease is conditional on a Development Application being approved and Minister for Lands consent

GOVERNMENT & PUBLIC CONSULTATION

15. The Department of Planning, Lands and Heritage will be consulted as it is a requirement of Section 18 of the Land Administration Act 1997 that the Ministers consent is obtained.
16. Section 3.58 of the Local Government Act 1995 defines the requirements for the disposal of property, including leased/licensed land and buildings.
17. Regulation 30(2)(b) of the Local Government (Functions & general) Regulations 1996 describes the disposition as exempt when the land is disposed to an organisation or body whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
18. The lease to RDA is exempt from the public advertising provision of Section 3.57 of the *Local Government Act 1995* as it is considered a not-for-profit government initiative providing an educational centre.

STATUTORY IMPLICATIONS

19. Section 18 of the Land Administration Act 1997 states that a person shall not assign, sell, transfer or otherwise deal with interests on Crown land, create, or grant an interest in Crown land without the prior approval in writing of the Minister for Planning, Lands and Heritage.
20. As this is Crown land, under Management Order held by the City, the Minister's consent will be sought.

POLICY IMPLICATIONS

21. The Property Management (Leases and Licences) Policy aims to support the equitable access, and the efficient and effective management of City owned and managed properties in line with statutory procedures.
22. It is recommending that Council consider a peppercorn rent of \$10 plus GST per annum to support tertiary education growth within the region.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation: variation of lease not approved – lease of ground floor not supported	Unlikely	Minor	Low	Key terms have been agreed In-principle. Seek to negotiate terms to Council satisfaction
Reputation: new lease not approved – perceived lack of support for tertiary education in region	Unlikely	Minor	Low	Seek to negotiate terms to Council satisfaction
Opportunity: To provide support for local tertiary students including expanding the range of tertiary education options available				
Opportunity: Demonstrate the City's commitment to deliver education programs that support families and encourage a culture of lifelong learning				
Opportunity: Promote Albany and the surrounding region as a tertiary hub				

FINANCIAL IMPLICATIONS

24. All costs associated with the development and finalisation of the lease documentation will be met by the tenant.
25. The City will be responsible for installing a door to screen the toilet area and providing blinds for windows on the ground floor at a cost of approximately \$3,000. This cost can be met through the existing maintenance budget line item.

LEGAL IMPLICATIONS

26. The Deed will be prepared by City's lawyers with enforceable terms and conditions, at the tenant cost.

ENVIRONMENTAL CONSIDERATIONS

27. There are no environmental implications.

ALTERNATE OPTIONS

28. Council may:
 - a. Approve the lease variation and new lease request; or
 - b. Decline the requests.

29. Should Council decline the requests, the tenant may need to reconsider other premises. However, it is understood this may be challenging as other premises have previously been considered but were either unavailable or exceeded the available rental/outgoings budget.

CONCLUSION

30. RDA have been successful in gaining Federal Government funding to establish a Regional University Centre in Albany.
31. The ground floor of the City's Co-op building has been identified as the preferred location and is currently under licence to RDA.
32. The preferred approach is to formalise the use of the Regional University Centre under lease agreement which includes the Co-op building ground floor, grounds and parking within Reserve 42401.
33. The proposed lease will be conditional on development approval for use of the site and Minister for Lands consent.
34. It is recommended that the request to vary the existing lease and approve a new lease to RDA is supported.

Consulted References	:	<ul style="list-style-type: none">• Council Policy – Property Management (Leases and Licences)• <i>Local Government Act 1995</i>• <i>Land Administration Act 1997</i>
File Number (Name of Ward)	:	PRO416, A137623 (Frederickstown Ward)
Previous Reference	:	OCM 28/11/2017 Item CCS004

CCS298: CLIMATE CHANGE ACTION DECLARATION

Proponent / Owner	: City of Albany.
Attachments	: City of Albany Climate Change Action Declaration
Report Prepared By	: Environmental Sustainability Officer (M Holt) Acting Manager Community Development and Engagement (R Param)
Responsible Officers:	: Acting 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:
 - **Theme:** Leadership.
 - **Objective:** To establish and maintain sound business and governance structures.
 - **Community Priority:** Provide informed and transparent decision making that is consistent with our strategic direction, meets our legal obligations, reflects the level of associated risk and is adequately explained to our community.
 - **Theme:** Clean, Green and Sustainable.
 - **Objective:** To protect and enhance our natural and built environment in a changing climate.
 - **Community Priority:** Deliver effective practices that reduce risk to property, infrastructure and the natural environment and improve community awareness and resilience.
 - **Objective:** To identify and deliver improvements in sustainability within the City and wider community.
 - **Community Priority:** Integrate and promote effective sustainability through resource conservation, management and education to continuously improve environmental outcomes.
 - **Community Priority:** Deliver a sustainable and progressive approach to waste management including collaboration with neighbouring local governments.

In Brief:

- Climate change may have an impact on the City's environmental assets, and may also have financial and asset management implications.
- The City of Albany Climate Change Action Declaration has been developed in partnership with the Youth Advisory Council and Elected Members.
- It is recommended that the proposed City of Albany Climate Change Action Declaration is endorsed.

RECOMMENDATION

CCS298: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR SLEEMAN

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS298: RESPONSIBLE OFFICER RECOMMENDATION

THAT the City of Albany Climate Change Action Declaration be ENDORSED.

BACKGROUND

2. Local governments are playing a key role in leading localised action on climate change due to its impacts on all aspects of City operations and the community.
3. The City of Albany has been proactive in sustainability and climate change initiatives. The City has developed and implemented their Environmental Policy (Climate Change) (2017) and Carbon Footprint Reduction Strategy (2014) which aim to ensure that appropriate responses are undertaken to mitigate potential climate change impacts.
4. The Albany Youth Advisory Council (YAC) is a working group of youth representatives advocating for young people.
5. Climate Change action is supported by young people and the community with a well-attended youth-led Climate Strike on the 20th September 2019. A Declaration on Climate Change submission was submitted and received by Council at the October 2019 OCM.
6. Following the submission, Council committed to work with the Youth Advisory Council to develop a City of Albany Climate Change Action Declaration which would complement the City's existing environmental and sustainability policies and outcomes.

DISCUSSION

7. Under the United Nations Framework Convention on Climate Change, Australia is a signatory to the Paris Agreement which aims to limit global temperature rises to well below two (2) degrees Celsius, and to pursue efforts to limit even further to 1.5 degrees Celsius.
8. The Government of Western has recently released its greenhouse gas emissions policy for major projects assessed by the Environmental Protection Authority (EPA), as the state government commits to working with all sectors of the WA economy to achieve net zero greenhouse gas emissions by 2050.
9. In light of the absence of State and Federal policy and legislation regarding potential climate change, Western Australia Local Government Association (WALGA) developed a WALGA Climate Change Policy statement (2018) that states:

Local Government acknowledges:

- i. The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominate cause*
- ii. Climate change threatens human societies and the earth's ecosystems.*
- iii. Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable*
- iv. A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Local Government is committed to addressing climate change

Local Government is calling for:

- i. Strong climate action, leadership and coordination at all levels of government*
 - ii. Effective and adequate funded Commonwealth and State Government climate change policies and programs*
10. Presently, 40 Western Australian local governments have endorsed either a climate declaration or a climate emergency declaration.

11. There is strong community support for the City to adopt a climate declaration. A petition containing nearly 1,000 signatures was presented to Council at the October 2019 Ordinary Council Meeting requesting the City adopt the WALGA declaration.
12. In May 2020 members of the City's Youth Advisory Council (YAC) met with Elected Members to discuss their priorities on behalf of Albany's youth. One of the priorities was stronger, demonstrable action on climate change, which led to the Elected Members, through the Mayor, inviting the group to collaborate on drafting a Climate Declaration/Statement for the City of Albany.
13. Two joint workshops were held on 20 August and 15 September 2020 to draft a declaration, with a commitment made that the final agreed document would be presented to the October 2020 Ordinary Council Meeting for Council consideration.
14. The City of Albany Climate Action Declaration acknowledges that climate change is occurring and requires immediate and urgent action. The Declaration acknowledges the City's support for climate change and sustainability initiatives, and includes a number of actions in an effort to reduce carbon emissions and increase renewable energy technology.
15. The Elected Members and YAC also agreed to develop a communications plan to support the Declaration.

GOVERNMENT & PUBLIC CONSULTATION

16. Four young people delivered speeches to Council at its October 2019 Ordinary Council Meeting in favour of the City adopting the WALGA climate declaration.
17. At the same Ordinary Council Meeting a petition was submitted requesting the City adopt the WALGA climate declaration. This petition contained 966 signatures of Albany residents.
18. Workshops with YAC members to develop a climate declaration have been held as follows:

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Inform and Consult	Workshop – Youth Advisory Council	15 May 2020	8 YAC members	N/A
Inform and Consult	Workshop – Youth Advisory Council, Climate Action Committee members, and Elected Members	20 August 2020	5 young people	N/A
Inform and consult	Workshop – Youth Advisory Council, Climate Action Committee members, and Elected Members	15 September 2020	6 young people	N/A

STATUTORY IMPLICATIONS

19. Not Applicable.

POLICY IMPLICATIONS

20. This item relates to the City of Albany Environmental Policy (Climate Change) (2017).

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Business Operation, Reputation & Financial. <i>Should the City of Albany Climate Change Action Declaration not be endorsed, the City may be perceived as not taking the climate concerns of youth and the community seriously</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Officers will undertake further work with Council and YAC to develop an alternative statement that is supported by stakeholders.</i>
Environment: <i>If monitoring of the City's greenhouse gas emissions is not undertaken, it will be difficult to assess and monitor any impacts that may have on our environment.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Implement greenhouse gas emissions reporting platform to benchmark corporate greenhouse gas emissions.</i>
Community: <i>Delaying the adoption of, or not adopting the Climate Change Action Declaration will not fulfil the City's commitment to environmental sustainability in accordance with the Community Strategic Plan 2030.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Endorse the City of Albany Climate Change Action Declaration</i>
Financial: <i>Actioning the commitments made in the Climate Change Action Declaration may require expenditure not currently budgeted for.</i>	<i>Likely</i>	<i>Minor</i>	<i>Medium</i>	<i>Seek external grant funding to support activity delivery Seek Council approval for additional budget requirements as necessary.</i>
Opportunity: <i>Demonstrate the City's commitment to climate change action, its leadership on environmental sustainability issues and an ongoing commitment to engage with the Youth Advisory Council.</i>				

FINANCIAL IMPLICATIONS

22. Any actions that result from the commitments in the Climate Declaration which incur a direct cost to the City will be undertaken within existing budget and/or external grant funding sought, or prioritised through future budgets.
23. Any initiatives pursued by the City in response to the Declaration will support activity undertaken as part of the Carbon Footprint Reduction Strategy.
24. The Declaration will be reviewed following each Local Government Ordinary Election which will allow officers to assess any financial implications and provide a report to Council accordingly.

LEGAL IMPLICATIONS

25. Not applicable.

ENVIRONMENTAL CONSIDERATIONS

26. The Declaration relates to, and will support activity delivered through the Carbon Footprint Reduction Strategy (2014) and City of Albany Environmental Policy – Climate Change (2017)

ALTERNATE OPTIONS

27. Continue business as usual through the review and implementation of the City of Albany Environmental Policy (Climate Change) and Carbon Footprint Reduction Strategy. This option is not recommended given the successful collaboration with Albany youth to develop the Climate Change Action Declaration.

CONCLUSION

28. The City has a strong track record of achievement on environmental sustainability and emissions reduction efforts. Adopting a climate declaration consolidates these efforts, and demonstrates Council's ongoing leadership on the issue of carbon abatement.
29. It is recommended that Council adopt the City of Albany Climate Change Action Declaration.

Consulted References	:	City of Albany Environmental Policy (Climate Change) (2017): Carbon Footprint Reduction Strategy (2014):
File Number (Name of Ward)	:	All wards
Previous Reference	:	Petitioned Submitted OCM 29/10/2019 Resolution CCS028 - OCM 23/05/2017

CCS299: SMALL BUSINESS CHARTER

Proponent / Owner	: City of Albany
Attachments	: Small Business Charter information brochure ACCI Discussion Paper – excerpt – Attachment 3 of document - 10 March 2020
Report Prepared By	: Executive Director Corporate & Commercial Services (D Olde)
Responsible Officers:	: Executive Director Corporate & Commercial Services (D Olde)

STRATEGIC IMPLICATIONS

This item relates to the following elements of the City of Albany Community Strategic Plan and Corporate Business Plan informing plans or strategies:

- **Theme:** Smart, Prosperous and Growing
- **Objective:** To strengthen and grow our region's economic growth.
- **Community Priority:** Work with business and other stakeholders to attract investment; diversify the economy; create jobs and support small business growth.

In Brief:

- The Small Business Development Corporation (SBDC) has developed the Small Business Friendly Local Governments initiative to recognise local government authorities in Western Australia that are committed to actively supporting small businesses in their local area.
- The City is encouraged to sign the Small Business Friendly Local Governments Charter to show commitment to work with, and support, small business.

RECOMMENDATION

CCS299: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR THOMSON
SECONDED: COUNCILLOR STEPHENS

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS299: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ENDORSE the Small Business Charter with the following principles:

- a. Promote the Buy Local Policy for the City's procurement of goods and services;
- b. Prompt payment terms for invoices from small business suppliers within 30 days;
- c. Promote a timely and cost effective process to manage any disputes arising between the City and small business clients through the Customer Service Charter;
- d. Promote and increase online application processes and payments;
- e. Seek to activate places across the community with events and activities;
- f. Collaborate with neighbouring local governments on economic development within the City and region.

BACKGROUND

1. The Albany Chamber of Commerce & Industry (ACCI) met with Council on the 10th March 2020, post the Corporate & Community Services Committee meeting.
2. The ACCI tabled a discussion paper (attached) with a number of topics, one of which was the Council agree for the City of Albany to join other Local Government in becoming a Small Business Friendly Government.

DISCUSSION

3. The Small Business Development Corporation has developed the Small Business Friendly Local Government initiative to recognise local governments in WA that are committed to support small business.
4. The City has a number of policy and programs in place.
 - a) The City has had a Buy Local Policy for a number of years that gives the maximum price preference to local suppliers as permitted under the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.
 - b) The City administration endeavours to pay all authorised invoices within 30 days, and has done so for a number of years.
 - c) At the Council meeting held 23rd July 2019, Council adopted the Customer Service Charter, from which a number of operational documents have been progressed. This includes a Complaints Management Policy, guidelines for Managing Challenging Behaviours, and a Customer Service Handbook.
 - d) During the recent COVID-19 pandemic response, a number of processes have been transitioned to online platforms. In addition, for a number of years, the City has moved many processes and payment options online. The City will continue to look at improvements in this area.
 - e) Over the past 12-18 months the City and ACCI have engaged a number of times to progress the 'Town Teams' concept. In addition, the City runs an annual events program for many different size events. The City will continue to seek to improve this program as opportunities arise.
 - f) The City is a member of the South Coast Alliance Inc. Members of this group are the Shires of Plantagenet, Denmark and Jerramungup, as well as the City of Albany. One key aim of this group is: 'To promote the sustainable growth of the lower Great Southern sub-region.'
5. The Charter seeks to bring these various elements together into a single document.

GOVERNMENT & PUBLIC CONSULTATION

6. The ACCI have advocated for the adoption of a Small Business Friendly Charter for the past 6 months.
7. The Buy Local Policy is a required policy, and was adopted by Council on 28th June 2016, which was a revision of the original policy adopted 19th February 2013. No public consultation was required, or undertaken. The policy is largely driven by requirements under the *Local Government Act 1995*, and associated regulations.
8. Payment terms of 30 days, and improved online payment and process improvement are operational matters that are periodically reviewed when new or improved online options become available, process improvement, and audit recommendations. No public consultation is required.

9. Prior to the adoption of the Customer Service Charter, a number of public working group meetings had been undertaken. Upon adoption of the Customer Service Charter, it was put out to public comment in July 2019, for the period 1 – 18 August, with no comments lodged.
10. Depending on the size and scale of the event, different levels of community consolation is undertaken. It should be noted that the City does not always directly manage this consolation process if the event is managed by an external party, either community or commercial entity.

STATUTORY IMPLICATIONS

11. Endorsing and adopting the charter is a voluntary process and has not direct statutory implications. Elements of the charter may have individual statutory implications. For example, the Buy Local Policy is subject to various sections of the *Local Government Act 1995*, which are dealt with within the policy itself. The City will be required to inform the SBDC of progress and achievement of these principles, and any changes to these.

POLICY IMPLICATIONS

12. The proposed principles are all current existing policy or procedures. If additional principles are adopted, each would need to be assessed on its own merits as to policy implications, The Charter itself has no policy implications.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational Risk: <i>The Small Business Charter raises community expectations and is not delivered as per the Charter principles.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>City officers continue to implement the policies in place to support small business. Communicate and educate small business of the benefits of the City's policy positions.</i>
Opportunity: <i>To increase business awareness and perception of various principles the City has adopted under the Charter to assist in supporting sustainable and competitive local small businesses.</i>				

FINANCIAL IMPLICATIONS

14. The proposed principles are all current existing policy or procedures, and therefore no increase in financial resources is expected. If additional principles are adopted, each would need to be assessed on its own merits as to financial implications.

LEGAL IMPLICATIONS

15. No direct legal implication for the City with the adoption of the Charter. The various principles may have individual legal implications, which are dealt with under each policy itself.

ENVIRONMENTAL CONSIDERATIONS

16. Nil.

ALTERNATE OPTIONS

17. Council has the following options in relation to this matter:
- a) Council may decide to not endorse the Charter, and let each policy and procedure continue standalone;
 - b) Council may add, delete or amend the principles included in the Charter.

CONCLUSION

18. No Small Business Charter currently exists for the City of Albany.
19. Individual principals of the Charter have been in place for varying lengths of time.
20. The Charter seeks to promote these various principles to the small business community.

Consulted References	:	CCS166: Customer Service Charter – OCM 23 July 2019 CSF247: Council Policy – Buy Local Policy (Regional Price Preference) – OCM 28 June 2016
File Number (Name of Ward)	:	All Wards
Previous Reference	:	Nil.

CCS300: FREEDOM OF ENTRY & KEY TO THE CITY POLICY

Proponent / Owner	: City of Albany
Attachments	: Freedom of Entry & Key to the City Policy
Report Prepared By	: Event Coordinator (S Klose)
Responsible Officers:	: Acting Executive Director Community Services (N Watson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Community Strategic Plan or Corporate Business Plan informing plans or strategies:

Theme: Smart, Prosperous & Growing.

Objective:

- Promote Albany and the surrounding region as an ideal location to hold conferences and training events.
- Encourage, support and deliver significant events that promote our region and have a positive economic and social benefit.

Community Priority: Our City regularly hosts significant events and activities which attract positive feedback.

In Brief:

- Formally endorse the Freedom of Entry and Key to the City Policy.

RECOMMENDATION

CCS300: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR THOMSON

SECONDED: COUNCILLOR BENSON-LIDHOLM

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS300: RESPONSIBLE OFFICER RECOMMENDATION

THAT the City of Albany Freedom of Entry and Key to the City Policy be ENDORSED.

BACKGROUND

2. The City of Albany has granted the following military units the right of Freedom of Entry:
 - HMAS Stuart (granted 1985)
 - 11th/28th Battalion of the Royal Western Australian Regiment (granted 1987, renewed 2001)
 - HMAS Anzac (granted 1996, renewed 2005)
 - HMAS Albany (granted 2008)
 - TS Vancouver Navy Cadets (granted 1979, renewed 2005)
 - The Royal Australian Air Force No5 Flying Training School (705 Squadron) (granted 1980, renewed 2000)
 - The Royal Australian Air Force No2 Flying Training School (granted 2003)

3. One non-serving contingent, the 17 Construction Squadron Workshop Vietnam Association (granted 2019) has been granted the Key to the City.
4. The City of Albany currently has no Policy guiding officers on Freedom of Entry requests, Key to the City requests or details on the process and protocols befitting the Exercising of the Right of Freedom of Entry.

DISCUSSION

5. Albany has a rich military history and with this has come an increasing interest in military units requesting Freedom of Entry to the City of Albany and exercising the right to march freely through our main street.
6. Albany has granted 7 military units Freedom of Entry and one non-serving contingent has been granted the Key to the City.
7. In November 2021, the RAAF No 2 Flight Air Training Corp and RAAF No 5 Flight Air Training Corp wish to exercise their right to the Freedom of Entry to the City. This adds to the 100-year anniversary of the Royal Australian Air Force celebrations in March 2021, where the Royal Australian Air Force will hold a flyover as part of the celebrations.

The Freedom of Entry and Key to the City Policy will formalise the process of assisting with approvals, advice and local information. This policy will also formalise the City's administrative and event support and assessment criteria for additional in-kind or financial support requests.

GOVERNMENT & PUBLIC CONSULTATION

8. City officers have sought advice from local Returned Services League representatives and current serving military units in developing this policy. Information has been gathered from the Australian Defence Force Ceremonial and Protocol Manual, as well as existing City policies pertaining to Civic Affiliations (2019), and Civic Receptions, Ceremonies and Use of Council and Civic Rooms (2019).

STATUTORY IMPLICATIONS

9. Nil.

POLICY IMPLICATIONS

10. Nil.

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
Operational. Risk: No policy position is adopted to guide the process of implementing requests for Freedom of Entry or Keys to the City	Possible	Moderate	Medium	. Adopt the Freedom of Entry and Key to the City Policy.
Opportunity: To formalise the process of granting Freedom of Entry or Key to the City requests.				

FINANCIAL IMPLICATIONS

12. Budget allocation already exists for civic functions.
13. Council may wish to consider a future, specific budget allocation to support Freedom of Entry events, logistics and support.

LEGAL IMPLICATIONS

14. Nil.

ENVIRONMENTAL CONSIDERATIONS

15. Nil.

ALTERNATE OPTIONS

16. Council may choose to not endorse the Freedom of Entry and Key to the City Policy and officers will continue to manage requests and approvals on an ad-hoc basis.

CONCLUSION

17. The Freedom of Entry and Key to the City Policy will formalise the process to assist with approvals, advice and local information. It also formalises the City's administrative and event support and assessment criteria for additional in-kind or financial support requests, so expectations can be managed.

Consulted References	:	Australian Defence Force Ceremonial and Protocol Manual Civic Affiliations Policy (01/07/2019) Civic Receptions, Ceremonies and use of Council and Civic Rooms Policy & Guideline (01/07/2019)
File Number (Name of Ward)	:	All wards
Previous Reference	:	N/A

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil

12. MEETING CLOSED TO THE PUBLIC Nil

13. CLOSURE

There being no further business, the Chair declared the meeting closed at **6.56pm**

(Unconfirmed Minutes)

Councillor Sandie Smith
CHAIR