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# MINUTES

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## COMMUNITY AND CORPORATE SERVICES COMMITTEE

**Tuesday 29 November 2022**

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.

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

COMMUNITY AND CORPORATE SERVICES COMMITTEE  
MINUTES – 29/11/2022

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**1. DECLARATION OF OPENING**

The Deputy 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

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)

Yakamia Ward

R Sutton

**Staff:**

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

M Giffellon

Executive Director Community Services

N Watson

Manager Community Relations

L Paterson

Team Leader Property, Leasing & Customer Service

T Catherall (6.20pm left the chamber)

Meeting Secretary

C Crane

**Apologies:**

Breaksea Ward

P Terry (Chair)

Yakamia Ward

C Thomson

Frederickstown Ward

G Stocks

**Guests:**

Malinda Dixon – CinefestOz

Margaret Buswell – CinefestOz

There were 4 Members of the Public in attendance.

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COMMUNITY AND CORPORATE SERVICES COMMITTEE  
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4. **DISCLOSURES OF INTEREST**

Name	Committee/Report Item Number	Nature of Interest
Councillor Smith	CCS496	<b>Proximity:</b> The Nature of the interest being is that Councillor Smith is a joint owner of a property directly opposite the Albany Surf Club. Councillor Smith left the Chamber and was not present during the discussion and vote for this item.
Chief Executive Officer Mr Andrew Sharpe	CCS499	<b>Impartiality:</b> The nature of the interest being that Mr Sharpe is on the WALGA Best Practice Governance Review Steering Committee. Mr Sharpe remained in the Chamber and was present during the discussion and vote for this item.

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.*

**Mr Carl Richardson, President of the Albany Surf Life Saving Club**  
**Summary of key points:**

Mr Richardson spoke in support of the Authorising Officer Recommendation for report item CCS496: Proposed Surrender of Lease and Replacement New Lease to Albany Surf Life Saving Club.

7. **PETITIONS AND DEPUTATIONS Nil.**

8. **CONFIRMATION OF MINUTES**

**RESOLUTION**

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

**THAT the unconfirmed minutes of the Community and Corporate Services Committee meeting held on 8 November 2022, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 9-0**

9. **PRESENTATIONS Nil.**

10. **UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.**

**CCS493: FINANCIAL ACTIVITY STATEMENT – OCTOBER 2022**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Financial Activity Statement - October 2022
<b>Report Prepared By</b>	: Manager Finance (S van Nierop)
<b>Authorising Officer:</b>	: 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 31 October 2022 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 31 October 2022 is preliminary and has not yet been audited.

**RECOMMENDATION**

**CCS493: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR CRUSE**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS493: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Financial Activity Statement for the period ending 31 October 2022 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 31 October 2022 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.

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

**CCS494: LIST OF ACCOUNTS FOR PAYMENT – NOVEMBER 2022**

**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**

**CCS494: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR BENSON-LIDHOLM**  
**SECONDED: COUNCILLOR BROUGH**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS494: AUTHORISING OFFICER RECOMMENDATION**

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 November 2022 totalling \$7,998,055.22 be RECEIVED.

**DISCUSSION**

- The table below summarises the payments drawn from the municipal fund for the period ending 15 November 2022. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$0.00
Credit Cards	\$18,450.27
Payroll	\$1,682,525.31
Cheques	\$0.00
Electronic Funds Transfer	\$6,297,079.64
<b>TOTAL</b>	<b><u>\$7,998,055.22</u></b>

3. The table below summaries the total outstanding creditors as at 15 November 2022.

Current	\$556,798.29
30 Days	\$227,815.06
60 Days	\$23,462.26
90 Days	\$925.51
<b>TOTAL</b>	<b>\$809,001.12</b>
Cancelled Cheques	Nil

#### STATUTORY IMPLICATIONS

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

#### POLICY IMPLICATIONS

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

#### FINANCIAL IMPLICATIONS

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

#### LEGAL IMPLICATIONS

9. Nil

#### ENVIRONMENTAL CONSIDERATIONS

10. Nil

#### ALTERNATE OPTIONS

11. Nil

#### CONCLUSION

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

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

**CCS495: DELEGATED AUTHORITY REPORTS – 16 OCTOBER 2022 to 15 NOVEMBER 2022**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Executed Document and Common Seal Report
<b>Report Prepared By</b>	: PA to the ED Corporate & Commercial Services (H Bell)
<b>Authorising Officer:</b>	: 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**

**CCS495: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR TRAILL**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS495: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 October 2022 to 15 November 2022 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)

**CCS496: PROPOSED SURRENDER OF LEASE AND REPLACEMENT NEW LEASE TO ALBANY SURF LIFE SAVING CLUB**

<b>Land Description</b>	: Crown Reserve 14789, Lot 1474 on Deposited Plan 219850, the subject of Certificate of Title LR3111 Folio 83, 10 Flinders Parade, Middleton Beach
<b>Proponent</b>	: Albany Surf Life Saving Club Inc.
<b>Owner</b>	: Crown (City of Albany under Management Order)
<b>Report Prepared By</b>	: Team Leader Property & Leasing (T Catherall)
<b>Authorising Officer:</b>	: Executive Director Corporate & Commercial Services (M Gilfellon)

6.14PM Councillor Smith left the Chamber after declaring a Proximity Interest in this item. Mayor Wellington took the Chair.

**STRATEGIC IMPLICATIONS**

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

**Maps and Diagrams:**



**In Brief:**

- Council is requested to consider a surrender of lease and a replacement new lease to the Albany Surf Life Saving Club Inc. (ASLSC), to facilitate the proposed expansion and redevelopment to the ASLSC premises at Middleton Beach.
- At the Ordinary Council Meeting held on 13 July 2021, Council provided in-principle support for the project and received a further briefing on 16 August 2022 on the ASLSC redevelopment proposal.
- It is recommended that the proposed surrender and new lease be approved.

**RECOMMENDATION**

**CCS496: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR BENSON-LIDHOLM**

**SECONDED: COUNCILLOR SUTTON**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 8-0**

**CCS496: AUTHORISING OFFICER RECOMMENDATION**

THAT Council APPROVES the surrender of lease and replacement lease to Albany Surf Life Saving Club Inc. on Crown Reserve 14789, over surf lifesaving premises situated at 10 Flinders Parade, Middleton Beach subject to:

- a) Lease Purpose being “Surf Life Saving Club Room and Associated Activities” in accordance with and limited by the Management Order over the Land.
- b) The surrender of lease being effective only on the granting of a new lease.
- c) New lease term being 21 years, commencing as soon as practicable.
- d) New lease area being approximately 2,194m<sup>2</sup>, to be confirmed by survey.
- e) Lease rent being equivalent to minimum land rate set by Council each year, currently \$1,120.00 plus GST per annum.
- f) Lease including the City’s standard Coastal Hazard special condition.
- g) Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent being obtained.
- h) All costs associated with the ongoing management and operations of the lease area 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. Reserve 14789, Middleton Beach is a ‘C’ class reserve under a Management Order issued to the City of Albany with the power to lease or licence for the purpose of “Recreation” for a term not exceeding 21 years subject to the consent of the Minister for Lands.
3. The ASLSC was established in 1917 and has operated from the purpose-built premises at Middleton Beach under a formal lease agreement since 1994. Since this time, the club has upgraded and improved the facility in line with its expanding membership and activities.
4. The ASLSC premises received a significant upgrade in 2013 which included expansion of the ground floor and the construction of a second storey.
5. In response to growing membership and the infrastructure upgrades within the Middleton Beach Precinct, ASLSC undertook a review of its strategic vision to address a number of pressing challenges and opportunities affecting its future.
6. It was identified that expansion and redevelopment of the ASLSC facility would significantly improve the safety, efficiency and capacity of core service delivery areas and the general amenity of the premises for the ASLSC members and wider community.

7. At the Ordinary Council meeting on 13 July 2021, Council provided in-principle support for the expansion project including a maximum in-kind contribution of \$100,000 for project management and a budgeted financial contribution of \$300,000 for the works.
8. In May 2021, ASLSC endorsed a concept design for the expansion and redevelopment of the current premises prepared by local firm H+H Architects. Following an independent design review in consultation with the City and ASLSC a final plan has been agreed and forms part of Development Application P2220364 lodged in August 2022 and approved in November 2022.
9. The City has since received a formal request from the ASLSC to surrender their current lease in favour of entering into a new lease over an increased lease area to accommodate the proposed redevelopment.

## DISCUSSION

### Proposed redevelopment and lease area

10. The ASLSC redevelopment aims to provide the following outcomes:
  - A safer, more efficient and welcoming community facility;
  - Improved access to facilities;
  - Improved lifesaving and water safety operations; and
  - Increased community engagement through new training and education spaces.
11. In summary the redevelopment works include:
  - Extension of the surf and motorboat storage;
  - New centrally located patrol and first aid operational hub;
  - Additional storage areas;
  - New canteen area, club office and community room;
  - Extension of northern balcony to create a new meeting room;
  - New roof over southern balcony;
  - New entry statement awning; and
  - Facade upgrade.
12. If approved by Council the construction of the ASLSC redevelopment works is expected to commence in March 2023, towards the end of the surf club season, to minimise the impact on the club and wider community.
13. To facilitate the expansion and redevelopment works and to satisfy City requirements, a portion of the existing lease area is to be relinquished back to the City and will not be included in the new lease area (see map – Old Lease Area).
14. An additional area, not part of the current lease, (in excess, in size, of the relinquished portion) will form part of the lease area under the new lease (Additional Lease Area). This will provide an overall increase in the lease area of approximately 93m<sup>2</sup>.
15. It is proposed the surrender of lease will be effective only on the granting of a new lease.

### Middleton Beach Public Toilet Upgrades

16. Upgrades to the existing public toilets at the southern end of the ASLSC premises, not in the lease area, have been identified as part of the City's Assets Renewal program to improve access and inclusion, public amenity and safety.
17. Currently the public universal access toilet (UAT see map) will be located within the above-mentioned Additional Lease Area.
18. It is understood that the public toilet upgrade will include the addition of a new UAT. Any upgrade process will take some time and until it is completed the only public UAT in the vicinity of the ASLSC facility will be in the Additional Lease Area.

19. To address this matter and given that the existing UAT will be relocated at some stage it is proposed that it is a condition of the granting of the new lease to ASLSC (which will include the Additional Lease Area), that ASLSC grant the City a licence (at a peppercorn rate) to continue use of the UAT in the Additional Lease Area for the ongoing benefit of the general public.
20. The licence will stay in place until a new UAT (outside of the leased area) is constructed and operational. The City will be responsible for the maintenance and upkeep of the current public UAT during the term of the licence.
21. ASLSC have agreed to the above licence provision.

Coastal Hazards

22. The Coastal Hazard Risk Management and Adaption Plan (CHRMAP) for the Emu Point to Middleton Beach Coastal area has noted the lease area is located within an area likely to be subject to coastal erosion and/or inundation over the next 100 years.
23. To mitigate the risk of erosion and act as a control measure, a buried sea wall has been constructed to assist in protecting this area of coastline. Further protective works including ongoing maintenance and beach nourishment are in place.
24. It is proposed that the City's standard special coastal hazard condition be included in the lease, acknowledging the CHRMAP and that ASLSC are aware of potential requirements and limitations on the lease area. Noting the CHRMAP was not in place prior to implementation of the previous lease.
25. Expanded rights of the City will be also included to allow the City to conduct works relating to coastal protection treatments.
26. Further indemnification clauses will be included in the lease to ensure the City and Minister for Lands are not liable for any loss or damage to ASLSC for any reason arising from coastal risks.

New Lease Agreement

27. The table below summarises the essential terms of the proposed lease.

Item	Details
Tenant	Albany Surf Life Saving Club Inc
Land Description	Part of the land in Crown Reserve 14789 and portion of Lot 1474 on Deposited Plan 219850, the subject of Certificate of Title LR3111 Folio 83, Middleton Beach
Lease Area	Approx 2,194 m <sup>2</sup> subject to survey
Land Ownership	Crown (City of Albany under Management Order)
Permitted Use	Surf Life Saving Club Room and Associated Activities
Term of Lease	21 years from commencement date
Rent	\$1,120 plus GST per annum being the equivalent to minimum land rate set by Council each year and reviewed annually
Outgoings	Tenant responsible for all outgoings, including insurance
Utilities	Tenant responsible for all utilities
Special Conditions	<ul style="list-style-type: none"> <li>• Standard coastal hazard provisions for foreshore leases</li> <li>• Licence for ongoing public access to UAT</li> </ul>



28. ASLSC has agreed in-principle with the above terms, subject to Council and Minister for Lands approval.
29. The remaining terms of the lease will be developed in line with City Policy – Property Management (Leases and Licences).

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

30. Section 18 of the *Land Administration Act 1997* provides that a person shall not assign, sell, transfer or otherwise deal with interests on Crown land without the prior approval in writing of the Minister for Lands.
31. The Department of Planning, Lands and Heritage has been consulted and provided in-principle consent. The Department will be further consulted and provided the final lease documentation to obtain Minister for Lands approval.
32. Section 3.58 of the *Local Government Act 1995* (Act) prescribes the processes by which the City can dispose of property. A lease of a property is considered to be a disposal.
33. Clause 30 of the *Local Government (Functions and General) Regulations 1996* defines those dispositions which are exempt from section 3.58 of the Act. This includes disposal to an organisation or body whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
34. On the above basis, the proposed lease is considered exempt from public notice requirements.
35. No general public consultation on the lease has occurred, as the discussions between the City and ASLSC were specific to the club.
36. Public consultation has been undertaken as part of the ASLSC Development Application P2220364 assessment process.

#### **STATUTORY IMPLICATIONS**

37. Section 3.58 of the *Local Government Act 1995* allows for the disposal of property, including leased/licensed land and buildings.
38. Section 18 of the *Land Administration Act 1997* prescribes the processes by which the City can dispose of land. For the purposes of the section, a lease of property is considered to be a disposal.

#### **POLICY IMPLICATIONS**

39. The City's 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.
40. The recommendation is consistent with the Policy.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation: Surrender and new Lease not approved</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction</i>
<i>Reputation: Surrender and new lease not approved – facility improvements not undertaken</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction</i>
<i>Reputation: Surrender and new lease not approved – redevelopment funding at risk</i>	<i>Unlikely</i>	<i>Severe</i>	<i>High</i>	<i>Seek to negotiate terms to Council satisfaction</i>
<i>Opportunity: Improve premises and lifesaving activities at Middleton Beach</i>				
<i>Opportunity: This lease supports the City's Strategic Community Plan 2032 objective to improve access to sport, recreational and fitness facilities and programs.</i>				

## FINANCIAL IMPLICATIONS

42. All costs associated with the development and finalisation of the surrender of lease and new lease documentation will be met by ASLSC.

## LEGAL IMPLICATIONS

43. The lease documentation will be prepared by City's lawyers with enforceable terms and conditions.

## ENVIRONMENTAL CONSIDERATIONS

44. The ASLSC lease area is located within the Coastal Hazard Risk Management Plan (CHRMAP) area for Emu Point to Middleton Beach. As such the lease area is likely to be subject to coastal erosion and / or inundation over the next 100 years.
45. The new lease will include coastal hazard provisions to ensure that the tenant acknowledges and accepts the potential impact of coastal erosion and/or inundation, sea level rises and other coastal processes.
46. Further indemnification clauses will be included to ensure that the City and Minister for Lands will not be liable for any loss or damage, or liability to any third parties as a result of erosion or the coastal location of the site and that the City has rights to conduct works relating to coastal protection treatments.

## ALTERNATE OPTIONS

47. Council provided in principle support for the expansion and redevelopment project at Ordinary Council meeting on 13 July 2021.
48. Council may:
- Approve the surrender and new replacement lease request; or
  - Support some elements of the surrender and new lease although not in its entirety; or
  - Not agree to the proposed surrender and new lease request.
49. Should Council not agree to the surrender and new lease, the existing lease will remain in place until 30 April 2031. The proposed redevelopment may not progress with funding opportunities put at risk.

**CONCLUSION**

50. The ASLSC is proposing to undertake expansion and redevelopment works to the premises in Middleton Beach, which will require an increase in existing lease area of approximately 93m<sup>2</sup>.
51. In July 2021 Council supported the ASLSC project and committed in-kind and financial support.
52. The redevelopment aims to improve the safety, efficiency and capacity of ASLSC service delivery areas and the general amenity of the premises for the ASLSC members and wider community.
53. ASLSC has requested a surrender of the existing lease and a replacement new 21-year lease to facilitate the redevelopment.
54. The proposed lease aligns with the City’s Strategic Community plan 2032 objective to improve access to sport, recreation and fitness facilities and programs.
55. It is recommended that the proposed surrender and replacement new lease be approved.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• Property Management (Lease and Licences) Policy</li> <li>• <i>Local Government Act 1995</i></li> <li>• <i>Land Administration Act 1997</i></li> </ul>
<b>File Number (Name of Ward)</b>	:	PRO040, A90251 (Frederickstown Ward)
<b>Previous Reference</b>	:	<p>OCM 16/09/2008 Item 13.5  OCM 21/07/2009 Item 13.1.2  OCM 21/08/2012 Item 4.6  OCM 13/07/2021 Item CCS366</p>

**6.20PM** Councillor Smith returned to the Chamber and resumed the Chair. Councillor Smith was not present during the discussion and vote for this item.

**CCS497: CINEFESTOZ 2023 – 2025 TRIENNIAL PARTNERSHIP AGREEMENT**

<b>Business Entity Name</b>	: CinefestOz Film Festival
<b>Attachments</b>	: CinefestOZ Albany Strategic Business Plan 2023 – 2025 CinefestOz Letter of Request CinefestOZ Letters of Support for Triennial Partnership request
<b>Report Prepared By</b>	: Manager Community Relations (L Paterson)
<b>Authorising Officer:</b>	: Executive Director Community Services (N Watson)

**CONFIDENTIAL REPORT**

*This report was considered as confidential in accordance with section 5.23(2)(c) of the Local Government Act 1995, being: (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

By general consensus of the Committee, this report was deferred to be the last report for consideration in order to facilitate attendance by members of the public and media.

7.01pm

**RESOLUTION**

**MOVED: COUNCILLOR TRAILL  
SECONDED: COUNCILLOR CRUISE**

**THAT in accordance with 4.1 (1) of the City of Albany Standing Orders Local Law, the meeting be closed to the public to allow discussion of Confidential Item  
CCS497: CINEFESTOZ 2023 – 2025 TRIENNIAL PARTNERSHIP AGREEMENT.**

**CARRIED 9-0**

Members of the public and media left the Chamber. The Executive Management Team and Minute Secretary remained in the Chamber.

7.23pm

**RESOLUTION**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR TRAILL**

**THAT the meeting be re-opened to members of the public.**

**CARRIED 9-0**

No members of the public or media returned to the Chamber. All Councillors and Staff who were in attendance behind closed doors were in attendance in the Chamber following the re-opening of the meeting.

**CCS497: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR TRAILL**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS497: AUTHORISING OFFICER RECOMMENDATION**

THAT Council:

1. ACCEPT CinefestOZ's triennial partnership proposal for an Albany Film Festival from 2023 to 2025;
2. AUTHORISE the Chief Executive Officer to enter into an agreement with CinefestOz to provide funding of \$50,000 per year for the Albany Film Festival, commencing in 2022-2023 and concluding in 2024-2025;
3. REQUEST CinefestOZ as a condition of the agreement to submit a comprehensive acquittal at the conclusion of each festival to monitor the success of the partnership and return on investment of the City's funding; and
4. NOTE the existing allocation of \$50,000 in the 2022-2023 Budget and in the City of Albany's Long Term Financial Plan for the purpose of supporting an Albany Film Festival event.

**CCS498: COUNCIL AND COMMITTEE MEETING SCHEDULE 2023**

**Attachments** : Proposed Meeting Schedule 2023  
**Report Prepared By** : Senior Team Leader (J Williamson)  
**Authorising Officer:** : Chief Executive Officer (A Sharpe)

**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:** Leadership.
  - Outcome:** A well-informed and engaged community.

**In Brief:**

- Council is requested to adopt the proposed Ordinary Council Meeting and Committee Meeting Schedule for 2023, in accordance with the *Local Government Act 1995* and the associated Regulations.

**RECOMMENDATION**

**CCS498: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR SHANHUN**

**THAT the Authorising Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**CCS498: AUTHORISING OFFICER RECOMMENDATION**

THAT Council, for the purpose of giving Public Notice:

- APPROVE the following Committee Meeting Schedule for 2023:

Community & Corporate Services Committee	Development & Infrastructure Services Committee
<i>No meeting scheduled for January 2023</i>	
Tuesday 14 February 2023	Wednesday 15 February 2023
Tuesday 14 March 2023	Wednesday 15 March 2023
Tuesday 11 April 2023	Wednesday 12 April 2023
Tuesday 09 May 2023	Wednesday 10 May 2023
Tuesday 13 June 2023	Wednesday 14 June 2023
Tuesday 11 July 2023	Wednesday 12 July 2023
Tuesday 08 August 2023	Wednesday 09 August 2023
Tuesday 12 September 2023	Wednesday 13 September 2023
Tuesday 10 October 2023	Wednesday 11 October 2023
Tuesday 14 November 2023	Wednesday 15 November 2023
Tuesday 05 December 2023	Wednesday 06 December 2023

- APPROVE the proposed Ordinary Council Meeting Schedule for 2023:

- Tuesday 28 February 2023
- Tuesday 28 March 2023
- Wednesday 26 April 2023 (Anzac Day is held on 25 April 2023)
- Tuesday 23 May 2023
- Tuesday 27 June 2023
- Tuesday 25 July 2023
- Tuesday 22 August 2023
- Tuesday 26 September 2023
- Tuesday 31 October 2023 (Ordinary Local Government Election 21 October 2023)
- Tuesday 28 November 2023
- Tuesday 19 December 2023

## BACKGROUND

2. In accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, local public notice must be given at least once per year detailing when Council and Committee meetings open to the public are to be held.
3. Ordinary Council Meetings are held monthly, except January which has no scheduled meetings.

## DISCUSSION

4. Meetings of Council which are open to the public commence at 6.00pm in order to facilitate attendance by working members of the public and Councillors.
5. Council may consider this an appropriate opportunity to review the frequency and start time of meetings.
6. Council may also wish to review the distribution date of agendas for Council and Committee meetings. Currently, the agenda for Ordinary Council Meetings is distributed on the third Tuesday of each month (except January when there are no scheduled meetings).

## GOVERNMENT & PUBLIC CONSULTATION

7. Previous feedback from community members indicated that 6.00pm was the preferred start time for Council and Council Committee meetings as it enabled attendance by members of the public.
8. Council may choose to engage with the community regarding start times of meetings to gauge whether there is a significant desire to change meeting times.
9. In addition to the meeting schedule being published on the City's website, a public notice will be placed in the local newspaper for a period of two weeks.

## STATUTORY IMPLICATIONS

10. It is a requirement for Council to give Local Public Notice at least once per year of the time, date and place for Council and Committee meetings which are open to the public are to be held.
11. Regulation 12 of the *Local Government (Administration) Regulations 1996*, states:

**12. Publication of Meeting details (Act s.5.25(1)(g):**

(1) In this regulation –

**Meeting details**, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held -

(a) Ordinary council meetings;

(b) Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

(3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.

## POLICY IMPLICATIONS

12. N/A

## 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
<p><b>Legal and Compliance.</b> <b>Risk:</b> Local Public Notice is not given of the time, date and place of Ordinary Council Meetings and Council Committee Meetings.</p>	Unlikely	Moderate	Medium	Staff work with Council to set the forecast meeting schedule and provide public notice prior to January 2023.
<p><b>Opportunity:</b> Council has the opportunity to review the frequency of meetings and meeting start times.</p>				

## FINANCIAL IMPLICATIONS

14. A budget line exists for the cost of Local Public Notice advertising in the local newspaper.

## LEGAL IMPLICATIONS

15. The meeting schedule for 2023 must be published on the City's website to ensure legislative compliance as detailed in the Statutory Implications section of this report.

## ENVIRONMENTAL CONSIDERATIONS

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

## ALTERNATE OPTIONS

17. Council may consider alternate days, dates, committee meeting order, meeting places and commencement times of meetings.

## CONCLUSION

18. It is recommended that the proposed meeting schedule for 2023 is approved.

<b>Consulted References</b>	:	Local Government Act 1995 Local Government (Administration) Regulations 1996
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM 15/12/2020 Resolution CCS315 OCM 14/12/2021 Resolution CCS399



**CCS499: PROPOSED WALGA GOVERNANCE MODEL**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: • WALGA Consultation Paper • WALGA Background Paper
<b>Report Prepared By</b>	: Manager Governance & Risk (S Jamieson)
<b>Authorising Officer:</b>	: 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.
  - **Outcomes:** A well-informed and engaged community.

**In Brief:**

- The City of Albany is a member local government of WALGA.
- Council has been requested by WALGA to rank proposed governance models.
- A preferred governance model option has been presented for consideration.

**RECOMMENDATION**

**CCS499: COMMITTEE RECOMMENDATION (AMENDMENT BY MAYOR WELLINGTON)**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR BENSON-LIDHOLM**

**THAT the Proposed Governance Models be ranked as follows, and the City advise WALGA accordingly by submission:**

<b>Option</b>	<b>Ranking:</b>
<b>Option 1 – Two tier model, existing zones</b>	<b>4</b>
<b>Option 2 – Board, Regional Bodies</b>	<b>2</b>
<b>Option 3 – Board, Amalgamated Zones</b>	<b>3</b>
<b>Option 4 – Member elected board, Regional Groups</b>	<b>1</b>
<b>Option 5 – Current Model</b>	<b>5</b>

**CARRIED 9-0**

**CCS499: AMENDMENT BY MAYOR WELLINGTON**

**MOVED: MAYOR WELLINGTON**

**SECONDED: COUNCILLOR BENSON-LIDHOLM**

THAT the Proposed Governance Models be ranked as follows, and the City advise WALGA accordingly by submission:

Option	Ranking:
Option 1 – Two tier model, existing zones	4
Option 2 – Board, Regional Bodies	2
Option 3 – Board, Amalgamated Zones	3
Option 4 – Member elected board, Regional Groups	1
Option 5 – Current Model	5

**CARRIED 9-0**

Mayor Wellington moved an Amendment to the Authorising Officer Recommendation.

**CCS499: AUTHORISING OFFICER RECOMMENDATION**

THAT Option 4 is the preferred proposed governance model option for the City of Albany.

Option	Ranking:
Option 1 – Two tier model, existing zones	
Option 2 – Board, Regional Bodies	
Option 3 – Board, Amalgamated Zones	
Option 4 – Member elected board, Regional Groups	1
Option 5 – Current Model	

**BACKGROUND**

2. WALGA was formed on 6 December 2001 to provide a representative and united voice for Local Government in WA.
3. In 2021, WALGA’s State Council determined to undertake a Best Practice Governance Review (BPGR), and established a Steering Committee, to oversee the project.
4. On 22 August 2022, at a Special Council meeting held by the State Council, the BPGR guiding principles were endorsed.
5. Council has been requested to rank the proposed governance models presented in the consultation paper.

## DISCUSSION

6. Governance Reviews allow organisations to re-examine their membership structure, constitution, board role, board composition, governance approach and policies.
7. The BPGR provides an opportunity for members of the association to review and reshape the governance model to ensure that the association:
  - a. Delivers strong, clear, focuses and consistent policy positions on strategic matter of importance to Local Government in WA.
  - b. Drives advocacy outcomes and impact on behalf of Local Government in WA and the communities they serve.
  - c. Embeds agility and responsiveness, to ensure members concerns are heard, respected in a timely, efficient, and effective manner.
8. Over several years, from a range of sources, WALGA's current governance model has received negative feedback on the current governance model.
9. Criticism has been levelled by both metropolitan and regional members.
10. The feedback, is summarised as follows:
  - a. Structure – WALGA's governance structure is seen by members and stakeholders as creating roadblocks, hindering decision-making, and holding WALGA back.
  - b. Responsiveness – there is a perception among members and stakeholders that WALGA's governance model is slow and bureaucratic in an environment that requires agility.
  - c. Prioritisation and focus – members and stakeholders acknowledge the challenges of developing unified Local Government policy positions and advocacy priorities given the diversity of Local Government sector interests.
  - d. Transparency and accountability – feedback from members and stakeholders suggests that WALGA should be more transparent about its decision-making processes.
  - e. Zones – Feedback from members and stakeholders in relation to Zones and Zone meetings is mixed. A proportion of WALGA's membership believes that Zones are not as representative, strategic nor effective as they potentially could be.
11. Therefore, member local governments have been asked to consider the attached paper and the proposed governance models presented.
12. WALGA has requested that Council rank and endorse the proposed governance models accordingly.
13. Submissions to WALGA are sought by 23 December 2022.

### Principles:

14. The proposed governance models are guided by the principles of: Representation, Responsive and Results Orientated.
15. The principles were endorsed at the WALGA's Annual General Meeting held on the 3 October 2022.

**Governance model options:**

16. Five options, including the Current Model are presented for ranking:

- a. Option 1 – Two tier model, existing Zones.
- b. Option 2 – Board, Regional Bodies.
- c. Option 3 – Board, Amalgamated Zones.
- d. Option 4 – Member elected Board, Regional Groups.
- e. Option 5 – Current Model.

17. Snapshot of proposed models and alignment to the principles follows:

Option	Governance Body Structure		Officer Comment
<p><b>Option 1 –</b> Two tier model, existing Zones</p>	<p><b>Board:</b> 11 members 8 representative members elected from and by the Policy Council. _4 Metro, _4 Country).</p> <p>The Board then elect the President from the representative members.</p> <p>The Board will appoint up to 3 independent, skills or constituency directors.</p>	<p><b>Policy Council:</b> 24 members plus President Members elected by and from the Zones _12 from 5 Metro Zones, _12 from 12 Country Zones)</p> <p><b>Zone:</b> _5 Metro, _12 Country</p>	<p>Refer to note *, RE: Term: Constituency directors.</p>
<p><b>Option 2 –</b> Board, Regional Bodies</p>	<p><b>Board:</b> 11 members 8 representative members elected from and by the Regional Bodies. _4 Metro, _4 Country)</p> <p>The Board then elect the President from the representative members.</p> <p>The Board will appoint up to 3 independent, skills or constituency directors.</p>	<p><b>Regional Bodies:</b> _Metro: North, South, East and Central _Country: Mining Pastoral, Agricultural, Peel/ South West /Great Southern, Regional Capitals <i>Note: Local Governments can nominate their preferred regional body, with membership of the regional bodies to be determined by the board.</i></p> <p><b>Policy Teams/ Forum / Committees:</b> Membership drawn from the Board and Regional Bodies with some independent members.</p>	<p>References membership being drawn from regional bodies similar to the Regional Capitals Alliance</p> <p>Refer to note *, RE: Term: Constituency directors.</p>
<p><b>Option 3 –</b> Board, Amalgamated Zones</p>	<p><b>Board:</b> 15 members, 12 elected from the Zones _6 from Metro/Peel, _6 from Country)</p> <p>President to be elected by the Board.</p> <p>The Board will appoint up to 2 independent, skills or constituency directors.</p>	<p><b>Zones:</b> Metro/Peel: • Central Metropolitan • East Metropolitan • North Metropolitan • South Metropolitan • South East Metropolitan • Peel Country*: • Wheatbelt South • Wheatbelt North • Mid West / Murchison / Gascoyne • Pilbara / Kimberley • South West / Great Southern • Goldfields / Esperance <i>*indicative, re-drawing required.</i></p> <p><b>Policy Teams/ Forum / Committees:</b> Membership drawn from Board with some independent members.</p>	<p>Refer to note *, RE: Term: Constituency directors.</p>

Option	Governance Body Structure		Officer Comment
<p><b>Option 4 –</b> Member Elected Board, Regional Groups</p>	<p><b>Board:</b> 11 members _8 representative members elected via direct election, with each member Local Government to vote: _4 elected by and from Metropolitan Local Governments, _4 elected by and from Country Local Governments)</p> <p>_President elected by the Board from among the representative members.</p> <p>_The Board will appoint up to 3 independent, skills or constituency* directors</p>	<p><b>Policy Teams/ Forum / Committees:</b> Membership drawn from Board with some independent members. <b>Regional Groups:</b> Determined by members to suit needs e.g., Regional Capitals, GAPP, VROCs, CEO Group, existing Zones.</p>	<p>References Regional Capitals as an example</p> <p>Refer to note *, RE: Term: Constituency directors.</p>
<p><b>Option 5 –</b> Current Model</p>	<p>State Council: 24 members plus the President.</p> <p>Members elected by and from the Zones. _12 from 5 Metropolitan Zones, _12 from 12 Country Zones)</p>	<p><b>Policy Teams/ Forum / Committees:</b> Membership drawn from State Council with some independent members.</p>	
<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• Highlighted text indicates reference to regional / country / regional capitals.</li> <li>• *Constituency director, noting this term has not been defined in the consultation paper, it is the understanding of the report author that, the term means: <i>A representative board member (i.e. director) acts in a dual capacity with duties to both the association (i.e. WALGA / corporation) and their sponsors (i.e. designated members).</i></li> <li>• The constituency director: <ul style="list-style-type: none"> <li>○ Is expected to act as an intermediary between the governance body as the appointed and recognised sponsor of the designated membership group.</li> <li>○ Is a representative of the sponsorship membership group.</li> <li>○ May act freely on behalf of the sponsor unless the action directly injures the association or is clearly unfair to a minority of the sponsors.</li> </ul> </li> </ul>			

**GOVERNMENT & PUBLIC CONSULTATION**

18. The City of Albany’s CEO, Mr Andrew Sharpe was appointed as the Country Chief Executive Officer representative.
19. The full membership of the Steering Committee is detailed in the attached discussion paper.

## STATUTORY IMPLICATIONS

20. There are no direct statutory implications related to this report.
21. Legislative reforms could also impact WALGA’s governance arrangements.
22. The Minister for Local Government’s proposed reforms to the Local Government Act 1995 recommend:
  - a. Removing WALGA from being constituted under the Local Government Act.
  - b. Secondly, the Review of WA’s Industrial Relations Act 1979 provides an opportunity for WALGA to be constituted as a registered employer organisation, which would enable WALGA to make applications in its own right on behalf of the sector.

## POLICY IMPLICATIONS

23. There are no direct policy implications to this report, however it should be noted that WALGA is not a government department or agency.
24. The City of Albany, is a member local government that utilises the following member services:
  - a. advice on employee relations,
  - b. governance, procurement,
  - c. human resources,
  - d. training and development programs,
  - e. a preferred supplier program, and
  - f. Local Government Insurance Scheme (LGIS) indemnity services.

## RISK IDENTIFICATION & MITIGATION

25. The risk identification and categorisations rely on the City’s Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Reputation:</b> <i>Risk: There is a risk that no engagement will result in a missed opportunity.</i></p>	Possible	Moderate	Medium	<p><i>Acknowledge:</i> _ That <u>consultation</u> is limited to providing membership feedback on the proposed governance models and there is no “mandatory” obligation to engage. _ What has been proposed is the sharing of information to assist the State Council’s decision making.</p>
<p><b>Opportunity:</b> <i>To provide feedback from a regional “country” local government and select an appropriate governance model that meets “our” community’s needs. .</i></p>				

## FINANCIAL IMPLICATIONS

26. There are no direct financial implications related to this report.

## LEGAL IMPLICATIONS

27. There are no direct legal implications related to this report.

## ENVIRONMENTAL CONSIDERATIONS

28. Not applicable.

**ALTERNATE OPTIONS**

29. A recommended preferred option has been presented for consideration.
30. It is considered appropriate, that Council rank the remaining and/or all the proposed options by preferential ballot.

**CONCLUSION**

31. It is recommended that that Council reviews the consultation paper and rank the proposed governance models.
32. Noting the City of Albany’s involvement in the Regional Cities Alliance, Option 2 has been recommended as the preferred option.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• WALGA – Best Practice Governance Review – Consultation Paper – Model Options</li> <li>• WALGA – Annual General Meeting (AGM) – Agenda – October 2022.</li> <li>• WALGA – Best Practice Governance Review – Background Paper</li> </ul>
<b>File Number (Name of Ward)</b>	:	GR.STL.118 (All Wards)
<b>Previous Reference</b>	:	<ul style="list-style-type: none"> <li>• <a href="#">City of Albany Reform Submission</a> – 8 December 2021.</li> </ul>

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

**12. MEETING CLOSED TO THE PUBLIC**

CCS497: CINEFESTOZ 2023 – 2025 TRIENNIAL PARTNERSHIP AGREEMENT

**13. CLOSURE**

There being no further business the Deputy Chair declared the meeting closed at **7.28pm**

*(Unconfirmed Minutes)*

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Councillor Sandie Smith  
**DEPUTY CHAIR**