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# AGENDA

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## COMMUNITY AND CORPORATE SERVICES COMMITTEE

**Tuesday 07 June 2022**

6.00pm

Council Chambers



**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  
AGENDA – 07/06/2022

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COMMUNITY AND CORPORATE SERVICES COMMITTEE  
AGENDA – 07/06/2022

1. **DECLARATION OF OPENING**

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

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

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

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

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

Mayor	D Wellington
<b>Councillors:</b>	
Member	P Terry (Chair)
Member	A Cruse
Member	G Stocks
Member	M Traill
Member	T Brough
Member	M Benson-Lidholm JP
Member	J Shanhun
Member	S Smith (Deputy Chair)
Member	A Goode JP
Member	C Thomson
Member	R Sutton
<b>Staff:</b>	
Chief Executive Officer	A Sharpe
Executive Director Community Services	N Watson
Executive Director Corporate & Commercial Services	D Olde
Meeting Secretary	C Crane

**Apologies:**

COMMUNITY AND CORPORATE SERVICES COMMITTEE  
AGENDA – 07/06/2022

**4. DISCLOSURES OF INTEREST**

Name	Committee/Report Item Number	Nature of Interest

**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:

- 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.*

**7. PETITIONS AND DEPUTATIONS**

**8. CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**THAT the unconfirmed minutes of the Community and Corporate Services Committee meeting held on 10 May 2022, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**9. PRESENTATIONS Nil.**

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

## CCS440: LIST OF ACCOUNTS FOR PAYMENT – MAY 2022

<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: List of Accounts for Payment
<b>Report Prepared By</b>	: Manager Finance (S Van Nierop)
<b>Authorising Officer:</b>	: Executive Director Corporate and Commercial Services (D Olde)

### 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:** 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

#### CCS440: AUTHORISING OFFICER RECOMMENDATION

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 May 2022 totalling \$5,409,290.62 be RECEIVED.**

### DISCUSSION

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

<b>Municipal Fund</b>	
Trust	\$0.00
Credit Cards	\$13,103.51
Payroll	\$1,678,280.33
Cheques	\$14,736.60
Electronic Funds Transfer	\$3,703,170.18
<b>TOTAL</b>	<b><u>\$5,409,290.62</u></b>

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

Current	\$86,521.92
30 Days	\$27,119.65
60 Days	\$7,378.31
90 Days	-\$3,978.95
<b>TOTAL</b>	<b><u>\$117,040.93</u></b>
<b>Cancelled Cheques</b>	<b>Nil</b>

### 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 May 2022 has been incurred in accordance with the 2021/2022 budget parameters.

### FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 May 2022 has been incurred in accordance with the 2021/2022 budget parameters.

### LEGAL IMPLICATIONS

8. Nil

### ENVIRONMENTAL CONSIDERATIONS

9. Nil

### ALTERNATE OPTIONS

10. Nil

### CONCLUSION

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

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



## CCS440: LIST OF ACCOUNTS FOR PAYMENT – MAY 2022

<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: List of Accounts for Payment
<b>Report Prepared By</b>	: Manager Finance (S Van Nierop)
<b>Authorising Officer:</b>	: Executive Director Corporate and Commercial Services (D Olde)

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  - Pillar:** Leadership.
  - Outcome:** Strong workplace culture and performance.

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### POLICY IMPLICATIONS

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### FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 May 2022 has been incurred in accordance with the 2021/2022 budget parameters.

### LEGAL IMPLICATIONS

8. Nil

### ENVIRONMENTAL CONSIDERATIONS

9. Nil

### ALTERNATE OPTIONS

10. Nil

### CONCLUSION

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

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

**CCS441: DELEGATED AUTHORITY REPORTS – 16 APRIL 2022 to 15 MAY 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**

**CCS441: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 April 2022 to 15 May 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  
(Chief Executive Officer)
  - Delegation: 009 - GRANT FUNDING, DONATIONS, SPONSORSHIP
  - Delegation: 018 - CHOICE OF TENDER, AWARD CONTRACT

## CCS442: RATES FINANCIAL HARDSHIP POLICY

<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: Rates Financial Hardship Policy
<b>Report Prepared By</b>	: Manager Finance (S van Nierop)
<b>Authorising Officers:</b>	: Executive Director Corporate & 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:

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

#### In Brief:

- The current Rates Financial Hardship Policy is in place until 30 June 2022
- Council is requested to consider the proposed revised Rates Financial Hardship Policy for a further three year period.

### RECOMMENDATION

#### CCS442: AUTHORISING OFFICER RECOMMENDATION

**THAT the proposed REVISED Rates Financial Hardship Policy be ADOPTED.**

### BACKGROUND

2. On 26 May 2020, Council adopted the current Rates Financial Hardship Policy.
3. The initial adopted policy was to remain in place until 30 June 2021.
4. At the June 2021 Ordinary Council Meeting, Council adopted a revised version of the policy, with the policy to remain in place until 30 June 2022.
5. This policy is required to be reviewed prior to the 30 June 2022.

### DISCUSSION

6. The Local Government (COVID-19 Response) Amendment Order 2021 (the Order), came into effect on 2 June 2021, providing ongoing assistance to WA ratepayers hardest hit by the COVID-19 pandemic for the 2021-22 financial year.
7. Council is to consider whether it will allow ongoing flexibility for payment of outstanding rates and charges for ratepayers in severe financial hardship, irrespective of the status of the COVID-19 pandemic.

### GOVERNMENT & PUBLIC CONSULTATION

8. Department of Local Government, Sport and Cultural Industries advised of the amendment order on 1 June 2021.

### STATUTORY IMPLICATIONS

9. *Local Government Act 1995* (the Act), section 6.49:

#### **Section 6.49 Agreement as to payment of rates and service charges.**

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

## POLICY IMPLICATIONS

10. The proposed amended policy does not change the process required for applying and processing financial hardship applications from ratepayers, that existed in the current policy position.

## 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
<b>Compliance.</b> <b>Risk:</b> The current policy position expires on the 30 June 2022.	Likely	Moderate	High	Review and adopt the revised policy position by the 30 June 2022.
<b>Opportunity:</b> Continued consistency and understanding of rules for both ratepayers and staff for applications of rates financial hardship.				

## FINANCIAL IMPLICATIONS

12. When waiving late payment interest, the City will receive reduced income.
13. A reduction in the timely payment of rates as a result of ratepayers applying for hardship may result in a negative cash flow impact for the City.

## LEGAL IMPLICATIONS

14. None.

## ENVIRONMENTAL CONSIDERATIONS

15. Not applicable.

## ALTERNATE OPTIONS

16. If the proposed revised financial hardship policy is not adopted, City staff will continue to negotiate payment arrangements in accordance with an administrative endorsed policy position that compliments the Local Government (COVID-19 Response) Amendment Order 2021.

## CONCLUSION

17. Adoption of a revised policy for rates hardship will continue to provide clear direction to ratepayers and staff.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li><a href="#"><u>Local Government (COVID-19 Response) Amendment Order 2021</u></a></li> <li>Local Government Act 1995</li> <li>Delegations Register</li> </ul>
<b>File Number (Name of Ward)</b>	:	RV.RPY.20
<b>Previous Reference</b>	:	OCM 26 May 2020 Resolution CCS247. OCM 24 March 2020 Resolution CCS237. OCM 21 June 2021 Resolution CCS358.

**CCS443: RATES SUBSIDY: SPORTING & COMMUNITY ORGANISATION  
RECIPIENT LIST FOR 2021/22**

**Business Entity Name** : City of Albany  
**Attachments** : Rating Subsidy: Sporting & Community Organisations  
Recipient List for 2021/22 financial year.  
**Report Prepared By** : Manager Finance (S van Nierop)  
**Authorising Officers:** : Executive Director Corporate & 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:
  - **Pillar:** Leadership.
  - **Outcome:** A well informed and engaged community.

**RECOMMENDATION**

**CCS443: AUTHORISING OFFICER RECOMMENDATION**

**THAT Council RECEIVE the Rating Subsidy: Sporting and Community Organisations Recipient List for 2021/22.**

## CCS444: NATIONAL ANZAC CENTRE - LEAGUE OF LOCAL LEGENDS MEMBERSHIP AND PROMOTION

**Business Entity Name** : City of Albany  
**Report Prepared By** : Manager Facilities (L Stone)  
**Authorising Officer:** : Executive Director Community Services (N Watson)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** Smart Prosperous and Growing
  - **Objective:** To strengthen our region's economic base; and
    - To develop and promote Albany as a unique and sought after destination.
  - **Community Priority:** Strengthen our economy by supporting business innovation and diversity; and
    - Promote the Albany region as a sought after and iconic tourism destination.

#### In Brief:

- To consider a recommendation from the National Anzac Centre Advisory Group to continue the free entry for League of Local Legends members indefinitely as an ongoing strategy to attract local visitation to the museum.

### RECOMMENDATION

#### CCS444: AUTHORISING OFFICER RECOMMENDATION

**THAT free entry to the National Anzac Centre for League of Local Legends members only, for an indefinite period following the conclusion of the current promotional period ending 30 June 2022, be APPROVED.**

### BACKGROUND

2. The National Anzac Centre (NAC) is the City of Albany's most significant tourism asset.
3. The City of Albany manages this national museum and understands the importance of generating economic outcomes for the region using the NAC and the Albany Heritage Park (AHP) assets to encourage increased visitation and extended stays to the region.
4. The City established an independent NAC Advisory Group (NACAG) during the 2016/17 financial year to assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards.
5. The NAC League of Local Legends program aims to provide the local community with discounted opportunities to access one of our community's most important and nationally significant cultural assets.
6. At the NACAG meeting on September 18, 2020, concerns were raised about the ongoing trend of very low local visitation to the NAC and strategies to improve this.
7. The NACAG recommended Council trial free entry for residents from the Great Southern region for a period of 6 months from 1 January 2021 to 30 June 2021.

8. At the Ordinary Council Meeting of 24 November 2020, Council considered NACAG's recommendation and approved expanding League of Local Legends membership eligibility to the Great Southern geographical boundary, and offering a free entry membership promotion for 6 months from 1 January 2021 to 30 June 2021 (CCS308).
9. At the Ordinary Council Meeting of 27 July 2021, Council was briefed on the success of the initial 6-month membership promotion and endorsed a recommendation which was also supported by NACAG to extend the free entry for a further 12 months, concluding 30 June 2022 (CCS364).
10. The expanded membership region encompasses the 11 local government boundaries of Albany, Denmark, Plantagenet, Jerramungup, Broomehill-Tambellup, Cranbrook, Gnowangerup, Katanning, Kent, Kojonup and Woodanilling.
11. Year-to-date (YTD) results (up to 30 April 2022) of the expanded membership program were presented to the NACAG at its most recent meeting (May 2022).

## DISCUSSION

12. A breakdown of the League of Local Legends data collected during the promotional period from 1 January 2021 to 30 April 2022 is detailed below.
13. Data for May and June 2022, being the final two months of the 12-month extended promotional period, was not available at the time of compiling this report.

### Visitation Summary:

14. In August 2020 the NAC changed to new point-of-sale software – from Centaman to Vend. When the League of Local Legends data was transferred over to Vend, the number associated with the program changed from 5,361 memberships (individuals) to 2,736 memberships (households).
15. Vend counts household memberships, not individual people. Individual people that are registered are still counted when visiting the centre, as well as paying visitors accompanying members.
16. YTD for the promotional period, the League of Local Legends Program had a total of 6,913 memberships / households. This equates to an increase of 3,997 household memberships since the free membership program began in January 2021.

	at 30 April 2022	at 30 Jun 2022
<b>Number of Memberships</b>	6,913	Not yet known

17. Great Southern visitation to the NAC has also increased from what has been a steady 1% of overall WA visitation in past years.
18. The free-entry for League of Local Legends members promotion commenced January 1, 2021, with the visitation during the 18 month period from the Great Southern Region totalling 3,724 people of Western Australia's overall visitation of 62,835 in that period.
19. The visitation data for the full period indicates the free-entry promotion has significantly contributed to growth in locals not only joining, but also visiting the site and bringing accompanying paying visitors.



- 3,724 in visitation from the Great Southern Region represent 4%-11% quarter-on-quarter of WA visitors compared to the steady 1% in previous years;
- 955 paying visitors accompanied League of Local Legends members;
- 2,870 in League of Local Legends members visiting; and
- 3,997 new memberships / households during the promotional period from 1 January 2021 up to 30 April 2022

20. The below table shows the YTD figures of the memberships and visitations, attributed to the League of Local Legends promotional period which began in Q3 of 2021.

Memberships & Visitation 20/21	Q1 Jul-Sep	Q2 Oct-Dec	Q3 Jan-Mar 2021	Q4 Apr- June 2021	Total
Household Memberships	86	94	1,204	1,157	2,541
Visits by League of Local Legends	137	43	445	1,047	1,672
Accompanying Paying Visitors	79	53	134	231	497
Great Southern Visitation	537	373	652	1193	2,755
Memberships & Visitation 21/22	Q1 Jul-Sep	Q2 Oct-Dec	Q3 Jan-Mar	Q4 Apr ONLY	Total
Household Memberships	665	472	371	129	1,637
Visits by League of Local Legends	555	318	350	155	1,378
Accompanying Paying Visitors	167	162	141	120	590
Great Southern Visitation	585	549	506	239	1,879

21. The below tables show a breakdown of the Great Southern visitation across the promotional period from January 2021 to April 2022.

GS Breakdown	Jan 2021 – April 2022
Local Legends	2,932
Not Local Legends	792
<b>Total</b>	<b>3,724</b>

#### NACAG Recommendation

22. The NACAG has recommended Council consider extending the free entry promotion for League of Local Legends members as an ongoing permanent program, commencing 1<sup>st</sup> July 2022.
23. Given the ongoing support for the program and positive increase in visitation numbers, it was considered that making the free entry membership offer indefinite would not have any material negative impact on entry income from the NAC.
24. Continuing the program would retain a captured local membership base, make the museum more accessible to residents from our region, and continue to support ongoing Great Southern visitation.
25. The NACAG recommendation took into consideration the above visitation statistics, noting data for the final two months of Quarter 4 (May-June 2022) was unavailable at the time, but it is not expected it would have influenced the NACAG's considerations.

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

26. Not Applicable.

## STATUTORY IMPLICATIONS

### 27. The Local Government Act 1995:

Section 6.12. Power to defer, grant discounts, waive or write off debts
(1) Subject to subsection (2) and any other written law, a local government may —
(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
(b) waive or grant concessions in relation to any amount of money; or
(c) write off any amount of money,
which is owed to the local government.
<b>* Absolute majority required.</b>
(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

### 28. The delegated authority to waive fees and charges, does not extend to the writing off of admission fees, noting the condition of delegation states:

<b>Condition of Delegation:</b>
(a) This authorisation:
• does not extend to statutory charges, the municipal rate or service charges incorporated within the rate notice.
• is subject to:
○ Conditions contained in Council Policies;
○ Funding being allocated in the City's Annual Budget; and
○ Reporting:
▪ Funding/Donations limited to \$10,000.
▪ Funding/Donations above \$10,000 must be reported to Council.
(b) Any waiver, reduction or refund of a fee shall be based on the following criteria:
• The proposal not being intended to be a money making venture for the benefit of the entity.
• The cost of in-kind support and work undertaken by the City of Albany.
• The application is on behalf of a non-profit or charitable organisation or be reflective of the benefit of the proposal to the community.

## POLICY IMPLICATIONS

### 29. Not applicable

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Financial:</b> 12-month promotional period results in loss of ticket revenue from existing annual local visitor intake to the NAC, adversely impacting budgeted revenue.	Unlikely	Minor	Low	Continue to monitor budgeted revenue versus actuals this financial year and inform Council of any anticipated material adverse impact on budget.
<b>Legal and Compliance:</b> A visitor attempts to gain free entry fraudulently by providing false residential details on presentation at the NAC.	Unlikely	Minor	Low	Utilising the existing League of Local Legends program requires residents to provide their contact details – and these are retained on records – as part of the sign-up process. Officers also request proof of ID, such as a Drivers Licence.

### **FINANCIAL IMPLICATIONS**

31. Offering free entry for League of Local Legends members is not expected to result in any significant loss of ticket revenue as it is attracting visitors to the NAC that were otherwise not engaging with the museum.
32. In fact, there has been an increase in accompanying paying visitors during the promotional period bringing ticket revenue that may not have otherwise been achieved.
33. A full non-discounted or non-concession entry fee to the NAC is \$25. Prior to adopting the free-entry promotion for members, League of Local Legends visitors would receive a 50% discount if visiting the NAC with a paying visitor.

### **LEGAL IMPLICATIONS**

34. Not Applicable

### **ENVIRONMENTAL CONSIDERATIONS**

35. Not Applicable

### **ALTERNATE OPTIONS**

36. Council may choose not to approve the responsible officer's recommendation and return to the status-quo League of Local Legends membership eligibility and incentives that were in place prior to the promotional program.

### **CONCLUSION**

37. During the promotional period up to 30 April 2022, the rate of new League of Local Legends memberships has increased significantly compared to the first two quarters of the 2020-2021 financial year.
38. Visitation by League of Local Legends members has increased over the full period, achieving more visitation in individual quarters than was previously being achieved in 12-month financial years.
39. Accompanying paying visitors has increased and remained steady bringing in revenue that may not have otherwise been achieved.
40. Overall, Great Southern visitation has increased from the previous steady 1% of West Australian visitation to between 4% to 11% quarter-on-quarter over the full trial period, indicating the promotional campaign has attracted significant additional local visitation.
41. Noting these results do not include May and June of 2022, the data as it stands indicates the initiative has been very successful in achieving the desired outcome.
42. The expanded League of Local Legends program will continue to offer membership to the whole Great Southern region, irrespective of whether a discounted entry fee is reinstated or not.
43. Given the additional local visitation generated, and minimal impact the program has on overall ticket revenue for the NAC, there is justification to consider continuing to offer free membership for League of Local Legends members indefinitely.

<b>Consulted References</b>	:	Local Government Act 1995
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous References</b>	:	<ul style="list-style-type: none"> <li>• OCM July 2021, Resolution CCS364 – National Anzac Centre League of Local Legends Membership and Promotion.</li> <li>• OCM November 2020, Resolution CCS308 - National Anzac Centre – League of Local Legends Membership and Promotion - – Briefing Note NACAG June 2021.</li> <li>• OCM August 2020, Resolution CCS279 - National Anzac Centre – Q4 Report.</li> <li>• OCM May 2022, CCS437 - National Anzac Centre – Q3 Report.</li> </ul>

## CCS445: NATIONAL ANZAC CENTRE ADVISORY GROUP – TERMS OF REFERENCE

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: National Anzac Centre Advisory Group Terms of Reference (current and updated draft)
<b>Report Prepared By</b>	: Executive Director Community Services (N Watson)
<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 2032 or Corporate Business Plan informing plans or strategies:
  - **Pillar:** Prosperity.
  - **Outcomes:** A highly sought-after tourist destination.
  - **Objectives:** Create a competitive and sustainable tourism offer.

#### In Brief:

- To update the Terms of Reference for the National Anzac Centre (NAC) Advisory Group.

### RECOMMENDATION

#### CCS445: AUTHORISING OFFICER RECOMMENDATION

##### THAT Council:

1. **ADOPT** the revised National Anzac Centre Advisory Group Terms of Reference; and
2. **ENDORSE** the current members of the National Anzac Centre Advisory Group for a four-year term commencing on Wednesday, June 22, 2022.

### BACKGROUND

2. The NAC is the City of Albany's most significant tourism asset.
3. The NAC represents a \$10.6 million dollar investment from the Federal and State Government with an additional \$1.5 million invested by Wesfarmers for the construction of the Convoy Walk and Lookout.
4. The City of Albany manages this national museum and understands the importance of generating economic outcomes for the region using the NAC and the Albany Heritage Park (AHP) assets to encourage increased visitation and extended stays to the region.
5. The City established an independent NAC Advisory Group during the 2016/17 financial year to meet quarterly and assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards.
6. The NAC Advisory Group agreed in November 2018 that the group would meet twice a year. The next meeting is scheduled for May 2022.

### DISCUSSION

7. At its most recent meeting in May 2022, the NAC Advisory Group supported the draft revised Terms of Reference for presentation to Council.
8. The purpose of the review is to ensure the Terms of Reference align with the high-level strategic purpose of the NAC Advisory Group and achieve transparency of its objectives, membership and governance.

9. The following key objectives are detailed in the revised Terms of Reference:
- a. Provide expert guidance to the City of Albany to ensure the continued public appeal, positive visitor experience and financial sustainability of the NAC;
  - b. Provide high-level advocacy of the NAC to State and Commonwealth governments, relevant government agencies and other relevant organisations and strategic stakeholders;
  - c. Assist with identifying funding opportunities to provide new and refreshed visitor experiences within the NAC and surrounding Forts precinct;
  - d. Provide advice on maintenance, renewal and marketing of the NAC as an iconic heritage tourism asset to maximise its effectiveness in attracting ongoing visitation; and
  - e. Ensure the NAC interpretive component remains relevant, refreshed and consistent with a high quality contemporary museum standard.
10. The NAC Advisory Group requires a skills-based membership to ensure it achieves its key objectives and the Advisory Group fulfils its key role in providing high-level and direct advocacy to government and government-run organisations on behalf of the City of Albany and the NAC.
11. The following membership roles and designated representation is required within the revised Terms of Reference:
- Independent Chair
  - City of Albany Mayor
  - City of Albany CEO
  - Department of Premier & Cabinet senior representative
  - Tourism WA senior representative
  - WA Museum senior representative
  - RSL WA senior representative
  - Up to 3 skills-based representatives from relevant commercial or tourism related agencies or organisations, or community
12. Representatives are determined on agreement between the relevant department or organisation and the City of Albany and are subject to Council endorsement.
13. A number of vacancies have arisen on the NAC Advisory Group recently due to changes within the represented departments and organisations. City officers, in consultation with these departments and organisations, has sought nominations to fill these positions. Council endorsed the new members at the OCM on 26 April 2022 (CCS431).
14. The Chair role is also vacant due to the recent resignation of the incumbent chair after 8 years in the role. A further report will be prepared for Council to endorse a new Chair.
15. The revised Terms of Reference also define the term of membership – four years or for the duration of holding office for designated representative members – and provisions for mid-term changes to membership where vacancies arise.
16. Should Council resolve to endorse the revised Terms of Reference for the NAC Advisory Group, Council is also requested to endorse the current members of the NAC Advisory Group for a four year term commencing Wednesday, June 22, 2022.
17. Future appointments of members to the NAC Advisory Group will be for a four-year term and subject to Council endorsement as required by the Terms of Reference.
18. Further additions to the Terms of Reference include defining the role of the Chairperson and Members, and detailing the administrative processes supporting the Advisory Group.

## GOVERNMENT & PUBLIC CONSULTATION

19. Not Applicable.

## STATUTORY IMPLICATIONS

20. Not Applicable.

## POLICY IMPLICATIONS

21. Not Applicable.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational:</b> A lack of governance to guide the operations of the NACAG results in an ineffective committee.	Unlikely	Moderate	Medium	Adopt robust Terms of Reference that clearly define the NAC Advisory Group's purpose, objectives, meeting and membership requirements.
<b>Reputational:</b> NAC does not fulfil its potential as a nationally-significant cultural attraction.	Possible	Major	High	Ensure that the NAC Advisory Group continues to provide strategic and operational guidance to the City of Albany on the NAC.
<b>Financial:</b> Visitation to the NAC is low and results in a significant Council-funded subsidy to continue to operate the museum.	Possible	Major	High	Seek guidance from the NAC Advisory Group to ensure attraction remains relevant and continue to seek government support to ensure financial sustainability of the NAC.
<b>Operational:</b> Sustainability of the NAC suffers from lack of industry and government input.	Possible	Major	High	Establish a skills based membership for NAC Advisory Group with a high level of relevant expertise and experience.

## FINANCIAL IMPLICATIONS

23. The City of Albany supports NAC Advisory Group members with the cost of accommodation and travel and pays the Chairperson an agreed annual sum to undertake their duties as the presiding member.

24. The revised Terms of Reference clarifies the per diems the City will cover.

25. The City of Albany has an annual budget allocation of \$15,000 to cover these costs.

## LEGAL IMPLICATIONS

26. Nil.

## ENVIRONMENTAL CONSIDERATIONS

27. Nil.

## ALTERNATE OPTIONS

28. Council may request additions or changes to the revised NACAG Terms of Reference.

## CONCLUSION

29. The City established an independent NAC Advisory Group during the 2016/17 financial year to assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards.

30. The NAC Advisory Group has been successful in providing high-level strategic and operational guidance to the City of Albany that has delivered operational improvements to the NAC.

31. With a partial transition of membership, refresh of the NAC and ongoing challenges within the tourism sector arising from the Covid pandemic, it is timely to review the NAC Advisory Group's Terms of Reference.
32. The purpose of the review is to ensure the Terms of Reference align with the high-level strategic purpose of the NAC Advisory Group and achieve a common understanding between the City and the Group of its scope and objectives.
33. It is recommended that Council adopt the revised Terms of Reference for the NAC Advisory Group, and endorse the current members be appointed for a four year term.

<b>Consulted References</b>	:	Nil.
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Nil.



## CCS446: COMMUNICATIONS & ENGAGEMENT STRATEGY - Q3

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: City of Albany Communications & Engagement Strategy 2021-2022 Quarter 3 Progress Report
<b>Report Prepared By</b>	: Manager Community Relations (L Paterson)
<b>Authorising Officer:</b>	: Executive Director Community Services (N Watson)

### STRATEGIC IMPLICATIONS

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

#### In Brief:

- Note the City of Albany Communications & Engagement Strategy Q3 progress report.

### RECOMMENDATION

#### CCS446: AUTHORISING OFFICER RECOMMENDATION

**THAT Council NOTE the City of Albany Communications & Engagement Strategy progress report ending March 2021 (Q3) and its endorsement by the Communications & Engagement Advisory Group.**

### BACKGROUND

2. Council adopted the Communications & Engagement Strategy at the May 2019 OCM. The Strategy sets a clear direction for communication and engagement activities by the City. The Strategy is underpinned by an Action Plan.
3. The Strategy implementation and annual action plan is overseen by a Communications and Engagement Advisory Group comprising community representatives, Elected Members and City officers. The Advisory Group meets quarterly to review and endorse the progress report.

### DISCUSSION

4. The Advisory Group previously met and endorsed the 2021-2022 Q2 progress report on 23 February 2022, and this was tabled and noted by Council at the OCM of 22 March 2022.
5. The Advisory Group reviewed and endorsed the 2021-2022 Q3 progress report at its meeting on 25 May 2022.
6. The Advisory Group noted new updates to the progress report, including:
  - a. Commencement of broad community and Aboriginal engagement for the Albany Bicentenary;
  - b. Meetings with Redmond community to identify projects for the community's Townsite Revitalisation Fund allocation as part of the City's participatory budgeting initiatives;
  - c. Maritime Festival program and collaborations with local businesses;
7. The Community Development Coordinator provided the group with an update on engagement activity to review the Age Friendly Albany Plan and work with youth to plan and deliver Youth Week activities.
8. The Manager Recreation Services gave an overview of recent capital works at Albany Leisure & Aquatic Centre and the communication implemented.

9. The Manager Major Projects advised the group of the City's jetty link concept and consultation for Binalup / Middleton Beach, including feedback received and how that was informing the project.
10. During the meeting it was noted that the Communications & Engagement Strategy is due for review this year and officers will prepare a project plan for the group's review in the second half of this year.
11. This report includes 65 actions, 40 which have been completed, 20 remain in progress, and 5 are on hold.

## GOVERNMENT & PUBLIC CONSULTATION

12. Extensive community consultation was undertaken during the development of the Communications & Engagement Strategy and at the time achieved the highest reach of any engagement project undertaken by the City.
13. The progress report has been reviewed and supported by the Advisory Group, which includes members representing community.

## STATUTORY IMPLICATIONS

14. Nil

## POLICY IMPLICATIONS

15. This item aligns with the Council's adopted policy position: Community Engagement Policy.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational:</b> If community engagement expectations are not met due to budget, viability, funding agreements, safety or legislative constraints.	Likely	Moderate	High	Clearly define and communicate to community instances where project engagement is constrained by non-negotiable factors.
<b>Reputational:</b> If communications or engagement activity is ad-hoc, untimely, inaccurate or untargeted.	Unlikely	Major	Low	Follow best practice engagement framework and provide timely, informative and accurate communications to the community through effective channels as outlined in the Communications & Engagement Strategy.
<b>Operational:</b> Some aspirations of the Strategy may not be fully realised due to budget, funding or resource constraints.	Possible	Moderate	Medium	Prioritise budget allocation where necessary and explore all options to achieve objectives.
<b>Operational:</b> A severe second wave of Covid-19 that results in re-tightening of community restrictions and impacts City operational priorities.	Possible	Major	High	Follow Federal and State public health directions as informed and re-prioritise actions as necessary to align with City's operational priorities and capacity.

## FINANCIAL IMPLICATIONS

17. Nil.

**LEGAL IMPLICATIONS**

18. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

19. Nil.

**ALTERNATE OPTIONS**

20. Nil.

**CONCLUSION**

21. The Communications & Engagement Strategy is overseen by an Advisory Group comprising community, Elected Member and City staff representatives.
22. Community representation on the Advisory Group ensures community needs and priorities remain central to the implementation of the Communications and Engagement Strategy.
23. A quarterly progress report of achievements against the Strategy is endorsed by the Advisory Group and submitted to Council for information. The progress report against the Strategy's Action Plan for Q3 of 2021-2022 is submitted to Council for noting.

<b>Consulted References</b>	:	City of Albany Communication and Engagement Strategy 2019 Council Policy – Community Engagement
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM March 2022, Resolution CCS422

## CCS447: PROPOSED NEW COMMUNITY LEASE – ALBANY MOTORSPORT VENUE INC. – ALBANY MOTORSPORT PARK

<b>Land Description</b>	: Lot 5780 on Deposited Plan 206199 the subject of Certificate of Title Volume 1352 Folio 224, 54 Down Road South, Drome
<b>Proponent</b>	: Albany Motorsport Venue Inc. (IARN: A1042471F)
<b>Owner</b>	: City of Albany
<b>Report Prepared By</b>	: Team Leader Property & Leasing (T Catherall)
<b>Authorising Officer:</b>	: Executive Director Corporate & Commercial Services (D Olde)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan:

- **Pillar:** People
- **Outcome:** A happy, healthy and resilient community.

### Maps and Diagrams:



### In Brief:

- Council is requested to consider a new community lease over portion of 54 Down Road South, Drome to Albany Motorsport Venue Inc. (AMV).
- Council received a briefing on 19 April 2022 on the key terms of the lease.
- The proposed lease term being 20 years for use as a multipurpose Motorsport Park.
- In February 2022, the Regional Joint Development Assessment Panel (JDAP) approved the Development Application for the proposed Motorsport Park.
- It is recommended that Council approve the new lease.

## RECOMMENDATION

### CCS413: AUTHORISING OFFICER RECOMMENDATION

**THAT Council APPROVE a new community lease over portion of 54 Down Road South, Drome to Albany Motorsport Venue Inc., subject to:**

- a) Lease purpose being “Multipurpose Motorsport Park and Associated Activities” as detailed in this report.
- b) Lease term being 20 years, commencing as soon as practicable.
- c) Lease area being approximately 138 hectares, subject to survey.
- d) Lease rent being peppercorn \$10 plus GST per annum.
- e) Lease obligation requiring the tenant to take out Environmental Impairment Financial Liability and Pollution Financial Liability Insurance.
- f) All costs associated with the ongoing management and operations of the lease area being payable by the tenant.
- g) All costs associated with the preparation, execution and completion of the lease documentation being payable by the tenant, to a maximum of \$2,000 plus GST.
- h) Lease being consistent with Council Policy – Property Management (Leases and Licences).

## BACKGROUND

2. The proposed Motorsport Park project on portion of 54 Down Road South, Drome has been considered by City staff and Council on multiple occasions as briefly reflected in the below timeline table.

Date	Matter
2016	Feasibility study supporting need for a motorsport facility in region
2018	City purchased 54 Down Rd South, Drome for Motorsport Park (City to be reimbursed for the land purchase by the State Government)
2019	Council supported scheme amendment to rezone land to facilitate Motorsport Park
2021	Minister for Planning approved the scheme amendment
2021	GHD lodged a development application on behalf of Great Southern Motorplex Group for stages 1A and 1B of the development
2022	JDAP considered and approved the development application for Motorsport Park
2022	Community board representatives recommended by Council for AMV consideration and approval

### Land and current leases

3. The land at 54 Down Road South, Drome is approximately 192ha in size. The proposed lease area is 138ha, subject to survey.
4. Two areas within the land will be excluded from the lease area and Motorsport Park development. This being 50ha of native vegetation to the western end of the site and a dam

area on the northern boundary which is leased to Plantation Energy Australia Pty Ltd which is due to expire in August 2028.

5. Plantation Energy have agreed to surrender a small portion of the lease area back to the City to accommodate an emergency exit road for the proposed development.
6. At the time of purchase of the land in 2018, third parties held a lease over the land to graze cattle. The lease was surrendered in November 2021 to allow for the future development of the Motorsport Park.
7. However given the development was still to be considered for approval, the City allowed continued use over a 124ha reduced portion of the property to continue grazing cattle. This assists the City with managing the fuel load until the development can commence. Either party can terminate the licence with seven days' written notice.
8. Once the lease with AMV is agreed and will commence, the arrangements with the third parties over the property will be terminated.

#### JDAP Approval

9. Following the recent development approval by JDAP on 1 February 2022, the next step for the Motorsport Park project is to consider a lease to AMV in order to commence the development.
10. It is noted that in March 2022 the City was provided an opportunity to, and gave comment on, correspondence sent to the JDAP Secretariat from Glen McLeod Legal on behalf of some opponents of the Motorsport Park questioning the JDAP's authority and jurisdiction to issue approval on DAP file 21/02062 for proposed Motorsport Park.
11. The City stated it has been open and transparent in the approval process and considers there has been no breach of process.
12. JDAP have advised by letter dated 25 May 2022 that it is satisfied that the planning approval outcome is valid.
13. On this basis the City seeks to progress a lease to AMV.

#### **DISCUSSION**

14. The development of the Motorsport Park is supported by funding from both the State and Federal Governments.
15. The City's role in the development is essentially project management and consideration of granting a lease to AMV.
16. Post construction AMV will be the owner of the infrastructure and be fully responsible for the management, operation and maintenance of the facility.
17. AMV recently became a not-for-profit incorporated association on 10 March 2022.
18. The AMV consists of a Board of Directors made up of seven (7) Directors representing:
  - 1 x Motorsport Australia;
  - 1 x Motorcycling WA;
  - 1 x 4-wheel racing clubs;
  - 1 x 2-wheel racing (motorcycle road racing) clubs;
  - 1 x motocross clubs; and
  - 2 x community representatives.

19. The two community representatives were supported by Council at its meeting 26 April 2022 and have been recommended to AMV for consideration.

Proposed Lease

20. City officers, with guidance from HHG Legal Group, have been in discussion with AMV and their legal representative to agree lease terms, subject to Council approval.
21. The table below summarises the key terms of the proposed lease:

TERM	DETAILS
Tenant	Albany Motorsport Venue Inc. (IARN: A1042471F)
Land Description	Lot 5780 on Deposited Plan 206199 the subject of Certificate of Title Volume 1352 Folio 224, 54 Down Road South, Drome
Lease Area	Approx. 138ha subject to survey
Land Ownership	City of Albany (Freehold)
Building Ownership	Albany Motorsport Venue Inc.
Term	20 years
Initial Rent	\$10.00 plus GST per annum
Outgoings	Tenant responsible for all outgoings, including insurance
Insurance	Tenant responsible for: <ul style="list-style-type: none"> <li>• Building and contents</li> <li>• Public Liability - \$50 Million</li> <li>• Environmental Impairment Liability &amp; Pollution Financial Liability</li> </ul>
Maintenance	Tenant responsible for all maintenance, including during the 12 months defect liability period
Permitted Use	Multipurpose Motorsport Park to undertake: <ul style="list-style-type: none"> <li>a) motor car racing, motorcycle racing, other forms of powered vehicle racing, drifting, motocross, driver training and cycling, as may be undertaken by the Tenant or by non-commercial third party clubs and associations reasonably approved by the Tenant ("Third Party Clubs");</li> <li>b) associated activities and incidental use with a) above including without limitation vehicle demonstration, vehicle testing, storage, catering, first aid and short-term hiring (of a term not in excess of 3-months per hire) allowing use by Third Party Clubs of the Leased Premises and Buildings and Infrastructure, provided such activities and use are consistent with Joint Development Assessment Panel Approval DAP/21/02062; and</li> <li>c) any such other use which the Landlord may approve from time to time on receipt of a written request from the Tenant.</li> </ul>
Special Condition	Post construction, transfer of ownership of buildings and infrastructure on an "as is, where is" basis to the Tenant
Special Condition	City has the right to terminate the lease should any judicial review be successful
Special Condition	At end of the lease, City can require AMV either demolish the buildings and infrastructure or hand them over to the City

22. The remaining terms of the lease will be developed in line with City Policy – Property Management (Leases and Licences).

**GOVERNMENT & PUBLIC CONSULTATION**

23. No Government consultation is required as the lease area is located within City of Albany owned freehold land.
24. 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.

25. Clause 30(2)(b) 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 recreational and sporting bodies where the members of which are not entitled or permitted to receive any pecuniary profit from the body's transitions.
26. On the above basis, the proposed lease is considered exempt from public notice requirements.
27. No general public consultation on this matter has occurred, as the discussions between the City and AMV were specific to this group.

### STATUTORY IMPLICATIONS

28. Section 3.58 of the *Local Government Act 1995* allows for the disposal of property including leased/licensed land and buildings.
29. The Western Australian Planning Commission (WAPC) has not been consulted with regard to the proposed new lease as per Section 136 of the Planning and Development Act, as no comment is required from WAPC when a lease term does not exceed 20 years on freehold land.

### POLICY IMPLICATIONS

30. 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.
31. The Policy provides that community groups leasing land for community purposes will be at a subsidised peppercorn rent of \$10.00 plus GST per annum.
32. The recommendation is consistent with the Policy.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation:</b> Lease not approved	Possible	Major	High	Key terms have been agreed in principle between the parties.  Seek to negotiate terms to Council satisfaction.
<b>Reputation:</b> AMV cease to operate – unable to meet lease obligations	Possible	Major	High	Council to consider alternate management or land use options or sale of the property.
<b>Reputation:</b> There is a major safety incident at the Motorsport Park. Legally City is protected (by terms of lease) but there may be reputational issues if AMV are considered negligent/unprofessional.	Possible	Major	High	Consider termination of the lease if there has been a major breach of safety laws that can't be rectified.  EOI to find alternative tenant/operator.
<b>Reputation:</b> Any development approval could be subject to a judicial review	Possible	Major	High	Include a condition in the lease that the City has the right to terminate the lease if such a judicial review is successful.



<b>Financial:</b> Lease not approved – City not reimbursed land purchase cost from State Government	Possible	Major	High	Seek to negotiate terms to Council satisfaction.
<b>Environmental:</b> Pollution event	Possible	Severe	High	Engineering measures in place under the development approval to avoid pollution.  Pollution Insurance obligation included in the lease to respond to any pollution event.
<b>Opportunity:</b> A Motorsport Park fulfils a need and demand in the region along with State Government commitments.				
<b>Opportunity:</b> This lease supports the City's Strategic Community Plan 2032 objective to improve access to sport, recreational and fitness facilities and programs.				

### FINANCIAL IMPLICATIONS

34. The Tenant will meet the costs for preparation and finalisation of the lease agreement, to a maximum of \$2,000 plus GST.
35. Development is supported with State and Federal Government funding. The City of Albany will be project managing as 'in kind' support.
36. Proposing peppercorn rent as tenant fully responsible and owner of facilities and infrastructure on site.

### LEGAL IMPLICATIONS

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

### ENVIRONMENTAL CONSIDERATIONS

38. As part of the Development Application, an Environmental Management Plan (EMP) was submitted and approved.
39. AMV is obliged to take out environmental impairment and pollution financial liability insurance under the lease to assist with the remediation of any pollution event.

### ALTERNATE OPTIONS

40. Council may:
  - Approve the new lease with AMV; or
  - Support some elements of the lease although not in its entirety; or
  - Decline the lease.
41. Should Council decline the new lease generally, then the proposed Motorsport Park development at the Down Rd South, Drome location will not progress at this location.
42. The Development Application approval, Planning Scheme amendment and Government funding, for this location, both received and promised will not apply.

### SUMMARY CONCLUSION

43. Albany Motorsport Venue Inc. has requested a new community lease over portion of 54 Down Road South, Drome to develop and operate the Albany Motorsport Park.
44. The site was purchased by the City in 2018 for the sole purpose of a Motorsport Park.

45. The Development Application for the Motorsport Park was approved by the Regional Joint Development Assessment Panel in February 2022.
46. In response to correspondence on behalf of some opponents of the Motorsport Park, JDAP have confirmed that the planning approval outcome is valid.
47. The proposed lease aligns with the City's Strategic Community Plan 2032 objective to improve access to sport, recreation and fitness facilities and programs.
48. In recognition of the City and Government's commitment to the Albany Motorsport Park, it is recommended the proposed new lease be supported.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• Property Management (Leases and Licences) Policy</li><li>• <i>Local Government Act 1995</i></li></ul>
<b>File Number (Name of Ward)</b>	:	PRO449, A45983 (Kalgan ward)
<b>Previous Reference</b>	:	OCM 15/11/2011 Item 1.7 OCM 23/10/2018 Item DIS122 OCM 23/02/2021 Item DIS245

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

**12. MEETING CLOSED TO THE PUBLIC**

**13. CLOSURE**