



MINUTES

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

Wednesday 12 August 2020

6.00pm

City of Albany Council Chambers

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

VISION

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

VALUES

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

Focused: on community outcomes

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

United: by working and learning together

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

Accountable: for our actions

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

Proud: of our people and our community

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

TERMS OF REFERENCE

(1) **Functions:** The Committee is responsible for:

Development Services:

The delivery of the “*Liveable Environmental Objectives*” contained in the City of Albany Strategic Plan:

- Advocate, plan and build connected, liveable communities.
- Create a community that supports people of all ages and backgrounds.
- Create vibrant neighbourhoods which are safe yet retain our local character and heritage.

Infrastructure Services:

The delivery of the “*Clean and Green Objectives*” contained in the City of Albany Strategic Plan:

- To protect and enhance our pristine natural environment.
- To promote environmental sustainability.
- To promote our region as clean and green.

(2) **It will achieve this by:**

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community; and
- (g) Making recommendations to Council.

(3) **Membership:** Open to all elected members.

(4) **Meeting Schedule:** Monthly

(5) **Meeting Location:** Council Chambers

(6) **Executive Officers:** Executive Director Infrastructure, Development & Environment

(7) **Delegated Authority:** None

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1. DECLARATION OF OPENING – 6.00pm

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

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

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Mayor D Wellington

Councillors:

Member	R Sutton (Chair)
Member	R Hammond
Member	P Terry
Member	R Stephens
Member	M Benson-Lidholm JP
Member	J Shanhun
Member	S Smith
Member	A Goode JP
Member	C Thomson

Staff:

Chief Executive Officer	A Sharpe
Executive Director Infrastructure, Development and Environment	P Camins
Manager City Engineering	R March
Manager City Operations	D Lawrence
Meeting Secretary	A Paulley

Apologies:

Member	G Stocks (Deputy Mayor)
Member	T Sleeman
Member	E Doughty (Chair)

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
Councillor Shanhun	DIS224	Financial. The nature of the interest being that Councillor Shanhun is employed by one of the tenderers. Councillor Shanhun left the Chambers and was not present during the discussion and vote for this item.

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

6. PUBLIC QUESTION TIME - Nil

7. PETITIONS AND DEPUTATIONS - Nil

8. CONFIRMATION OF MINUTES

COMMITTEE MOTION

MOVED: COUNCILLOR THOMSON

SECONDED: COUNCILLOR SMITH

THAT the minutes of the Development and Infrastructure Services Committee meeting held on 15 July 2020 as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10-0

9. PRESENTATIONS - Nil

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - Nil

DIS223: FOGO ROLLOUT DEFERRAL

Report Prepared By : Waste Project Officer (J Passmore)
Responsible Officers: : Executive Director Development, Infrastructure & Environment
(P Camins)

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:** Clean, Green & Sustainable.
 - **Objective:** To identify and deliver improvements in sustainability within the City and wider community.
 - **Community Priority:** Deliver a sustainable and progressive approach to waste management including collaboration with neighbouring local governments.

In Brief:

- Council endorsement is sought to defer the commencement of the kerbside FOGO service to the third quarter of Financial Year (FY) 2020/2021.

RECOMMENDATION

DIS223: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HAMMOND
SECONDED: COUNCILLOR BENSON-LIDHOLM

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

DIS223: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council NOTE the reason for the deferral of the kerbside FOGO service and APPROVE amending the proposed introduction date until the third quarter of Financial Year 2020-21, being 1 January to 31 March 2021.

BACKGROUND

2. In May 2019, Council resolved to:
 - a. APPROVE the commencement of a kerbside FOGO service in January 2020 to properties receiving a kerbside waste collection.
 - b. APPROVE Option 3, being fortnightly collection of all bins (FOGO, commingled recyclables and general waste) with weekly FOGO collection for 8 weeks during December-February.
3. In November 2019, Council resolved:
 - a. That the commencement of the kerbside FOGO service be DEFERRED until the *first* quarter of Financial Year 2020-21.
4. The proposed deferral aligns implementation of FOGO with the end of the current collection and processing of green waste bins contract and will allow for external Department of Water and Environmental Regulation (DWER) approvals to be implemented. The delivery of the Department of Water and Environmental Regulation (DWER) Better Bins project to provide Australian-standard coloured bin lids to residents will align with this revised date and does not impact milestones for Better Bins funding.

DISCUSSION

5. In response to the COVID-19 pandemic, waste staff resources were focused on contingency planning and ensuring consistent delivery of waste services resulting in delays to some FOGO actions.
6. At present there is no facility capable of accepting FOGO waste within the City. It was anticipated that the required modifications and approvals to the City’s current greenwaste processing contractor’s operations would be in place in time for a Q1 2020-21 rollout, however these approvals are still outstanding.
7. Delaying the commencement of the FOGO service will provide additional time to ensure availability of an approved local FOGO processor to accept and process food waste.
8. The City’s current greenwaste collection and processing contracts expire in February 2021. Delaying the commencement of the FOGO service will provide opportunity to align the rollout with the tendering of new contracts which will include the requirements for FOGO.
9. The City has applied for Better Bins Plus funding which, if approved, would provide additional resources to ensure successful implementation of the project , such as:
 - a. increased customer service capacity to support residents with queries and concerns,
 - b. increased communication and advertising to inform and educate residents,
 - c. bin tagging to provide direct feedback to residents,
 - d. waste audits to measure success of the program, and
 - e. a Waste Sorted education trailer for use at events and pop-up displays to promote effective waste sorting, reduction and reuse.

GOVERNMENT & PUBLIC CONSULTATION

10. City staff have provided the Department of Water and Environmental Regulation (DWER) with information to assist their assessment of a licence amendment application by the City’s current greenwaste contractor to allow them to store, transport and process FOGO waste. DWER has indicated this process is unlikely to be completed in time for the planned Q1 2020-21 rollout.
11. There will be significant community education to advertise the start date of the FOGO service and how to effectively use the service. This will include Facebook, website, newsletter and newspaper advertising, workshops, displays, and information delivered with kitchen caddies to all urban households to assist with waste sorting.
12. The community will be notified of the delay and alternative options for recycling food waste (such as composting and worm farms) will be promoted to those residents able to utilise these options.
13. Community Engagement

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Inform	City website, social media	Following Council decision		
Inform	Mail out	Prior to roll out of service		

STATUTORY IMPLICATIONS

14. Waste Avoidance and Recovery Act and associated Regulations.

POLICY IMPLICATIONS

15. There are no policy implications directly relating to this item.

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
Community <i>Risk: Postponing the start date may cause confusion among residents who expect the service to start in 2020.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Significant communications will be provided to residents to inform them of the confirmed start date and required actions.</i>
Operational <i>The City may be left with committing to start the service before approvals and contracts are in place.</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>Postpone start date to ensure required approvals and contracts are in place.</i>
Opportunity: <i>Delaying commencement of the FOGO service will ensure the required contracts and approvals are in place for the start of the service. If approved, additional funding from the Better Bins Plus program will assist with improved community understanding and engagement.</i>				

FINANCIAL IMPLICATIONS

17. There are no immediate financial implications related to this report.
18. There is \$255,000 allocated to Food Waste Diversion in the 2020-21 budget.
19. The City was successful in an application for \$456,930 in funding for the Department of Water and Environmental Regulation’s Better Bins program to complement the introduction of the FOGO service and provide Australian standard-coloured bin lids and kitchen caddies, to be acquitted by September 2021.
20. The City has applied for Better Bins Plus – Go FOGO funding which, if successful, will provide an additional \$230,280 for complementary measures associated with the rollout of FOGO.

LEGAL IMPLICATIONS

21. There are no legal implications related to this report.

ENVIRONMENTAL CONSIDERATIONS

22. Approval is required by the Department of Water and Environmental Regulation before a processing contractor can accept and process food waste to ensure adherence to environmental regulations.

ALTERNATE OPTIONS

23. An alternative option to delay the project until the beginning of Q2 2020-21 was considered but this does not reduce the risk associated with waiting for DWER approvals or rolling out a project of this size during a period when staff hours have reduce by 20%. To delay the project further this calendar year would involve rolling out the changes over the summer holiday season which will be confusing to residents as the frequency of collection increases, participation rate is reduced due to holiday season and the delivery of materials over this time period would be impacted causing additional delays.

CONCLUSION

24. It is recommended that Council approve the postponement of the kerbside FOGO service to the third quarter of Financial Year 2020-21.
25. This option is recommended to ensure the required approvals and contracts are in place to process food waste.
26. It also enables the City to include funding from the Better Bins Plus program if successful in the project’s education and engagement budget.

Consulted References	:	City of Albany Community Waste Resource Strategy 2019-26 State Waste Avoidance & Resource Recovery Strategy 2030
File Number (Name of Ward)	:	CM.STD.6 (All Wards)
Previous Reference	:	DIS180 (OCM – November 2019)

DIS224: PROVISION OF CLEANING SERVICES

Proponent / Owner	: City of Albany
Attachment	: Confidential Attachment Under Separate Cover
Report Prepared By	: Acting Manager City Operations (T Rogister)
Responsible Officers:	: Executive Director Infrastructure, Development and Environment (P Camins)

6.10pm: Councillor Shanhun left the Chambers after declaring a Financial Interest in this item.

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:** 3. Clean, Green & Sustainable
 - **Objective:** 3.2 To build, maintain and renew city assets sustainably.
 - **Community Priority:** 3.2.1 Deliver environmentally and financial sustainable long term planning for infrastructure via a forward capital works program that meets the needs of our community.

In Brief:

- Council approval is sought to appoint the preferred tenderer to provide cleaning services for the City of Albany.
- The contract is to commence on 1st October 2020 for an initial two (2) year period with an option to renew for a further one (1) year.

COVID-19 IMPACT

- Variations to the contract may need to be considered in accordance with future COVID-19 protocols.

RECOMMENDATION

DIS224: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STEPHENS
SECONDED: COUNCILLOR TERRY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9-0

DIS224: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ACCEPT the tender RECOMMENDED by the evaluation panel in the Confidential Briefing Note and AWARD Contract C20008.

BACKGROUND

2. Tenders were called for the Provision of Cleaning Services for a period of up to three (3) years including an option. The tender is for the following Council buildings:
 - a) Albany Airport – 35615 Albany Highway
 - b) Albany Public Library – 221 York Street
 - c) Mercer Road Offices – 39 Mercer Road
 - d) Mercer Road Depot – 39 Mercer Road
 - e) Albany Regional Day Care Centre – Corner Grey & Collie Street
 - f) Lotteries House – 211-217 North Road
 - g) Administration Building – North Road

- h) Albany Visitors Centre – 221 York Street
- i) Vancouver Arts Centre – 85 Vancouver Street
- j) Hanrahan Landfill Site/AWARE Centre – Cumming & Chester Pass Roads
- k) National ANZAC Centre – 1347 Forts Road
- l) Albany Leisure and Aquatic Centre – Barker Road
- m) Mary Thompson House – 85 Vancouver Street

3. The current contract expires 30 September 2020.

DISCUSSION

4. Tender documents were evaluated using the weighted attribute method. This method scores the evaluation criteria and weighs their importance to determine an overall point score for each tender. The criteria are tabled below:-

Criteria	% Weight
Cost	30
Relevant Experience	25
Key Personnel skills and experience	20
Tenderer's Resources	20
Corporate Social Responsibility	5
Total	100

5. A total number of twenty two (22) tender documents were issued with five (5) completed tender documents submitted on or before the stipulated closing date and time.

6. The following table summarises the tenderers and the overall evaluation scores applicable.

Tenderer	Weighted Score
Tenderer A (Preferred)	668.09
Tenderer B	644.51
Tenderer C	559.52
Tenderer D	552.49
Tenderer E	527.06

GOVERNMENT & PUBLIC CONSULTATION

7. A request for tenders was published in the West Australian on 1 July 2020 and the Albany Weekender on 2 July 2020.

STATUTORY IMPLICATIONS

8. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be more, or worth more, than \$150,000.00.

9. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.

10. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

11. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

12. The value of this tender is expected to be in excess of \$500,000.00 and therefore Council approval is required as this exceeds the CEO's delegation.

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
Community <i>Risk: Contractors failing to turn up to complete their cleaning duties at a public/community site, eg; Library, Airport or ALAC.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>The cleaning communication booklet clearly outlines tasks and frequency. Facility Managers are responsible for ensuring those tasks are undertaken and communicating any performance issues to the Responsible Officer.</i>
Operational <i>Risk: Non-compliance delay or failure to carry out contracted works.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>General Conditions of contract allow for contracted termination on the basis of failure to supply services.</i>
People Health & Safety <i>Risk: Failure to clean sites to relevant public health standards.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Facility Managers undertake monthly cleaning inspections with the Contractor to ensure public health standards are met.</i>
Property <i>Risk: Contract personnel have access to City facilities after hours and could access confidential information or steal items.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Importance is given to the experience and reliability of the tenderer in the evaluation process.</i>
Reputation <i>Risk: Community dissatisfied with the standard of cleanliness of a facility.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services.</i>
Opportunity: <i>To support local business and offer a regional opportunity for employment, particularly during this COVID-19 Pandemic period.</i>				

FINANCIAL IMPLICATIONS

14. Each location maintains individual operational budgets for cleaning purposes with the tendered price being shared across the organisation. Each directorate and facility manager has provided for cleaning services in their respective operational budgets as required.

15. The value of the tender is in excess of \$500,000.00 which exceeds officer delegation and therefore the approval is referred to Council for consideration.

LEGAL IMPLICATIONS

16. Nil

ENVIRONMENTAL CONSIDERATIONS

17. Nil

ALTERNATE OPTIONS

18. Council can accept or reject the tenders as submitted.

CONCLUSION

19. The City has undergone a competitive process in line with the relevant legislation established policies. On reviewing the submissions, the evaluation team assessed Tenderer A as being the most advantageous tenderer across the evaluation criteria for the provision of the City's cleaning services. It is recommended that the nominated tenderer be accepted.

Consulted References	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	:	C20008 (All Wards)
Previous Reference	:	C15015

6.13pm: Cr Shanhun re-entered the Chambers.

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN - Nil**
- 12. MEETING CLOSED TO THE PUBLIC – 6.14pm**
- 13. CLOSURE – 6.14pm**