



AGENDA

WORKS AND SERVICES COMMITTEE

12 August 2015

5.30pm

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) Function:

The Works & Services Committee will be responsible for the delivery of the following Clean and Green Objectives contained in the City of Albany Strategic Plan:

- (a) To protect and enhance our pristine natural environment;
- (b) To promote environmental sustainability;
- (c) 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) Chairperson: Cr Alan Hortin JP

(4) Membership: Minimum of 4 and a maximum of 7 elected members.

Current Membership: Mayor Wellington, Councillor Hortin JP, Councillor Gregson, Councillor Dowling, Councillor Bowles, Councillor Hollingworth

(5) Meeting Schedule: Monthly

(6) Meeting Location: City of Albany Council Chambers

(7) Executive Officer: CEO or Executive Director Works and Services

(8) Delegated Authority: None

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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 both past and present”.

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor

Mayor D Wellington (Member)

Councillors:

Member

A Hortin JP (Chair)

Member

S Bowles (Deputy Chair)

Member

C Dowling

Member

B Hollingworth

Member

G Gregson

Staff:

Executive Director Works and Service

M Thomson

Minutes Secretary

S Parker

Apologies:

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4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

7. PUBLIC QUESTION TIME

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. PETITIONS AND DEPUTATIONS

10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Works and Services Committee Meeting held on 10 June 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

WS083: CONTRACT C15015 - PROVISION OF CLEANING SERVICES

Proponent : City of Albany
Owner : City of Albany
Report Prepared by : Depot Administration Coordinator (T Sudran)
Responsible Officer : Executive Director Works & Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme:** 2. Clean, Green & Sustainable
 - b. **Strategic Objective:** 2.2 To maintain and renew city assets in a sustainable manner
 - c. **Strategic Initiative:** 2.2.1 Asset Management

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 2015 until 30th September 2018 with an option for renewal for a further two (2) years.

RECOMMENDATION

WS083: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ACCEPT the tender from OCS Cleaning Services Pty Ltd.

BACKGROUND

2. Tenders were called for the Provision of Cleaning Services for a period of up to five years (including option). The tender is for the following Council buildings:
 - a) Albany Airport
 - b) Library – 221 York Street
 - c) Town hall – York Street
 - d) City 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 – Old Railway Station, Proudlove Parade
 - 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
3. The current contract expires September 2015.

DISCUSSION

4. A request for tender was published in the West Australian on 3rd June 2015 and the Albany Weekender on 4th June 2015.
5. Tender documents were evaluated using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria are tabled below:-

Criteria	% Weight
Cost	30
Relevant Experience	20
Key Personnel skills and experience	15
Tenderer's Resources	15
Demonstrated Understanding	15
Corporate Social Responsibility	5
Total	100

6. A total number of nineteen tender documents were issued with three completed tender documents submitted on or before the stipulated closing date and time.
7. The following table summarises the tenderers and the overall evaluation scores applicable.

Tenderer	Weighted Score
OCS Services Pty Ltd	697.08
CGS Quality Cleaning	588.98
CMC Property Services	567.28

8. OCS Services Pty Ltd is the City's incumbent contractor and has provided a reliable and quality service during the term of the current contract.

GOVERNMENT & PUBLIC CONSULTATION

9. Not applicable.

STATUTORY IMPLICATIONS

10. 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 \$100,000.00.
11. 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.
12. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

13. The City of Albany Tender Policy and Regional Price Preferences Policy are applicable to this item.

RISK IDENTIFICATION & MITIGATION

14. The risk identification and categorisation relies on the Citys Enterprise Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Property <i>Contract personnel have access to 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>
Financial & Organisational Operations <i>Non compliance, delays or failure to carry out contracted works or business failure</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services</i>
Reputation <i>Community dissatisfied with the standard of cleanliness of facilities</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services</i>

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

17. Nil

ENVIRONMENTAL CONSIDERATIONS

18. Nil

ALTERNATE OPTIONS

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

SUMMARY CONCLUSION

20. On reviewing the submissions, the evaluation team assessed OCS Services Pty Ltd 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	:	<i>Local Government (Functions and General) Regulations 1995</i> <i>Council Policy – Purchasing (Tenders & Quotes)</i> <i>Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	<i>C15015</i>
Previous Reference	:	<i>C12009</i>

WS084: PROPOSAL TO INVESTIGATE FEASIBILITY OF SHARK BARRIER NETTING AT MIDDLETON BEACH

Land Description	: Middleton Beach
Attachments	: Review of the Dunsborough Beach Enclosure Trial, Hydrobiology 2014
Report prepared by	: Executive Director Works & Services (M Thomson) Manager Governance & Risk Management (S Jamieson)
Responsible Officer	: Executive Director Works & Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme:** 2. Clean, Green and Sustainable.
 - b. **Strategic Objective:** 2.1. To protect and enhance our natural environment.
 - c. **Strategic Initiative:** 2.1.2. Sustainably protect and enhance our iconic coastline and reserves.
 - d. **Strategic Outcome:** Projects and programs that reflect the importance of our coastline and natural reserves.

In Brief:

- The City of Albany has been offered part-funding from the State Government to install shark barrier netting at Middleton Beach in 2015/16.
- Preliminary investigations into the proposal have been undertaken, however further detailed analysis is required prior to Council making a commitment to proceed with any works.
- Council consideration is sought into undertaking a further detailed feasibility study.

RECOMMENDATION

WS084: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- 1) **SUPPORT** conducting a feasibility study into the installation of a Shark Barrier Net enclosure at Middleton Beach for future consideration.
- 2) **AGREE** to undertake relevant stakeholder and community consultation in respect to the installation of a shark barrier net at Middleton Beach in conjunction with the feasibility study.

BACKGROUND

2. Following an increased incidence of fatal shark attacks along the West Australian coastline, the State Government has committed funds to research and trial various shark hazard mitigation treatments.
3. Shark barrier netting trials are currently being conducted by the City of Busselton and City of Cockburn. Preliminary results of the trial have indicated an improvement in the public's perception of swimming safety with negligible impact on the marine environment
4. Given the success of these trails, as part of the 2015/16 State budget the State Government announced two beaches would receive funding of \$400,000 to install shark enclosures.
5. It was officially announced in July that \$200,000 would be provided by the State Government to part fund a shark barrier net within the City of Albany at Middleton Beach.
6. Previous preliminary studies identified Middleton Beach as a possible suitable location due to favourable coastal conditions and the popularity of the beach.

DISCUSSION

7. Shark barrier netting is designed to prevent the movement of sharks into bathing areas, which is different to shark netting which is designed to ensnare sharks and thus deplete their population.
8. Noting the potential financial impost now and into the future and the high public profile of such an initiative, Council consideration is necessary as to whether it wishes to further progress this initiative.
9. It is proposed that prior to making any commitment to physical works that a more detailed feasibility study be undertaken, which will enable Council to make an informed decision on the matter.
10. The proposed feasibility will address the following:
 - a. Suitability of the proposed location taking into consideration coastal conditions in more detail;
 - b. Options analysis;
 - c. Whole of life cost analysis on those options;
 - d. Provide advice on approvals required;
 - e. Consider the stakeholder and community consultation.
11. Depending on approvals and the feasibility the intention is to install the shark barrier net this summer.
12. City officers have conducted some preliminary research on two local governments in Western Australia who are trialling shark barrier nets. The two examples are detailed below.

Example 1 – Temporary Installation “Eco Shark Barrier”
13. The City of Cockburn has undertaken a three year trial of the “Eco Shark Barrier” installed at Coojee Beach, which commenced in 2014.
14. The “Eco Shark Barrier” will remain in place during both summer and winter months and will test the barriers ability to withstand wave action and storm events (*this varies from the City of Busselton trial discussed below that was only installed during summer*).

15. The Eco Shark Barrier comprises of clip together uPVC star segments hung between a continuous uPVC float line on the water surface and a continuous anchored line running along the sea bed.
16. The barrier forms an enclosure approximately 300 metres long by 75 metres wide parallel to the beach.



Image 1 – Eco Shark Barrier installed at Coogee Beach March 2014

17. The proponent Eco Shark Barrier Pty Ltd retains responsibility for the installation, management, insurance, cleaning; and monitoring of the barrier for the entire period of the trial including its removal at the end of the trial, if required.
18. The expense to the City of Cockburn for this trial was minimal due to the initial agreement between the suppliers and the City to test market success of the new product.
19. According to a recent report in 2014 by the City of Cockburn, the barrier trial for the first year is considered to have been a success. To date there has been:
 - No injuries of any kind reported to have occurred by beachgoers on account of the barrier being in place.
 - No marine animals became entrapped in the barrier or otherwise came to observable harm on account of the barrier being in place. Observations during the course of the trial in fact showed that the barrier presented a welcome marine habitat for various fishes and other sea creatures.
 - No observable accretion or erosion occurred over the length of the trial.
 - No reported or observed floating seaweed or flotsam being caught on the barrier and building up such as to test or threaten the strength and performance of the barrier.
 - No reported or observed incidents or issues associated with boats, canoes or other watercraft. The barrier was required to be prominent with yellow coloured floats and navigation markers and beacons which would have assisted in this regard.

Reported Community Feedback: General positive acceptance of the barrier by regular, occasional beachgoers and new visitors to the beach. Finding from 499 survey responses:

- 94% felt the barrier provided them a safe swimming area and reduced the risk of a shark encounter;
- 78% of survey respondents indicated the barrier meant they were more likely to visit Coogee Beach as compared to beaches elsewhere.

Example 2 – Permanent Installation

20. Another option and example of the employment of shark barrier netting can found at the Dunsborough Beach, installed and maintained by the City of Busselton.
21. A report commissioned by the Department of Premier and Cabinet to review the trial revealed the following:
 - The Dunsborough beach enclosure net was constructed by installing 6 permanent piles roughly parallel to the shoreline to which the net could subsequently be secured.
 - The nets at Dunsborough beach fulfilled their requirements and with minor adjustments maintained a complete beach barrier.
 - The netting did get fouled by longshore movement of wrack (detached seagrass fronds) and required frequent attention to remove the detritus. Bio-fouling occurred but did not hinder the performance of the net and no by-catch was recorded.
 - The ability to relatively easily remove and deploy the netting (minor cost) mitigates the longer-term bio-fouling risk.
 - The net can be removed during the lower beach use/storm season (winter) and land based cleaning can be employed to reduce cost.
 - Reported Community Feedback: The findings were:
 - a limited regular user survey indicated that overall beachgoers felt safer and more inclined to swim in the enclosure; and
 - the City of Busselton was positive and ongoing deployment of the beach enclosure or a similar structure was supported.
22. Noting that further options may be considered and public opinion and input is yet to be assessed, of the two examples (options), the City of Cockburn option to install a trial shark barrier appears an appropriate measured course of action.

GOVERNMENT & PUBLIC CONSULTATION

23. It is proposed that community consultation is undertaken (in conjunction with a feasibility study) prior to any decision being made. Noting stakeholders such as the Albany Surf Life Saving Club who currently patrol Middleton Beach have not been consulted.
24. Approvals may be required to be granted from:
 - a. The Department of Lands (permission to use crown land and meet the requirements of the Aboriginal Heritage Act);
 - b. The Department of Planning & Infrastructure;
 - c. The Department of Transport (permission and granting of a license for the structure to be placed in the marine environment);
 - d. The Department of Parks and Wildlife to install pylons on the sea bed;

- e. Southern Ports Authority will need to assess the proposal and may require a lease arrangement where there is an impact on port controlled waters; and
- f. Environmental Protection and Biodiversity Conservation Act considerations and approvals may also be required and need to be more fully investigated with consideration given to the time these approvals may take.

STATUTORY IMPLICATIONS

25. There are no statutory implications relations related to this report.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

27. The risk identification and categorisation relies on the City’s [Enterprise Risk Management Framework](#).

Risk Category	Likelihood	Consequence	Risk Analysis	Mitigation
People Health & Safety: <i>The integrity of the barrier could be compromised after an encounter with a large shark or storm, therefore exposing swimmers to shark attack.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Work with stakeholder groups, community and consider appropriate resources to inspect the integrity of the structure in the feasibility.</i>
Legal & Compliance: <i>Failure to comply with conditions of insurance coverage, could expose the City of Albany to public liability litigation in the event of an injury/shark attack.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Put in processes and assign appropriate compliance checks.</i>
Community: <i>Current community swimming activities may be disrupted or impacted by the installation of a shark barrier net.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Work with stakeholder groups in the feasibility and design phase.</i>
Reputation: <i>Regardless of course of action taken (to proceed or not to proceed) negative and positive public opinions will result.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Conduct robust community and stake-holder consultation in conjunction with a feasibility study.</i>
Financial: <i>Uncertainty of capital and recurrent costs due to location suitability and product life.</i>	<i>Almost certain</i>	<i>Moderate</i>	<i>High</i>	<i>Conduct a thorough feasibility and coastal assessment to ensure suitability for this type of infrastructure is suitable. Conduct whole of life cost analysis.</i>

FINANCIAL IMPLICATIONS

28. The estimated costs of the two examples are shown below.

City of Busselton	
Capital	Operational
\$150,000 infrastructure purchase and installation	\$50,000 annual maintenance
City of Cockburn	
Capital	Operational
\$255,000 to purchase infrastructure	\$70,000 annual maintenance
\$100,000 per annum <u>to lease</u>	\$30,000 annual maintenance including product cleaning, periodic inspections

- 29. The City would need to make allowance for any costs over and above the \$200,000 funding offered. In addition, the City needs to consider the recurrent costs associated with inspections and maintenance and make provision in future budgets.
- 30. Renewal/replacement cost implications have not been analysed at this stage. This would be undertaken as part of a thorough feasibility assessment.
- 31. The City may require expert assistance from a Coastal Engineer as part of the feasibility. In this case any consultant fees would be charged to existing accounts associated with ongoing strategic works being undertaken for Emu Point and Middleton Beach and if necessary be considered as part of the midyear budget review process.

LEGAL IMPLICATIONS

32. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

- 33. In the context of this proposal it is important to establish the difference between shark ‘barrier’ nets and shark nets used to capture and control sharks. The terminology ‘barrier nets’ or ‘beach enclosure’ refer to non-lethal/non shark-capture nets. The deployment of barrier nets to prevent the movement of sharks into bathing areas is a method for mitigating the risk of shark attack and provides peace-of-mind to beach goers who feel unsafe in this environment.
- 34. Given the results of both the City of Cockburn and the City of Busselton trials and the demonstration that there is minimal impact on the marine environment it is suggested at this initial stage that the environmental impact is minimal.
- 35. Based on experience of City of Busselton and City of Cockburn approval will be required by the Department of Parks & Wildlife relating to installation of pylons on the sea floor.
- 36. The issue of “Bio Fouling” at the Middleton Beach location will require serious consideration.

ALTERNATE OPTIONS

37. Council can chose to not pursue this initiative and decline the offer of funding.

SUMMARY CONCLUSION

38. The City of Albany has been offered funding to install a shark barrier net at Middleton Beach. While some preliminary investigation indicates the proposal is feasible, the City has not had the opportunity to assess the feasibility in detail or consult with the community. In addition Council will need to consider whether it wants to make any financial commitment. This report recommends that a detailed feasibility be undertaken prior to any commitment being made with respect to the installation.

Consulted References	:	• <i>Review of the Dunsborough Beach Enclosure Trial, Hydrobiology 2014</i>
File Number (Name of Ward)	:	Frederickstown Ward & Breaksea Ward
Previous Reference	:	Nil

WORKS AND SERVICES COMMITTEE MEETING
AGENDA – 12/08/2015

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil.**
16. **REPORTS OF CITY OFFICERS**
17. **MEETING CLOSED TO PUBLIC Nil.**
18. **CLOSURE**