

MINUTES

Ordinary Meeting of Council

Tuesday 22 October 2024

6.00pm

Council Chambers



TABLE OF CONTENTS

Item	Details	Pg#
1.	DECLARATION OF OPENING	4
2.	PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	4
3.	RECORD OF APOLOGIES AND LEAVE OF ABSENCE	4
4.	DISCLOSURES OF INTEREST	4
5.	REPORTS OF MEMBERS	5
6.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
7.	PUBLIC QUESTION TIME	7
8.	APPLICATIONS FOR LEAVE OF ABSENCE	8
9.	PETITIONS AND DEPUTATIONS	8
10.	CONFIRMATION OF MINUTES	8
11.	PRESENTATIONS	9
12.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS	9
13.	MINUTES AND RECOMMENDATIONS OF COMMITTEES	
CCS	Corporate and Community Services Committee	
CCS662	MONTHLY FINANCIAL REPORT AUGUST 2024	10
CCS663	LIST OF ACCOUNTS FOR PAYMENT SEPTEMBER 2024	13
CCS664	DELEGATED AUTHORITY REPORTS 16 AUGUST 2024 TO 15 SEPTEMBER 2024	16
CCS665	CORPORATE SCORECARD JULY TO SEPTEMBER 2024 QUARTER	17
CCS666	TENDERS AWARDED REPORT-JULY TO SEPTEMBER 2024	21
CCS667	POLICY REVIEW-PURCHASING POLICY	22
CCS668	POLICY REVIEW-BUY LOCAL POLICY	29
CCS669	PROPOSED NEW LEASE AND LICENCE-MADELEINE BURGER-CAFÉ AND VENDING MACHINE-ALBANY LEISURE AND AQUATIC CENTRE	32
CCS670	REGIONAL EVENTS AND FILM SPONSORSHIP	37
CCS671	SURRENDER AND NEW REPLACEMENT LEASE-PORTION OF RESERVE 22698-CONFIDENTIAL	44
CCS672	LOCAL GOVERNMENT ELECTIONS-REVIEW OF WALGA ADVOCACY POSITIONS	45
DIS	Development and Infrastructure Services Committee	
DIS415	C24017 LOCKYER EAST WEST PATH LINK-CLIFTON STREET TO MENZIES STREET	51
DIS416	MILL AND FILL PROFILING AND ASPHALT WORKS	55
DIS417	INITIATION TO ADOPT AMENDMENT NO. 3 TO LOCAL PLANNING SCHEME NO. 2 FOR ADVERTISING	64
DIS418	PLANNING AND BUILDING REPORTS SEPTEMBER 2024	73
DIS419	CONTRACT AWARD-DELIVERY OF WASTE SERVICES-This report will be distributed prior to the Ordinary Council Meeting	74
DIS420	CONTRACT AWARD- MIDDLETON ROAD RESURFACING AND CYCLE LINK-This report will be distributed prior to the Ordinary Council Meeting	79
AR	Audit and Risk Committee	
AR154	MANAGEMENT OF PURCHASING CARDS-PROGRESS REPORT	83
AR157	RECEIVE THE CONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 10 JUNE 2024	86

ORDINARY COUNCIL MEETING AGENDA
22/10/2024

LEMC	Local Emergency Management Committee	
LEMC036	RECEIVE THE MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 13 JUNE 2024	87
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL	88
15.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	88
16.	REPORTS OF CITY OFFICERS	88
17.	MEETING CLOSED TO THE PUBLIC	88
18.	CLOSURE	88

1. DECLARATION OF OPENING

The Mayor declared the meeting open at 6.00pm

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

"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

G Stocks

Councillors:

Councillor

P Terry (Deputy Mayor)

Councillor

L MacLaren

Councillor

C McKinley

Councillor

T Brough

Councillor

S Grimmer

Councillor

R Sutton

Councillor

M Lionetti

Councillor

M Traill

Councillor

D Baesjou

Staff:

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

M Gilfellon

Executive Director Infrastructure, Development
& Environment

P Camins

Executive Director Community Services

N Watson

Meeting Secretary

D Clark

Apologies/Leave of Absence:

Councillor

A Cruse (Leave of Absence)

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest
Councillor Traill	CCS672	Impartiality. The nature of the interest being that Councillor Traill has worked on a casual basis in the past (2001-2021) for the WAEC. Councillor Traill remained in the Chamber and participated in the discussion and vote for this item.
Councillor MacLaren	CCS670	Impartiality. The nature of the interest being that Councillor MacLaren is a member of Albany Pride. Councillor MacLaren remained in the Chamber and participated in the discussion and vote for this item.

5. REPORTS OF MEMBERS

6:02pm Councillor Lionetti

Summary of Key Points:

Councillor Lionetti reflected on his first 12 months as an elected member and thanked Council for their support in making it a positive experience.

Councillor Lionetti said that he was very honoured to attend the Albany Chamber of Commerce and Industry Awards dinner and the inaugural presentation of the Len Smith Medal.

6:03pm Councillor Sutton

Summary of Key Points:

Councillor Sutton commented on the competitive real estate market which is making it very difficult for lower income earners and first home buyers to enter the market.

Councillor Sutton also commented on the traffic disruption caused by the partial closure of Ulster Road for essential infrastructure works by Water Corporation and said that this highlighted the need for the Range Road extension which would assist in the future by providing an alternate route.

6:06pm Councillor Traill

Summary of Key Points:

Councillor Traill reminded everyone of the upcoming Australia Day Citizen of the Year Awards and said that Ms Annette Davis, the 2014 Community Citizen of the Year has her "Tethering" Exhibition at the Albany Town Hall.,

Councillor Traill said that he was looking forward to attending the State Heritage Conference to be held in Albany, and that he very much enjoyed watching the Perth Glory vs Newcastle Jets game held recently in Albany.

6:09pm Councillor Baesjou

Summary of Key Points:

Councillor Baesjou attended a number of venues that participated in the Southern Art and Craft Trail and was very impressed with the high quality of the work exhibited.

Councillor Baesjou attended the Perth Glory v Newcastle Jets game. Councillor Baesjou also attended the MSWA Thank You function and was impressed by the commitment and passion of this amazing organisation.

Councillor Baesjou attended the annual WALGA Convention held this month and said that it was a valuable networking opportunity.

6:11pm Councillor Grimmer

Summary of Key Points:

Councillor Grimmer attended a number of events this month and said that the 5-year Celebration of the Long Live You program held at ALAC was the highlight. Councillor Grimmer then provided some light entertainment by singing his version of "The Gum Boot" song and dedicated his performance to the Albany Public Library and its amazing staff.

6:14pm Councillor Brough

Summary of Key Points:

Councillor Brough advised that he had visited Shalom House recently, and that homelessness is a growing issue. Shalom House provides shelter for men and operates solely on donations from the community and local businesses.

Councillor Brough also raised the issue of live sheep export noting that Council has formalised an advocacy position on this issue in support of farmers who may be affected by the cessation of the live sheep trade. Councillor Brough and Councillor Lionetti attended the "Frock to the Flock Ball" in Kendenup and enjoyed the event.

6:17pm Councillor McKinley

Summary of Key Points:

Councillor McKinley attended the annual WALGA Conference in Perth and enjoyed the program. Former WA Premier Mr Colin Barnett was a speaker at the Conference and raised the urgency of upgrading Albany Highway to a dual carriage way. Councillor McKinley said that he strongly supported that position and would also encourage consideration of a regular passenger train service operating between Perth and Albany.

6:19pm Deputy Mayor Terry

Summary of Key Points:

Deputy Mayor Terry attended the following events on behalf of Council:

- Police Remembrance Day
- Perth Glory v Manchester Jets match, congratulations to the organisers
- Carers Advisory Council Carers Conversation and Celebration
- Officially opened the Albany Regional Prison Prisoner Art Exhibition
- Great Southern Wine Show Awards
- The ACCI 2024 Great Southern Business Awards and the honour of presenting the Len Smith Medal for Outstanding Individual in Tourism to Dr Lenore Lyons

Deputy Mayor Terry also congratulated Kerin Young, Nurse Practitioner from the Albany Health Campus for being a finalist in the 2024 WA Health Excellence Awards.

6:24pm Councillor MacLaren

Summary of Key Points:

Councillor MacLaren attended the following events:

- Workshop on Local Government's role in ending Homelessness
- Green Fair on the Square
- 2024 WALGA Convention
- Planning Showcase
- Charlie and the Chocolate Factory
- Mad Hatters Tea Party
- "Tethering" Exhibition
- Met with the Hon Dr Brad Pettit MLC regarding sustainable housing

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

7. PUBLIC QUESTION TIME

Conduct of Persons at Meetings: Members of the public attending meetings must be respectful of the Presiding Member, Council and City Officers to ensure the meeting runs efficiently.

Prevention of Disturbance:

- Members of the public are admitted to meetings with the understanding that no expressions of dissent, approval, conversations or other interruptions will take place during proceedings.
- Attendees must:
 - Refrain from interrupting the meeting through approval, dissent or conversation.
 - Conduct themselves appropriately and follow directions if asked to leave.
 - Avoid obstructing access to the meeting or causing disturbances.

Public Question Time. In accordance with clause 4.2 (Procedures for public question time) and clause 8.3 (Where this local law does not apply or is silent) of the *City of Albany Standing Orders Local Law 2014 (as amended)*:

- Public Question Time is limited to 30 minutes, extendable at the discretion of the Presiding Member.
- The Presiding Member may decline to respond to a question if:
 - The same or a similar question was asked at a previous meeting.
 - The question or statement is offensive, unlawful or defamatory. The Presiding Member may request that it be rephrased to ensure that it is appropriate.

Contents of Minutes As per the *Local Government (Administration) Regulations 1996*, regulation 11:

- The minutes of the meeting will include a summary of questions raised during Public Question Time and a summary of the response.

Documents Tabled at Meetings. Documents tabled during Public Question Time or Reports of Members will not be included in the minutes. The minutes will note who tabled the document and will provide a document reference number.

6:29pm Kristen Pyrz-Brown, ACCI CEO
Summary of key points:

Ms Pyrz-Brown thanked Council for the inaugural Len Smith Medal for Outstanding Individual in Tourism, awarded to Dr Lenore Lyons.

Ms Pyrz-Brown also commended the Council for supporting the Perth Glory v Newcastle Jets match held in Albany which resulted in a direct spend of approximately \$180,000 to the local economy. Ms Pyrz-Brown said that this event should be supported for a further two years.

6:32pm Yasmin Bartlett,
Summary of key points:

Ms Bartlett addressed Council regarding her concerns over book classification in public libraries, fluoride in public drinking water and the 5G network.

6:36pm Gerry Van der Wal, Shalom House

Mr van der Wal addressed Council regarding Shalom House and the services this facility provides to disadvantaged or at risk individuals experiencing homelessness. Mr van der Wal said Shalom House relies solely on donations to operate this service, with no funding received from any tier of government.

Mr van der Wal requested assistance from City staff to apply for relevant grants or other funding streams.

6:40pm Connie Dekter, Little Grove
Summary of key points:

Ms Dekter addressed Council regarding her views on books in the Albany Public Library. Ms Dekter advised that other Libraries within WA had moved the books (Welcome to Sex and Sex: a book for teens and any other similar books) to a different location, out of reach of children, with signage advising that parental supervision is required and an 18+ restriction on some e-Books. Ms Dekter asked if the Albany Library would do the same.

Mayor Stocks advised Ms Dekter that the State Library were not aware of any libraries within WA taking these steps and that the State Library is the agency responsible for e-Books.

Ms Dekter also requested that future City of Albany funded events were "G"rated.

Mayor Stocks advised that events are assessed on their merits and against a range of funding criteria. Events that are funded by the City or held in City venues are reminded of their obligations to comply with child safety requirements and implement age restrictions where appropriate.

6:47pm Sam Stevens, Chairperson Friends of the Stidwell Bridle Trail
Summary of key points:

Ms Stevens thanked the City of Albany for their ongoing support of the Friends of the Stidwell Bridle Trail, including the installation of gates and fencing works.

6:49pm Julie De Jong, Robinson. Friends of Stidwell Bridle Trail
Summary of key points:

Ms De Jong thanked the City of Albany Recreation Services Team for the installation of gates and fencing for the Stidwell Bridle Trail.

There being no further speakers the Mayor declared Public Question Time closed.

8. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR MCKINLEY

SECONDED: COUNCILLOR SUTTON

THAT Councillor Brough be GRANTED Leave of Absence for the period 01 November 2024 to 31 December 2024 inclusive.

CARRIED 10-0

9. PETITIONS AND DEPUTATIONS Nil

10. CONFIRMATION OF MINUTES

RESOLUTION:

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR TRAILL

SECONDED: COUNCILLOR TERRY

THAT the minutes of the Ordinary Council Meeting held on 24 September 2024, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10-0

11. PRESENTATIONS.

The Mayor presented the Inaugural Len Smith Medal for Outstanding Individual in Tourism to Dr Lenore Lyons. Mayor Stocks said this award recognises individuals that have demonstrated inspirational leadership in the Albany tourism industry. Mayor Stocks paid tribute to the late Mr Len Smith for his tireless work promoting Albany as a tourist destination. Mr Smith was made a Life Member of the ACCI in recognition of his philanthropy and long service to the business community of Albany.

Mayor Stocks said that Dr Lyons was a very worthy winner of the award, with over 20 years contribution to the Albany eco-tourism industry.

Dr Lyons thanked the City of Albany, the Albany Chamber of Commerce and Industry and most importantly Len Smith's family, Susan Campbell and Graeme Smith, who were in attendance. Dr Lyons said that she was very humbled to be considered for this award.

The Mayor also presented representatives of the Senior and Junior Great Southern Soccer Association with a framed Perth Glory Jersey, provided by Perth Glory, to thank the community for their support.

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

CCS662: MONTHLY FINANCIAL REPORT – AUGUST 2024

Proponent / Owner : City of Albany
Attachments : Monthly Financial Report – August 2024
Report Prepared By : Manager Finance
Authorising Officer: : Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** Leadership.
 - **Outcome:** Strong workplace culture and performance

IN BRIEF

- Under the Local Government Financial Management Regulations, a local government is to prepare monthly a statement of financial activity and statement of financial position that is presented to Council.
- The City of Albany's Monthly Financial Report (inclusive of the statement of financial activity and the statement of financial position) for the period ending 31 August 2024 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City's Investment of Surplus Funds Policy.
- The financial information included within the Monthly Financial Report for the period ended 31 August 2024 is preliminary and has not yet been audited.

RECOMMENDATION

CCS662: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR MACLAREN

THAT the Monthly Financial Report for the period ending 31 August 2024 be RECEIVED.

CARRIED 10-0

CCS662: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR GRIMMER

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS662: AUTHORISING OFFICER RECOMMENDATION

THAT the Monthly Financial Report for the period ending 31 August 2024 be RECEIVED.

DISCUSSION

2. To fulfil statutory reporting obligations, the Monthly Financial Report prepared provides a snapshot of the City's year to date financial performance. The report provides the:
 - (a) Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the *Local Government (Financial Management) Regulations 1996*);
 - (b) Statement of Financial Position (satisfying Regulation 35 of the *Local Government (Financial Management) Regulations 1996*);
 - (c) Basis of Preparation;
 - (d) Explanation of material variances to year-to-date budget;
 - (e) Net Current Asset & Funding Position;
 - (f) Investment Portfolio Snapshot;
 - (g) Receivables; and
 - (h) Capital Acquisitions.
3. Additionally, each year a local government is to adopt a percentage or value to be used in the Statement of Financial Activity for reporting material variances. Under Council item CCS647, Council approved that a variance between actual and budget-to-date of greater than \$100,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2024/2025.
4. The Statement of Financial Activity and Statement of Financial Position may be subject to year-end adjustments and have not been audited.
5. It is noted that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."

STATUTORY IMPLICATIONS

6. The *Local Government (Financial Management) Regulations 1996* stipulate that each month Local Governments are required to prepare and report a Financial Activity Statement (reg 34) and a Financial Position Statement (reg 35).
7. Each of these statements are to be presented at an ordinary meeting of the council within 2 months after the end of the relevant month, as well as recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS

8. The City's 2024/25 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 31 August 2024 has been incurred in accordance with the 2024/25 budget parameters.
11. Details of any budget variation more than \$100,000 (year to date) is outlined in the Statement of Financial Activity. There are no other known events, which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

LEGAL IMPLICATIONS

12. Nil.

ENVIRONMENTAL CONSIDERATIONS

13. Nil.

ALTERNATE OPTIONS

14. Nil.

CONCLUSION

15. The Authorising Officer's recommendation be adopted.
16. It is requested that any questions regarding this report are submitted to the Executive Director Corporate & Commercial Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

Consulted References	:	<i>Local Government (Financial Management) Regulations 1996</i>
File Number	:	FM.FIR.7

CCS663: LIST OF ACCOUNTS FOR PAYMENT – SEPTEMBER 2024

Business Entity Name : City of Albany
Attachments : List of Accounts for Payment
Report Prepared By : Manager Finance
Authorising Officer: : Executive Director Corporate and Commercial Services

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/Priority:** Leadership.
 - **Outcome:** Strong workplace culture and performance.

IN BRIEF

- Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

RECOMMENDATION

CCS663: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MACLAREN

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 September 2024 totalling \$6,357,162.76 be RECEIVED.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor Lionetti

CCS663: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TRAILL
SECONDED: DEPUTY MAYOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS663: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 September 2024 totalling \$6,357,162.76 be RECEIVED.

DISCUSSION

2. The table below summarises the payments drawn from the City's Municipal and Trust funds for the period ending 15 September 2024. Please refer to the Attachment to this report.

Fund	Transaction Type	Amount (\$)	%
Municipal	Electronic Funds Transfer	\$4,308,576.72	67.78%
Municipal	Payroll	\$2,033,743.07	31.99%
Municipal	Credit Cards	\$14,842.97	0.23%
Municipal	Cheques	\$0.00	0.00%
Trust	N/A	\$0.00	0.00%
TOTAL		\$6,357,162.76	100.00%

3. Included within the Electronic Funds Transfers from the City's Municipal account are Purchasing Card transactions, required to be reported under Regulation 13(A), totalling: \$78,486.98.
4. The table below summaries the total outstanding creditors as at 15 September 2024.

Aged Creditors	Amount (\$)
Current	\$45,869.30
30 Days	\$570,226.13
60 Days	\$130.38
90 Days	-\$160.87
TOTAL	\$616,064.94

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996*, provides that payment September 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.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. 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.
8. As part of the Local Government Regulations Amendment Regulations 2023 (SL2023/106), additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, requires Local Governments to report on payments by employees via purchasing cards.

POLICY IMPLICATIONS

9. Expenditure for the period to 15 September 2024 has been incurred in accordance with the 2024/2025 budget parameters.

FINANCIAL IMPLICATIONS

10. Expenditure for the period to 15 September 2024 has been incurred in accordance with the 2024/2025 budget parameters.

LEGAL IMPLICATIONS

11. Nil

ENVIRONMENTAL CONSIDERATIONS

12. Nil

ALTERNATE OPTIONS

13. Nil

CONCLUSION

14. That the list of accounts have been authorised for payment under delegated authority.
15. 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	:	FM.FIR.2

CCS664: DELEGATED AUTHORITY REPORTS – 16 AUGUST 2024 to 15 SEPTEMBER 2024

Proponent / Owner : City of Albany
Attachments : Executed Document and Common Seal Report
Report Prepared By : PA to Mayor and Councillors
Authorising Officer: : Chief Executive Officer

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

CCS664: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR BAESJOU

THAT the Delegated Authority Reports 16 August 2024 to 15 September 2024 be RECEIVED.

CARRIED 10-0

CCS664: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BAESJOU

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS664: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 August 2024 to 15 September 2024 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: LG1.18 (D006)** – Sign Documents on Behalf of the City of Albany (Authority to Executive Deeds & Agreements and apply the Common Seal)
 - **Delegation: LG4.06 (D009)** – Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding (Including the provision of sponsorship through the waiver of fees & charges)
 - **Delegation: LG5.05 (D018)** – Award Contracts (Supply of Equipment, Goods, Materials & Services)

**CCS665: CORPORATE SCORECARD – JULY TO SEPTEMBER
2024 QUARTER**

Attachments : Corporate Scorecard: Q1 2024-25: CBP Actions
Corporate Scorecard: Q1 2024-25: CEO KPIs - Confidential Attachment

Report Prepared By : Business Planning and Performance Coordinator

Authorising Officer: : Manager Finance

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany's Strategic Community Plan 2032 or Corporate Business Plan 2024-2028 informing plans or strategies:
 - **Pillar:** Leadership.
 - **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.

In Brief:

- The Strategic Community Plan 2032 (SCP) and the first Corporate Business Plan (CBP) were adopted by Council in August 2021.
- The CBP outlines a comprehensive suite of strategic actions that effectively form Council's priority commitments to the community.
- The 'Corporate Scorecard' provides a summary overview of these actions, while adding commentary on those that are not 'on track'.
- A separate 'CEO Key Performance Indicators (KPIs)' update report is now provided in the same format.

RECOMMENDATION

CCS665: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR TRAILL

THAT the Corporate Scorecard: Q1 2024-25: CBP Actions and Corporate Scorecard: Q1 2024-25: CEO KPI's for the July to September 2024 quarter be NOTED.

CARRIED 10-0

CCS665: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TRAILL
SECONDED: DEPUTY MAYOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS665: AUTHORISING OFFICER RECOMMENDATION

THAT the 'Corporate Scorecard: Q1 2024-25: CBP Actions and Corporate Scorecard: Q1 2024-25: CEO KPI's for the July to September 2024 quarter be NOTED.

BACKGROUND

2. The SCP establishes the results the community expects Council to achieve through the City, while the CBP describes the specific actions necessary to achieve those results.
3. Delivery of these actions are monitored through the City's strategy management software 'CAMMS', which defines the associated project milestones for the current financial year and enable reporting against them.

DISCUSSION

4. The attached 'Corporate Scorecard' reports provide an update on the status of CBP actions and CEO KPI's for the July to September 2024 quarter.
5. These reports retain the general traffic-light model, with the following threshold specifications:
 - 'Off Track' (red) actions are less than 70% complete relative to the established project milestone.
 - 'Monitor' (amber) actions are more than 70% but less than 90% complete relative to the established project milestone.
 - 'On Track' (green) actions are 90% or more complete relative to the established project milestone.
 - 'No Target Set' actions are yet to commence or are ongoing services with no milestone.
 - Completed actions are subsumed within the 'On Track' actions.
6. A significant amount of work has now been done to re-establish service-type actions within new, operationally focussed 'Service Plans'.
7. The Executive Management Team have determined that approximately half of the current actions in the CBP currently assigned to City staff are more appropriately monitored through service level KPI's (most of which are now established in the aforementioned Service Plans) than through the CBP's 'milestone' framework.
8. These service-type actions will be further developed and monitored through the Service Plans, while being indicated as 'No Target Set' per point 5 above.
9. Further information will be provided on this process within the Major Strategic Review presentation to Elected Members at the 15 October 2024 Strategic Workshop.
10. The first CEO KPI update for 2024-25 has also been annexed to this item for consideration. It has long been intended to integrate this process into the existing quarterly corporate reporting framework to improve efficiency and consistency.

GOVERNMENT & PUBLIC CONSULTATION

11. N/A.

STATUTORY IMPLICATIONS

12. There are no direct statutory implications, however the Report supports the City's obligations under *Local Government (Administration) Regulations 1996*, regulation 19DA in relation specifically to the Corporate Business Plan:

Corporate Business Plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in *accordance with section 5.56*, which states:

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*

- (3) *A corporate business plan for a district is to —*
- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *Govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. ***Absolute majority required.***
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

POLICY IMPLICATIONS

13. N/A.

RISK IDENTIFICATION & MITIGATION

14. Risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational/Business Operations: Loss of reputation from not following through on commitments outlined in the CBP.	Likely	Minor	Moderate	Staff to review and address areas of concern prior to reconsideration by Council.
Opportunity: Significantly enhanced oversight of CBP Actions, leading to improved community perception of Council leadership.				

FINANCIAL IMPLICATIONS

15. N/A.

LEGAL IMPLICATIONS

16. N/A.

ENVIRONMENTAL CONSIDERATIONS

17. N/A.

ALTERNATE OPTIONS

18. Council may choose not to review progress of commitments made in the CBP through the Report, and delegate this oversight to the City's Executive.

CONCLUSION

19. It is recommended the 'Corporate Scorecard: Q1 2024-25: CBP Actions' and the 'Corporate Scorecard: Q1 2024-25: CEO KPI's be noted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995, s5.56</i>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i>• <i>IPR Framework and Guidelines 2019</i>
File Number (Name of Ward)	:	All Wards
Previous Reference	:	<ul style="list-style-type: none">• OCM 09/04/2024 - Report Item CCS618• OCM 23/07/2024 - Report Item CCS643

CCS666: TENDERS AWARDED REPORT – JULY TO SEPTEMBER 2024

Proponent : City of Albany
Attachments : Tenders Awarded Report – July to September 2024
Report Prepared by : Manager Finance
Authorising Officer : Executive Director Corporate & Commercial Services

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

CCS666: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BROUGH

THAT the Tenders Awarded Report – July to September 2024 be RECEIVED.

CARRIED 10-0

CCS666: COMMITTEE RECOMMENDATION

MOVED: DEPUTY MAYOR TERRY
SECONDED: MAYOR STOCKS

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS666: AUTHORISING OFFICER RECOMMENDATION

THAT the Tenders Awarded Report – July to September 2024 be RECEIVED.

CCS667: POLICY REVIEW – PURCHASING POLICY

Proponent	: City of Albany
Attachments	: DRAFT: Purchasing Policy 2024
Report Prepared by	: Manager Finance
Authorising Officer	: Executive Director Corporate & Commercial Services

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.
 - **Outcome:** Strong workplace culture and performance.
 - **Pillar:** Planet.
 - **Outcome:** Shared responsibility for climate action.
 - **Pillar:** Prosperity
 - **Outcome:** A strong, diverse, and resilient economy with work opportunities for everyone.

In Brief:

- Council is requested to consider the amendments to the Purchasing Policy.

RECOMMENDATION

CCS667: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the reviewed Purchasing Policy be ADOPTED with an amendment to point 21 to read “maximum assessment weighting of 5%”.

CARRIED 7-3

Record of Vote

Against the Motion: Councillors Lionetti, Brough and McKinley

CCS647: AMENDMENT BY COUNCILLOR BROUGH

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT the reviewed Purchasing Policy be ADOPTED with the removal of points 17 – 21 of the policy.

LOST 4-6

Record of Vote

For the Motion: Councillors Brough, McKinley, Lionetti and Sutton

Councillor Brough then moved an amendment to the Committee Recommendation.

CCS667: AMENDMENT BY COUNCILLOR GRIMMER

MOVED: COUNCILLOR GRIMMER
SECONDED: NO SECONDER

THAT the reviewed Purchasing Policy be ADOPTED with the following amendments to Sections 17-21:

17. At the City of Albany we recognise the importance of our natural environment, local community and ethical business practices.

18. This Policy integrates these considerations into the City's purchasing practices by providing a practical and consistent approach to assessing Environmental, Social and Governance (ESG) factors.

19. For purchases greater than \$50,000, it will be mandatory that ESG is an evaluation criterion when assessing submissions from suppliers, with a standard assessment weighting of 5%. Although not mandatory, the ESG principles in this Policy can apply to purchases under \$50,000 and should be applied wherever possible.

20. The following are the standard ESG evaluation criteria to be applied to all relevant tenders and quotes:

Environmental: Describe what your business does to protect and/or improve the Albany natural environment.

Social: Describe what your business does to connect with and support the Albany community.

Governance: Describe the governance practices your business has in place to deliver what you promise on time in an ethical and cost-effective manner.

21 Amend to read "maximum assessment weighting of 5%.

MOTION LAPSED
NO SECONDER

Councillor Grimmer then moved an amendment to the Committee Recommendation.

CCS667: COMMITTEE RECOMMENDATION (AMENDED MOTION BY MAYOR STOCKS)

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the reviewed Purchasing Policy be ADOPTED with an amendment to point 21 to read "maximum assessment weighting of 5%".

CCS667: COMMITTEE RECOMMENDATION (AMENDED MOTION BY MAYOR STOCKS)

MOVED: MAYOR STOCKS
SECONDED: COUNCILLOR SUTTON

THAT the reviewed Purchasing Policy be ADOPTED with an amendment to point 21 to read "maximum assessment weighting of 5%".

CARRIED 5-4

Record of Vote

Against the Motion: Councillors Baesjou, Brough, Terry, and MacLaren

CCS667: AMENDMENT BY MAYOR STOCKS

MOVED: MAYOR STOCKS
SECONDED: COUNCILLOR SUTTON

THAT the reviewed Purchasing Policy be ADOPTED with an amendment to point 21 to read
“maximum assessment weighting of 5%”.

CARRIED 6-3

Record of Vote

Against the Motion: Councillors Baesjou, Terry and MacLaren

Mayor Stocks then moved an amendment to the Authorising Officer Recommendation.

CCS667: AMENDMENT BY DEPUTY MAYOR TERRY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR SUTTON

THAT the reviewed Purchasing Policy be ADOPTED with an amendment to point 21 to read
“minimum assessment weighting of 5% and maximum assessment weighting of 10%”.

LOST 3-5

Record of Vote

For the Motion: Deputy Mayor Terry, Councillors Baesjou and Traill

Deputy Mayor Terry then moved an amendment to the Authorising Officer Recommendation.

CCS647: AMENDMENT BY COUNCILLOR BROUGH

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR LIONETTI

THAT the reviewed Purchasing Policy be ADOPTED with the removal of points 17 – 21 of the policy.

LOST 2-7

Record of Vote

For the Motion: Councillors Brough and Lionetti

Councillor Brough then moved an amendment to the Authorising Officer Recommendation.

CCS667: AUTHORISING OFFICER RECOMMENDATION

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the reviewed Purchasing Policy be ADOPTED.

BACKGROUND

2. The Purchasing Policy for local governments in Western Australia serves as a critical regulatory framework, ensuring that procurement processes are conducted fairly, transparently, and in a manner that delivers value for public funds.
3. This policy framework is mandated by the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996, which set the legal requirements for procurement activities within local governments.
4. The Purchasing Policy not only ensures compliance with state regulations but also establishes clear guidelines for the acquisition of goods and services. Its primary objectives include securing the best value for public resources, managing procurement-related risks, and enhancing accountability in purchasing decisions.
5. Under the Local Government (Functions and General) Regulations 1996, a public tender process is required for any procurement that exceeds the prescribed threshold, currently set at \$250,000.
6. For purchases below this amount, local governments are required to implement procedures that foster competition, typically by seeking multiple quotations.
7. The policy also provides clear guidance on exemptions to the tendering process, such as in cases of emergency procurement or when a sole supplier is required due to the unique nature of the goods or services.
8. The policy is designed to promote fairness and value for money at all levels of procurement, regardless of the financial threshold. It ensures that, while lower-value purchases may not trigger the same stringent tender requirements, they are still subject to a competitive process that maximises efficiency and cost-effectiveness for the City.
9. In keeping with legislative requirements, the Purchasing Policy is regularly reviewed to align with changes in regulations and to reflect the City's evolving strategic goals.
10. The current review was undertaken with careful consideration of the City's Strategic Community Plan 2032 and the Corporate Business Plan 2023-2027.
11. The City's Strategic Community Plan 2032 outlines several key objectives that the revised Purchasing Policy is intended to support, including:
 - a. Objective 2.2.3: Developing a sustainable, low waste, circular economy.
 - b. Objective 5.2.2: Providing cost-effective financial management and achieving value for money in procurement activities.
 - c. Objective 5.3.1: Enhancing awareness, understanding, and engagement with City projects, activities, and decision-making processes.
12. The City's Corporate Business Plan 2023-2027 further reinforces the importance of aligning procurement practices with the City's broader social, economic, and environmental goals.
13. This is reflected in action item 5.2.2.2: *Provide a sustainable procurement and investment framework to ensure financial processes and service contracts are aligned with the City's social, economic and environmental outcomes.*

DISCUSSION

14. Attached to this agenda item are two documents: the revised draft of the Purchasing Policy and a marked-up version that highlights the changes from the current policy.
15. These revisions have been made to ensure that the policy remains up to date with best practices and continues to serve the City's strategic objectives.
16. One of the most significant updates to the policy is the formal introduction of sustainable procurement practices, with an emphasis on Environmental, Social, and Governance (ESG) factors.
17. This shift from Corporate Social Responsibility (CSR) to ESG reflects a broader commitment to sustainable procurement that aligns with the City's long-term goals. Although CSR elements are still included under the ESG umbrella, the focus on ESG allows for a more holistic approach to sustainability in purchasing decisions.
18. Currently, a minimum 5% weighting for CSR is applied to Major Quotations and Tenders when evaluating potential suppliers, though this has been a procedural requirement rather than a formal part of the policy.
19. The revised policy now proposes to formalise this requirement and shift the focus to ESG, demonstrating the City's commitment to embedding sustainability into its procurement processes. It is important to note that the weighting for ESG may exceed 5% in certain procurement activities, depending on the nature of the goods or services being acquired.
20. If the revised policy is adopted, the City will provide suppliers with guidance on how to address ESG criteria in their submissions for Major Quotations and Tenders. This will ensure that suppliers are well-prepared to meet the City's sustainability expectations and contribute to its broader environmental, social, and governance outcomes.
21. Another key change proposed in the revised policy relates to the Procurement Value Practices and Thresholds table, which outlines the minimum requirements for obtaining quotations and tenders based on purchase value. The proposed changes are as follows:

Current Policy		Proposed New	
Purchase Value Threshold (ex GST)	Minimum Requirement	Purchase Value Threshold (ex GST)	Minimum Requirement
Up to \$2,000	1 Verbal Quote	Up to \$2,000	No requirement
\$2,001 - \$5,000	2 Verbal Quotes	\$2,001 - \$5,000	1 Written Quote
\$5,001 - \$30,000	2 Written Quotes	\$5,001 - \$50,000	2 Written Quotes
\$30,001 - \$250,000	3 Written Quotes	\$50,001 - \$250,000	3 Written Quotes
Over \$250,000	Public Tender	Over \$250,000	Public Tender

22. Key points of note include:
 - a. Removing the requirement for any quotes up to \$2,000, which will reduce administrative burden and streamline low-value transactions, particularly with local businesses.
 - b. Removing verbal quotations entirely to improve record-keeping, ensuring that all procurement decisions are documented in writing, thereby enhancing transparency, accountability, and auditability.
 - c. Raising the threshold for requiring three written quotes from \$30,000 to \$50,000, which reduces the administrative load on smaller procurements while still promoting competitive practices.
23. Another important amendment is the removal of the Delegated Authority clause from the Purchasing Policy, which previously outlined the maximum purchase value that the CEO could authorise. It is now proposed that these delegation limits be governed by the City's Register of Delegations.

24. Under the revised framework, the CEO would have the authority to approve tenders up to \$1.0 million, an increase from the current limit of \$500,000.
25. Additional amendments to the policy have been made to provide clearer guidance to staff, suppliers, and the community. These changes include the introduction or revision of the following sections:
 - a. Procurement from Existing Contracts: Providing clarity on when existing contracts can be utilised.
 - b. Exemptions: Expanding the list of permissible exemptions under both legislative requirements and for purchases under \$250,000.
 - c. Non-Adherence to Purchasing Policy: Detailing the process for managing instances of non-compliance and the requirement for non-conforming file notes.
 - d. Anti-Avoidance: Reinforcing measures to prevent the splitting of contracts to avoid tender thresholds.
 - e. Separation of Duties: Ensuring proper checks and balances in the procurement process to avoid conflicts of interest.
 - f. Panels of Pre-Qualified Suppliers: Offering guidance on the use of pre-qualified supplier panels in line with legislative standards.
 - g. Personal Rewards or Loyalty Programs: Prohibiting the use of personal rewards or loyalty programs in relation to City procurement.
 - h. Contract Variations: Clarifying the process for managing contract variations, ensuring compliance with relevant legislation.
26. In addition to the above, updates have been made to the following sections of the policy:
 - a. Objectives: Aligning the policy objectives with the City's strategic goals and commitments.
 - b. Scope: Ensuring that the policy is consistent with the City's Code of Conduct.
 - c. Strategic Context: Clarifying how the policy supports the City's Strategic Community Plan and Corporate Business Plan.
 - d. Legislative Context: Ensuring the policy reflects the current legal framework.

GOVERNMENT & PUBLIC CONSULTATION

27. No government or public consultation was required in preparing this report.

STATUTORY IMPLICATIONS

28. Nil

POLICY IMPLICATIONS

29. Yes, as per the content of the proposed policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Legal & Compliance. Policy positions are inconsistent with legislation.	Possible	Moderate	Medium	Policy positions are reviewed against applicable legislation.

FINANCIAL IMPLICATIONS

31. Nil.

LEGAL IMPLICATIONS

32. Nil.

ENVIRONMENTAL CONSIDERATIONS

33. Nil.

ALTERNATE OPTIONS

34. Council may support the review and re-adoption of this policy or not. If not, the current policy will still stand and continue to be applied and adhered to by the administration.

35. Council may decide to make changes to particular clauses within the policy.

CONCLUSION

36. It is recommended that the Authorising Officer Recommendation be adopted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995</i>• <i>Local Government (Functions and General) Regulations 1996</i>
File Number	:	CM.STD.7
Previous Reference	:	OCM 25/08/2020 Resolution CCS284.

CCS668: POLICY REVIEW – BUY LOCAL POLICY

Proponent	: City of Albany
Attachments	: DRAFT: Buy Local Policy 2024
Report Prepared by	: Manager Finance
Authorising Officer	: Executive Director Corporate & Commercial Services

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.
 - **Outcome:** Strong workplace culture and performance.
 - **Pillar:** Prosperity
 - **Outcome:** A strong, diverse, and resilient economy with work opportunities for everyone.

In Brief:

- Council is requested to consider the amendments to the Buy Local Policy.

RECOMMENDATION

CCS668: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR MACLAREN

THAT the reviewed Buy Local Policy be ADOPTED.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor Brough

CCS668: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS668: AUTHORISING OFFICER RECOMMENDATION

THAT the reviewed Buy Local Policy be ADOPTED.

BACKGROUND

2. Local governments in regional Western Australia can implement a Buy Local Policy under Part 4A – Regional Price Preference – of the Local Government (Functions and General) Regulations 1996.
3. Buy Local Policies are a strategic tool to promote regional economic development, encouraging local governments to give preference to suppliers within their municipality or surrounding regions in procurement processes.
4. These policies aim to stimulate local economies, create jobs, and support local enterprises, particularly in rural and regional areas.
5. In Western Australia, Buy Local Policies are often incorporated into broader procurement frameworks and may include specific measures such as:
 - a. Offering price preferences for local suppliers (e.g., applying a percentage discount to bids from local businesses).
 - b. Encouraging local subcontracting and participation in larger projects.
 - c. Providing enhanced access to local businesses for contracts and tenders.
6. The City's Buy Local Policy has been reviewed in alignment with the City's Strategic Community Plan 2032 and Corporate Business Plan 2023–2027.
7. A key objective identified in the City's Strategic Community Plan 2032, which this policy supports, is to: *Attract, retain and support a diverse range of businesses and industries to grow the economy and create more local jobs.*

DISCUSSION

8. Attached are two documents for consideration: a revised draft of the Buy Local Policy and a marked-up version highlighting the changes from the current policy.
9. One of the primary changes to the proposed policy is the addition of the following clause:

"In alignment with our commitment to supporting the local economy, staff are encouraged to prioritise purchases from small, local, independent businesses, rather than large corporate entities, wherever practical and feasible. Purchases are to be made in accordance with this Policy as well as aiming to achieve the objectives in the City's Purchasing Policy."
10. Prioritising purchases from small, local, independent businesses supports the local economy by keeping funds within the community, fostering job creation, and promoting business growth. It helps diversify the local supply chain and encourages competition, which can lead to better service and innovation.
11. Additionally, this clause aligns with broader sustainability and social responsibility goals, ensuring that procurement practices benefit the community as a whole, in line with the City's strategic objectives.
12. However, prioritising small businesses may limit the range of suppliers and potentially lead to higher costs or less competitive pricing, particularly if larger corporate entities can offer better economies of scale.
13. There may also be limitations on the availability or capacity of small businesses to meet the City's needs for certain goods and services, which could affect procurement efficiency. Balancing this approach with compliance to broader purchasing policies is critical to avoid conflicts and ensure value for money.

14. Aside from the proposed addition of the new clause, other changes to the policy are non-strategic and include:
- Reviewing and refining the objectives,
 - Rewording the Scope,
 - Adding a Strategic Context section to clarify how the policy aligns with the City's Strategic Community Plan and Corporate Business Plan,
 - Rewording the Policy Statement,
 - Reviewing and refining the Legislative Context section,
 - Expanding the Associated Documents section.
15. The current threshold for Major Quotations at the City is \$30,000; however, the City's Purchasing Policy review (reference: CCS667) proposes increasing this to \$50,000. The proposed threshold has been reflected in the draft Buy Local Policy, pending the outcome of agenda item CCS667.

GOVERNMENT & PUBLIC CONSULTATION

16. No government or public consultation was required in preparing this report.

STATUTORY IMPLICATIONS

17. Nil

POLICY IMPLICATIONS

18. Yes, as per the content of the proposed policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Legal & Compliance. Policy positions are inconsistent with legislation.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Policy positions are reviewed against applicable legislation.</i>

FINANCIAL IMPLICATIONS

20. Nil.

LEGAL IMPLICATIONS

21. Nil.

ENVIRONMENTAL CONSIDERATIONS

22. Nil.

ALTERNATE OPTIONS

23. Council may support the review and re-adoption of this policy or not. If not, the current policy will still stand and continue to be applied and adhered to by the administration.
24. Council may decide to make changes to particular clauses within the policy.

CONCLUSION

25. It is recommended that the Authorising Officer's Recommendation is adopted.

Consulted References	:	<ul style="list-style-type: none">Local Government Act 1995Local Government (Functions and General) Regulations 1996
File Number	:	CM.STD.7
Previous Reference	:	OCM 27/09/2022 Resolution CCS469.

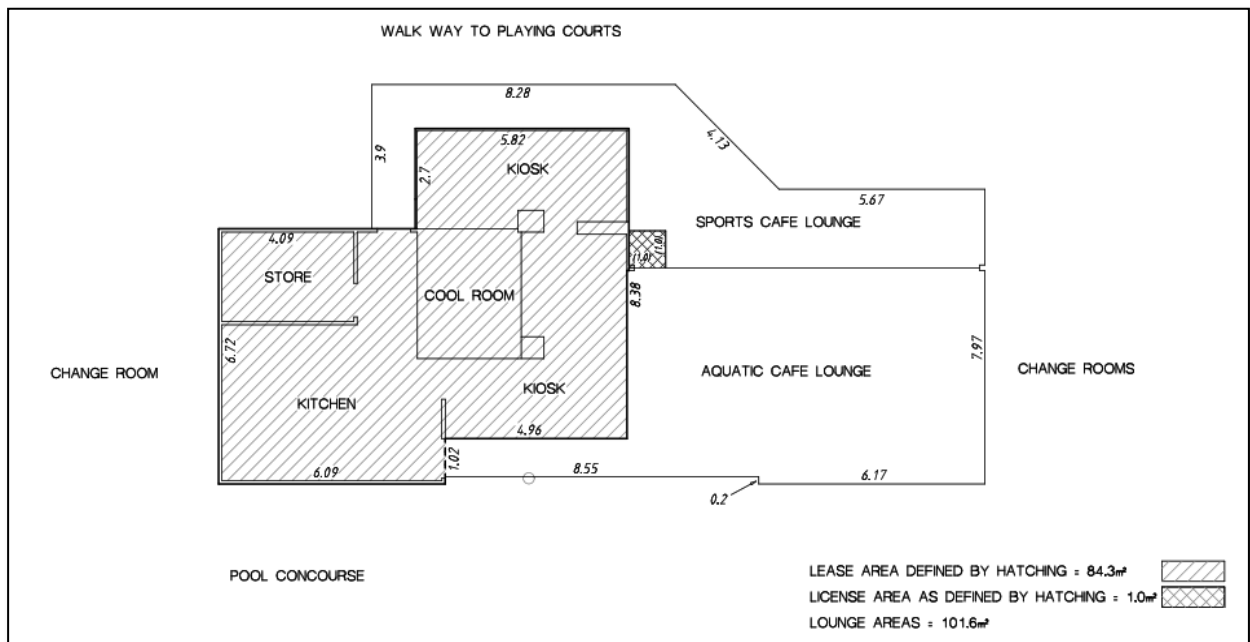
CCS669: PROPOSED NEW LEASE & LICENCE – MADELEINE BURGER – CAFE AND VENDING MACHINE – ALBANY LEISURE AND AQUATIC CENTRE

Land Description	: Part of Lot 742 on Deposited Plan 224159 being the subject of Volume 1179 Folio 118 and Part of Lot 1270 on Deposited Plan 91031 Volume LR3121 Folio 733, being portion of Crown Reserve 32469.
Proponent	: Madeleine Burger
Owner	: City of Albany (Freehold) and Crown (City of Albany under Management Order)
Business Entity Name	: @ The Poolside
Report Prepared By	: Team Leader Property and Leasing
Authorising Officer:	: Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

- This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - Pillar:** Prosperity.
 - Outcome:** A strong, diverse and resilient economy with work opportunities for everyone.

Maps and Diagrams:



In Brief:

- Council is requested to consider a new five-year commercial lease and licence with Madeleine Burger to continue operating the cafe and vending machine at Albany Leisure and Aquatic Centre (ALAC).
- The current lease and licence expire on 31 January 2025.
- The lease will be governed by the provisions of the *Commercial Tenancy (Retail Shops) Agreements Act 1985 (WA)*.
- It is recommended that the proposed new lease and licence be approved.

RECOMMENDATION

CCS669: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR SUTTON

THAT Council APPROVES a new lease and licence to Madeleine Burger for the cafe and vending machine, located at the Albany Leisure and Aquatic Centre subject to the terms and conditions outlined in section 11 of this report.

CARRIED 10-0

CCS669: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: DEPUTY MAYOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS669: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVES a new lease and licence to Madeleine Burger for the cafe and vending machine, located at the Albany Leisure and Aquatic Centre subject to the terms and conditions outlined in section 11 of this report.

BACKGROUND

2. In 2014, an Expression of Interest (EOI) process to operate a cafe at ALAC resulted in a lease and licence being granted to Neil and Sarah Simmonds for a term of five years with an option for an additional five years.
3. In September 2022 the lease and licence were transferred to Madeleine Burger.
4. The current lease and licence generate an annual rental of \$22,800 plus GST and are due to expire on 31 January 2025.
5. The cafe, known as @ The Poolside, is primarily over freehold land, with a small portion over Crown Reserve 32469, designated for recreation under the management order.
6. The lease area covers approximately 84.3m² with an additional licence area of approximately 2m² for a snack vending machine.
7. The current tenant Madeleine Burger has requested a new five year lease for the cafe and a new licence for the vending machine to continue providing these services to ALAC users.

DISCUSSION

8. The cafe and vending machine services enhance the daily use of the facility by the community, including those using the pool, gym and attending sporting events.
9. ALAC Management has been consulted and supports the new five year term for the lease and licence. The ongoing Feasibility Study for ALAC is not expected to bring significant changes before 2030, so it will not impact the proposed new lease and licence.
10. The Department of Planning, Lands and Heritage (DPLH) supports the new lease which involves a small area of approximately 6m² on Crown Reserve 32469.

11. The table below summarises the key terms of the proposed lease area. The tenant has agreed in principle to the above terms, subject to Council and Minister for Lands approval.

Item	Details
Tenant	Madeleine Burger
Business Name	@ The Poolside
Land Description	<ul style="list-style-type: none"> Part of Lot 742 on Deposited Plan 224159 being the subject of Volume 1179 Folio 118 Part of Lot 1270 on Deposited Plan 91031 Volume LR3121 Folio 733 being portion of Crown Reserve 32469
Leased Area	Approx. 84.3m ²
Licensed Area	Approx. 2m ²
Land Ownership	Both City of Albany and Crown (City of Albany under Management Order)
Permitted Use	Retail takeaway food and beverage sales and commercial catering kitchen for offsite preparation
Term	5 years
Rental	To be determined by a market valuation provided by a licenced Valuer
Outgoings	Tenant responsible for all outgoing & utilities, including insurance
Special Conditions	<ul style="list-style-type: none"> Insurance and Excess – The landlord will insure the building. The tenant will be responsible for reimbursing the portion of the leased area insurance and any excess. Equipment – The tenant to maintain their own supplied equipment. Feasibility Study – The tenant acknowledges the recent Feasibility Study for ALAC. The City will work with the tenant on any actions resulting from the study during the lease and licence term.

GOVERNMENT & PUBLIC CONSULTATION

12. Section 18 of the Land Administration Act 1997 provides that interests in Crown Land cannot be assigned, sold, transferred or otherwise dealt with without prior written approval of the Minister for Lands.
13. DPLH has given in-principle consent for the lease, pending final approval from the Minister for Lands.
14. Section 3.58 of the Local Government Act 1995 (Act) governs property disposal, including leases and licences.
15. The Act requires the following:
- A local government must give local public notice of the proposed lease inviting submissions for a period of two weeks.
 - Council must consider any submissions and record their decisions in the minutes.
 - A local government can then proceed with the lease/licence.
16. The proposed lease and licence will be advertised to comply with the requirements of the Act.

17. Community Engagement

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Advertise the proposed lease in the local newspapers and the City's website inviting submissions from the public.	Two weeks following Council's endorsement of the agenda item.	Open	Section 3.58 of the <i>Local Government Act 1995</i> .

STATUTORY IMPLICATIONS

18. Section 3.58 of the Local Government Act 1995 defines the requirements for the disposal of property, including both leased and licensed land and buildings.
19. Section 18 of the Land Administration Act 1997 requires Ministerial approval for any dealings with interests in Crown land, including lease agreements.
20. The lease agreement will be governed by the Commercial Tenancy (Retail Shops) Agreements Act 1985.
21. The proposed lease and licence complies with the statutory requirements for property disposal and interests in Crown land.

POLICY IMPLICATIONS

22. The Property Management (Leases and Licences) Policy supports equitable access and efficient management of City owned and managed properties in line with statutory procedures.
23. The recommendation is consistent with the policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation – New lease & licence not approved.	Unlikely	Moderate	Medium	Negotiate terms that satisfy both Council and Tenant.
Reputation – New lease & licence not approved – impact on cafe services.	Unlikely	Moderate	Medium	Seek to negotiate terms to Council satisfaction to secure continued services.
Reputation – New lease & licence not approved – negative effect on City reputation	Possible	Moderate	Medium	Seek to negotiate terms to Council Satisfaction to maintain a positive reputation.
Financial – New lease & licence not approved – loss of rental income.	Possible	Moderate	Medium	Seek to negotiate terms to Council satisfaction to ensure ongoing rental.
Opportunity: The lease and licence enable the ongoing availability of cafe and vending machine services to the community at ALAC, enhancing the overall user experience.				
Opportunity: The lease aligns with the City's Strategic Community Plan 2032 by contributing to a strong, diverse and resilient economy with work opportunities for everyone and enriching community life.				

FINANCIAL IMPLICATIONS

25. All costs for the new licence documentation will be covered by the tenant.
26. All costs associated with the development, execution and completion of the new lease documentation will be met by the City as required by the *Commercial Tenancy (Retail Shops) Agreements Act 1985*.

LEGAL IMPLICATIONS

27. The lease and licence documentation will be prepared by City lawyers to ensure enforceable terms that minimise risk to the City and Minister for Lands.

ENVIRONMENTAL CONSIDERATIONS

28. There are no environmental considerations related to this report.

ALTERNATE OPTIONS

29. Council may:
 - a. Approve the new lease and licence; or
 - b. Approve selected elements of the new lease and licence; or
 - c. Decline the lease and licence request.
30. Should Council decline the new lease and licence, cafe and vending machine services at ALAC will be disrupted.
31. The current tenant will be required to remove the equipment and vacate the premises. The City may then opt to initiate an Expression of Interest process to find a new operator.

CONCLUSION

32. The current tenant has requested a new five-year lease and licence to continue providing cafe and vending machine services at ALAC past lease expiry on 31 January 2025.
33. The tenant has demonstrated satisfactory performance and met all of the obligations under the current lease and licence.
34. The cafe and vending machine services have supported the activities and overall experience at ALAC.
35. The new lease will require approval from the Minister for Land and will be governed by the *Commercial Tenancy (Retail Shops) Agreements Act 1985*.
36. It is recommended the proposed new lease and licence be approved to ensure continuation of services to ALAC users.

Consulted References	:	<ul style="list-style-type: none"> • Property Management (Leases and Licences) Policy • <i>Local Government Act 1995</i> • <i>Land Administration Act 1997</i> • <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i>
File Number (Name of Ward)	:	PRO398, A136289, A137227
Previous Reference	:	CSF125 14/10/2014

CCS670: REGIONAL EVENTS AND FILM SPONSORSHIP

Proponent : City of Albany
Report Prepared By: : Manager Community Relations
Authorising Officer: : Executive Director Community Services

Councillor MacLaren declared an Impartiality Interest in this item. Councillor MacLaren remained in the Chamber and participated in the discussion and vote for 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:
 - **Pillar/Priority:** Prosperity.
 - **Outcome:** A highly sought-after tourist destination.

In Brief:

- To endorse the proposed Regional Event Sponsorship Assessment Panel recommendations for events being held between 1 January and 30 June 2025.

RECOMMENDATION

CCS670: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR TRAILL

THAT Council APPROVE the Regional Events and Film Sponsorship Assessment Panel recommendations as outlined in Paragraph 47 – Table 1 of this report.

CARRIED 8-2

Record of Vote

Against the Motion: Councillors Brough and McKinley

CCS670: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TRAILL
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS670: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE the Regional Events and Film Sponsorship Assessment Panel recommendations as outlined in Paragraph 47 – Table 1 of this report.

BACKGROUND

2. The City of Albany recognises the important role events and film play in celebrating the community's diversity and talents, increasing cultural understanding, driving visitation, generating economic benefits and activating our parklands, beaches and public spaces.
3. The City of Albany's Regional Events and Film Sponsorship (RES) program is designed to attract and support the staging of major regional events and film productions that contribute to the delivery of economic benefits for Albany and the region.
4. To be considered a regional major event, applicants must demonstrate that their event has the capability to draw a significant number of visitors from outside the region.
5. Film projects must demonstrate the project's capacity to promote Albany and the Great Southern and make a positive impact on both the local economy and the community's exposure to diverse artistic experiences.
6. Events and film productions must take place within the City of Albany municipality and applications are assessed against the guidelines and criteria by a panel of Elected Members with guidance from City officers.

DISCUSSION

Program Overview

7. Applications for the Regional Events and Film Sponsorship for projects being held between 1 January 2025 to 30 June 2025 opened for applications on 8 July 2024 and closed on 2 August 2024.
8. The City received 5 applications requesting a total of \$87,500 in funding.
9. The funding criteria for events included:
 - a. Generate additional tourism income by increasing visitor expenditure in the Albany region (economic impact);
 - b. Involve and inspire the local community (social benefits);
 - c. Attract media coverage that will help to raise the profile of Albany as a visitor destination (media impact); and
 - d. Demonstrate continuity and potential to engage the community in the future (sustainability).
10. The funding criteria for film projects included:
 - a. Engaging local creative businesses and artists, and / or encourages the growth of the film support industries in Albany and the Great Southern;
 - b. Injects a positive economic impact as a result of production crews residing in Albany over an extended period of time;
 - c. Raises the profile of Albany and the Great Southern through positive media exposure; and
 - d. Is likely to be viewed by people outside of Western Australia.
11. The program is a competitive funding application process and the maximum grant that an event can receive is \$20,000.
12. Events or film projects that are supported for funding by Council are required to enter into a contractual agreement with the City inclusive of conditions for grant acknowledgement, project milestones, and project acquittals.

Assessment

13. An assessment panel comprising Deputy Mayor Terry, Councillor Sutton, Councillor MacLaren and Councillor Traill received an overview of applications and guidance from City officers.
14. The application assessment process included a pitch from the applicants. Applicants presented to the assessment panel on August 20, 2024.
15. Applications were evaluated by City officers using an event assessment matrix tool developed to measure the economic value, visitor numbers and financial sustainability of each application.
16. The panel felt that one (1) of the applications did not adequately meet the funding criteria for events as outlined in the application guidelines.
17. The assessment panel supported the remaining four (4) applications and made its funding recommendations based on the information supplied and the strength of the applications in addressing the funding criteria.
18. The four (4) applications deemed eligible for funding have sponsorship requests totalling \$75,000 which exceeded the 2024-2025 Budget allocation for Regional Events and Film Sponsorship.
19. Noting the above, the panel recommended supporting the four (4) eligible applications and recommended the funding amounts detailed at point 47 of this report based on the assessment of the information in their applications.

Applications

Film – Kinjarling Films, Low Lie the Fields

20. Low Lie the Fields will be the fourth (4th) feature film made in the Great Southern by Adam Morris of Kinjarling Films.
21. The film will feature a stellar cast of renowned actors including international and local stars and feature local musicians.
22. Low Lie the Fields follows a middle-aged Irish folk singer-songwriter who goes on a farewell tour after losing his brother to suicide.
23. The film script has been written by local author and film producer Adam Morris who will also produce and direct the film, with editing by Kinjarling Films First Nations co-owner Talarah Pedrocchi Roeloffs.
24. The film will be filmed in Albany to showcase the region's attractions and character.
25. The project will have a cast and crew of 25, including 2 interstate and 2 international, who will engage local accommodation and hospitality across 28 days of filming.
26. Over 90% of the film production will be based in Albany and will engage at least 10 local businesses in the supply of goods or services, and it will also create at least 4 local jobs for the duration of the project.
27. The film is expected to screen nationally.

Event – Albany Pride, Albany Pride Festival

28. An annual 12-day festival to be held from 20 February to 3 March 2025.
29. One of Australia's biggest regional Pride festivals that is anticipated to attract more than 500 visitors from intrastate and interstate, generating direct additional spend in the local economy across the almost two-week period.
30. The festival is designed to be family-friendly and community-focussed.
31. With a draft festival theme of CommUNITY, it aims to provide a welcoming and inclusive environment for the LGBTQIA+ community and their allies and a safe space for celebration and support.
32. Albany Pride Festival's program for 2025 features performances by nationally and internationally acclaimed artists and performers (including acts from the Perth Fringe Festival), workshops and speakers, art exhibitions, sport events, and collaborations with local businesses.
33. The Festival has previously received support from Bendigo Bank Albany, Great Southern Development Commission, and the Albany Entertainment Centre, and Pride is currently in discussions to confirm their support again for 2025.
34. The Festival supports the City of Albany's vision by promoting inclusivity, diversity, cultural richness, and community engagement and aligns with strategic goals of the City's Community Development Strategy.

Event – Albany Speedway Club, Limited Sprintcar WA State Title

35. The Limited Sprintcar WA State Title involves 50 sprintcar teams travelling from across WA to compete across several races to be crowned the state champion.
36. Limited Sprintcars have a large following across the state.
37. Albany Speedway is a very popular racetrack for competitors and spectators and this division has drawn record crowds in the past and is expected to attract as many as 1000 intrastate visitors.
38. The teams will arrive in Albany several days before the event, with many booking local accommodation and hospitality and visiting local retail outlets during an estimated average 4-day stay, delivering a direct spend into local businesses.
39. Albany Speedway Club has a strong track record of delivering regional speedway events that attract visitation from motorsport enthusiasts to Albany.
40. The club has made a number of significant improvements to its venue to continue to attract regional-level events, including a major lighting upgrade, expanded its pit parking area, improved parking for spectators, and increased its ablutions facilities in the pit area.

Event – Tarmac Events WA, Tarmac Albany Sprints

41. The Tarmac Albany Sprints is on the March long weekend in 2025 and will feature three events.
42. The Sunday event includes a rally sprint covering about 4km for drivers and co-drivers, and a 2km speed event exclusively for drivers, on Quaranup Road.
43. On Monday, 60-plus cars will participate in a rally sprint from Binalup/Middleton Beach to the National Anzac Centre, leaving at 20-second intervals, and when the cars are not competing, the beach carpark will serve as a pits area open to the public.
44. There will also be local market on the beach foreshore offering a variety of local crafts, gourmet foods, and merchandise.

45. About 430 participants will take part in the events, which are estimated will attract about 350 intrastate visitors and a large local crowd.
46. The event receives robust support from local businesses and groups, and the participants and visitors generate direct local spend across the weekend of the events.

Panel Recommendations

47. A summary of applications recommended for funding is outlined in Table 1. The table of panel recommendations is for cash support only.

Table 1 - Regional Events and Film Sponsorship – Assessment Panel Recommendations

	Applicant / Event	Event Type	Panel Comments	Amount Requested	Panel Recommendation
1.	Adam Morris <i>Film – Low Lie the Fields</i>	Film Event Fourth of 10 films being produced in Albany.	Contributes to the growth of Albany as both a tourism and a film hub destination. The fourth of 10 feature films planned to be produced in Albany in 10 years. Will be filmed in Albany to showcase the region's attractions and characters. Has a cast a crew of 25 including 2 interstate and 2 international, which will engage local accommodation and hospitality across 28 days. Over 90% of the film production is Albany-based and will engage at least 10 local businesses in the supply of goods and services and create at least 4 local jobs for the project's duration.	\$20,000	\$20,000
2.	Albany Pride <i>Event – Pride Festival</i>	Cultural Event An established regional festival celebrating LGBTQIA+ community.	Albany Pride Festival is the biggest regional Pride festival in the State. A diverse and unique range of events invite the regional community and visitors to participate and invest in the Albany community. Attracting significant participation from outside the region. Strong economic impact across an almost 2-week period.	\$20,000	\$20,000
3.	Albany Speedway Club <i>Event – Limited Sprintcar WA State Title</i>	Sporting Event Motorsport	Showcases Albany as a premier motorsport destination. State Titles attract participation and attention from across WA. Peak period event on March long weekend that attract about 1000 intrastate visitors across a 4-day period.	\$20,000	\$10,000
4.	Tarmac Events WA Pty Ltd <i>Event – Tarmac Albany Sprints.</i>	Sporting Event Motorsport	Includes three events with more than 60 cars participating in the main Middleton Beach rally sprint. Expected to attract 350 intrastate visitors with an average stay of 2 days.	\$15,000	\$10,000

GOVERNMENT & PUBLIC CONSULTATION

48. Not applicable.

STATUTORY IMPLICATIONS

49. Nil.

POLICY IMPLICATIONS

50. The Regional Events and Film Sponsorship program aligns with the City of Albany Sponsorship Policy & Guidelines.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<u>Reputation:</u> Risk: Events that receive City of Albany funding do not proceed and this reflects negatively on the City.	Unlikely	Minor	Low	Recommendations are based on the information supplied and the funding criteria. All reasonable support will be provided to enable funded events to proceed.
<u>Reputation:</u> Risk: Sections of the community oppose Council's support for events recommended for funding.	Likely	Moderate	High	A rigorous assessment process has been undertaken and recommendations made on merit. The events recommended for funding align with the City of Albany Strategic Community Plan, Community Development Strategy, and the Sponsorship Policy & Guidelines.
<u>Community:</u> Risk: Event or health and safety guidelines are not followed and increase the risk to public health and safety.	Possible	Major	High	Applicants will be conditioned to complete an event approval application in line with the City's event approval guidelines and be required to follow all other necessary approvals and processes relevant to their event or activity.

FINANCIAL IMPLICATIONS

52. Management and oversight of funding and event sponsorship is undertaken using existing staff resources within the Community Relations business unit, within existing allocated budgets.
53. The recommended funding allocations total \$60,000 and this is within the capacity of the allocation for Regional Events and Film Sponsorship in the current 2024-2025 Budget.
54. There is also an annual allocation in the Long-Term Financial Plan for Regional Events and Film Sponsorship.
55. Council is required to approve the recommended sponsorships.
56. Successful applicants will be issued funding contracts and conditions that include payment milestones and acquittal requirements.

LEGAL IMPLICATIONS

57. Nil.

ENVIRONMENTAL CONSIDERATIONS

58. Any relevant environmental considerations relating to the motorsports events recommended for funding will be assessed and conditioned as required by the environmental health team as part of the event approval process.

ALTERNATE OPTIONS

59. Council could make alternative recommendations for funding, including substitute dollar amounts, for recommended applicants. This is not recommended given the rigorous assessment process. The applicants recommended for funding are eligible for Regional Event and Film Sponsorship and funding amounts have been recommended on merit against the funding criteria and information supplied.

SUMMARY CONCLUSION

60. Supporting events with sponsorship contributes to the economic, social, sporting, environmental and cultural development of Albany.
61. Providing sponsorship for these events supports the City's vision and Strategic Community Plan and is consistent with the City's Sponsorship Policy & Guideline.
62. The process for assessment of the applications for Regional Event and Film Sponsorship is robust and equitable, and the funding recommendations are within the capacity of the 2024-2025 Budget.
63. It is recommended that the Authorising Officer Recommendation be endorsed.

Consulted References	:	<ul style="list-style-type: none">City of Albany Sponsorship Policy & GuidelinesCity of Albany Regional Event and Film Sponsorship guidelines
File Number (Name of Ward)	:	CR.SPO.44 (All Wards)
Previous Reference	:	<ul style="list-style-type: none">Regional Event Sponsorship 2024 – CCS589 (OCM: 19/12/2023)

**CCS671: SURRENDER & NEW REPLACEMENT LEASE – PORTION
OF RESERVE 22698**

Land Description	: Portion of Crown Reserve 22698, Lot 1461 on Deposited Plan 219777, the subject of Certificate of Title LR3110 Folio 171, Emu Point
Owner	: Crown (City of Albany under Management Order)
Report Prepared By	: Team Leader Property & Leasing
Authorising Officer:	: Executive Director Corporate & Commercial Services

RECOMMENDATION

**CCS671: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR SUTTON**

THAT Council APPROVE the surrender of existing lease and a replacement new lease over portion of Crown Reserve 22698, subject to the terms and conditions outlined in section 16 of the confidential report.

CARRIED 10-0

CCS671: COMMITTEE RECOMMENDATION

**MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR SUTTON**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 8-1

Record of Vote

Against the Motion: Councillor MacLaren

CCS671: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE the surrender of existing lease and a replacement new lease over portion of Crown Reserve 22698, subject to the terms and conditions outlined in section 16 of the confidential report.

CCS672: LOCAL GOVERNMENT ELECTIONS-REVIEW OF WALGA ADVOCACY POSITION

Attachments : WALGA Info Page
Report Prepared By : Senior Team Leader
Authorising Officer: : Chief Executive Officer

Councillor Traill declared an Impartiality Interest in this item. Councillor Traill remained in the Chamber and participated in the discussion and vote for 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:
 - **Pillar:** 5. Leadership. A well-governed city that uses resources wisely to meet local needs.
 - **Outcome:** 5.3 A well-informed and engaged community.

In Brief:

- To advise WALGA of the City of Albany's views on their proposed advocacy positions in relation to local government elections.

RECOMMENDATION

CCS672: RESOLUTION 1 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH
SECONDED: DEPUTY MAYOR TERRY

THAT the City of Albany supports the following Advocacy Positions proposed by WALGA:

1. **Participation-continue to support voluntary voting in Local Government elections.**
2. **Terms of Office-continue to support four year terms with a two year spill.**
3. **Voting Methods-support First Past the Post as the preferred voting method, and if that position is not supported then optional preferential voting method.**
4. **Internal Elections – support First Past the Post as the preferred voting method for internal elections.**
5. **Voting Accessibility-support postal voting, electronic voting and in-person voting as options to ensure accessibility for all electors.**
6. **Method of Election of Mayor-continue to support the direct election of the Mayor.**

CARRIED 10-0

CCS672: RESOLUTION 2 VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR LIONETTI
SECONDED: DEPUTY MAYOR TERRY

THAT the City of Albany communicates to WALGA its disappointment in the declining service levels and cost increases associated with local government elections conducted by the WA Electoral Commission, in particular the time taken to declare the October 2023 Election results.

CARRIED 8-2

Record of Vote

Against the Motion: Councillors Traill and MacLaren

CCS672: COMMITTEE RECOMMENDATION 1

MOVED: COUNCILLOR LIONETTI

SECONDED: DEPUTY MAYOR TERRY

THAT the City of Albany supports the following Advocacy Positions proposed by WALGA:

1. Participation-continue to support voluntary voting in Local Government elections.
2. Terms of Office-continue to support four year terms with a two year spill.
3. Voting Methods-support First Past the Post as the preferred voting method, and if that position is not supported then optional preferential voting method.
4. Internal Elections – support First Past the Post as the preferred voting method for internal elections.
5. Voting Accessibility-support postal voting, electronic voting and in-person voting as options to ensure accessibility for all electors.
6. Method of Election of Mayor-continue to support the direct election of the Mayor.

CARRIED 8-1

Record of Vote

Against the Motion: Councillor MacLaren

CCS672: COMMITTEE RECOMMENDATION 2

MOVED: MAYOR STOCKS

SECONDED: COUNCILLOR LIONETTI

THAT the City of Albany communicates to WALGA its disappointment in the declining service levels and cost increases associated with local government elections conducted by the WA Electoral Commission, in particular the time taken to declare the October 2023 Election results.

CARRIED 7-2

Record of Vote

Against the Motion: Councillors Traill and MacLaren.

The Committee considered the Authorising Officer Recommendation in two parts.

CCS672: AUTHORISING OFFICER RECOMMENDATION

THAT the City of Albany supports the following Advocacy Positions proposed by WALGA:

1. Participation-continue to support voluntary voting in Local Government elections.
2. Terms of Office-continue to support four year terms with a two year spill.
3. Voting Methods-support First Past the Post as the preferred voting method, and if that position is not supported then optional preferential voting method.
4. Internal Elections – support First Past the Post as the preferred voting method for internal elections.
5. Voting Accessibility-support postal voting, electronic voting and in-person voting as options to ensure accessibility for all electors.
6. Method of Election of Mayor-continue to support the direct election of the Mayor.

AND

THAT the City of Albany communicates to WALGA its disappointment in the declining service levels and cost increases associated with local government elections conducted by the WA Electoral Commission, in particular the time taken to declare the October 2023 Election results.

BACKGROUND

2. WALGA has surveyed the sector regarding local government elections five times since 2008. Each of those surveys has shown that local governments have supported the following:
 - First past the post method of counting votes;
 - Voluntary voting at local government elections; and
 - Four year terms with a two year spill.
3. WALGA has conducted a further review in 2024 of the performance of the WA Electoral Commission in conducting local government elections.
4. The City of Albany provided feedback to WALGA on the performance of the WA Electoral Commission over the last five ordinary local government elections the actual costs of each election compared to estimates provided by the WAEC.
5. WA local governments have been requested to provide a Council decision on WALGAs advocacy positions as they relate to local government elections. Those decisions will be considered at WALGAs State Council meeting to be held in December 2024.

DISCUSSION

Participation-Voluntary or Compulsory Voting in Local Government Elections

6. WALGA has provided the following positions on voting in local government elections for consideration:
 - a. The sector continues to support voluntary voting at Local Government elections; or
 - b. The sector supports compulsory voting at Local Government elections.
7. Council may choose to support either voluntary or compulsory voting in local government elections.

Terms of Office-Continue to Support Four-Year Terms with Two-Year Spill

8. WALGA has provided the following positions on terms for elected members:
 - a. The sector continues to support four year terms with a two year spill; or
 - b. The sector supports four year terms on an all in/all out basis.
9. Four-year terms with a two-year spill provide stability, with retention of experience and knowledge within the elected member group.
10. Council may choose to support four-year terms with a complete spill every four years or maintain the status quo with four year terms with a spill every two years.

Voting Methods-Support for First Past the Post

11. WALGA has provided the following positions on voting methods:
 - a. The sector supports First Past the Post (FPTP) as the preferred voting method for local government elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections; or
 - b. The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.
12. The introduction of compulsory preferential voting in the 2023 Ordinary Local Government election met with varied support. Feedback received from electors was that they felt the results did not necessarily reflect the will of the voters.

13. Preferential voting has several disadvantages in the context of WA local government elections:
 - The preferential voting system can be confusing for voters.
 - True preferences from electors may be diluted.
14. An elector's first choice of candidate may be eliminated early in the counting process leading to a final result which does not reflect their primary preference.
15. Where an elector's preferred candidate is eliminated, their vote may become 'exhausted' if they have not ranked remaining candidates. This can lead to a situation where a significant number of votes do not contribute to the final outcome of an election.
16. The counting process for preferential voting is time consuming and has resulted in delays in announcing the results of the election. There is also an increased cost associated with the extended counting process.
17. The complexity of preferential voting may deter electors from participating in local government elections.
18. Council may choose to support optional preferential voting, which allows those electors wishing to do so to number candidates in order of their preference.

Internal Elections (Election of Deputy Mayor)

19. WALGA has provided the following positions on internal elections:
 - a. The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections: or
 - b. The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.
20. The current method of electing the Deputy Mayor is through preferential voting in line with local government reform.

Voting Accessibility-Support

21. WALGA has provided the following positions on voting accessibility, and supports the option of holding elections through:
 - a. Electronic voting;
 - b. Postal voting: and/or
 - c. In person voting.
22. Council may choose to support the current method of postal voting, in-person voting and/or electronic voting.
23. It should be noted that the WA Electoral Commission are not currently considering implementing electronic voting.
24. Local Government elections at the City of Albany are currently conducted by postal vote.
25. Postal voting may be easier for electors who have difficulty accessing polling places.
26. Electors can complete their ballot papers at the own pace and convenience.
27. Reliable delivery of voting packages has been problematic, with some electors not receiving packages and having to attend at the City of Albany to be issued replacement packages.
28. Electors frustrated with what they perceive to be inefficiencies of postal voting have also expressed concern that they feel disconnected from the electoral process and would prefer to vote in person.

29. Postal voting may lead to higher elector participation as it allows more time and flexibility to participate in the voting process.
30. The City of Albany promotes awareness of the importance of participating in the election and advises of key dates during the election process, utilising social media platforms, newspaper advertising and the City's website.
31. Council may choose to support any of the positions proposed by WALGA.

Method of Election of Mayor-Support for Direct Election

32. WALGA has provided the following positions on the method of election for Mayor, and supports the option of the Mayor being directly elected for Band 1 and 2 local governments:
 - a. As per the current legislation with no change-Band 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
 - b. Return to previous legislated provisions-all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
 - c. Apply current provisions to all Bands of Local Governments-apply the election by electors method to all classes of local governments.
33. The direct election of the Mayor by electors is a democratic process. This method of election allows electors to have a direct impact on who will lead the Council for the next four years.
34. The current legislation supports Band 1 and 2 local governments electing the Mayor or President directly.
35. Council may choose to support any, or all of the WALGA positions concerning the method of election for Mayor.

GOVERNMENT & PUBLIC CONSULTATION

36. There is no requirement to conduct consultation at this time.

STATUTORY IMPLICATIONS

37. N/A.

POLICY IMPLICATIONS

38. No policy implications have been identified in the preparation of this report.

RISK IDENTIFICATION & MITIGATION

39. No risks have been identified in the preparation of this report.

FINANCIAL IMPLICATIONS

40. No financial implications have been identified in the preparation of this report.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

42. N/A

ALTERNATE OPTIONS

43. Council may choose not to provide a response to the WALGA survey.
44. Council may decide which WALGA positions they wish to support or propose alternative positions.

Consulted References	:	WALGA Position Paper <i>Local Government Act 1995</i>
File Number	:	GR.STL.118/GO.ELE.3
Previous Reference	:	Nil.

DIS415: C24017 LOCKYER EAST WEST PATH LINK – CLIFTON STREET TO MENZIES STREET

Land Description	: Road reserves including Clifton Street, Admiral Street, Banks Street, Lambert Street and Menzies Street.
Proponent / Owner	: City of Albany
Business Entity Name	: City of Albany
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover.
Report Prepared By	: Team Leader Civil Infrastructure
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** 3. Place
 - **Outcomes:** 3.4: A safe, sustainable and efficient transport network.
2. This item also relates to the City of Albany *Cycle City Albany Strategy 2014-2019*:
 - **Objective 1:** The cycling Network
 - **Strategies: 1.1:** Plan and build a cycling network that is connected and encourages shared use between vehicle users, cyclists and pedestrians.

In Brief:

- Tender award for the Lockyer East West Path Link – Clifton Street to Menzies Street.
- Two complying tenders were received, with WCP Civil being the recommended contractor.
- Construction is expected to commence in November 2024 with completion in early February 2025. These dates have been chosen to coincide with the summer school holidays to reduce the impact to nearby schools.

RECOMMENDATION

DIS415: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR MACLAREN
SECONDED: COUNCILLOR TRAILL

THAT Council AWARD Contract C24017 - Lockyer East West Path Link – Clifton Street to Menzies Street to WCP Civil as recommended by the evaluation panel in the Confidential Briefing Note attached.

CARRIED 10-0

DIS415: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR LIONETTI

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

DIS415: AUTHORISING OFFICER RECOMMENDATION

THAT Council AWARD Contract C24017 - Lockyer East West Path Link – Clifton Street to Menzies Street to the tenderer recommended by the evaluation panel, as detailed in the Confidential Briefing Note attached.

BACKGROUND

3. The Lockyer East West Link project aims to enhance pedestrian safety and connectivity by constructing a concrete and asphalt path from Clifton Street to Menzies Street, covering Admiral Street, Banks Street and Lambert Street.
4. Additionally, the project will include the replacement of the open drains on Banks Street with a closed pipe network, improving both functionality and aesthetics.
5. This project is a crucial investment in Lockyer's infrastructure, providing significant benefits in safety, accessibility and ultimately enhancing the quality of life for all residents.
6. The proposed works involve upgrading the existing open drains along Banks Street to new piped drainage and construction of a new 2.5 metre wide concrete path.
7. This path will commence at Humphreys Street along Clifton Street, Admiral Street, Banks Street and Lambert Street with the final link along Menzies Street to Hanrahan Road being a 2.5 metre wide red asphalt shared path.
8. Tenders were open from Wednesday 28th August 2024 to Tuesday 17th September 2024 for a total of 3 (three) weeks.

DISCUSSION

9. A total of eight (8) tender documents were issued by City of Albany.
10. Two (2) completed tender documents were submitted on or before the stipulated closing date and time.
11. The tenders were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Criteria	% Weighting
Relevant Experience	20%
Tenderer's Resources	20%
Demonstrated Understanding	30%
Corporate Social Responsibility	5%
Cost	25%
Total	100%

12. The following table summarises the tenderers and their weighted scores:

Tenderer	Weighted Score
Tenderer A	521.99
WCP Civil	682.96

GOVERNMENT & PUBLIC CONSULTATION

13. SWALSC (Wagyl Kaip) and Main Roads WA have been consulted during the design stages of this project.
14. The Public Transport Authority, Police, Main Roads WA, Water Corporation, Lockyer Primary School, Parklands School and Lockyer Community Kindergarten will be consulted with prior to and during the construction stage.
15. Affected residents and the general public will be notified via letter drop, social media, print media and variable message boards.
16. A Community Engagement Plan has been created to address the above.
17. A request for tenders was published in the West Australian on Wednesday 28th August 2024 and the Albany Advertiser Extra on Friday 30th August 2024.

STATUTORY IMPLICATIONS

18. 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.
19. 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.
20. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

21. Council's *Purchasing Policy (Tenders & Quotes)* and *Buy Local Policy (Regional Price Preference)* are applicable to this item.

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
People Health and Safety A pedestrian or cyclist accident occurs due to lack of designated pathways	Possible	Major	High	Continue upgrading path infrastructure and connectivity as funding is available.
Community Lack of consultation may cause frustration with traffic delays.	Possible	Minor	Medium	Develop and implement community engagement plan to manage community expectations.
Finance Non-compliance with contract or business failure	Unlikely	Moderate	Medium	Standard general conditions of contract protect the City by allowing for contract termination on the basis of failure to supply goods and services.
People Health and Safety Public or workers injured during construction	Possible	Major	High	Implement project safety management plan and adhere to WHS requirements
Opportunity: By providing new infrastructure within the allocated budget, we provide the community with a safer, more efficient network that maximises its lifespan and cost-effectiveness.				

FINANCIAL IMPLICATIONS

23. The value of this tender is in excess of \$500,000 and therefore approval is referred to Council for consideration.
24. More detailed information regarding the financial implications are contained in the Confidential Briefing Note.
25. Funding for this project has been received from Western Australian Bicycle Network Funds, and municipal funds allocated in the 2024-2025 budget.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

27. Existing trees and vegetation lining the verge will remain and will only be pruned to allow for the construction of the path.

ALTERNATE OPTIONS

28. The options are:
- a) Council may elect to accept the recommended tender; or
 - b) Not approve any tender.

CONCLUSION

29. It is recommended, based on the evaluation scoring, clarification and financial check processes that the tender be awarded to WCP Civil.

Consulted References	:	<ul style="list-style-type: none">• <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	:	C24017
Previous Reference	:	N/A

DIS416: P24016 MILL AND FILL PROFILING AND ASPHALT WORKS

Land Description	: Road reserves including Collingwood Road, North Road, Campbell Road, Wansborough Road, Angove Road and Barnesby Road.
Proponent / Owner	: City of Albany
Business Entity Name	: City of Albany
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover.
Report Prepared By	: Team Leader Civil Infrastructure
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** Place
 - **Outcome:** 10: A safe, sustainable and efficient transport network.

In Brief:

- Tender award for Mill and Fill Profiling and Asphalt Works.
- Three (3) complying tenders were received, with WCP Civil being the recommended contractor.
- Construction will not commence until the completion of Water Corporation sewer works on Ulster Road and North Road to reduce the impact on road users.
- A completion date has been set for 2nd May 2025 to provide flexibility regarding the above works and for the Contractor to potentially time the works in with other projects.

RECOMMENDATION

DIS416: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR GRIMMER

THAT Council AWARD Contract P24016 Mill and Fill Profiling and Asphalt Works to WCP Civil as recommended by the evaluation panel in the Confidential Briefing Note.

CARRIED 10-0

DIS416: COMMITTEE RECOMMENDATION

MOVED: MAYOR STOCKS
SECONDED: DEPUTY MAYOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

DIS416: AUTHORISING OFFICER RECOMMENDATION

THAT Council AWARD Contract P24016 Mill and Fill Profiling and Asphalt Works to the tenderer recommended by the evaluation panel as detailed in the Confidential Briefing Note.

BACKGROUND

2. Mill and Fill Profiling works have been a consistent part of the City's capital works road maintenance program over a number of years.
3. This type of maintenance is required to replace existing asphalt surfaces that have reached the end of their service life and are showing substantial signs of failure.
4. The project consists of the following locations:
 - Collingwood Road _SLK 0.45-1.03
 - Collingwood Road _SLK 1.65-2.11
 - Angove/Campbell/Wansborough roundabout
 - North Road Barnesby Road roundabout
 - North Road westbound _SLK 0.88-1.54
 - North Road westbound _SLK 1.78-2.03
 - North Road eastbound _SLK 1.80-1.93
5. Tenders were open from 14 August 2025 to Thursday 5 September 2025 for a total of 3 (three) weeks.

DISCUSSION

6. A total of twelve (12) tender documents were issued by City of Albany.
7. Three (3) complete tender documents were submitted on or before the stipulated closing date and time.
8. The tenders were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Criteria	% Weighting
Relevant Experience	10%
Demonstrated Safety Plan	10%
Demonstrated Ability to Meet Timeframe	30%
Corporate Social Responsibility	10%
Cost	40%
Total	100%

9. The following table summarises the tenderers and their weighted scores:

Tenderer	Weighted Score
Tenderer A	451.65
Tenderer B	362.95
WCP Civil	668.28

GOVERNMENT & PUBLIC CONSULTATION

10. The Public Transport Authority, Police, FESA, St Johns Ambulance will be consulted with prior to and during the construction stage.
11. Affected residents, businesses and the general public will be notified via letter drop, social media, print media and variable message boards.
12. A Community Engagement Plan has been created to address the above.

STATUTORY IMPLICATIONS

13. 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.
14. 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.
15. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

16. Council's *Purchasing Policy (Tenders & Quotes)* and *Buy Local Policy (Regional Price Preference)* are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
People Health and Safety A vehicle accident occurs due to poor road condition	Possible	Major	High	Continue annual maintenance and capital works on road infrastructure.
Service delivery Interruption Lack of maintenance causes road failure and disruption to road users..	Unlikely	Moderate	Medium	Identify maintenance intervention level of road and act accordingly.
Legal and compliance Damage to vehicles from poorly maintained roads could result in legal claims against the City.	Unlikely	Moderate	Medium	Continue annual maintenance and capital works on road infrastructure. Identify maintenance intervention level of road and act accordingly
Community Lack of consultation may cause frustrations and delays.	Possible	Minor	Medium	Complete and instigate community engagement plan
Finance Non-compliance with contract or business failure	Unlikely	Moderate	Medium	Standard general conditions of contract protect the City by allowing for contract termination on the basis of failure to supply goods and services.
Opportunity: By maintaining our infrastructure, we provide the community with a safer, more efficient network that maximises its lifespan and cost-effectiveness.				

FINANCIAL IMPLICATIONS

18. The value of this tender is in excess of \$500,000 and therefore approval is referred to Council for consideration.
19. More detailed information regarding the financial implications are contained in the Confidential Briefing Note.
20. Funding for this project has been received from Roads to Recovery, Roads Project Grants and municipal funds allocated in the 2024-2025 budget.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

22. Asphalt removed during the profiling works will be recycled and used as road base for other City projects.

ALTERNATE OPTIONS

23. The options are:

- a) Council may elect to accept the recommended tender; or
- b) Not approve any tender.

CONCLUSION

24. It is recommended, based on the evaluation scoring, clarification and financial check processes that the e-quote be awarded to WCP Civil.

Consulted References	:	<ul style="list-style-type: none">• <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	:	P24016
Previous Reference	:	N/A

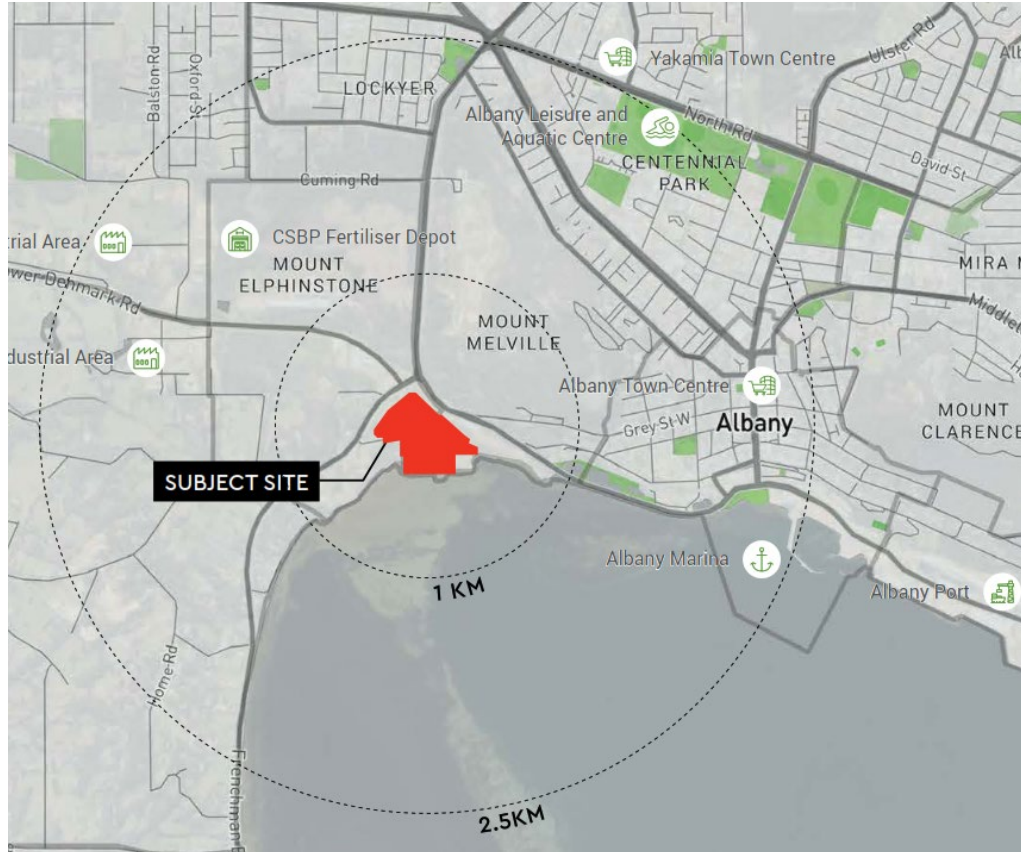
DIS417: INITIATION TO ADOPT AMENDMENT NO. 3 TO LOCAL PLANNING SCHEME NO. 2 FOR ADVERTISING

Land Description	:	<table><tr><th>Lots</th><th>Landowner</th></tr><tr><td>895, 1104, 1209, 1156, 1157, 142, 141</td><td>Rural Logistics (WA) Pty Ltd</td></tr><tr><td>530, 1350, 44, 529, PIN 583843</td><td>State of Western Australia</td></tr><tr><td>111</td><td>Commissioner of Main Roads</td></tr></table>	Lots	Landowner	895, 1104, 1209, 1156, 1157, 142, 141	Rural Logistics (WA) Pty Ltd	530, 1350, 44, 529, PIN 583843	State of Western Australia	111	Commissioner of Main Roads
Lots	Landowner									
895, 1104, 1209, 1156, 1157, 142, 141	Rural Logistics (WA) Pty Ltd									
530, 1350, 44, 529, PIN 583843	State of Western Australia									
111	Commissioner of Main Roads									
Proponent / Owner	:	See above								
Business Entity Name	:	Rural Logistics (WA) Pty Ltd Key Principal being Mark Terence Dyson.								
Attachments	:	<div>1. Amendment No.3 – Document</div> <div>2. Engineering Servicing Report</div> <div>3. Preliminary Site Investigation</div> <div>4. Sampling and Analysis Quality Plan</div> <div>5. Environmental Assessment Report</div> <div>6. Ecological Assessment</div> <div>7. Ecological Survey</div>								
Supplementary Information & Councillor Workstation	:	Local Planning Scheme Amendment Flowchart								
Report Prepared By	:	Senior Planning Officer – Strategic Planning								
Authorising Officer:	:	Executive Director Infrastructure, Development & Environment								

STRATEGIC IMPLICATIONS

- This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** Place
 - **Outcome:**
 - Responsible growth, development and urban renewal.
 - Interesting, vibrant and welcoming places.
 - Local history, heritage and character is valued and preserved.
 - A safe, sustainable and efficient transport network.
 - **Pillar:** Planet
 - **Outcome:**
 - Sustainable management of natural areas; balancing conservation with responsible access and enjoyment.
 - A resilient community that can withstand, adapt to, and recover from natural disasters.
 - **Pillar:** Prosperity
 - **Outcome:**
 - A strong, diverse and resilient economy with work opportunities for everyone.
 - A highly sought-after tourist destination.
 - **Pillar:** Leadership
 - **Outcome:**
 - Grow awareness, understanding and engagement in City projects, activities and decisions.

2. The *Albany Local Planning Strategy 2019* (the Planning Strategy) is the local planning strategy that sets out the long-term planning directions for the Scheme area. The Local Planning Scheme Amendment No. 3 aligns with the strategic objectives and actions identified under the Planning Strategy. The Planning Strategy recommends that the subject site is considered for a mixture of uses. The Amendment No.2 is proposing to zone the subject land to enable residential and commercial development.

Maps and Diagrams:**In Brief:**

- The City received a request seeking to transfer the land zoning at the old Woolstores site, from the 'Rural Smallholdings' and 'Light Industry' zones, and 'Local Road' reserve to the 'Urban Development' zone.
- The 'Urban Development' zone provides an intention of future land use and a basis of structure planning, to provide for a range of residential and commercial uses and to protect the land from noncompatible subdivision or development.
- The proposed zoning aligns with structure planning for the site which recommends subdivision and development to support a shopping centre precinct and a mixed-use precinct to include housing, offices, showrooms, amusement centres, eating establishments and appropriate light industrial activities.
- Council is requested to initiate the proposed amendment for advertising.

RECOMMENDATION

DIS417: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BAESJOU
SECONDED: COUNCILLOR MCKINLEY

THAT Council:

1. Pursuant to sections 75 of the *Planning and Development Act 2005*, **RESOLVES** to adopt Scheme Amendment No. 3, to amend Local Planning Scheme No. 2 as follows:

- a) Rezone Lots 895 and 1209 Woolstores Place, Mount Melville, Lot 1104 on Deposited Plan 165964, Lots 1156 and 1157 on Deposited Plan 171141 from 'Light Industry' to 'Urban Development';
- b) Rezone Lot 111 on Deposited Plan 416232, Lot 141 Woolstores Place, Mount Elphinstone, Lot 142 on Deposited Plan 416233, Lot 44 on Deposited Plan 171141 and Pin 583843 from 'Rural Smallholdings' to 'Urban Development';
- c) Rezone a 3,787m² portion of Lot 530 on Deposited Plan 408474 and Lot 529 Deposited Plan 408473 from 'Local Road' (Woolstores Place) to 'Urban Development', as notated on the Scheme Map;
- d) Rezone Lot 1350 on Deposited Plan 184224 from 'Drainage/Waterway' reserve to 'Urban Development';
- e) Deleting RU8 from Schedule 3, Table 10.
- f) Insert new row item No. 69 to Schedule 7, Table 17, as follows:

No.	Description of Affected Lands	Standards
69	<p>Lots 895 and 1209 Woolstores Place, Mount Melville</p> <p>Lot 141 Woolstores Place, Mount Elphinstone</p> <p>Lot 1104 on Deposited Plan 165964</p> <p>Lot 111 on Deposited Plan 416232</p> <p>Lot 142 on Deposited Plan 416233</p> <p>Lots 44, 1156 and 1157 on Deposited Plan 171141</p> <p>Lot 1350 on Deposited Plan 184224</p> <p>Lot 530 on Deposited Plan 408474</p> <p>A portion of Lot 529 Deposited Plan 408473</p> <p>Pin 583843</p> <p>(Refer to Figure 12, No. 92)</p>	<p>Prior to subdivision and development, a structure plan is to be prepared to address the following:</p> <ul style="list-style-type: none"> • A mixed use development, with a focus on tourism, optimising its waterfront location. • Ensuring a minimum residential density is applied to lots adjacent the waterfront. • Visual/landscape protection. • Interface with future Albany Ring Road. • Potential impacts of noise and vibration from the railway line and associated environmental buffer requirements. • Coastal planning considerations. • Potential site contamination. • Development to be connected to reticulated sewer.

g) Deleting Special Control Area 15 – Princess Royal Harbour Inundation Area from the amendment area, as specified within the Scheme Map.

2. Pursuant to r. 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **RESOLVES** that the amendment is 'standard' in accordance with

regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as it satisfies the following criteria:

- (b) The amendments are consistent with the City of Albany Local Planning Strategy 2019, that has been endorsed by the Western Australian Planning Commission;
 - (g) It is not considered a complex or basic amendment.
3. REFERS Scheme Amendment No. 3 to the Environmental Protection Authority (EPA), pursuant to s. 81 of the *Planning and Development Act 2005*, by giving to the EPA written notice of this resolution and such written information to enable the EPA to comply with s. 48A of the *Environmental Protection Act 1986*;
4. Pursuant to r. 46A of the *Planning and Development (Local Planning Schemes) 2015*, AUTHORISES the Chief Executive Officer to forward a copy of the amendment to the Western Australian Planning Commission to seek approval from the Minister to advertise the proposed standard amendment in accordance with section 83A of the *Planning and Development Act 2005*;
5. Pursuant to r. 46C of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DELEGATE the Chief Executive Officer to:
- a) Undertake modifications Amendment No. 3 as required by the Minister, in accordance with s. 83A (2)(b) of the *Planning and Development Act 2005*;
 - b) Undertake any further referrals of modified Amendment No. 3 to the EPA, if required, in accordance with s. 83A(3) and s. 81 and s. 82 of the *Planning and Development Act 2005*; and
 - c) Resubmit the modified amendment to the Minister for approval, in accordance with s. 83A (1) of the *Planning and Development Act 2005*.
6. In accordance with the requirements of r. 47 (1) and (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DELEGATE the Chief Executive Officer to ADVERTISE Amendment No. 3 to Local Planning Scheme No. 2, as soon as reasonably practicable after the Minister grants approval in accordance with s. 83A(2)(a) of the *Planning and Development Act 2005*.

Note:

- Advertisement of Amendment No. 3 including publication of a notice to be undertaken in accordance with Part 5 Division 3 r. 47 and Schedule 2 Deemed Provisions Part 12 cl. 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, in a form approved by the Western Australian Planning Commission.
- In accordance with Part 5 Division 1 r.35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, when the proposed amendment takes effect, the approval of any structure plans is not affected.

CARRIED 10-0

DIS417: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

DIS417: COMMITTEE RECOMMENDATION

THAT Council:

1. Pursuant to sections 75 of the *Planning and Development Act 2005*, RESOLVES to adopt Scheme Amendment No. 3, to amend Local Planning Scheme No. 2 as follows:
 - a. Rezone Lots 895 and 1209 Woolstores Place, Mount Melville, Lot 1104 on Deposited Plan 165964, Lots 1156 and 1157 on Deposited Plan 171141 from 'Light Industry' to 'Urban Development';
 - b. Rezone Lot 111 on Deposited Plan 416232, Lot 141 Woolstores Place, Mount Elphinstone, Lot 142 on Deposited Plan 416233, Lot 44 on Deposited Plan 171141 and Pin 583843 from 'Rural Smallholdings' to 'Urban Development';
 - c. Rezone a 3,787m² portion of Lot 530 on Deposited Plan 408474 and Lot 529 Deposited Plan 408473 from 'Local Road' (Woolstores Place) to 'Urban Development', as notated on the Scheme Map;
 - d. Rezone Lot 1350 on Deposited Plan 184224 from 'Drainage/Waterway' reserve to 'Urban Development';
 - e. Deleting RU8 from Schedule 3, Table 10.
 - f. Insert new row item No. 69 to Schedule 7, Table 17, as follows:

No.	Description of Affected Lands	Standards
69	Lots 895 and 1209 Woolstores Place, Mount Melville Lot 141 Woolstores Place, Mount Elphinstone Lot 1104 on Deposited Plan 165964 Lot 111 on Deposited Plan 416232 Lot 142 on Deposited Plan 416233 Lots 44, 1156 and 1157 on Deposited Plan 171141 Lot 1350 on Deposited Plan 184224 Lot 530 on Deposited Plan 408474 A portion of Lot 529 Deposited Plan 408473 Pin 583843 (Refer to Figure 12, No. 92)	Prior to subdivision and development, a structure plan is to be prepared to address the following: <ul style="list-style-type: none"> • A mixed use development, with a focus on tourism, optimising its waterfront location. • Ensuring a minimum residential density is applied to lots adjacent the waterfront. • Visual/landscape protection. • Interface with future Albany Ring Road. • Potential impacts of noise and vibration from the railway line and associated environmental buffer requirements. • Coastal planning considerations. • Potential site contamination. • Development to be connected to reticulated sewer.

- g. Deleting Special Control Area 15 – Princess Royal Harbour Inundation Area from the amendment area, as specified within the Scheme Map.

2. Pursuant to r. 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that the amendment is 'standard' in accordance with regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as it satisfies the following criteria:
 - (b) The amendments are consistent with the City of Albany Local Planning Strategy 2019, that has been endorsed by the Western Australian Planning Commission;
 - (g) It is not considered a complex or basic amendment.
 3. REFERS Scheme Amendment No. 3 to the Environmental Protection Authority (EPA), pursuant to s. 81 of the *Planning and Development Act 2005*, by giving to the EPA written notice of this resolution and such written information to enable the EPA to comply with s. 48A of the *Environmental Protection Act 1986*;
 4. Pursuant to r. 46A of the *Planning and Development (Local Planning Schemes) 2015*, AUTHORISES the Chief Executive Officer to forward a copy of the amendment to the Western Australian Planning Commission to seek approval from the Minister to advertise the proposed standard amendment in accordance with section 83A of the *Planning and Development Act 2005*;
 5. Pursuant to r. 46C of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DELEGATE the Chief Executive Officer to:
 - a) Undertake modifications Amendment No. 3 as required by the Minister, in accordance with s. 83A (2)(b) of the *Planning and Development Act 2005*;
 - b) Undertake any further referrals of modified Amendment No. 3 to the EPA, if required, in accordance with s. 83A(3) and s. 81 and s. 82 of the *Planning and Development Act 2005*; and
 - c) Resubmit the modified amendment to the Minister for approval, in accordance with s. 83A (1) of the *Planning and Development Act 2005*.
 6. In accordance with the requirements of r. 47 (1) and (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DELEGATE the Chief Executive Officer to ADVERTISE Amendment No. 3 to Local Planning Scheme No. 2, as soon as reasonably practicable after the Minister grants approval in accordance with s. 83A(2)(a) of the *Planning and Development Act 2005*.
- Note:
- Advertisement of Amendment No. 3 including publication of a notice to be undertaken in accordance with Part 5 Division 3 r. 47 and Schedule 2 Deemed Provisions Part 12 cl. 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, in a form approved by the Western Australian Planning Commission.
 - In accordance with Part 5 Division 1 r.35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, when the proposed amendment takes effect, the approval of any structure plans is not affected.

BACKGROUND

3. In February 2024, the Council agreed to recommend that the Commission endorse a Structure Plan for the subject area.
4. The structure plan was prepared to guide future subdivision and redevelopment coordination across the site, that includes proposed hotel, commercial, retail, permanent residential and short-term tourist accommodation uses, in conjunction with the delivery of public open space and associated infrastructure.
5. Since the review of the structure plan for the area, the City received a Scheme Amendment No.3 application, seeking to transfer the subject land from the 'Rural Smallholdings' and 'Light Industry' zones, and 'Local Road' reserve to the 'Urban Development' zone.
6. The 'Urban Development' zone provides an intention of future land use and a basis of structure planning, to provide for a range of residential and commercial and to protect the land from noncompatible subdivision or development.

DISCUSSION

7. The Amendment No.3 seeks to rezone the land at the old Woolstores site to the 'Urban Development' zone. The new proposed zoning allows for urban infill development, to foster responsible waterfront development, while managing risk associated with climate change (sea level rise).
8. The amendment proposal includes technical reports including: a Preliminary Site Investigation, an Engineering Servicing Report, a Sampling and Analysis Quality Plan, an Environmental Assessment, an Ecological Assessment and an Ecological Survey.
9. As per the technical reporting:
 - (a) Most of the site was found to be comprised of cleared/bituminised areas devoid of vegetation.
 - (b) Potential impacts to Flora and Vegetation resulting from the development of the site are likely to be limited due to the degraded condition of the vegetation, and the existing infrastructure that currently exists on the site.
 - (c) A Threatened Ecological Community (Subtropical and Temperate Coastal Saltmarsh) was identified outside of the land proposed for rezoning. Potential impacts to the Threatened Ecological Community, resulting from seawall upgrades and drainage will require management in the future.
 - (d) Fauna habitats were identified within the site. The most significant fauna habitat identified within the site was Western Ringtail Possum habitat. It is likely a trapping and relocation program may be recommended to mitigate impacts to the Western Ringtail Possum and Quenda.
 - (e) Asbestos containing material was identified on site. This material will need to be removed and disposed of off-site during subdivision and development.
 - (f) Stormwater runoff can be managed and treated at the subdivision stage via small, distributed biofiltration structures (swales and basins) prior to discharge into the Princess Royal Harbour.
10. The proposed amendment is consistent with a draft Local Structure Plan and the regional framework to facilitate a mixture of uses.
11. Council is requested to initiate the proposed amendment for referral to the Environmental Protection Authority and advertising.

GOVERNMENT & PUBLIC CONSULTATION

12. It's proposed that the Amendment No.3 is advertised to government agencies and to adjacent landholders.

STATUTORY IMPLICATIONS

13. A local planning scheme is a statutory document that defines the way land can be used and developed. A local planning scheme amendment proposes to modify the scheme text and/or map.
14. The local government may resolve to proceed to modify the proposed amendment and to seek the approval of the Commission to advertise the modified proposed amendment under section 83A of the Act; or the local government may resolve not to proceed with the proposed amendment; and provide a copy of the resolution to the Commission.

15. If the Minister under section 83A(2)(b) of the Act requires the local government to modify a proposed standard amendment submitted for approval to advertise, the local government must:
 - modify the proposed amendment as required; and
 - resubmit the modified proposed amendment to the Minister in accordance with section 83A of the Act.
16. As soon as reasonably practicable after the Minister under section 83A(2)(a) of the Act approves a proposed standard amendment to a local planning scheme for advertising, the local government must prepare a notice in a form approved by the Commission advertise the proposed standard amendment to a local planning scheme.
17. The key elements of the statutory environment in relation to the proposed Scheme Amendments are set out in the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*. The proposed scheme amendment has been prepared having regard to the Act, the Regulations and Model Scheme Text and Deemed Provisions contained therein.
18. The *Planning and Development (Local Planning Schemes) Regulations 2015* identifies three different levels of amendments – basic, standard and complex. The Amendment No.3 is a standard amendment as it aligns with the City's Planning Strategy.

POLICY IMPLICATIONS

19. There are no policy implications relating to the proposed Amendment No.3.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Operational: <i>The amendment is not adopted.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>City officers will work with Council to address concerns and re-present the report to Council for adoption.</i>
Opportunity: <i>Facilitate coherent regulatory outcomes.</i>				

FINANCIAL IMPLICATIONS

21. There are no financial implications relating to the adoption the scheme amendment.

LEGAL IMPLICATIONS

22. There are no legal implications relating to adopting the scheme amendment.

ENVIRONMENTAL CONSIDERATIONS

23. The subject land is likely to contain asbestos contamination and Western Ringtail Possum Habitat and therefore it is recommended that the Amendment No.3 is referred to the Environmental Protection Amendment.

ALTERNATE OPTIONS

24. Council may choose to support the amendment subject to modifications or not to support the adoption of the amendment for reasons.

CONCLUSION

25. The City received a request seeking to transfer the land at the old Woolstores, from the 'Rural Smallholdings' and 'Light Industry' zones, and 'Local Road' reserve to the 'Urban Development' zone.

26. The 'Urban Development' zone provides an intention of future land use and a basis of structure planning, to provide for a range of residential and commercial uses and to protect the land from noncompatible subdivision or development.
27. The proposed zoning aligns with the structure planning for the site which recommends subdivision and development to support a shopping centre precinct and a mixed-use precinct to include housing, offices, showrooms, amusement centres, eating establishments and appropriate light industrial activities.
28. Council is requested to initiate the proposed amendment for referral to the Environmental Protection Authority and for advertising.

Consulted References	<ul style="list-style-type: none">• <i>Local Planning Scheme No.2</i>• <i>Planning and Development Act 2005</i>• <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>• <i>Environmental Protection Amendment Regulations 2024</i>
File Number	Synergy File Number – AMD3 (LPS2)
Previous Reference	OCM 27/02/24 Resolution DIS382

DIS418: PLANNING AND BUILDING REPORTS AUGUST 2024

Proponent / Owner : City of Albany.
Attachments : Planning and Building Reports September 2024
Report Prepared By : Senior Information Officer – Development Services
Authorising Officer: : Manager Development Services

RECOMMENDATION

DIS418: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BAESJOU
SECONDED: COUNCILLOR TRAILL

THAT the Planning and Building Reports for September 2024 be RECEIVED.

CARRIED 10-0

DIS419: CONTRACT AWARD – C24013 DELIVERY OF WASTE SERVICES

Land Description	: N/A
Proponent / Owner	: City of Albany
Business Entity Name	: City of Albany
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover.
Report Prepared By	: Executive Director Infrastructure, Development & Environment
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** Planet
 - **Outcome:** 2.2 Shared responsibility for climate action.

In Brief:

- This item is to award contracts for the Delivery of Waste Services in the City of Albany.
- All current extensions on our waste collection and processing contracts are set to conclude by 30 June 2025.
- Four separate tenders were issued for Collection Services, Recyclables Processing Services, Organics Processing Services, and Facilities Supervision for a period of up to ten years.

RECOMMENDATION

DIS419: RESOLUTION 1
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR TRAILL

THAT Council AWARD Contract C24013(A) - Delivery of Waste Services - Collection Services to the tenderer recommended by the evaluation panel as detailed in the Confidential Briefing Note.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor Lionetti

DIS419: RESOLUTION 2
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT Council AWARD Contract C24013(B) - Delivery of Waste Services - Recyclables Processing Services to the tenderer recommended by the evaluation panel as detailed in the Confidential Briefing Note.

CARRIED 8-2

Record of Vote

Against the Motion: Councillors Lionetti and MacLaren

DIS419: RESOLUTION 3
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT Council AWARD Contract C24013(C) - Delivery of Waste Services - Organics Processing Services to the tenderer recommended by the evaluation panel as detailed in the Confidential Briefing Note.

CARRIED 8-2

Record of the Vote

Against the Motion: Councillors Lionetti and MacLaren

DIS419: RESOLUTION 4
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GRIMMER
SECONDED: DEPUTY MAYOR TERRY

THAT Council NOT award Contract C24013(D) – Delivery of Waste Services – Facilities Supervision Services.

CARRIED 10-0

BACKGROUND

2. The City of Albany currently operates three waste collection and processing contracts that are all set to conclude on 30 June 2025:
 - P14021 – General waste and recycling collection, along with recycling processing, provided by Cleanaway.
 - P20020 – FOGO collection, also provided by Cleanaway.
 - C20019 – GO and FOGO processing, provided by Soil Solutions.
3. The proposed contracts have been split into 4 separable portions consisting of the following, with all intended to commence on 1 July 2025:
 - C24013(A) - Collection Services (for an initial 8 year term, with two by one year extensions – total potentially 10 years)
 - C24013(B) - Recyclables Processing Services (for an initial 8 year term, with two by one year extensions – total potentially 10 years)
 - C24013(C) - Organics Processing Services (for an initial 8 year term, with two by one year extensions – total potentially 10 years)
 - C24013(D) - Facilities Supervision Services (for an initial 5 year term with five by one year extensions – total potentially 10 years)
4. Tenders were open from 5 June 2024 to 28 August 2024 for a total of 12 weeks, with the Tender period extended by a month.

DISCUSSION

5. A total of fifteen (15) tender documents were issued by City of Albany.
6. Tender submissions were received from three (3) companies with all separable portions represented.
7. The tenders were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender separable portion. The criteria are tabled below:

Criteria	% Weighting
Risk and corporate structure criteria	25%
Operational criteria	40%
Corporate Social Responsibility	5%
Price and price related criteria	30%
Total	100%

8. The Price criteria was assessed using a present value calculation and assigned a score.
9. The following table summarises the tenderers and their weighted scores:

Separable Portion	Tenderer	Weighted Score
C24013(A) - Collection Services	Submission A	64.0%
	Submission B	68.1%
C24013(B) - Recyclables Processing	Submission C	47.8%
	Submission D	57.9%
C24013(C) - Organics Processing	Submission E	47.7%
C24013(D) - Facilities Supervision	Submission F	67.1%

GOVERNMENT & PUBLIC CONSULTATION

10. A regional approach was adopted in collaboration with our neighbouring local governments to align contracts and pursue regional pricing.
11. The Shires of Plantagenet, Denmark, and Jerramungup tendered concurrently to obtain pricing for the separable portions that best suited their specific needs.

STATUTORY IMPLICATIONS

12. 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 \$250,000.
13. 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.
14. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

15. Council's *Purchasing Policy (Tenders & Quotes)* and *Buy Local Policy (Regional Price Preference)* are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Service delivery Interruption <i>Essential waste management services would be interrupted, leading to missed collections and operational breakdowns..</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Award contract to ensure continuity of service.</i>
Community <i>Loss of public trust and negative sentiment due to inadequate communication and service failure.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Ensure transparent communication with residents about delays and timelines.</i>
Environment <i>Accumulated waste could cause pollution, attract pests, and harm the local environment.</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Set up temporary waste collection solutions and enhance environmental monitoring.</i>
Finance <i>The City could incur higher costs for emergency measures and face financial inefficiencies or fines</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Reallocate budget, seek grants, and explore short-term contracts to manage costs.</i>
People Health and Safety <i>Public health risks, such as the spread of disease, could arise from waste buildup, impacting residents and workers.</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Provide public health guidance and enforce safety measures for waste handling.</i>
Opportunity: <i>Waste collection and processing is an essential service for Local Government and the failure to provide it will have significant impacts on the community.</i>				

FINANCIAL IMPLICATIONS

17. The value of this tender exceeds \$500,000 and therefore approval is referred to Council for consideration.
18. More detailed information regarding the financial implications are contained in the Confidential Briefing Note.

LEGAL IMPLICATIONS

19. The Waste Avoidance and Resource Recovery (WARR) Act 2007 provides the framework for waste management in Western Australia, including the roles and responsibilities of local government.
20. While the legislation does not explicitly mandate that local governments must provide waste services, it creates a framework that assumes and enables local governments to take on this responsibility as part of their core functions in managing their communities.

ENVIRONMENTAL CONSIDERATIONS

21. Best practice waste diversion is a key priority in the development of these tenders.
22. Careful consideration has been given to ensuring that sustainable waste diversion strategies are upheld including maximising the recovery of recyclable materials, reducing landfill dependence, and promoting innovative waste management techniques.
23. The tenders are designed to support the City's broader environmental goals by prioritising practices that minimise environmental impact, enhance resource recovery, and contribute to long-term sustainability.

ALTERNATE OPTIONS

24. The options are:

- a) Council may elect to accept one or more of the recommended separable portion tenders; or
- b) Not approve any tender.

CONCLUSION

25. It is recommended, based on the evaluation scoring, clarification and financial check processes that subject to confirmation of departures and final clarifications the tenders be awarded in accordance with the Confidential Briefing Note.

Consulted References	:	<ul style="list-style-type: none">• <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	:	C24013
Previous Reference	:	N/A

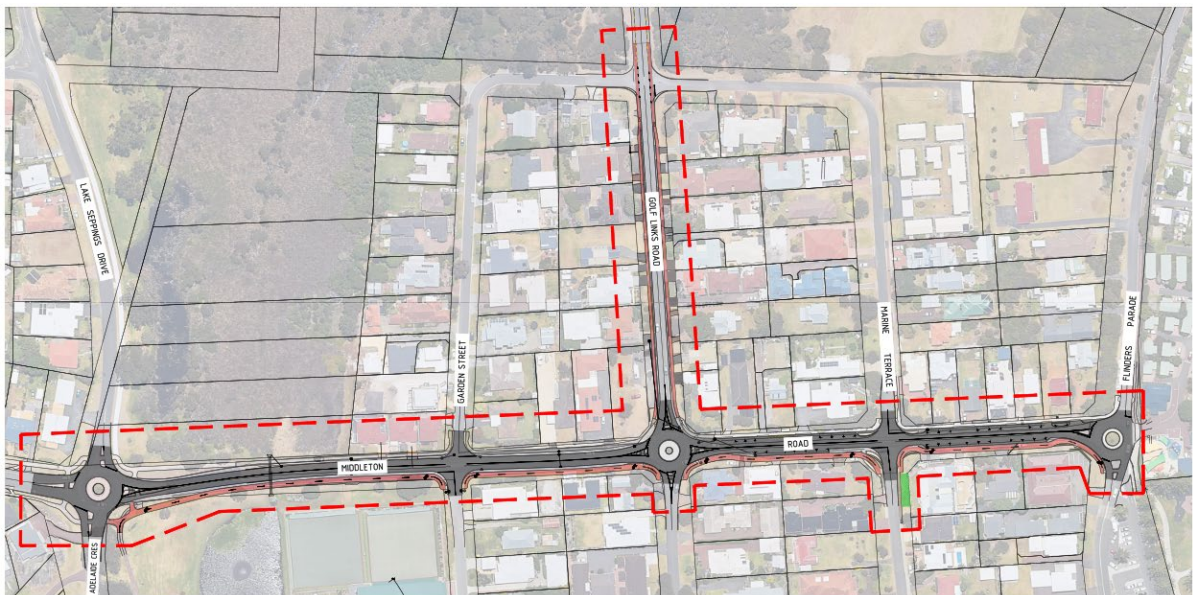
DIS420: MIDDLETON ROAD RESURFACING AND CYCLE LINK

Proponent / Owner	: City of Albany.
Business Entity Name	: City of Albany.
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover
Report Prepared By	: Senior Civil Engineering Officer - Roads
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

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:** Place.
 - **Outcome:** 3.4: A safe, sustainable and efficient transport network.
2. This item also relates to the City of Albany *Cycle City Albany Strategy 2014-2019*:
 - **Objective 1:** The cycling Network
 - **Strategies: 1.1:** Plan and build a cycling network that is connected and encourages shared use between vehicle users, cyclists and pedestrians.

Maps and Diagrams:



In Brief:

- Following a competitive tender process Council approval is sought to award Tender C24002 Middleton Road Resurfacing and Cycle Link.
- Two (2) complying tenders were received, with WCP Civil being the recommended contractor.
- Construction is expected to commence in December 2024 with completion in late March 2025.

RECOMMENDATION

DIS420: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR MCKINLEY

THAT Council AWARD Contract C24002 - MIDDLETON ROAD RESURFACING AND CYCLE LINK to WCP Civil as recommended by the evaluation panel and detailed in the Confidential Briefing Note attached to this report.

CARRIED 10-0

BACKGROUND

3. Middleton Road is a local distributor road which carries an average of 4,800 vehicles per day and provides access to Middleton Beach, numerous holiday accommodation premises such as motels and a caravan park, restaurants, cafes, bars and the local Surf Lifesaving Club.
4. Golf Links Road is also a local distributor road and carries in excess of 2,000 vehicles per day. Golf Links Road provides a link from the Middleton beach area to Emu Point and the northeastern suburbs of Albany.
5. The proposed work involves:
 - a. The construction of a new multi-use path and cycle link to connect the Middleton Beach foreshore to the existing infrastructure at Eyre park, Middleton Road and Golf Links Road.
 - b. The realignment, narrowing and resurfacing of Middleton Road from Adelaide Crescent to Flinders Parade (SLK 2.57 – 3.17) to better reflect the posted speed of 40km/hr and to create a more pedestrian and cycle friendly precinct.
6. Design and specification documentation was prepared by the City of Albany to the stage of 'Issued for Tender'.
7. The tender was open from 28th August 2024 to 26th September 2024.

DISCUSSION

8. A total of nine (9) tender documents were issued by City of Albany.
9. Two (2) complete tender documents were submitted on or before the stipulated closing date and time.
10. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Qualitative Criteria	Weighting (%)
Cost	30%
Relevant Experience	25%
Demonstrated Understanding	20%
Tenderer's Resources	20%
Corporate Social Responsibility	5%
Total	100%

11. The following table summarises the tenderers and their weighted scores:

Tenderer	Total Score	Rank
Tenderer A	555.74	2
WCP Civil	659.26	1

12. The Tenderer claimed the Buy Local Policy reduction.

13. WCP Civil ranked highest with the highest score of 659.26.

14. From the evaluation scoring WCP Civil are the preferred tenderer and consequently it is recommended that their tender be accepted and the contract be awarded.

GOVERNMENT & PUBLIC CONSULTATION

15. A request for tenders was published in The West Australian on Wednesday, 28 August 2024 and The Albany Extra on Friday, 30 August 2024.

STATUTORY IMPLICATIONS

16. 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 \$250,000.

17. 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.

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

19. Voting Requirement: Simple Majority.

POLICY IMPLICATIONS

20. Council's Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

21. The value of this tender is more than \$500,000 and therefore Council approval is required as this exceeds the CEO's delegation.

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
People Health and Safety <i>A vehicle accident occurs due to poor geometry and narrow road width.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Continue upgrading road as funding is available.</i>
Service delivery Interruption <i>Lack of maintenance causes road failure and disrupts traffic flows.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Identify maintenance intervention level of road and act accordingly.</i>
Legal and compliance <i>Excessive damage to vehicles from poorly maintained roads could result in legal claims against the City</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Continue annual maintenance and capital works on road infrastructure. Identify maintenance intervention level of road and act accordingly</i>
Community <i>Lack of consultation will cause frustrations and delays.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Complete and instigate community engagement plan</i>
Finance <i>Non-compliance with contract or business failure</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Standard general conditions of contract protect the City by allowing for contract termination on the basis of failure to supply goods and services.</i>

FINANCIAL IMPLICATIONS

23. The value of this tender is more than \$500,000 and therefore approval is referred to Council for consideration.
24. More detailed information regarding the financial implications is contained in the Confidential Briefing Note.
25. Funding for this project has been received from Road Projects Grants (RPG), Western Australian Bicycle Network (WABN) Grants. Municipal funds are allocated in the 2024-2025 budget.

LEGAL IMPLICATIONS

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

ENVIRONMENTAL CONSIDERATIONS

27. The existing drainage culvert between the lake at Eyre Park and Lake Seppings is to be replaced as part of the works. City of Albany has been advised by Department of Water and Environmental Regulation that a permit to disturb the bed and banks of the waterway is not required to undertake this work.
28. City of Albany will monitor the waterway for the presence of long necked turtles during the construction of the culvert and arrange for their relocation if encountered.

ALTERNATE OPTIONS

29. The options are:
 - a. Council may elect to accept the recommended tender; or
 - b. Not approve any tender.

CONCLUSION

30. The City has undergone a competitive process in line with the relevant legislation and established policies.
31. It is recommended, based on the evaluation scoring, clarification and financial check processes that the tender be awarded to WCP Civil.

Consulted References	<ul style="list-style-type: none">• <i>Local Government (Functions and General) Regulations 1996</i>• <i>Council Policy – Purchasing</i>• <i>Council Policy – Buy Local (Regional Price Preference)</i>
File Number	C24002
Previous Reference	N/A

AR154: MANAGEMENT OF PURCHASING CARDS – PROGRESS REPORT

Business Entity Name	: City of Albany
Attachments	: City of Albany Purchasing Card Action Items Report- Confidential
Report Prepared By	: Manager Finance
Authorising Officer:	: Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan:
 - **Pillar:** Leadership.
 - **Outcome:** Strong workplace culture and performance.

In Brief:

- The City of Albany (“the City”) was selected by the Office of the Auditor General (“OAG”) to assess whether it effectively manages the issue, use and cancellation of purchasing cards.
- Upon completion of the review, the OAG presented their findings and recommendations to the City.
- This agenda item outlines the progress made by the City regarding those findings, recommendations and agreed upon actions.

RECOMMENDATION

**AR154: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

THAT the City of Albany Purchasing Card Action Items Report be RECEIVED.

CARRIED 10-0

AR154: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR MACLAREN
SECONDED: DEPUTY MAYOR TERRY**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 4-0

AR154: AUTHORISING OFFICER RECOMMENDATION

THAT the City of Albany Purchasing Card Action Items Report be Received.

BACKGROUND

2. In 2023, the City was selected by the OAG for inclusion in a performance audit on purchasing cards.
3. In April 2024, the OAG presented to the City its Emerging Findings Letter and a Summary of Findings report, both of which outlined the OAG's findings on the City's purchasing card practices.
4. For each of the findings presented, the City provided comments, and if applicable, a Responsible Person and Estimated Completion Date for each for the findings.
5. The City is tracking the status of each of the recommendations and status towards completion. A '*City of Albany Purchasing Card Action Items Report*' has been prepared as an attachment to this report.

DISCUSSION

6. The updated '*City of Albany Purchasing Card Action Items Report*' details the progress being made against each of the findings.

GOVERNMENT & PUBLIC CONSULTATION

7. While government and public consultation is not required, it's important to note that findings from Auditor General reports on the local government sector are revised and reviewed to ensure the City's actions align with the expectations of the Public Sector Commission (PSC) and Council's expectations.

STATUTORY IMPLICATIONS

8. The Local Government (Financial Management) Regulations 1996 states, in part:

Regulation 5(1)

Efficient systems and procedures are to be established by the CEO of a local government -

- (a) *for the proper collection of all money owing to the local government; and*
- (b) *for the safe custody and security of all money collected or held by the local government; and*
- (c) *for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process);*
- (d) *to ensure the proper accounting for municipal or trust:*
 - i. *Revenue received or receivable; and*
 - ii. *Expenses paid or payable; and*
 - iii. *Assets and liabilities; and*
- (e) *to ensure the proper authorisation for the incurring of liabilities and the making of payments; and*
- (f) *for the maintenance of payroll, stock control and costing records; and*
- (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or regulations.*

Regulation 5(2)

The CEO is to –

- (a) *ensure that the resources of the local government are effectively and efficiently managed; and*
- (b) *assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and*
- (c) *undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government (and not less than once in every three financial years) and report to the local government the results of those reviews.*

POLICY IMPLICATIONS

9. City Officers note that some of the recommendations may have an impact on City policies, notably the Purchasing Card Usage Policy & Procedure (administrative policy) and the Purchasing Policy (council policy).
10. The recommendations may also have an impact on procedures, which are typically read and adhered to in conjunction with relevant policies.

RISK IDENTIFICATION & MITIGATION

11. Not applicable, information only report.

FINANCIAL, LEGAL IMPLICATIONS & ENVIRONMENTAL CONSIDERATIONS

12. Not applicable, information only report.

ALTERNATE OPTIONS

13. Nil.

CONCLUSION

14. That the Authorising Officer Recommendation be adopted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995</i>• <i>Local Government (Financial Management) Regulations 1996</i>• <i>Local Government Amendment (Auditing) Act 2017</i>• <i>Auditor General Act 2006</i>
File Number	:	FM.MEE.3
Previous Reference	:	Audit & Risk Committee - 10/06/2024 - Report AR149

AR157: RECEIVE THE MINUTES OF THE AUDIT AND RISK COMMITTEE MEETINGS HELD 10 JUNE 2024

Proponent / Owner : City of Albany
Attachments : **Confirmed Minutes of Audit and Risk Committee Meeting held 10 June 2024- CONFIDENTIAL**
Report Prepared By : Senior Team Leader
Authorising Officer: : Chief Executive Officer

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:** Provide strong, accountable leadership.

RECOMMENDATION

AR157: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR MACLAREN
SECONDED: COUNCILLOR SUTTON

THAT the confirmed minutes of the Audit and Risk Committee Meeting held on 10 June 2024 be RECEIVED.

CARRIED 10-0

BACKGROUND

2. The Audit and Risk Committee meeting is not open to the public and as such the minutes are not required to be published on the City's website, in accordance with section 13 (1) (a) of the *Local Government (Administration) Regulations 1996*.
3. Report items requiring a decision of Council will be presented to an Ordinary Meeting of Council for consideration.

Consulted References	:	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i>
File Number	:	FM.MEE.3
Previous Reference	:	OCM 23/08/2022 Resolution AR123 OCM 28/03/2023 Resolution AR133 OCM 27/06/2023 Resolution AR137 OCM 25/06/2024 Resolution AR154

**LEMC036: RECEIVE THE MINUTES OF THE LOCAL EMERGENCY
MANAGEMENT COMMITTEE MEETING HELD 13th JUNE 2024**

Attachments : Confirmed Minutes of the LEMC Meeting held 13/06/2024
Report Prepared By : Personal Assistant to the ED Corporate & Commercial
Services
Authorising Officer: : Executive Director Corporate and Commercial Services

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:

- Receive the minutes of the Local Emergency Management Committee meeting held on 13th June 2024.

RECOMMENDATION

LEMC036: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT the confirmed minutes of the Local Emergency Management Committee meeting held on 13TH June 2024 be RECEIVED.

CARRIED 10-0

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

There being no further business the Presiding Member declared the meeting closed at **8:38pm**.

A handwritten signature in black ink, reading "Greg Stocks", is written over a light blue rectangular background. The signature is written in a cursive style.

Gregory B Stocks
MAYOR