

MINUTES

Ordinary Meeting of Council

Tuesday 24 November 2015

6.00pm

City of Albany Council Chambers

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

VISION

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

VALUES

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

Focused: on community outcomes

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

United: by working and learning together

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

Accountable: for our actions

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

Proud: of our people and our community

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

ORDINARY COUNCIL MEETING
MINUTES - 24/11/2015

TABLE OF CONTENTS

	Details	Pg#
1.	DECLARATION OF OPENING	3
1.1	DECLARATION OF COUNCILLORS ELECT & ELECTION OF DEPUTY MAYOR	3
2.	PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS	3
3.	RECORD OF APOLOGIES AND LEAVE OF ABSENCE	3
4.	DISCLOSURES OF INTEREST	4
5.	REPORTS OF MEMBERS	4
6.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil	5
7.	PUBLIC QUESTION TIME	6
8.	APPLICATIONS FOR LEAVE OF ABSENCE	6
9.	PETITIONS AND DEPUTATIONS	6
10.	CONFIRMATION OF MINUTES	6
11.	PRESENTATIONS	6
12.	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil	6
13.	MINUTES AND RECOMMENDATIONS OF COMMITTEES	
ED	Economic Development Committee	
ED025	REGIONAL EVENTS SPONSORSHIP-2016 PROGRAM	7
ED026	ALBANY HERITAGE PARK-QUARTERLY REPORT	13
ED027	CREATIVE INDUSTRIES REPORT AND FUTURE USE OF WESTRAIL BARRACKS BUILDING	16
CS	Community Services Committee Nil	
PD	Planning and Development Committee	
PD103	PREPARATION OF "CHEYNE BEACH" LOCAL PLANNING POLICY	22
PD104	INDUSTRY-EXTRACTIVE (GRAVEL AND SAND), LOT 110, 105 BON ACCORD ROAD, KING RIVER - WITHDRAWN	
PD105	PLANNING AND BUILDING REPORTS OCTOBER 2015	29
CSF	Corporate Services and Finance Committee	
CSF203	FINANCIAL ACTIVITY STATEMENT-SEPTEMBER 2015	30
CSF204	LIST OF ACCOUNTS FOR PAYMENT- OCTOBER 2015	32
CSF205	DELEGATED AUTHORITY REPORTS	34
WS	Works and Services Committee	
WS092	CONTRACT C15030-FIELD LIGHTING AND POWER INSTALLATION, CENTENNIAL PARK WESTERN PRECINCT	35
WS093	C15026 CRICKET AND SOCCER PAVILION CONSTRUCTION-CENTENNIAL PARK	39
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL	40
14.1	NOMINATION BY COUNCILLOR SHANHUN TO THE ECONOMIC DEVELOPMENT COMMITTEE	40
15.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil	41
16.	REPORTS OF CITY OFFICERS Nil	41
17.	MEETING CLOSED TO PUBLIC Nil	41
18.	CLOSURE	41

1. DECLARATION OF OPENING

[6:00:07 PM](#) The Mayor declared the meeting open.

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

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

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor D Wellington

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	P Terry
Frederickstown Ward	G Stocks
Kalgan Ward	J Price
Kalgan Ward	B Hollingworth
Vancouver Ward	N Mulcahy
Vancouver Ward	J Shanhun
West Ward	A Goode JP
West Ward	S Smith
Yakamia Ward	R Sutton
Yakamia Ward	A Moir

Staff:

Chief Executive Officer	A Sharpe
Executive Director Planning & Development	D Putland
Executive Director Economic Development & Commercial Services	C Woods
Executive Director Works & Services	M Thomson

Meeting Secretary J Williamson

Apologies:

Frederickstown Ward	C Dowling (Leave of Absence)
Executive Director Community Services	A Cousins
Executive Director Corporate Services	D Olde

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
Councillor Terry	ED025	Impartiality. Councillor Terry is the Vice President of the Albany Cycle Club. The Albany Cycle Club may have some involvement in the running of the tour of Margaret River, which is an Assessment Panel Recommendation for Regional Events Sponsorship. Councillor Terry remained in the Chamber and participated in the discussion and vote.

5. REPORTS OF MEMBERS

[6:01:11 PM](#) Councillor Terry

Summary of key points:

- Clipper Around the World Race.

[6:01:38 PM](#) Councillor Stocks

Summary of key points:

- Royal Visit;
- Tourism Awards;
- Clipper Around the World Race;
- CMCA Rally; and
- Chinese Consul General

[6:03:05 PM](#) Councillor Price

Summary of key points:

- November has been a great month for women, with Michelle Payne the winning jockey in the 2015 Melbourne Cup and Aung San Suu Kyi's party winning the Myanmar election.

[6:03:25 PM](#) Councillor Mulcahy

Summary of key points:

- Attended Australian Institute of Company Directors Lunch.

[6:04:40 PM](#) Councillor Shanahun

Summary of key points:

- Royal Visit was a successful event, thanked City staff and volunteers.

[6:05:15 PM](#) **Mayor's Report**

A summary of the Mayor's engagements on behalf of Council since the October 2015 Ordinary Council Meeting:

- Premier's Awards-Parliament House
- Launch of Great Southern Regional Investment Blueprint at the UWA Albany Centre
- Desert Mounted Corps Memorial Service
- Nurses Memorial Service
- Book Launch of 'Yakkin Trakkin' in Albany
- 2016 Australian of the Year Awards at Government House
- Remembrance Day Memorial Service
- 'A Long Way Back', the Harold Martin documentary at the Town Hall
- Business Sundowner with the Chinese Consul General, Dr Huang Qinguo
- Royal Visit
- WA Tourism Awards
- Launch of the Great Southern Festival
- Keep Albany Beautiful Awards
- Australian Volleyball League-WA Pearls and Hornets v the Victorian Volleyball Academy
- Welcome and Press Conference for the Clipper Round the World Yacht Race

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HOLLINGWORTH

SECONDED: COUNCILLOR SHANHUN

THAT the Mayor's Report be RECEIVED.

CARRIED 12-0

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil.

7. PUBLIC QUESTION TIME

[6:08:58 PM](#) Mr Don Dufty, Lunar Rise, McKail

Summary of key points:

- Congratulated new Councillors on their election and Mayor on re election; and
- York Street Parking Plan.

8. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HAMMOND

SECONDED: COUNCILLOR HOLLINGWORTH

THAT Councillor Price be GRANTED Leave of Absence for the Ordinary Council Meeting to be held December 2015.

CARRIED 12-0

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HAMMOND

SECONDED: COUNCILLOR MOIR

THAT Councillor Hollingworth be GRANTED Leave of Absence for the Ordinary Council Meeting to be held December 2015.

CARRIED 12-0

9. PETITIONS AND DEPUTATIONS Nil.

10. CONFIRMATION OF MINUTES

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR SMITH

THAT the minutes of the Ordinary Council Meeting held on 27 October 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 12-0

11. PRESENTATIONS Nil.

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.

ED025: REGIONAL EVENTS SPONSORSHIP - 2016 PROGRAM

Proponent : City of Albany
Report Prepared By : Acting Executive Director Community Services (A Cousins)
Responsible Officer : Acting Executive Director Community Services (A Cousins)

Responsible Officer's Signature:



Councillor Terry declared an Impartiality Interest in this item. Councillor Terry remained in the Chamber and participated in the discussion and vote.

STRATEGIC IMPLICATIONS

1. This strategy directly relates to the following elements from the Community Strategic Plan – Albany 2023 and the Corporate Business Plan 2014-2018.
 - a. **Key Theme: 1.** Smart Prosperous and Growing.
 - b. **Strategic Objective: 1.2** To strengthen our region's economic base.
Strategic Objective 1.3 To develop and promote Albany as a unique and sought after destination.
 - c. **Strategic Initiative 1.2.2.** Economic Diversity
Strategic Initiative 1.3.1. Events Management
Strategic Initiative 1.3.2. Tourism Destination

In Brief:

- Endorsement of Regional Event Sponsorship Assessment Panel recommendations.

RECOMMENDATIONS

ED025:RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR MULCAHY

1. THAT Council **ENDORSE** the Regional Event Sponsorship Assessment Panel recommendations as outlined in Paragraph 16 – Table 2 of this report.
2. THAT Council **NOTE** that post-event Acquittals and Project Reports will be tabled for review by the Economic Development Committee.

CARRIED 12-0

ED025: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9 -0

ED025: RESPONSIBLE OFFICER RECOMMENDATION

1. THAT Council ENDORSE the Regional Event Sponsorship Assessment Panel recommendations as outlined in Paragraph 16 – Table 2 of this report.
2. THAT Council NOTE that post-event Acquittals and Project Reports will be tabled for review by the Economic Development Committee.

BACKGROUND

2. The Regional Event Sponsorship program is part of the Council's *Community Funding and Event Sponsorship* Policy adopted at the May 2013 Ordinary Council Meeting.
3. The objective of the Policy is to provide an equitable and accessible framework for the provision of Community Funding and Event Sponsorship that aligns with Council's strategic objectives.
4. The program stream within the Policy that is the subject of this report and recommendations are:
 - Regional Event Sponsorship.
5. A summary of this program is outlined below in Table 1.

Table 1:		
Program	Objective	Detail
Regional Event Sponsorship	<ul style="list-style-type: none"> • To enhance tourism activity in the region. • Significant positive economic, social and community benefits. • To raise the profile of Albany. 	<ul style="list-style-type: none"> • Support for high-profile regional events that attract intrastate, interstate and international visitors to Albany and that demonstrate significant positive economic, social and community benefits.

6. The City of Albany's Regional Events Sponsorship program is designed to attract and support the staging of Regional Events that are Regional economic drivers for the Albany destination.
7. A Regional Special Event is defined as possessing the capability to attract significant numbers of visitors from outside the region and is more than just a local festival; it must possess substantial drawing power.

DISCUSSION

Program Overview

8. The Regional Events Sponsorship Program 2016 objectives include:
 - Generate additional tourism income by increasing visitor expenditure in the Albany region (economic impact).
 - Involve and inspire the local community (social benefits).
 - Attract media coverage that will help to raise the profile of Albany as a visitor destination (media impact).
9. The Regional Event Sponsorship program is a competitive funding application process. The sponsorship criteria and application processes follow a similar format to the State Government's Regional Events Scheme Program administered by Tourism Western Australia. Applicants are encouraged to also apply for Tourism Western Australia RES funding.
10. Events must be held between 1 January 2016 and 31 December 2016. Applications for Regional Events Sponsorship were open between August 2015 and September 2015.

Assessment

11. Applicants for the Regional Events Sponsorship were asked to discuss their proposals with the relevant contact officers before applying. This assisted applicants to shape their proposed activities to the funding and event sponsorship criteria, and gave guidance to applicants who did not meet the eligibility criteria.
12. Applications were evaluated by City officers using an event assessment methodology developed to measure an event's potential impact across economic value, job creation, destination promotion, strategic fit with City objectives, social and community benefits. A panel of three Councillors from Council's Economic Development Committee (EDC) used these scores to then assess and make final recommendations.
13. The assessment tool scored each event across seven variables based on the written applications submitted with a total maximum score of 70 points. The assessment tool used inputs as supplied by each applicant via the written submissions. These inputs have been assumed correct for the purposes of assessment. Each applicant will be required to provide evidence post event to substantiate the respective claims and this will influence future funding applications.
14. A total of seven (7) applications for Regional Events Sponsorship were received for funding requests totalling \$102,000 with \$65,000 available for allocation.
15. The panel recommended supporting five (5) of the seven (7) applications.

Panel Recommendations

16. A summary of applications recommended for funding is outlined in Table 2.

Table 2: Regional Events Sponsorship – Assessment Panel Recommendations

	Event	Event Type	Panel Comments	Amount Requested	Panel Recommendation
1	Albany Mountain Bike Club: <i>Albany Urban Dual Slalom and Kids Albany Urban Challenge</i>	<u>Extreme Sports Event:</u> Mountain biking Mountain bike event. Revision of Urban Down Hill.	High quality event. Fully supported.	\$20,000	\$20,000
2	Cycling Eventures: <i>Tour of Margaret River</i>	<u>Sports Event:</u> Road Cycling. Pro-Am Team Cycling Event.	Supported subject to submission of Event Plan and Sponsorship benefits package. Future support contingent on a name change referencing Albany.	\$20,000	\$20,000
3	Albany Speedway Club: <i>World Series Sprintcars</i>	<u>Motorsport Event</u> National speedway event.	Supported contingent on a sponsorship benefits package articulating City naming rights allocation.	\$20,000	\$15,000
4.	ArtsSouth WA: <i>Southern Art and Craft Trail</i>	<u>Arts/Culture Event</u> Art and Craft trail across Great Southern.	Supported. Feedback to applicant that request was for more than the naming rights sponsor. City officers to advise organisation of events management and sponsorship capacity training opportunities.	\$12,000	\$5,000
5.	Adventurethon Australia: <i>Adventurethon Albany</i>	<u>Extreme Sports Event</u> Multisport Adventure Race.	Supported noting \$5,000 in-kind support could include the City marquee. Organiser is also required to advise what strategies are in place to double participation numbers.	\$20,000	\$5,000 cash \$5,000 in-kind
6.	Corporate Sports Australia: <i>Albany City to Surf for Activ</i>	<u>Community Sport Event</u> Community fun run event.	Attracts predominantly local people. Media exposure is focused state-wide.	\$20,000	0
7.	Albany & Denmark Hinterland Orienteering Club: <i>Discover Albany Trail Run</i>	<u>Community Sport Event</u> Trail running event.	New Event. No compelling case demonstrating economic or social impact. Encourage application to Community Funding.	\$10,000	0
			Totals	\$102,000	\$65,000

GOVERNMENT & PUBLIC CONSULTATION

17. Not applicable.

STATUTORY IMPLICATIONS

18. Nil.

POLICY IMPLICATIONS

19. The *Community Funding and Event Sponsorship (2013)* policy applies, in particular the clauses relating to Regional Event Sponsorship.

20. Approval of Regional Events Sponsorship funding recommendations is required by Council.

21. Regional Event Sponsorship is a key program of the City of Albany Major and Regional Events Strategy 2014-17 endorsed by Council at the October 2014 Ordinary Council Meeting.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<u>Reputation</u> Council do not endorse any funding recommendations resulting negative feedback from the community or applicants.	Unlikely	Minor	Low	Rigorous application and assessment processes ensure Council have confidence in funding recommendations.
<u>Reputation</u> Negative feedback from applicants declined for funding	Possible	Minor	Medium	The assessment process includes clear reasons for applicants declined. Feedback will be offered to unsuccessful applicants.

FINANCIAL IMPLICATIONS

23. Council has endorsed the *Community Funding and Event Sponsorship (2013)* policy which includes an allocation of \$65,000.00 for Regional Events Sponsorship in 2015/16.

24. Management and oversight of funding and event sponsorship is undertaken using existing staff resources within the Community Services Directorate, within existing allocated budgets.

LEGAL IMPLICATIONS

25. Nil.

ENVIRONMENTAL CONSIDERATIONS

26. Nil.

ALTERNATE OPTIONS

27. Council could make alternative recommendations for funding including substitute dollar amounts for recommended applicants. The assessment process utilised a scoring system combined with a three panel review (comprising Councillors from the EDC) that formed the final recommendations.

SUMMARY CONCLUSION

28. The events recommended for funding support are considered consistent with the objectives of the Regional Events Sponsorship program.
29. The process for Regional Event Sponsorship Application Assessment is considered transparent and equitable.
30. It is therefore recommended that the Responsible Officers recommendation be adopted.

Consulted References	:	Council Policy Community Funding and Event Sponsorship (2013) City of Albany Major and Regional Events Strategy 2014-17
File Number (Name of Ward)	:	Not applicable.
Previous Reference	:	Nil.

ED026: ALBANY HERITAGE PARK – QUARTERLY REPORT

Proponent	: City of Albany
Attachments	: Albany Heritage Park – Quarterly Report
Report Prepared By	: Executive Director Economic Development and Commercial Services (C Woods)
Responsible Officer(s)	: Executive Director Economic Development and Commercial Services (C Woods)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This strategy directly relates to the following elements from the Community Strategic Plan – Albany 2023 and the Corporate Business Plan 2014-2018.
 - a. **Key Theme: 1.** Smart Prosperous and Growing.
 - b. **Strategic Objective: 1.2** To strengthen our region's economic base.
Strategic Objective 1.3 To develop and promote Albany as a unique and sought after destination.
 - c. **Strategic Initiative 1.2.2.** Economic Diversity
Strategic Initiative 1.3.2. Tourism Destination

In Brief:

2. To provide Council with quarterly statistical and financial updates on the National Anzac Centre and Albany Heritage Park.

RECOMMENDATIONS

ED026: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR STOCKS

THAT Council NOTE the Albany Heritage Park Quarterly Report July to September 2015.

CARRIED 12-0

ED026: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR STOCKS

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9 - 0

ED026: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council NOTE the Albany Heritage Park Quarterly Report July to September 2015.

BACKGROUND

3. The National Anzac Centre is the City of Albany's most significant tourism asset.
4. The National Anzac Centre is a \$10.6 million dollar investment from the Federal and State Government with an additional \$1.5 million invested by Wesfarmers for the construction of the Convoy Walk and Lookout.
5. The City of Albany manages the asset and understands the importance of generating economic outcomes for the region using the National Anzac Centre and the Albany Heritage Park assets to encourage both increased visitation and extended stays to the region.
6. Key stakeholders will also receive this quarterly report in an effort to further develop the relationships and as recognition of their significant investment and commitment to the City of Albany.
7. The City will in the new calendar year establish an independent steering committee to assist in the further development of both the NAC and AHP to ensure the assets continue to evolve and attract both local repeat visitation and visitors from outside the region.
8. Council has budgeted a subsidy of @ \$250,000 annually for the operations of NAC and the AHP and has established a reserve on the understanding that any surplus funds will be reinvested and be used to leverage additional grant funding to improve the asset.

DISCUSSION

9. This report is the first attempt to formalise reporting of the NAC and AHP to the Economic Development Committee and as such feedback from the committee will further refine the template.

GOVERNMENT & PUBLIC CONSULTATION

10. Not Applicable.

STATUTORY IMPLICATIONS

11. Not Applicable

POLICY IMPLICATIONS

12. Not Applicable.

RISK IDENTIFICATION & MITIGATION

13. Nil

FINANCIAL IMPLICATIONS

14. .Nil

LEGAL IMPLICATIONS

15. Nil

ENVIRONMENTAL CONSIDERATIONS

16. Nil.

ALTERNATE OPTIONS

17. Nil.

SUMMARY CONCLUSION

18. The performance of the NAC and AHP year to date is well above budget and expectations.

19. City staff will continue to market and develop the site to ensure it achieves the economic outcomes for the City and region.

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

ED027: CREATIVE INDUSTRIES REPORT AND FUTURE USE OF WESTRAIL BARRACKS BUILDING

Land Description	: Westrail Barracks Building, 40-46 Frederick St Albany, Western Australia
Proponent	: City of Albany
Owner	: City of Albany
Attachments	: Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (April 2014) Creative Albany Report (October 2015) Creative Albany Report Infographic
Report Prepared by	: Manager Tourism Development Services (M Bird)
Responsible Officer	: Executive Director Economic Development and Commercial Services (C Woods)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Themes:**
 1. Smart Prosperous and Growing
 - b. **Strategic Objectives:**
 - 1.2 To strengthen our region's economic base.
 - c. **Strategic Initiatives:**
 - 1.2.1 CBD revitalisation.
 - 1.2.2 Economic Diversity

In Brief:

- Creative Industries has been identified as an industry sector offering potential for economic development focus.
- The City of Albany supported Creative Albany to undertake an audit of the creative sector in Albany and the Great Southern region.
- The Westrail Barracks Building could be utilised as an incubator business development model for the creative industries sector.

RECOMMENDATION

**ED027: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR HOLLINGWORTH**

THAT Council:

- (1) NOTE the Creative Albany Report.**
- (2) ENDORSE City Officers to continue to work with Key Stakeholders to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator.**
- (3) That City Officers REPORT back to the Economic Development Committee with recommendations with regard to the future use and management options for the Westrail Barracks Building.**

CARRIED 12-0

ED027: COMMITTEE RECOMMENDATION

**MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR TERRY**

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9 - 0

ED027: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- (1) NOTE the Creative Albany Report.**
- (2) ENDORSE City Officers to continue to work with Key Stakeholders to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator.**
- (3) That City Officers REPORT back to the Economic Development Committee with recommendations with regard to the future use and management options for the Westrail Barracks Building.**

BACKGROUND

2. A strategic objective of the City of Albany Economic Development Strategy (2013-2017) is to strengthen and diversify Albany's economic base.
3. Creative Industries has been identified as an industry sector offering existing advantages for the Albany region and offers significant potential for enhancement.
4. In 2014 the City contracted the preparation of a scoping study titled "*Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (SC Lennon & Associates, April 2014)*" (the Lennon Report). The report defined creative industries and attempted to quantify its impact using secondary Australian Bureau of Statistics (ABS) data plus one on one consultation with local stakeholders. The Lennon Report highlighted a number of key issues and potential opportunities for future actions in order to enhance the City's creative economy and add to its economic diversity. One idea for future action was to prepare a Local Creative Industries Survey. Copy of Lennon Report in attachments.
5. As a result of the Lennon Report the City of Albany then partnered with local community group Creative Albany and co-funded the preparation of the "*Create Southern Great Southern Report – an audit of the creative sector in Albany and the Great Southern region of Western Australia (October 2015)*" (the Creative Albany Report). Copy of report in attachments.
6. The Creative Albany Report is a well researched and written report that provides a broad picture of the economic impact of the sector, identifies creative workers who may not have been captured in the ABS data of the Lennon Report, and identifies the issues and trends of local individuals and businesses currently working in the creative economy.
7. The Creative Albany Report identified a number of opportunities including establishing a creative physical hub(s) to; "*reduce professional isolation and allow face to face networking; provide facilities for creatives visiting from remote areas and infrastructure for local users; and present a visible showcase of creative activity in the Great Southern.*"
8. The City of Albany owns the Westrail Barracks/Co-operative Store Building (the Building) located on the corner of Frederick and Spencer Streets, Albany. The Building has exceptional heritage significance at a local, state and national level. A Conservation Plan for the building was prepared in March 2007 and a Project Management Plan for stabilisation and restoration was prepared in July 2013. A Lotterywest grant was secured to assist with the restoration of the building along with City of Albany funding. The Conservation and Restoration plans both noted the importance that the building be made usable again.
9. The original Building served as a community facility leased to the Albany Historical Society as a storage facility until the lease expired in December 2013. The City has been undertaking restoration works since this time and again has the potential to be a well used community building that should be frequented and admired by the local community.
10. The restoration of the Building is now entering the final stages of works and is now at "lock-up" and the future use of the facility can now be determined.

DISCUSSION

11. The City has identified the attraction and establishment of creative industries as a key economic development focus area, particularly when combined with creating a learning centre of excellence for creative industries services and production.

12. There are six recognised sectors within the Creative Economy as represented in Figure 1 below.

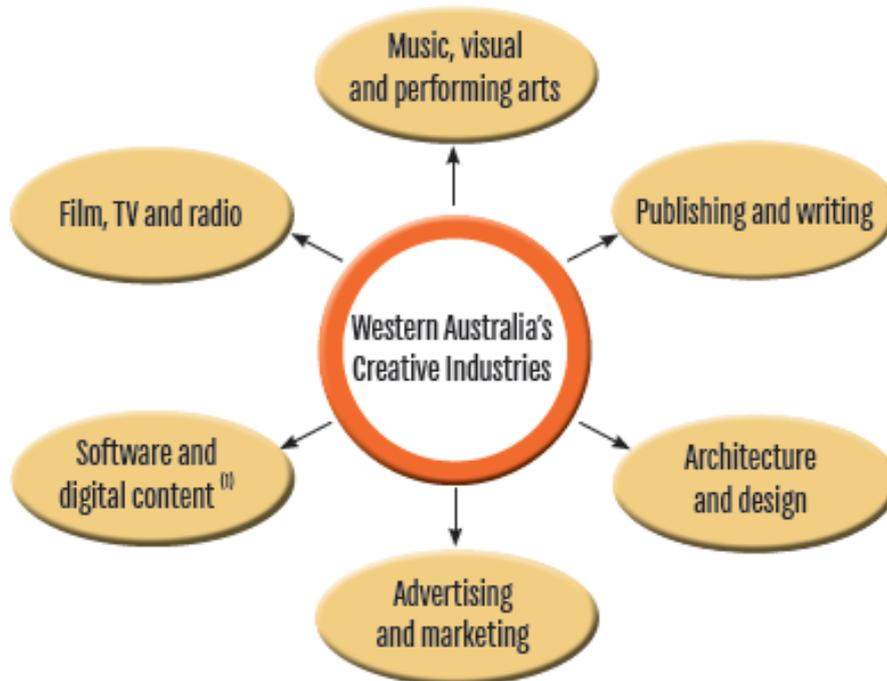


Figure 1 – The Six Creative Sectors (Lennon 2013)

13. The City has supported the preparation of the Lennon and Creative Albany reports. These reports found an Albany sector which;
- “Is unusually rich in Cultural production activity – a key element of liveability.*
 - Is well represented and active in the creative specialties of Music, performing and visual arts, Publishing and writing, and Architecture & design.*
 - Is actively working beyond the boundaries of the Great Southern region to supplement the local market and employment opportunities.*
 - Is characterised by a significant unrecognised resource of ‘emergent’ creative workers.*
 - Has formed a creative cluster in the lower Great Southern with Albany acting as the support centre for the creative sector in the Region as a whole.*
 - Is making a significant contribution to the Region’s economy through employment and the flow-on effects of creative activity.”*
14. Creative Albany will present their report findings to the City of Albany Economic Development Committee independently.
15. The Creative Industry sector has opportunity for growth within the region. The Creative Albany Report found the creative sector workforce grew by 14% between 2006 and 2011 in the Great southern region compared to the average growth for all occupations of 4.8%.
16. Both the Lennon and Creative Albany Reports identified the need and opportunity for the creation of a Creative Industries incubation space/facility. The City’s restoration of the Westrail Barracks/Co-operative Store will potentially enable this building to be used for this purpose.

17. The current zoning and permitted uses allows for the building as a creative industries incubator by a community based group. The only condition is that the entire building needs to be leased by the City to the one entity.
18. City of Albany officers have had preliminary discussions with Creative Albany and the Great Southern Business Centre collaboratively with regard to using the renovated Westrail Barracks/Co-operative Store building as a business incubator facility for emerging Creative individuals and businesses such as, but not limited to, web based technologies.
19. Further work is required to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator. This paper requests Council support to further investigate this proposal and to present a more detailed business case for consideration based on the above proposed use.

GOVERNMENT & PUBLIC CONSULTATION

20. Both internal and external stakeholders were consulted during the preparation of the Lennon and Creative Albany reports. Both reports detail the level of consultation undertaken.
21. Preliminary discussions with Creative Albany and the Great Southern Business Centre have been undertaken regarding the future use of the Westrail Barracks/Co-operative Store building.

STATUTORY IMPLICATIONS

22. Recommendations within the report will comply with all statutory requirements.

POLICY IMPLICATIONS

23. All recommendations within the report will comply with all existing Council Policies.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational and Strategic. The City has been an active supporter of the creative industry sector via the preparation of recent reports. Lack of action to support implementation of report recommendations may reflect badly on the City's economic development initiatives.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Note the Creative Albany report and support implementation of the recommendations where appropriate.</i>
<i>Financial and Reputational. A new use for the Westrail building is not identified.</i>	<i>Possible</i>	<ul style="list-style-type: none"> • <i>Minor</i> 	<i>Low</i>	<i>Council to endorse the further investigation of the use of the Building as a creative industries business incubator.</i>

FINANCIAL IMPLICATIONS

25. Full financial implications are not yet known. City of Albany officers to report back to the Economic Development Committee with business model recommendations with regard the future use and management options for the Westrail Barracks Building including financial implications.

LEGAL IMPLICATIONS

26. Nil.

ENVIRONMENTAL CONSIDERATIONS

27. Nil

ALTERNATE OPTIONS

28. The Council will continue to explore other uses and will request Expressions of Interest for use of the building.

SUMMARY CONCLUSION

29. The City of Albany has identified the attraction and support of creative industries as a key economic development focus area. The City is investigating how to best leverage its unique sense of place to attract these type of enterprises and to establish Albany as a hub of creative industries for the Great Southern region.

30. Investigation of the Westrail Barracks/Co-operative Store building for the establishment of a Creative Industries hub/business incubator should be further investigated.

Consulted References	:	Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (April 2014) Creative Albany Report (October 2015) Creative Albany Report Infographic Albany Co-operative Society Building (Fmr) Conservation Plan (March 2007) Project Management Plan – Stabilisation and Restoration of Former Westrail Barracks/P&O Co-operative Store (July 2013)
File Number (Name of Ward)	:	All Wards
Previous Reference	:	Nil

PD103: PREPARATION OF 'CHEYNE BEACH' LOCAL PLANNING POLICY

Land Description : Portion of Reserve 878, Lots 1-29 Baxteri Road and Lots 2,3 and 7-22 Cheyne Road, Cheynes
Proponent : City of Albany
Owner : Crown
Attachments : Draft 'Cheyne Beach' Local Planning Policy
Appendices : Nil
Report Prepared By : Planning Officer (C McMurtrie)
Responsible Officer(s) : Executive Director Planning & Development (D Putland)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. Council is required to exercise its quasi-judicial function in this matter.
2. When exercising its discretion in relation to planning matters, the pertinent strategic document is the *Albany Local Planning Strategy*.
3. This proposal is broadly consistent with the strategic directions set in the *Albany Local Planning Strategy*.

Maps and Diagrams:



In Brief:

- Council is requested to consider the preparation of a 'Cheyne Beach' local planning policy to guide the development of leaseholds on Crown Reserve 878, Lots 1-29 Baxteri Road and Lots 2, 3 and 7-22 Cheyne Road, Cheynes.

- The main objectives of the local planning policy will be to protect the established character of the area and to restrict land uses in line with leasing arrangements.
- City Staff are supportive of the preparation of a 'Cheyne Beach' local planning policy, as it will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.
- It is requested that Council resolves to prepare a 'Cheyne Beach' local planning policy.

RECOMMENDATION

PD103: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HOLLINGWORTH

SECONDED: COUNCILLOR SUTTON

THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare a 'Cheyne Beach' local planning policy, which shall address:

- (a) **The established character of the Cheyne Beach settlement;**
- (b) **The need for development approval on leasehold land;**
- (c) **Permitted land uses within the various leasehold precincts within the settlement;**
- (d) **Development standards for leaseholds, including, but not limited to:**
 - **Fire management requirements;**
 - **Water supply;**
 - **Effluent disposal – (All new or replacement systems shall be an Alternative Treatment Unit (ATU) to the satisfaction of the City of Albany)**
 - **Roofing materials;**
 - **Building heights;**
 - **Access and parking;**
 - **Stormwater management;**
 - **Non-habitable structures;**
 - **Fencing; and**
- (e) **Advice for developers.**

CARRIED 8-4

Record of Vote

Against the Motion: Councillors Hammond, Goode, Price and Moir

ITEM PD103: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR HOLLINGWORTH

THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to: Prepare a 'Cheyne Beach' local planning policy, which shall address:

- (a) **The established character of the Cheyne Beach settlement;**
- (b) **The need for development approval on leasehold land;**
- (c) **Permitted land uses within the various leasehold precincts within the settlement;**
- (d) **Development standards for leaseholds, including, but not limited to:**
 - **Fire management requirements;**
 - **Water supply;**

- Effluent disposal – (All new or replacement systems shall be an Alternative Treatment Unit (ATU) to the satisfaction of the City of Albany)
 - Roofing materials;
 - Building heights;
 - Access and parking;
 - Stormwater management;
 - Non-habitable structures;
 - Fencing; and
- (e) Advice for developers.

CARRIED 6-0

PD103: AMENDMENT BY COUNCILLOR STOCKS

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officers Recommendation is adopted with an additional requirement under Effluent disposal:

- Effluent disposal (All new or replacement systems shall be an Alternative Treatment Unit (ATU) to the satisfaction of the City of Albany)

CARRIED 6-0

Councillor Stocks proposed a minor amendment to the Responsible Officer Recommendation, by detailing the specific effluent disposal conditions for new and replacement systems.

PD103: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to: Prepare a 'Cheyne Beach' local planning policy, which shall address:

- (a) The established character of the Cheyne Beach settlement;
- (b) The need for development approval on leasehold land;
- (c) Permitted land uses within the various leasehold precincts within the settlement;
- (d) Development standards for leaseholds, including, but not limited to:
 - Fire management requirements;
 - Water supply;
 - Effluent disposal;
 - Roofing materials;
 - Building heights;
 - Access and parking;
 - Stormwater management;
 - Non-habitable structures;
 - Fencing; and
- (e) Advice for developers.

BACKGROUND

4. Crown Reserve 878 is under management order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of 'Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station' for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

5. The reserve currently hosts 29 leases for holiday accommodation, seven leases for accommodation associated with the fishing industry and one fishing licence. While the Cheyne Beach Caravan Park was originally part of the reserve, it has now been excised and is freehold land.
6. A standard *Cheyne Beach Holiday Accommodation Lease Agreement* was developed by the City to replace the 29 holiday accommodation leases that are due to expire on 31 December 2015. Council approved renewal of those leases utilising the standard *Cheyne Beach Holiday Accommodation Lease Agreement* on 25 August 2015. A standard lease agreement for accommodation associated with the fishing industry is currently under development.
7. The City of Albany *Local Planning Policy Manual* was originally adopted by Council on 14 December 2010 and collated all of the City's local planning policies in one document for ease of use. The policies deal with various planning and development matters within the Local Planning Scheme area and assist the local government in making decisions under the Scheme. Following its initial adoption, the *Local Planning Policy Manual* underwent a number of revisions, including a comprehensive update to align with *Local Planning Scheme No. 1* on 27 May 2014, which included a change of title to *Local Planning Scheme No. 1 Policy Manual*.
8. Reserve 878 is located approximately 50km west-north-west of Albany town centre and has an area of approximately 115 hectares. The Reserve is surrounded by approximately 3,500 hectares of National Park, which is managed by the Department of Parks and Wildlife. The 29 holiday accommodation leaseholds are located on Baxteri Road. There are 11 leaseholds located on the inland (south-western) side of the road, while the remaining leaseholds are located on the seaward (north-eastern) side. The leaseholds are generally rectangular in shape and range from 825m² to 1202m² in area. The seven leaseholds for accommodation associated with the fishing industry are located on Cheyne Road, with a large leasehold of 7918m² on the seaward side and the remainder on the inland (south) side of the road, adjacent to the caravan park. These leaseholds are roughly square in shape, some with battleaxe access legs, and range from 1826m² to 2187m² in area.
9. The subject land and the surrounding National Park are covered by the 'Parks and Recreation' local scheme reserve. Lot 7774 Bald Island Road, which is freehold land and contains the caravan park, lies to the south of the leaseholds for accommodation associated with the fishing industry and is zoned 'Caravan and Camping'. A further freehold land parcel of 40 hectares lies to the south of Reserve 878 and is zoned 'General Agriculture'.

DISCUSSION

10. *Local Planning Scheme No. 1* does not prescribe development standards for local scheme reserves. Therefore, it is deemed necessary to prepare a 'Cheyne Beach' local planning policy, which will supplement *Local Planning Scheme No. 1* by establishing a set of standards that will guide development of the leaseholds within the settlement.
11. The development standards will maintain the established character of the settlement. The key character elements that have been identified are as follows:
 - Small rectangular single storey dwellings and sheds clad in either cement sheeting, weatherboard, corrugated steel or a mix of these materials and located centrally on each leasehold;
 - Low pitched skillion, or medium pitched gabled, corrugated steel roofs;
 - Limited use of fencing; and
 - Lawn areas with native species intermittently planted.
12. City Staff have prepared a draft local planning policy that seeks to maintain this character by:

- Maintaining the current 5 metre maximum building height, as measured from the natural ground level (single storey development);
 - Limiting development to existing leaseholds;
 - Prescribing setbacks to maintain the established pattern of development; and
 - Minimising the development of fencing.
13. Ensuring that the established character of the settlement is maintained will protect the amenity of the area. In particular, the open layout of the settlement and the outlook toward the ocean will be preserved.
14. The draft local planning policy divides the settlement into three distinct precincts. Precinct 1 covers the holiday accommodation leaseholds, Precinct 2 covers the leaseholds for accommodation associated with the fishing industry, while Precinct 3 lies within the foreshore area.
15. It is proposed to restrict the use of land within Precinct 1 to that of ‘Holiday Accommodation’, as defined in clause 10.3(a) of the *Cheyne Beach Holiday Accommodation Lease Agreement*, rather than as defined in *Local Planning Scheme No. 1*. The key difference between these definitions is that the Lease Agreements do not place a restriction on the length of stay, whereas *Local Planning Scheme No. 1* restricts occupancy to no more than three months in any calendar year by the same person or persons. However, the lease agreements do contain a condition that leaseholds are not to be used as a person’s primary place of residence.
16. It is not proposed to set land use controls for Precinct 2 at this time, as the leasing arrangements for the precinct are still under development. However, it is proposed to include a statement that the purpose of Precinct 2 is to provide accommodation associated with the fishing industry, and the City will retain the discretion to approve accommodation units and any associated storage buildings on these leaseholds. Processing and retail or wholesale activities will be prohibited in the precinct. It is expected that the leasing arrangements for Precinct 2 will include a condition requiring the removal of all buildings and structures from a leasehold upon expiration or termination of a lease, and that the land will be returned to its original condition. On this basis, it is proposed to include a recommendation that any accommodation units and non-habitable structures within Precinct 2 are transportable or are of a temporary nature.
17. It is proposed to include a prohibition on new development within Precinct 3, on account of its location within the foreshore area and subsequent vulnerability to coastal erosion and sea level rise.
18. The *Lower Great Southern Strategy*, published in 2007, identified Cheyne Beach as an existing rural village and suggested that it may have expansion potential. This was examined in more detail in the subsequent *Albany Local Planning Strategy* and it was found that the settlement had potential for expansion. It has since been determined that the locality is not suited to permanent habitation, though its continued use as a holiday and fishing settlement can be considered as being broadly consistent with the direction set by the *Albany Local Planning Strategy*.
19. The preparation of a ‘Cheyne Beach’ local planning policy will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.

GOVERNMENT & PUBLIC CONSULTATION

20. The *Planning and Development (Local Planning Schemes) Regulations 2015* require that a local government must pass a resolution to prepare a local planning policy, prior to the proposal being advertised for public comment. Consequently, no formal consultation has been undertaken at this stage. An early draft of the policy was released to the lessees for informal comment; however, no feedback has been received by the City.

STATUTORY IMPLICATIONS

21. Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows a local government to prepare a local planning policy. Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for making a local planning policy.

22. Voting requirement for this item is **SIMPLE MAJORITY**.

POLICY IMPLICATIONS

23. The draft ‘Cheyne Beach’ local planning policy does not support any new development in Precinct 3, which is currently impacted by coastal processes including erosion and tidal flooding. This requirement is consistent with *State Planning Policy 2.6 – State Coastal Planning*, which recommends that a vertical sea level rise of 0.9 metres be adopted when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year planning timeframe (2010 to 2110).

RISK IDENTIFICATION & MITIGATION

24. The following indicates the risk to the City in making a decision to support or not support the Policy:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Community, Organisational Operations and Reputation. The proposal may attract objections from lessees, members of the public or public authorities.	Possible	Minor	Medium	Widely consulting with all parties who may be affected and all relevant public authorities should mitigate any risk in this regard. If necessary, further information can be requested from the proponent as part of the amendment process.

FINANCIAL IMPLICATIONS

25. There are no financial implications directly relating to this item.

LEGAL IMPLICATIONS

26. There are no legal implications directly relating to this item.

ENVIRONMENTAL CONSIDERATIONS

27. The City’s Co-ordinator of Environmental Health has confirmed that the conventional effluent disposal systems that have been installed to service existing short-term accommodation units are capable of managing effluent accumulating from longer-term occupation.

28. It is proposed to include advice within the local planning policy pertaining to the management of weeds, the clearing of vegetation and the keeping of pets. Weeds are to be eradicated, clearing requires approval from the Department of Environment Regulation and the keeping of livestock, animals and domestic pets, is not permitted.

ALTERNATE OPTIONS

29. Council has the following alternate options in relation to this item, which are:

- To prepare a ‘Cheyne Beach’ local planning policy to address matters in addition to, or in lieu of those contained within the Officer’s recommendation; or
- Not to prepare a ‘Cheyne Beach’ local planning policy.

SUMMARY CONCLUSION

30. *Local Planning Scheme No. 1* does not prescribe development standards for local scheme reserves. A ‘Cheyne Beach’ local planning policy will supplement *Local Planning Scheme No. 1* by establishing a set of standards that will guide development of the leaseholds within the settlement. The development standards set within the draft local planning policy are designed to maintain the established character of the Cheyne Beach settlement, which will in turn preserve the amenity of the area.
31. The preparation of a ‘Cheyne Beach’ local planning policy will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.
32. On this basis, it is recommended that Council resolves to prepare a ‘Cheyne Beach’ local planning policy.

Consulted References	:	<ol style="list-style-type: none"> 1. <i>Local Planning Scheme No. 1</i> 2. <i>Albany Local Planning Strategy 2010</i> 3. <i>City of Albany Strategic Community Plan 2023</i> 4. <i>City of Corporate Business Plan 2013-2017</i> 5. <i>Lower Great Southern Strategy</i> 6. Western Australian Planning Commission <i>State Planning Policy 1 – State Planning Framework Policy (Variation No. 2)</i> 7. Western Australian Planning Commission <i>State Planning Policy 2.6 – State Coastal Planning</i> 8. Western Australian Planning Commission and Fire Emergency Services Authority <i>Planning for Bush Fire Protection Guidelines, Edition 2</i> 9. <i>Cheyne Beach Holiday Accommodation Lease Agreement</i>
File Number (Name of Ward)	:	A174625 (Kalgan Ward)
Previous Reference	:	<p>OCM – 17/07/2001 – Item 11.3.2 OCM – 18/09/2001 – Item 11.3.2 OCM – 16/08/2005 – Item 11.1.1 OCM – 19/10/2010 – Item 2.7 OCM – 25/08/2015 – Item CSF189</p>

PD105: PLANNING AND BUILDING REPORTS OCTOBER 2015

Proponent : City of Albany
Attachment : Planning and Building Reports October 2015
Report Prepared By : Administration Officer-Planning (K Smith)
Information Officer-Development Services (R Sutton)
Responsible Officer(s): : Executive Director Planning & Development (D Putland)

Responsible Officer's Signature:



RECOMMENDATION

PD105: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR MULCAHY

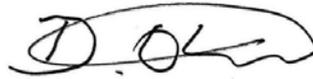
THAT Council NOTE the Planning and Building Reports for October 2015.

CARRIED 12-0

CSF203: FINANCIAL ACTIVITY STATEMENT – SEPTEMBER 2015

Attachment : Financial Activity Statement
Responsible Officer : Acting Executive Director Corporate Services (D Olde)

Responsible Officer's Signature:



**CSF203: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HOLLINGWORTH
SECONDED: COUNCILLOR STOCKS**

THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2015.

CARRIED 12-0

CSF203: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR HOLLINGWORTH
SECONDED: COUNCILLOR SMITH**

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF203: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2015.

BACKGROUND

1. The Statement of Financial Activity for the period ending 30 September 2015 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.

6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.

“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”

STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
 - a. annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - b. budget estimates to the end of the month to which the statement relates;
 - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
 - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - e. the net current assets at the end of the month to which the statement relates.
 - II. Each statement of financial activity is to be accompanied by documents containing –
 - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - c. such other supporting information as is considered relevant by the local government.
 - III. The information in a statement of financial activity may be shown –
 - a. according to nature and type classification;
 - b. by program; or
 - c. by business unit
 - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
 - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - b. recorded in the minutes of the meeting at which it is presented.

FINANCIAL IMPLICATIONS

8. Expenditure for the period ending 30 September 2015 has been incurred in accordance with the 2015/16 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

POLICY IMPLICATIONS

9. The City’s 2015/16 Annual Budget provides a set of parameters that guides the City’s financial practices.
10. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

File Number (Name of Ward)	FM.FIR.2 - All Wards
-----------------------------------	----------------------

CSF204: LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2015

Proponent : City of Albany
Attachments : List of Accounts for Payment
Report Prepared by : Financial Accountant (S Beech)
Responsible Officer : Executive Director Corporate Services (D Olde)

Responsible Officer's Signature:



RECOMMENDATION

CSF204: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY
MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR TERRY

That Council receive the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2015 totalling \$8,759,290.92.

CARRIED 12-0

CSF204: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HAMMOND
SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF204: RESPONSIBLE OFFICER RECOMMENDATION

That Council receive the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2015 totalling \$8,759,290.92.

BACKGROUND

- 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.

DISCUSSION

- The table below summarises the payments drawn from the municipal fund for the period ending 15 October 2015. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$5,000.00
Credit Cards	\$27,550.96
Payroll	\$1,723,235.71
Cheques	\$3,044,297.59
Electronic Funds Transfer	\$3,959,206.66
TOTAL	<u>\$8,759,290.92</u>

3. As at 15 October 2015, the total outstanding creditors, stands at \$703,389.05 and made up as follows:-

Current	\$526,086.35
30 Days	\$179,365.21
60 Days	\$68.00
90 Days	-\$2,130.51
TOTAL	<u>\$703,389.05</u>

Cancelled cheques: Nil

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

7. Expenditure for the period to 15 October 2015 has been incurred in accordance with the 2015/2016 budget parameters.

FINANCIAL IMPLICATIONS

8. Expenditure for the period to 15 October 2015 has been incurred in accordance with the 2015/2016 budget parameters.

SUMMARY CONCLUSION

9. That list of accounts have been authorised for payment under delegated authority.

File Number (Name of Ward)	:	FM.FIR.2 - All Wards
-----------------------------------	---	----------------------

CSF205: DELEGATED AUTHORITY REPORTS

Proponent : City of Albany
Attachments : Executed Document and Common Seal Report
Report Prepared by : Personal Assistant to Executive Director Corporate Services
(H Bell)
Responsible Officer : Chief Executive Officer (A Sharpe)

Responsible Officer's Signature:



RECOMMENDATION

CSF205: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR MULCAHY

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2015.

CARRIED 12-0

CSF205: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH
SECONDED: COUNCILLOR TERRY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF205: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2015.

WS092: CONTRACT C15030 FIELD LIGHTING AND POWER INSTALLATION CENTENNIAL PARK WESTERN PRECINCT

Land Description : Centennial Park Sporting Precinct
Proponent : City of Albany
Owner : City of Albany
Report Prepared by : Manager Major Projects (A. McEwan)
Responsible Officer : Executive Director Works & Services (M. Thomson)

Responsible Officer’s Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme 3: A Connected Built Environment**
 - b. **Strategic Objective 3.1:** To advocate, plan and build friendly and connected communities.

Maps and Diagrams:



This map has been produced by the City of Albany using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties. Reproduced by permission of Western Australian Land Information Authority, Copyright Licence SLIP 436-2014-1. www.landgate.wa.gov.au

Tuesday, 3 November 2015

1:3662



In Brief:

- Following a competitive tender process, Council approval is sought to award the tender for the C15030 Field Lighting and Power Installation Centennial Park Western Precinct to J&S Castlehow Electrical Services.

RECOMMENDATION

WS092: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR MULCAHY
SECONDED: COUNCILLOR SUTTON

THAT Council ACCEPT the tender from J&S Castlehow Electrical Services and AWARD contract C15030 – Lighting and Power Installation Centennial Park Western Precinct.

CARRIED 11-1

Record of Vote

Against the Motion: Councillor Price

BACKGROUND

2. The Centennial Park Sporting Precinct (CPSP) is an ongoing project tied to various funding agreements with execution timetables related to funding conditions and other practical issues around scheduling of sporting clubs.
3. It is preferable to commence works at the earliest possible time, to ensure practical completion in accordance with funding requirements and to minimise disruption to the sporting clubs affected by the works. The Western Precinct construction (fields and irrigation) has already commenced. The field lighting is an integral part of completing the playing fields.

DISCUSSION

4. The standard tender process was applied, ensuring the necessary accountability and transparency when considering submissions. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall point score for the tender.
5. The City of Albany advertised locally and at a state level seeking tenders for the installation of lighting and power at Centennial Park Western Precinct.
6. A total of 21 sets of documents were downloaded from the City of Albany tender website.
7. The City received 2 completed tender documents and these were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time. Tenders were subsequently opened, the name of the tenderer/s were recorded in the tender register and logged into Records.
8. Evaluation of Tenders.

The tender panel evaluated tenders using the weighted (out of 10) criteria methodology. Criteria and weighting were evaluated in five key areas.

Criteria	% Weighting
Relevant Experience	20%
Reliability	20%
Technical Compliance	10%
Demonstrated Understanding	20%
Corporate Social Responsibility	5%
Cost	25%
Total	100%

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

Tenderer	Total
J&S Castlehow Electrical Services	682.47
Tenderer B	658.48

10. On the basis of the total evaluation score, the highest weighting being applied to cost, relevant experience, and demonstrated understanding the most suitable company is J&S Castlehow Electrical Services.

GOVERNMENT & PUBLIC CONSULTATION

11. There is no government consultation required for the award of the lighting and power installation, Centennial Park Western Precinct.
12. The funding bodies will be contacted with regard to the outcome of the award and timeframe for construction.

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 of Council's decision.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Organisation's Operations <i>Failure to deliver project within specified timeframe</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Award lighting tender as soon as possible to satisfy funding conditions for project completion</i>
Business Interruption <i>Responsible Officer Recommendation is not adopted.</i>	<i>Possible</i>	<i>Major</i>	<i>Medium</i>	<i>Council makes a timely decision and awards the tender to the recommended tenderer</i>

FINANCIAL IMPLICATIONS

18. The value of this tender is in excess of \$500,000 and therefore the approval is referred to Council for consideration.
19. The recommended tender is within budget.

LEGAL IMPLICATIONS

20. Contractual terms for all aspects of this project will need to be rigorously applied.

ENVIRONMENTAL CONSIDERATIONS

21. There are no clearing permits required for the works.

ALTERNATE OPTIONS

22. The options are:

- Council can elect to accept the recommended tender
- Not approve any tender, or
- Appoint a different submitted tender.

SUMMARY CONCLUSION

23. On reviewing the submissions, J&S Castlehow Electrical Services was assessed as being the most suitable tenderer across the evaluation criteria for the lighting and power installation, Centennial Park Western Precinct. Their tender was well detailed and demonstrated a good understanding of the tender objectives.

24. This report recommends that the City accept the tender from J&S Castlehow Electrical Services be accepted.

Consulted References	:	<i>Local Government Act 1995 Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	<i>CP.DEC.1</i>
Previous Reference	:	<i>N/A</i>

**WS093: C15026 CRICKET AND SOCCER PAVILION CONSTRUCTION
CENTENNIAL PARK**

Land Description : Centennial Park Sporting Precinct
Proponent : City of Albany
Owner : City of Albany
Attachments : Letter, Minister Water; Sport and Recreation; Forestry
Report Prepared by : Executive Director Works & Services (M. Thomson)
Responsible Officer : Executive Director Works & Services (M. Thomson)

Responsible Officer’s Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme 3:** A Connected Built Environment
 - b. **Strategic Objective 3.1:** To advocate, plan and build friendly and connected communities.

Maps and Diagrams:



	<p><small>This map has been produced by the City of Albany using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties. Reproduced by permission of Western Australian Land Information Authority, Copyright Licence SLIP 436-2014-1. www.landgate.wa.gov.au</small></p>	<p>Thursday, 13 August 2015</p> <p>1:2656</p>	
---	---	---	---

In Brief:

- The City of Albany has received confirmation of funding from the State Government to enable the construction of the Cricket/Soccer Pavilion to commence.

RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR MULCAHY

SECONDED: COUNCILLOR SUTTON

THAT Item WS093: C15026-Cricket and Soccer Pavilion Construction, Centennial Park be ACCEPTED as an urgent item for consideration by Council.

**CARRIED 11-1
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillor Price

Officer's Reason: Confirmation of funding for this part of the Centennial Park Sporting Precinct project was received today (24 November 2015). In order to meet project delivery timelines, the City needs to proceed with awarding the tender and commencing construction.

RECOMMENDATION

WS093: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR HOLLINGWORTH

THAT Council:

1. **NOTE** the advice from the Minister for Sport and Recreation confirming a contribution of \$3 million (of a total \$8.75 million) towards the Centennial Park Sporting Precinct in the 2015/16 financial year with the remaining funding (\$5.75million) being considered in the 2016/17 State Government budget process.
2. **AWARD** Contract C15026 Cricket and Soccer Pavilion Construction Centennial Park to Tectonics Construction Group.
3. **Subject to (1) above, the balance of funding (\$5.75 million) from the total allocation will be the subject of a further report to Council as part of the City of Albany adopting its 2016/2017 Annual Budget.**

CARRIED 9-3

Record of Vote

Against the Motion: Councillors Hammond, Price and Goode

BACKGROUND

2. At the Ordinary Council Meeting of 27 October 2015 Council recommended:
THAT Council AUTHORISE the CEO to ACCEPT tender (contract C15024 – Cricket and Soccer Pavilion Construction, Centennial Park) and AWARD contract to Tectonics Construction Group following formal confirmation in writing of project funding.
3. Formal advice has been received from the Minister for Sport and Recreation confirming that \$3 million will be made available in the 2015/16 financial year with the remaining \$5.75 million being considered in the 2016/17 State Government budget process.
4. This commitment enables the construction of the Cricket/Soccer Pavilion to continue without risk of any cash flow shortfall however Council will need to consider implications concerning the balance of funding in a future report and as part of the adopting the 2016/2017 Annual Budget.
5. It is understood that the City will be made aware of the remaining \$5.75million funding by May/June 2016.
6. The City of Albany is committed to the total Centennial Park project. Should the previous State Government election commitment of \$8.75 million to the overall \$27million project not be delivered in its entirety and result in a shortfall of funds (\$5.75million) then the City will explore alternative options in funding the project as part of adopting its 2016/17 annual budget.
7. At this time the City remains confident that the State Government will honour its past commitment of \$8.75million.

DISCUSSION

8. In respect to the building contract, it is preferable to commence works at the earliest possible time, to ensure practical completion in accordance with funding agency requirements and to minimise disruption to the sporting clubs affected by the works. The Western Precinct construction (fields and irrigation) is already well progressed.

GOVERNMENT & PUBLIC CONSULTATION

9. There is no government consultation required for the award of the Cricket and Soccer Pavilion construction, Centennial Park.
10. The funding bodies will be contacted with regard to the outcome of the award and timeframe for construction.

STATUTORY IMPLICATIONS

11. 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.
12. 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.
13. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Organisation's Operations. <i>Failure to deliver project within specified timeframe disrupting clubs.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Award construction tender as soon as possible and tightly manage the project delivery.</i>
Financial. <i>Remaining funds not approved by State Government as part of budget process</i>	<i>Unlikely</i>	<i>Major</i>	<i>High</i>	<i>Consider funding options as part of the annual City's annual budget process for 2016/17.</i>

FINANCIAL IMPLICATIONS

16. The recommended tender was within budget.

LEGAL IMPLICATIONS

17. Contractual terms for all aspects of this project will need to be rigorously applied.

ENVIRONMENTAL CONSIDERATIONS

18. Nil.

ALTERNATE OPTIONS

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

SUMMARY CONCLUSION

20. Given that adequate funding has been secured to enable the construction of the Cricket/Soccer Pavilion to commence, this report recommends that the contract be awarded.

Consulted References	:	<i>Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	<i>C15016</i>
Previous Reference	:	<i>C11004</i>

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR HOLLINGWORTH

SECONDED: COUNCILLOR SUTTON

THAT Item 14.1: Nomination by Councillor Shanhun to the Economic Development Committee be ACCEPTED as an urgent item for consideration by Council.

**CARRIED 12-0
ABSOLUTE MAJORITY**

Reason: Councillor Shanhun has nominated in writing for membership of the Economic Development Committee. In order to facilitate his membership in a timely manner, Council are requested to consider this matter.

14.1: NOMINATION BY COUNCILLOR SHANHUN TO THE ECONOMIC DEVELOPMENT COMMITTEE

Proponent : City of Albany
Attachments : Council Policy: Governance & Risk Framework
Responsible Officers: : Chief Executive Officer (A Sharpe)
Report Prepared By : Manager Governance, Risk & IT Services (S Jamieson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme:** 5. Civic Leadership.
 - b. **Strategic Objectives:**
 - 5.1. To establish and maintain sound business and governance structures.
 - 5.3 To engage effectively with our community.
 - c. **Strategic Initiative:** 5.3.2. Councillor Forums

In Brief:

- Councillor Shanhun has formally advised the Chief Executive Officer that he wishes to nominate for membership of the Economic Development Committee.

Councillor Price proposed an amendment to the motion, as she wished to also nominate for a position on the Economic Development Committee.

**14.1: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR MOIR**

THAT the nominations by Councillors Shanhun and Price for membership of the Economic Development Committee be ACCEPTED, and Councillor Shanhun and Councillor Price be APPOINTED as members of the Economic Development Committee.

**CARRIED 12-0
ABSOLUTE MAJORITY**

14.1: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Councillor Shanhun's nomination to become a member of the Economic Development Committee be accepted, and Councillor Shanhun be APPOINTED as a member of the Economic Development Committee.

BACKGROUND

2. Councillor Shanhun has formally advised that he wishes to nominate for membership of the Economic Development Committee.
3. Nominations for membership of Council Committees were called for prior to the Ordinary Council Meeting held on 27 October 2015.
4. All Elected Members can reserve the right to nominate to committees at a later date.
5. The Economic Development Committee is open to all Elected Members who wish to become a member of the committee, as per the abridged Terms of Reference:

Economic Development Committee. The Economic and Development Committee is responsible for:

- Considering and recommending to Council ways to strengthen the local Albany economy; and
- Delivering the following Smart, Prosperous and Growing Objectives contained in the City of Albany Strategic Plan:
 - To foster links between education, training and employment that support economic development.
 - To strengthen our region's economic based.
 - To develop and promote Albany as a unique and sought after visitor destination.

Executive Officers: Chief Executive Officer & Executive Director Economic Development and Commercial Services

Meeting Schedule: 1st Tuesday of the Month.

Nominations: Open to all Councillors | **Membership:** Open to all Councillors.

6. Appointment to Committees is by ABSOLUTE MAJORITY (s5.10 of the Act).
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN** Nil.
16. **REPORTS OF CITY OFFICERS** Nil.
17. **MEETING CLOSED TO PUBLIC** Nil.
18. **CLOSURE** There being no further business the Mayor declared the meeting closed at [6:33:38 PM](#)



Dennis W Wellington
MAYOR