

AGENDA

Ordinary Meeting of Council

Tuesday 24 September 2019

6.00pm

City of Albany Council Chambers

ORDINARY COUNCIL MEETING
AGENDA 24/09/2019
CITY OF ALBANY
COMMUNITY STRATEGIC PLAN (ALBANY 2023)



NOTICE OF AN ORDINARY COUNCIL MEETING

Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday 24 September 2019 in the Council Chambers, 102 North Road, Yakamia commencing at 6.00pm.

Andrew Sharpe
CHIEF EXECUTIVE OFFICER

CARETAKER PERIOD STATEMENT

During a Caretaker Period the CEO will ensure that reports and / or recommendations made by officers for consideration by Council do NOT constitute major policy decisions which may commit Council to a certain course of action, financial or otherwise. All reports considered by Council during the Caretaker Period have been reviewed by the CEO, and the CEO has determined that those reports do not constitute a major policy decision. The Caretaker Period Policy does not impede the day-to-day administrative decisions required for the smooth running of the organisation.

ORDINARY COUNCIL MEETING
AGENDA 24/09/2019

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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

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

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor

D Wellington

Councillors:

Breaksea Ward

R Hammond

Breaksea Ward

P Terry

Frederickstown Ward

G Stocks (Deputy Mayor)

Frederickstown Ward

R Stephens

Kalgan Ward

B Hollingworth

Kalgan Ward

E Doughty

Vancouver Ward

J Shanhun

Vancouver Ward

T Sleeman

West Ward

A Goode JP

West Ward

S Smith

Yakamia Ward

A Moir

Yakamia Ward

R Sutton

Staff:

Chief Executive Officer

A Sharpe

Acting Executive Director Corporate Services

D Olde

Acting Executive Director Development
Services

J Van Der Mescht

Executive Director Infrastructure

& Environment

P Camins

Executive Director Community Services

S Kay

Meeting Secretary

J Williamson

Apologies:

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

7. PUBLIC QUESTION TIME

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. PETITIONS AND DEPUTATIONS

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Petition lodged by Ms Wendy Bunbury opposing the construction of a telecommunications tower at 60 Home Road, Robinson be RECEIVED.

10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Ordinary Council Meeting held on 27 August 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Special Council Meeting held on 03 September 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

CCS176: FINANCIAL ACTIVITY STATEMENT – JULY 2019

Proponent	: City of Albany
Attachments	Statement of Financial Activity
Report Prepared by	: Acting Manager Finance (S Van Nierop)
Responsible Officer	: Acting Executive Director Corporate Services (D Olde)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

CCS176: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Financial Activity Statement for the period ending 31 July 2019 be RECEIVED.

CCS176: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS176: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Financial Activity Statement for the period ending 31 July 2019 be RECEIVED.

BACKGROUND

1. The Statement of Financial Activity for the period ending 31 July 2019 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 \$100,000 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.

POLICY IMPLICATIONS

8. The City's 2019/20 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 July 2019 has been incurred in accordance with the 2019/20 proposed budget parameters.
11. Details of any budget variation in excess of \$100,000 (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.

File Number (Name of Ward)	FM.FIR.7 - All Wards
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CCS177: LIST OF ACCOUNTS FOR PAYMENT – AUGUST 2019

Business Entity Name : City of Albany
Attachments : List of Accounts for Payment
Report Prepared By : Manager Finance (S Van Nierop)
Responsible Officers: : Executive Director Corporate Services (D Olde)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

CCS177: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 August 2019 totalling \$6,987,542.78.

CCS177: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GOODE
 SECONDED: COUNCILLOR MOIR

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS177: 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 August 2019 totalling \$6,987,542.78.

BACKGROUND

1. 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

2. The table below summarises the payments drawn from the municipal fund for the period ending 15 August 2019. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$556.10
Credit Cards	\$30,297.26
Payroll	\$2,245,794.88
Cheques	\$62,858.45
Electronic Funds Transfer	\$4,648,036.09
TOTAL	\$6,987,542.78

As at 15 August 2019, the total outstanding creditors stands at \$291,566.43 and is made up as follows:-

Current	\$239,261.24
30 Days	\$51,958.33
60 Days	-\$105.34
90 Days	\$452.20
TOTAL	\$291,566.43
Cancelled Cheques	One

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

6. Expenditure for the period to 15 August 2019 has been incurred in accordance with the 2018/2019 budget parameters.

FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 August 2019 has been incurred in accordance with the 2018/2019 budget parameters.

CONCLUSION

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

File Number (Name of Ward)	:	FM.FIR.2 - All Wards
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CCS178: DELEGATED AUTHORITY REPORTS – JULY TO AUGUST 2019

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

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

BACKGROUND

In compliance with Section 9.49A of the *Local Government Act 1995* and Part IV of the *Local Government (Functions and General) Regulations 1996* the attached report applies to the use of the Common Seal and the signing of documents under Council's Delegated Authority:

- Delegation: 006 - SIGN DOCUMENTS ON BEHALF OF THE CITY OF ALBANY (Chief Executive Officer)
- Delegation: 009 - GRANT FUNDING, DONATIONS, SPONSORSHIP
- Delegation: 018 - CHOICE OF TENDER, AWARD CONTRACT

RECOMMENDATION

**CCS178: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Delegated Authority Reports 16 July 2019 to 15 August 2019 be RECEIVED.

CCS178: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STEPHENS
SECONDED: COUNCILLOR SLEEMAN

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS178: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 July 2019 to 15 August 2019 be RECEIVED.

CCS179: ADOPTION OF THE BUDGET REVIEW FOR THE PERIOD ENDING 31 JULY 2019

Proponent	: City of Albany
Attachments	: Budget Review for the period ending 31 July 2019
Report Prepared by	: Business Analyst/Management Accountant (D Harrison)
Responsible Officer	: Executive Director Corporate Services (D Olde)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Theme 1:** Leadership.
 - **Objective 1.1:** To establish and maintain sound business and governance structures.
 - **Community Priority 1.1.1:** Implement systems and controls that ensure the prudent use of rates and ensure value for money in all aspects of Council operations.

In Brief:

- Local governments are required to conduct a budget review between 1 January and 31 March each financial year which is a requirement covered by regulation 33A of the Local Government (Financial Management) Regulations 1996. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual.
- This review is for the period ending 31 July 2019 and reports a surplus of \$64,218 Budget inclusive of the proposed Budget Review allocations.

RECOMMENDATION

CCS179: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council ADOPT the Budget Review for the period ending 31 July 2019.

CCS179: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SLEEMAN
SECONDED: COUNCILLOR HAMMOND

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CCS179: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the Budget Review for the period ending 31 July 2019.

BACKGROUND

2. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual.

DISCUSSION

3. Council adopted the 2019/2020 Budget on 23 July 2019. The total adopted budget of \$109.5M comprised:
 - a. \$37.5M capital works;
 - b. \$ 2.6 M debt reduction; and
 - c. \$69.4 M in operating expenditure.
4. This Budget Review identifies expenditure of \$1,420,373 for general works, variations and new projects of which \$959,106 is of a non cash nature "Depreciation" amendments.
5. The funding of \$461,267 inclusive of reduction in expenditures, adjustment of grant funding, additional revenue, reserve funding and the movement opening funds has been identified in this review to maintain a budget in a surplus position.
6. An adjustment for carry forward works has been made (pages 9 to 15 in the attached copy of the Budget Review for the period ending 31 July 2019 reducing the amount required from \$14,599,519 to \$14,111,541 to complete 2018/19 projects, listed on pages 49 to 52 of the 2019/2020 Annual Budget.
7. This budget review shows the 2019/2020 budget is in a surplus position of \$64,218 at 30th June 2020.
8. A copy of the Budget Review for the period ending 31 July 2019 is attached.
9. Budget adjustments thereafter of an urgent nature will be brought to a Council Meeting as an item to be discussed when required and actioned outside of this review.

GOVERNMENT & PUBLIC CONSULTATION

10. Department of Local Government guidelines were followed in the preparation of this report.
11. City of Albany Executives, managers and officers with budget responsibility were consulted in the preparation of the Budget Review.

STATUTORY IMPLICATIONS

12. Under the *Local Government Act 1995*, section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
 - a. is incurred in a financial year before the adoption of the annual budget by the local government
 - b. is authorised in advance by a resolution (absolute majority required) or;
 - c. is authorised in advance by the mayor in an emergency.
13. The voting requirement of Council is Absolute Majority.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation & Organisation's Operations. Non approval of the budget review, may result in significant delays to achieving deliverables. Opportunity: Provides Council with an additional opportunity to review the City's current budget position.	Unlikely	Moderate	Medium	In the short term the existing Annual Budget would apply and proposed amendments would not apply. Adopt the Budget Review with amendments (as specified by Council).

FINANCIAL IMPLICATIONS**BUDGET REVIEW FOR THE PERIOD ENDING 31 JULY 2019**

This Review Maintains Council's Budget in a Surplus Position

GENERAL WORKS/VARIATIONS. (Additional Funds Required)		\$ (1,420,373)
FUNDED BY		
- Reduction in Expenditure	236,870	
- Adjustment in Grant/Contributions Funding	295,595	
- Adjustment in Revenue	5,000	
- Restricted Cash Adjustments	520,196	
- Adjustment Non Cash Activities	959,106	2,016,767
Balance		<u>596,394</u>
Budgeted Opening Position	(1,764,749)	
- NB - Adjustments From 2018/19 Financial Year (Pg's 9 - 15)	(145,855)	
	<u>(1,910,604)</u>	
Actual Opening Position	(2,442,780)	(532,176)
2019/20 Budgeted Closing Position		<u>64,218</u>

LEGAL IMPLICATIONS

16. Nil.

ENVIRONMENTAL CONSIDERATIONS

17. Nil.

ALTERNATE OPTIONS

18. For the period ending 31 July 2019, Council may consider to:
- a. Adopt the Budget Review as recommended; or
 - b. Adopt the Budget Review with amendments (as specified by Council)

SUMMARY CONCLUSION

19. That the Responsible Officer's Recommendation to adopt the Budget Review for the period ending 31 July 2019 be supported.

Consulted References	:	Adopted Budget 2019/2020 <u>Local Government Act 1995</u>
File Number (Name of Ward)	:	FM.BUG.12
Previous Reference	:	Annual Budget – OCM 23/07/2019 Resolution CCS167

CCS180: PROPOSED DEED OF PARKING AGREEMENT

Land Description	:	REDACTED
Proponent	:	City of Albany
Report Prepared By	:	Team Leader Property and Leasing (T Catherall)
Responsible Officers:	:	Acting Executive Director Community and Corporate Services (D Olde)

CONFIDENTIAL REPORT

This Report will be considered behind closed doors in accordance with section 5.23 (2) (c) & (e) of the Local Government Act 1995, is a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and would reveal information that has information about the business, professional, commercial or financial affairs of a person.

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

**DIS175: CITY OF ALBANY PARKING & PARKING FACILITIES LOCAL
LAW 2012 - SCHEDULE 1 - DETERMINATION**

Land Description	: City of Albany - Municipality
Proponent	: City of Albany
Attachments	: Parking & Parking Facilities Local Law 2012 - Proposed Schedule 1 – Deemed Parking Stations Schedule 1 – Parking Maps: <ul style="list-style-type: none">• Albany (Harry Riggs) Regional Airport;• Albany Central Business District (CBD);• Centennial Parking Sporting Precinct & North Road Administration;• Emu Point; and• Middleton Beach & Eyre Park.
Report Prepared by	: Manager Governance & Risk (S Jamieson) and Acting Manager City Engineering (B Aris)
Responsible Officer	: Executive Director Infrastructure & Environment (P Camins)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan and strategies:
 - a. **Themes:** Leadership and a connected and safe built environment.
 - b. **Objectives:** To provide strong, accountable leadership supported by a skilled and professional workforce; and to advocate, plan for and build friendly and connected communities.
 - c. **Community Priority:** Provide positive leadership that delivers community outcomes and improve connectedness and traffic flows via a well-designed and safe transport and pathway network that connects people and services and encourages pedestrians and cyclists.

In Brief:

- To make a determination under the City of Albany Parking & Parking Facilities Local Law 2012.

Purpose & Effect:

- **Purpose:** The proposed schedule will allow City Officers to amend the parking scheme under delegation.
- **Effect:** Reduction in red tape by reducing administrative processes to effect changes to the parking scheme in the future.

RECOMMENDATION

**DIS175: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council:

- (1) APPROVE the DEEMED PARKING STATIONS, listed at the proposed Schedule 1, being:**
 - **Parking - Albany (Harry Riggs) Regional Airport;**
 - **Parking - Albany Central Business District (CBD);**
 - **Parking - Centennial Parking Sporting Precinct & North Road Administration;**
 - **Parking - Emu Point; and**
 - **Parking - Middleton Beach & Eyre Park;****to the *City of Albany Parking & Parking Facilities Local Law 2012 (As amended)*:**
- (2) NOTE that the proposed parking stations identified in Schedule 1, shall be deemed to be a parking station to which this Local Law applies.**
- (3) NOTE enforcement of a parking station can only occur post community engagement, the installation of signage / line marking and prescribed notification.**

DIS175: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR SMITH
SECONDED: COUNCILLOR STEPHENS**

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

DIS175: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- (1) APPROVE the DEEMED PARKING STATIONS, listed at the proposed Schedule 1, being:**
 - **Parking - Albany (Harry Riggs) Regional Airport;**
 - **Parking - Albany Central Business District (CBD);**
 - **Parking - Centennial Parking Sporting Precinct & North Road Administration;**
 - **Parking - Emu Point; and**
 - **Parking - Middleton Beach & Eyre Park;****to the *City of Albany Parking & Parking Facilities Local Law 2012 (As amended)*:**
- (2) NOTE that the proposed parking stations identified in Schedule 1, shall be deemed to be a parking station to which this Local Law applies.**
- (3) NOTE enforcement of a parking station can only occur post community engagement, the installation of signage / line marking and prescribed notification.**

BACKGROUND

2. Council may by resolution constitute deemed parking stations in accordance with the City's *Parking and Parking Facilities Local Law 2012 (As amended)*.

DISCUSSION

3. It is noted that the Council care-taker period comes into effect on the 14 September 2019.
4. However, it is considered appropriate to recommend appending Schedule 1 to the local law at Council's ordinary meeting scheduled to be held on 24 September 2019.
5. Proposed Parking Stations under the City's local law must be approved by Council.
6. Determination of Schedule 1 will allow City Officers to administer the process of establishing parking on private land when required.

GOVERNMENT & PUBLIC CONSULTATION

7. If an amendment to the parking scheme is required in the future, consultation must be conducted in accordance with Council's Delegated Authority, being:

“During the course of investigation contact to be made with the residents/residential groups, as appropriate, to:

- identify problems and issues;*
- establish objects of traffic management and develop plans of alternative treatments; and*
- evaluate alternative treatments and refine selected plan.”*

8. The determination will be published in local media and will come into effect 14 days after publication.

STATUTORY IMPLICATIONS

9. The City's Local Government Parking & Parking Facilities Local Law 2012 (as amended) stipulates inter alia:

2.1(1) Establishment of Parking Stations: The local government may constitute any land or structure as a parking station by—

- (a) resolution of the Council; or
- (b) inclusion of a description of the land or structure in **Schedule 1** of the local law.

1.5(4) Application of Local Law: Where a parking facility or a parking station is identified in Schedule 1, then the facility or station shall be deemed to be a parking station to which this Local Law applies.

10. Voting Requirement: **Absolute Majority.**

POLICY IMPLICATIONS

11. Current instrument of delegation, details Council's policy position:

2019:044 - PARKING, TRAFFIC MANAGEMENT, BUS SHELTERS & SEATS (Amendments to Parking Schemes).

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Community Business Operation: Failing to address increased demand for parking, may impact upon business.	Almost certain	Moderate	High	Proceed with recommended determination under the City's Local Law, to increase potential parking facilities, noting needs is based on community feedback and consultation.
Opportunity: Opportunity to improve access to parking.				

FINANCIAL IMPLICATIONS

13. Any proposed works and signage will be funded by the City of Albany and will be subject to Council budget approval.

Regulatory Cost Implications:

14. Additional parking spaces will result in extra patrol and enforcement costs to the City.
15. Current resources dedicated to parking patrol and enforcement are considered sufficient for compliance action required for the existing bays (600).
16. Approximately 20% of parking infringement notices issued are subject to a request for a review at a cost of \$100 per transaction.
17. The cost of administering the current parking bays (600) is approximately \$37 per bay, \$22,000 per annum.

LEGAL IMPLICATIONS

18. Determinations under the City of Albany Local Government Parking and Parking Local Law 2012 as prescribed at clause 6.1 of the local law does not apply to this determination, as metered zones (paid parking) is not being proposed.

ENVIRONMENTAL CONSIDERATIONS

19. Not applicable to this report.

ALTERNATE OPTIONS

20. Council may resolve to:
 - Not support the determination; or
 - Support the determination with modification.

SUMMARY CONCLUSION

21. Noting enforcement of a parking station can only occur post community engagement, and with the installation of signage / line marking and prescribed notification, it is recommended that the Responsible Officer Recommendation is adopted.

Consulted References	:	<ul style="list-style-type: none">• <i>City of Albany Local Government Parking and Parking Facilities Local Law 2012 (as amended).</i>• <i>Albany City Centre Parking Strategy (2013)</i>• <i>City Guideline (Information Sheet): Commercial Parking and Vehicular Access Design Criteria</i>• <i>Current CBD Parking Scheme (DP191887 22 August 2019).</i>
File Number (Name of Ward)	:	RD.DEC.15
Previous Reference	:	<i>Parking and Parking Facilities Local Law - Determination - Airport Parking. Adoption Reference: OCM 13/12/2016 Resolution ED044.</i>

Attachment 1 to Report DIS173

Schedule 1

Local Government Act 1995

PARKING AND PARKING FACILITIES LOCAL LAW 2009

DEEMED PARKING STATIONS

- **Parking - Albany (Harry Riggs) Regional Airport:**

- Lot 214, 131 Parker Brook Road
- Lot 4861, 35615 Albany Highway
- Lot 5643, 35615 Albany Highway

- **Parking - Albany Central Business District (CBD)**

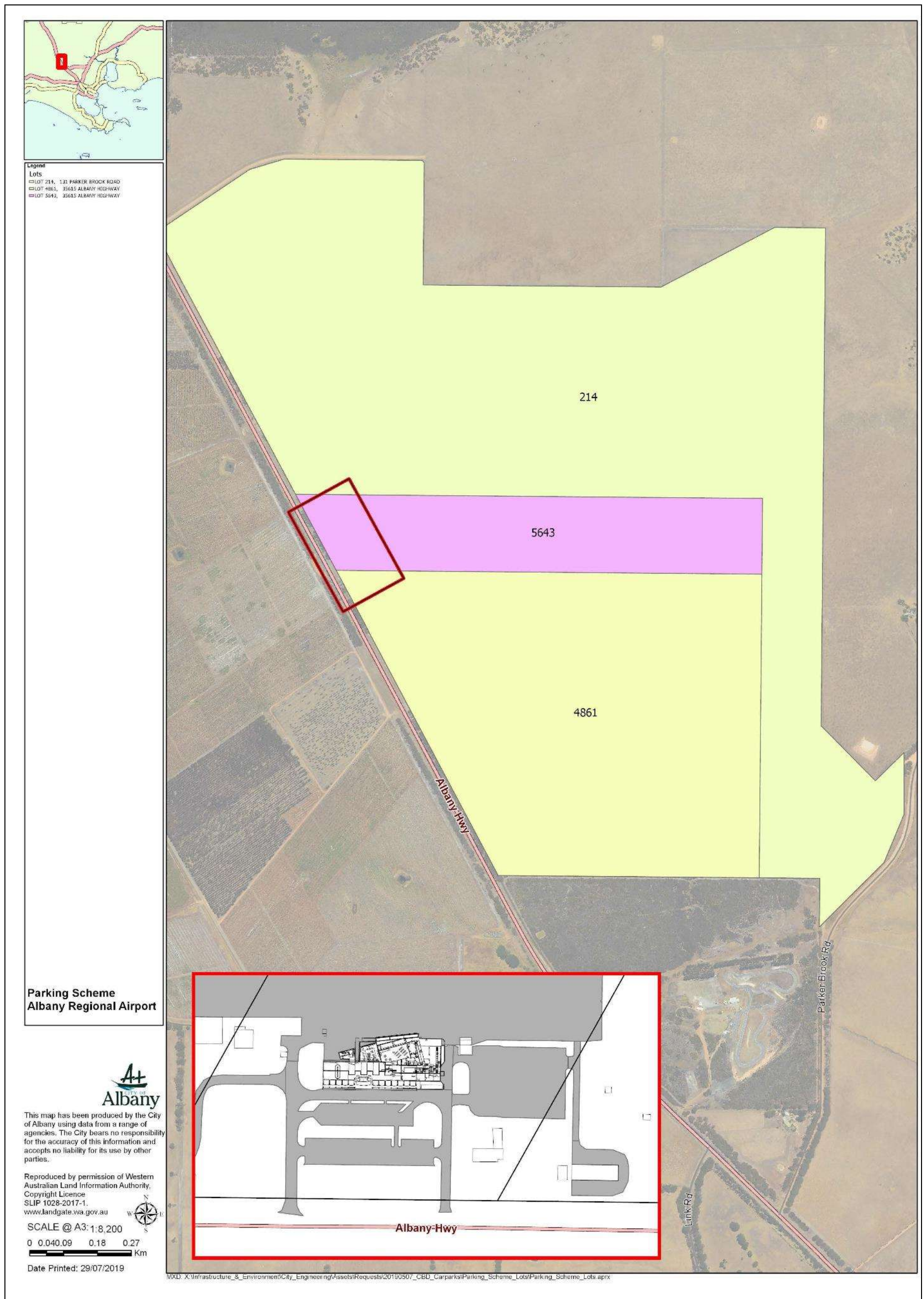
- Lot 2, 2 Toll Place
- Lot 2, 20 Proudlove Parade
- Lot 2, 43-45 Aberdeen Street
- Lot 2, 49 Aberdeen Street
- Lot 3, 15-21 Aberdeen Street
- Lot 5, 190-192 York Street
- Lot 6, 184-188 York Street
- Lot 7, 184-188 York Street
- Lot 8, 104-110 Stirling Terrace
- Lot 8, 162-164 York Street
- Lot 9, 112-140 Stirling Terrace
- Lot 9, 156-158 York Street
- Lot 12, 47 Aberdeen Street
- Lot 13, 270-284 York Street
- Lot 15, 194-208 York Street
- Lot 16, 51-59 Aberdeen Street
- Lot 16, 87 Frederick Street
- Lot 20, 339-347 Middleton Road
- Lot 23, 139-141 Aberdeen Street
- Lot 27, 112-140 Stirling Terrace
- Lot 28, 112-140 Stirling Terrace
- Lot 32, 4 St Emilie Way
- Lot 50, 104-110 Stirling Terrace
- Lot 50, Peels Place
- Lot 64, 21A Albany Highway
- Lot 66, 162-164 York Street
- Lot 66, 190-192 York Street
- Lot 67, 47 Aberdeen Street
- Lot 67, York Street
- Lot 75, 112-140 Stirling Terrace
- Lot 92, 16-24 Peels Place
- Lot 111, 221-227 York Street
- Lot 112, 126-140 Grey Street Wes
- Lot 123, 148-154 York Street
- Lot 123, 229-237 York Street
- Lot 123, 96-102 Stirling Terrace
- Lot 202, 35-41 Aberdeen Street
- Lot 203, 23-33 Aberdeen Street
- Lot 205, 176-178 York Street
- Lot 500, 51-61 Serpentine Road
- Lot,1396, 36-46 Proudlove Parade
- Lot 1397, Proudlove Parade
- Lot 1399, Proudlove Parade
- Lot 1407, Proudlove Parade
- Lot 1521, 62 Proudlove Parade

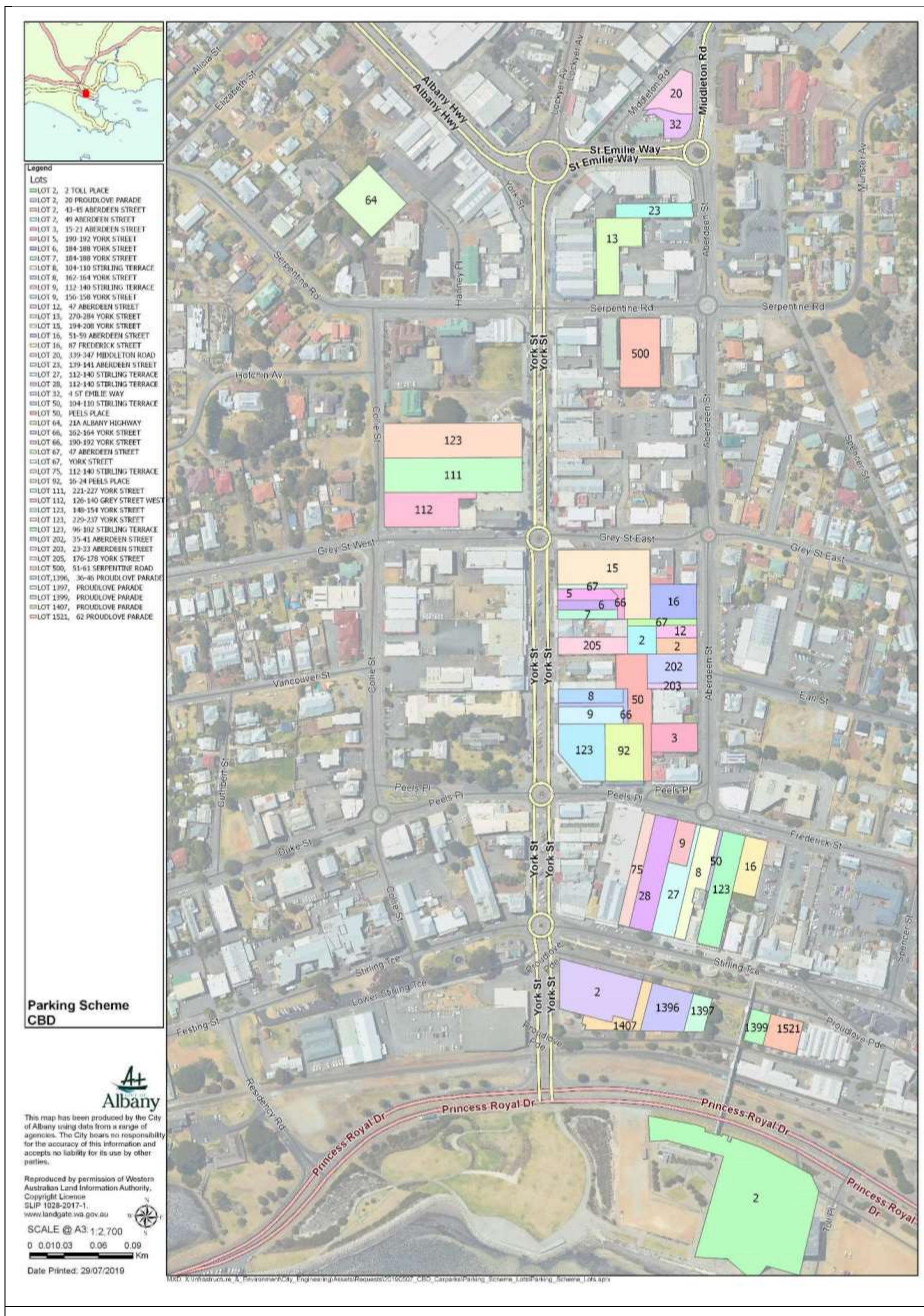
Attachment 1 to Report DIS176 (continued)

Schedule 1

(Continued)

- **Parking - Centennial Parking Sporting Precinct & North Road Administration**
 - Lot 32, 49-55 North Road
 - Lot 101, 197-201 North Road
 - Lot 177, 27-47 North Road
 - Lot 178, 27-47 North Road
 - Lot 727, 41-55 Kitchener Road
 - Lot 728, 31-39 Kitchener Road
 - Lot 730, Barker Road
 - Lot 735, 51-67 Barker Road
 - Lot 736, 69-73 Barker Road
 - Lot 737, 36-48 Kitchener Road
 - Lot 738, 187 North Road
 - Lot 739, 159 North Road
 - Lot 740, 143-149 North Road
 - Lot 741, 143-149 North Road
 - Lot 742, 52-70 Barker Road
 - Lot 743, 50 Barker Road
 - Lot 744, 81-95 Sanford Road
 - Lot 1235, 161 North Road
 - Lot 1255, Barker Road
 - Lot 1262, Reserve 34381 Wellington Street
 - Lot 1264, 161 North Road
 - Lot 1265, 161 North Road
 - Lot 1270, Barker Road
 - Lot 1359, 156 Lockyer Avenue
 - Lot 4743, 102 North Road
- **Parking - Emu Point**
 - Lot 501, Swarbrick Street
 - Lot 1461, 13-17 Hunter Street
- **Parking - Middleton Beach & Eyre Park**
 - Lot 2, 5-13 Garden Street
 - Lot 500, Flinders Parade
 - Lot 502, Golf Links Road
 - Lot 1386, 54-62 Golf Links Road











SCALE @ A3:
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Kilometres
Date Printed: 29/07/2019



Parking Scheme Middleton Beach & Eyre Park

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DIS176: CONTRACT C19018 – PROVISION OF SECURITY SERVICES

Proponent / Owner : City of Albany
Report Prepared By : Acting Manager City Operations (T Rogister)
Responsible Officers: : Executive Director Infrastructure & Environment (P Camins)

Note: A Confidential Briefing Note has been distributed under separate cover in accordance with section 5.23 of the Local Government Act 1995(2)(e)(iii), being a matter that if disclosed, would reveal information about the commercial affairs of a person other than the Local Government.

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Theme:** 3. Clean, Green & Sustainable
 - **Objective:** 3.2 To build, maintain and renew city assets sustainably.
 - **Community Priority:** 3.2.2 Design, construct and maintain infrastructure cost effectively in a manner that maximises its life, capacity and function.

In Brief:

- Council approval is sought to appoint the preferred tenderer to provide security services for the City of Albany.
- The contract shall be for an initial two (2) year period from 1 November 2019 to 31 October 2021 with an option to extend for a further one (1) year and then a further (1) year after that.

RECOMMENDATION

DIS176: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

1. **ACCEPT** the tender from Southcoast Security Services, and
2. **AWARD** Contract C19018 – Provision of Security Services to this tenderer.

DIS176: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR SLEEMAN

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

DIS176: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. **ACCEPT** the tender from Southcoast Security Services, and
2. **AWARD** Contract C19018 – Provision of Security Services to this tenderer.

BACKGROUND

2. Tenders were called for the Provision of Security Services for a period of up to four (4) years (including options). The tender is seeking to engage an experienced and licensed Security Services Contractor to provide various security services and offer an on call response service 24 hours per day, 365 days per year.
3. The services include:-
 - Security Patrols & Public Convenience Inspections
 - Cash Collection Services
 - Static Guard/Doorman/Security Escort
 - Alarm Callouts and Activation including Emergency/Duress Callouts
 - Wheelchair Storage Shed Access
 - Construction Site Patrols
 - Events Crowd Control
4. The current contract expires on 31 October 2019.

DISCUSSION

5. A total of eight (8) documents were issued.
6. Tender documents were evaluated using the weighted attribute method. This method scored the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria are tabled below:-

Criteria	% Weight
Cost	40
Relevant Experience	20
Key Personnel skills and experience	15
Tenderer's Resources	20
Corporate Social Responsibility	5
Total	100%

7. Three (3) completed tender documents were submitted on or before the stipulated closing date and time.
8. The following table summarises the tenderers and the overall evaluation scores applicable. Rates submitted are '*commercial in confidence*' and will not be made publicly available.

Tenderer	Weighted Score
Southcoast Security Services	833.45
Tenderer B	581.98
Tenderer C	464.57

9. Southcoast Security Services is the City's incumbent contractor and has provided a reliable service during the term of the current contract.

GOVERNMENT & PUBLIC CONSULTATION

10. A request for tender was published in the West Australian on 21 August 2019 and the Albany Weekender on 22 August 2019.

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 \$150,000.00 (recently amended).

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 the result 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 and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Property <i>Contract personnel have access to facilities after hours and could access confidential information, cause damage or steal items.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Tenderer is assessed on experience and reliability.</i>
Organisation's Operations <i>Non-compliance, delays or failure to carry out contracted works or business failure.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply services.</i>
Reputation <i>Community dissatisfied with the standard of behaviour demonstrated by the contractor or dissatisfied that they have not adhered to the agreed open/close times of amenities.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Daily Patrol forms are required to be completed and provided to the Principal for auditing/compliance purposes. In addition, the provision in the general conditions of contract allows for contract termination on the basis of failure to supply services.</i>
People Health & Safety <i>Failure to report potential hazards within the community.</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Specific contract performance compliance clauses have been included in the contract.</i>
Opportunity: <i>To engage a contractor to protect City Assets from damage and offer a public amenity service to the community and visitors meeting community expectations.</i>				

FINANCIAL IMPLICATIONS

16. Each facility maintains individual budgets for security services with the tendered price being shared across the organisation. Each directorate and facility manager has provided for security services in their respective budgets as required.
17. The value of this tender is in excess of \$500,000 which exceeds officer delegation and therefore the approval is referred to Council for consideration.

LEGAL IMPLICATIONS

18. Nil

ENVIRONMENTAL CONSIDERATIONS

19. Nil

ALTERNATE OPTIONS

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

CONCLUSION

21. On reviewing the submissions, the evaluation team assessed Southcoast Security Services as being the preferred tenderer using the evaluation criteria for the provision of the City's security services. It is recommended that the nominated tenderer be accepted.

Consulted References	:	<i>Local Government (Functions and General) Regulations 1995</i> <i>Council Policy – Purchasing (Tenders & Quotes)</i> <i>Council Policy – Buy Local (Regional Price Preference)</i>
File Number (Name of Ward)	:	C19018 (All Wards)
Previous Reference	:	Nil

DIS177: PLANNING AND BUILDING REPORTS AUGUST 2019

Proponent / Owner : City of Albany.
Attachments : Planning and Building Reports August 2019
Report Prepared By : Administration Officer – Planning (J Ferrell)
Administration Officer – Development Services (Z Sewell)
Responsible Officers: : Acting Executive Director Development Services
(J Van Der Mescht)

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision.

The CEO therefore recommends this report for consideration by Council.

RECOMMENDATION

DIS177: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council NOTE the Planning and Building Reports for August 2019.

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL
15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Electoral Caretaker Period Policy Statement

The Responsible Officer Recommendation has been reviewed in the context of the City of Albany's Election Caretaker Period Policy, and the CEO has determined that it does not constitute a major policy decision. The review of the Community Sport and Recreation Facilities Small Grant Funding Policy is to:

- 1. Remove the requirement for applicants to have made at least two attempts to leverage CSRFF funding; and*
- 2. Enable Council to support projects that were unsuccessful in leveraging CSRFF funding, but who are able to source the additional funds in order to complete the proposed project.*

Council has set a precedent for this policy change by approving previous Capital Seed Funding allocation to organisations who were unsuccessful with their CSRFF applications, but who demonstrated the capacity to source the remaining two thirds of funding required to complete their projects.

The CEO therefore recommends this report for consideration by Council.

15.1 NOTICE OF MOTION BY COUNCILLOR STOCKS

Date and Time Received: Tuesday 10 September 2019 at 3.10PM

15.1: NOTICE OF MOTION BY COUNCILLOR STOCKS

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT:

1. The Chief Executive Officer undertake a review of the Community Sport and Recreation Facilities Small Grant Funding Policy, and propose the following amendment:
 - B. Financial Contribution.
 - Dot Point 1 to read: *Capital Seed Funding of a maximum of one third of the total estimated project costs (excluding GST), may be awarded to unsuccessful applicants providing that the applicant is able to source the remaining two thirds of the total estimated project costs (excluding GST) to enable completion of the project.*
 - Dot Point 2 to read: *"The City's contribution will not exceed a maximum of one third of the total estimated project costs (excluding GST)."*
 - Remove the last paragraph of the Policy: *(If an applicant is unsuccessful Council may still consider contributing the maximum one third of the total estimated project costs to an applicant's project with the following conditions:)*
 - Dot Point 5 to read: *Applicants must make at least **one** attempt to leverage CSRFF funding.*
 - Dot Point 6 *(The applicant can source the remaining two thirds of the total estimated project costs themselves)* to be removed.
2. The reviewed Policy be presented to Council for adoption by December 2019.

Councillor's Reason:

The removal of the requirement for applicants to have made at least two attempts to leverage funding through the CSRFF program will allow applicants who have the ability to fund the remaining two thirds of proposed projects to proceed with those projects in a timely and flexible manner.

All applications received for Capital Seed Funding are assessed under the provisions of this policy, and in accordance with budget allocations.

Officer Comment (Executive Director Community Services):

Officers are supportive of progressing the policy review and will consult with the Department of Local Government, Cultural and Sporting Industries as part of the process. Further, the review will take into consideration existing budget allocation parameters, funding criteria and merit based assessment.

16. REPORTS OF CITY OFFICERS Nil

17. MEETING CLOSED TO PUBLIC

18. CLOSURE