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# MINUTES

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**Ordinary Meeting of Council**

**Tuesday 25 August 2020**

6.00pm  
Council Chambers

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



ORDINARY COUNCIL MEETING  
MINUTES 25/08/2020

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**1. DECLARATION OF OPENING**

**6.00pm** 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 past, present and emerging”.*

**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)

Kalgan Ward

E Doughty

Kalgan Ward

M Benson-Lidholm JP

Vancouver Ward

T Sleeman

Vancouver Ward

J Shanhun

West Ward

A Goode JP

West Ward

S Smith

Yakamia Ward

R Sutton

Yakamia Ward

C Thomson

**Staff:**

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

D Olde

Executive Director Infrastructure, Development  
& Environment

P Camins

Acting Executive Director Community Services

N Watson

Manager Governance and Risk (Airport Operations)

S Jamieson

Manager People and Culture

L Harding

Meeting Secretary

J Williamson

**Apologies:**

Frederickstown Ward

R Stephens (Apology)

#### 4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest
Councillor Shanhun	DIS224	<b>Financial.</b> The nature of the interest being that Councillor Shanhun is employed by one of the tenderers. Councillor Shanhun left the Chamber and was not present during the discussion and vote for this item.
CEO Mr Andrew Sharpe	PR008	<b>Financial.</b> The nature of the interest being that the item relates to Mr Sharpe's employment contract. Mr Sharpe left the Chamber and was not present during the discussion and vote for this item.

#### 5. REPORTS OF MEMBERS

##### 6.01pm Councillor Sutton

Councillor Sutton commented on the traffic congestion on the main roundabout. Councillor Sutton stated this is a continuing problem which will not be alleviated by the construction of the ring road. Councillor Sutton stated that further options need to be explored so that alternate routes are available during peak traffic periods.

Councillor Sutton stated that the City should consider lobbying the State government for funding to find a solution.

##### 6.04pm Councillor Shanhun

Councillor Shanhun attended a meeting with other elected members and members of the Youth Advisory Council to develop a joint climate change statement.

Councillor Shanhun also attended a fire mitigation meeting at Goode Beach, which addressed fire awareness and preparedness for residents in that area. Councillor Shanhun stressed that residents in bush fire prone areas should be prepared to evacuate in the event of a bush fire, and not stay to defend their properties as lives were more important.

##### 6.06pm Councillor Sleeman

Councillor Sleeman expressed concern over the conflict of use between horse riders and off road vehicles and motorbikes on the Stidwell Bridle Trail. Councillor Sleeman stated that further proactive planning is required to avoid the risk of injury and near miss incidents as a result of the shared use on the horse only section of the trail.

##### 6.09pm Councillor Stocks

Councillor Stocks attended a meeting with other elected members and members of the Youth Advisory Council to develop a joint climate change statement. Councillor Stocks commended the attitude of both the Youth Advisory Council and elected members in working together to develop a climate change statement which encourages unity.

Councillor Stocks said that he had recently spent 2 and a half weeks in the north west of our stage, and that accommodation providers were fully booked as a result of the tourism boom within WA due to COVID-19 border closures. Councillor Stocks stated that Albany should be taking full advantage of tourists holidaying in WA.

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

**7. PUBLIC QUESTION TIME**

**6.13pm Mr Greg Spaanderman**

Mr Spaanderman addressed Council regarding the sea wall at Emu Point, which he stated is continually eroded by bad weather. Mr Spaanderman suggested that the City should engage with engineers from Holland, who have expertise in this area, for the construction of a new sea wall which will withstand severe weather conditions.

The Mayor responded and stated that the Executive Director Infrastructure, Development and Environment would contact Mr Spaanderman to discuss this matter further.

There being no further speakers the Mayor declared Public Question Time closed at 6.19pm.

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**9.**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR THOMSON**

**THAT:**

- 1. Councillor Hammond be GRANTED Leave of Absence from 7 September 2020 to 12 September 2020 inclusive; and**
- 2. Councillor Sleeman be GRANTED Leave of Absence from 1 September 2020 to 30 November 2020 inclusive.**

**CARRIED 12-0**

**10. PETITIONS AND DEPUTATIONS Nil**

**11. CONFIRMATION OF MINUTES**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SHANHUN**

**SECONDED: COUNCILLOR SMITH**

**THAT the minutes of the Ordinary Council Meeting held on 28 July 2020, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 12-0**

**12. PRESENTATIONS Nil**

**13. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil**

**CCS274: FINANCIAL ACTIVITY STATEMENT – JUNE 2020**

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

**RECOMMENDATION**

**CCS274: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SLEEMAN  
SECONDED: COUNCILLOR SUTTON**

**THAT the Financial Activity Statement for the period ending 30 June 2020 be RECEIVED.**

**CARRIED 12-0**

**CCS274: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR SMITH**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED 11-0**

**CCS274: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the Financial Activity Statement for the period ending 30 June 2020 be RECEIVED.**

**COVID-19 IMPACT**

- Impacts to the financial performance of the City are detailed in the 'Explanation of Material Variances to the YTD Budget in Excess of \$100,000' (Note 1) of the Attachment to this report (Statement of Financial Activity).

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 30 June 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 30 June 2020 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.

<b>File Number (Name of Ward)</b>	FM.FIR.7 - All Wards
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**CCS275: LIST OF ACCOUNTS FOR PAYMENT – JULY 2020**

**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 and Commercial Services  
(D Olde)

**RECOMMENDATION**

**CCS275: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SMITH**  
**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 July 2020 totalling \$7,362,322.76.**  
**CARRIED 12-0**

**CCS275: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR STEPHENS**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED: 11-0**

**CCS275: 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 July 2020 totalling \$7,362,322.76.**

**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 July 2020. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$0.00
Credit Cards	\$13,801.20
Payroll	\$1,331,642.78
Cheques	\$61,449.76
Electronic Funds Transfer	\$5,955,429.02
<b>TOTAL</b>	<b>\$7,362,322.76</b>

As at 15 July 2020, the total outstanding creditors stands at \$407,009.41 and is made up as follows;

Current	\$236,197.80
30 Days	\$143,247.46
60 Days	\$21,887.78
90 Days	\$5,676.7
<b>TOTAL</b>	<b>\$407,009.41</b>
<b>Cancelled Cheques</b>	<b>Nil</b>

### 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 July 2020 has been incurred in accordance with the 2019/2020 budget parameters.

### FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 July 2020 has been incurred in accordance with the 2019/2020 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.

<b>File Number (Name of Ward)</b>	<b>:</b>	FM.FIR.2 - All Wards
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**CCS276: DELEGATED AUTHORITY REPORTS – JUNE TO JULY 2020**

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

**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**

**CCS276: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR SLEEMAN**

**THAT the Delegated Authority Reports 16 June 2020 to 15 July 2020 be RECEIVED.**

**CARRIED 12-0**

**CCS276: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR SLEEMAN**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

**CCS276: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 June 2020 to 15 July 2020 be RECEIVED.**

**COVID-19 IMPACT**

- COVID-19 has no impact on this report.

## CCS277: NATIONAL ANZAC CENTRE ADVISORY GROUP

<b>Attachments</b>	: Candidate Nominations - CONFIDENTIAL
<b>Report Prepared By</b>	: Personal Assistant to Executive Director Community Services (C Crane)
<b>Responsible Officers:</b>	: Chief Executive Officer (A Sharpe)

### 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:** Smart Prosperous and Growing.
  - **Objective:** To strengthen and grow our region's economic base; and to develop and promote Albany as a unique and sought-after visitor location.
  - **Community Priority:** Advocate for innovation and technology platforms that provide opportunities for Albany businesses and individuals to access jobs and markets throughout Australia and around the world.
  - Encourage, support and deliver significant events that promote our region and have a positive economic and social benefit.
  - Promote the "Amazing South Coast" region as a sought after and iconic tourism destination to increase the number of people visiting and the duration their stay.

#### In Brief:

- As per the National Anzac Centre Advisory Group (NACAG) Terms of Reference, the Chief Executive Officer is to present to Council for endorsement nominations for the Chair and/or Members of the Advisory Group.
- Due to the recent resignation of 3 members of the NACAG the nominations for membership, as detailed in the confidential attachment, are presented to Council for their endorsement.

### RECOMMENDATION

**CCS277: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SHANHUN**  
**SECONDED: COUNCILLOR SMITH**

**THAT the nominations for the National Anzac Centre Advisory Group received by the City (as detailed in the confidential attachment) be APPROVED and the nominees APPOINTED as members.**

**CARRIED 10-2**

#### Record of Vote

Against the Motion: Councillors Sleeman and Thomson

**CCS277: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON**  
**SECONDED: COUNCILLOR SMITH**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 9-2**

#### Record of Vote

Against the Motion: Councillors Thomson and Sleeman

**CCS277: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the nominations for the National Anzac Centre Advisory Group received by the City (as detailed in the confidential attachment) be APPROVED and the nominees APPOINTED as members.

**BACKGROUND**

2. The National Anzac Centre Advisory Group (NACAG) is a working group which enables staff, elected members and community representatives to discuss operational matters and provide strategic oversight of the National Anzac Centre and where appropriate, other elements of the Albany Heritage Park.
3. Due to the recent resignation of three members there now exists three vacancies on the Advisory Group.
4. Proposed candidates have been identified by the Mayor, Chief Executive Officer of the City of Albany and Chair of the NACAG.
5. The names of these candidates will be made public once the nomination has been endorsed by Council and the offer accepted.

**GOVERNMENT & PUBLIC CONSULTATION**

6. No public consultation is required.

**STATUTORY IMPLICATIONS**

7. The National Anzac Centre Advisory Group terms of reference enable staff, elected members and community representatives to discuss operational matters and provide strategic oversight of the National Anzac Centre and where appropriate other elements of the Albany Heritage Park.
8. As members of the group are not being appointed to a Committee of Council the voting requirement is **Simple Majority**.

**POLICY IMPLICATIONS**

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

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b> <i>Risk: Nominations to the NACAG are not supported.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Other candidates be approached to fill vacancies.</i>
<b>Opportunity:</b> <i>The combined expertise of the group has the potential to increase the financial performance of the NAC and the Albany Heritage Park.</i>				

**FINANCIAL IMPLICATIONS**

11. The City of Albany will be responsible for the cost of travel and accommodation for board members budget allowed for \$10,000.
12. The working group formally meet two times per year, with one meeting proposed to be held in Perth.

**LEGAL IMPLICATIONS**

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

**ENVIRONMENTAL CONSIDERATIONS**

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

**ALTERNATE OPTIONS**

15. Council may choose not to support the recommendation and further candidates will need to be sought to fill vacancies.

**CONCLUSION**

16. It is recommended that the nominations be supported.

<b>Consulted References</b>	:	Nil.
<b>File Number (Name of Ward)</b>	:	All wards
<b>Previous Reference</b>	:	ED035 – 26/07/2016 OCM

## CCS278: APPOINT THE WAEC TO CONDUCT ORDINARY AND EXTRAORDINARY ELECTIONS

**Report Prepared By** : Manager Governance and Risk (S Jamieson)  
**Responsible Officers:** : Chief Executive Officer (A Sharpe)

### 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:** Leadership.
  - **Objective:**
    - 1.1: To establish and maintain sound business and governance structures.
    - 1.3: To engage effectively with our community.
  - **Community Priority:**
    - 1.1.2: Provide informed and transparent decision making that is consistent with our strategic direction, meets our legal obligations, reflects the level of associated risk and is adequately explained to the community.
    - 1.3.1: Improve community engagement processes and platforms to provide our community with a variety of opportunities to be involved and to contribute to decisions.

### In Brief:

- Agree to conduct City of Albany Ordinary and Extraordinary Elections by postal vote.
- Declare that the WA Electoral Commissioner be responsible for the conduct of all elections until the end of 2021.

### RECOMMENDATION

**CCS278: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR TERRY**

**THAT Council:**

1. **DECLARE** in accordance with section 4.20(4) of the *Local Government Act 1995* (the Act), that the WA Electoral Commissioner will be responsible for the conduct of all elections until the end of 2021; and
2. **DECIDE**, in accordance with section 4.61(2) of the Act, that the method of conducting the elections during this period will be postal.

**CARRIED 12-0**  
**ABSOLUTE MAJORITY**

**CCS278: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GOODE**  
**SECONDED: COUNCILLOR STEPHENS**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

**CCS278: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council:

1. DECLARE in accordance with section 4.20(4) of the *Local Government Act 1995* (the Act), that the WA Electoral Commissioner will be responsible for the conduct of all elections until the end of 2021; and
2. DECIDE, in accordance with section 4.61(2) of the Act, that the method of conducting the elections during this period will be postal.

**BACKGROUND**

2. The current agreement between the City of Albany and the WA Electoral Commissioner to conduct postal elections for the City expired at the end of 2019.

**DISCUSSION**

3. The WA Electoral Commissioner is responsible for conducting postal elections in Western Australia, and conducts elections upon request under the *Local Government Act 1995* (the Act).
4. By making the Western Australian Electoral Commission (WAEC) responsible for the conduct of ordinary and extraordinary elections, the City of Albany can ensure that elections are conducted by professional, experienced staff that are independent and impartial.
5. Other advantages to the City of Albany in appointing the WAEC to conduct elections are:
  - a. Ensuring that all statutory requirements are fulfilled, noting that it is not the City's core business to run elections.
  - b. A full election report (including statistics) is prepared by the WAEC;
  - c. The City is at arms-length from the electoral process, ensuring accountability, impartiality and transparency;
  - d. The Returning Officer appointed by the WAEC is responsible for responding to elector and candidate enquiries; and
  - e. Processes, materials and equipment used for elections meet contemporary electoral standards.
6. The Returning Officer appointed by the WA Electoral Commissioner, as part of their functions, may in accordance with section 4.23 of the Act:

*(a) Appoint places for the casting of votes, places for the delivery of postal votes and places for the counting of votes for elections (within or outside the district).*
7. This may provide an opportunity for Council to consider a mix of voting methods, to focus on maximising community participation in local government elections.
8. Council may consider conducting the election by postal vote, and additionally encouraging voters to lodge their ballot papers in person.

**Improved Engagement**

9. In previous elections voters have been discouraged from lodging their ballot papers in person as staffing levels on polling days have been insufficient to provide this service. Council may consider an additional budget allocation to provide additional staffing to offer this opportunity to voters.
10. Feedback received from the public on election day, and by residents who have attended the City of Albany North Road Administration Building to submit ballot papers in person in past elections, has demonstrated the desire to have face-to-face engagement in the voting process.



11. It is also considered appropriate for Council to consider providing ballot boxes for lodgement of ballot papers at City of Albany business units utilised by residents, such as the Albany Public Library. For those residents in the rural areas of the municipality, ballot boxes could also be provided at the Wellstead Community Centre and local rural halls on polling day.
12. The option to lodge papers in person would increase community engagement in the election process.

#### **Postal Voting**

13. If Council chooses to conduct elections by postal vote, there is no option but to appoint the WAEC.
14. The WAEC is responsible for conducting all postal elections in Western Australia, and can also conduct in person elections upon request under the Act.
15. Declaring the WA Electoral Commissioner to be responsible for the conduct of postal vote elections on behalf of the City until the end of 2021 will ensure that all elections, including extraordinary elections should a vacancy arise prior to the 2021 Ordinary Election, can be conducted by the WAEC.

#### **GOVERNMENT & PUBLIC CONSULTATION**

16. There is no requirement to consult with the public on this matter, however, feedback from the community in regards to improving the options for lodgement of ballot papers is explored in the discussion section of this report.

#### **STATUTORY IMPLICATIONS**

17. Section 4.20(4) of the Act states: *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*
18. Section 4.61(2) of the Act states: *The local government may decide\* to conduct the election as a postal election.*
19. Voting requirement for this item is **Absolute Majority**.

#### **POLICY IMPLICATIONS**

20. There are no policy implications related to this item.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Legal and Compliance</b> <i>Risk: Appointment of the WAEC to conduct postal elections on behalf of the City is not supported.</i>	Unlikely	Moderate	Medium	The election would be conducted as in-person voting by City of Albany Staff
<b>Reputational</b> <i>Risk: Conducting elections as in-person elections by the City of Albany could lead to a community perception of lack of transparency and impartiality, and reduced ability for residents to participate in local government elections</i>	Unlikely	Moderate	Medium	Appoint the WAEC to conduct the election on behalf of the City
<b>Opportunity:</b> To conduct the election by postal vote, and also offer and promote to residents the opportunity to lodge their ballot papers in person on polling day and prior at City Business Units, thereby facilitating increased community participation.				

## FINANCIAL IMPLICATIONS

22. The cost to conduct the 2019 Ordinary Election (postal voting) for the City of Albany was \$120,000. The cost to conduct an Extraordinary Election (postal voting) is approximately \$30,000.
23. Additional expenses not covered by the WAEC during a postal voting election for:
- Non statutory advertising, for example, the City's campaign to encourage candidates to nominate, and to encourage residents to vote.
  - Legal expenses other than those determined to be borne by the WAEC in a Court of Disputed Returns; and
  - One local government staff member to work in the polling place on Election Day.
24. It is estimated that the cost for additional staffing to facilitate increased in-person lodgement of ballot papers would be as follows:
- Staffing for one week prior to the election and 8.00am to 4.00pm on polling day at each designated polling place:
    - Permanent staff member \$1584.50
    - Casual staff member \$2061.10
  - Staffing for two weeks prior to the election and 8.00am to 4.00pm on polling day at each designated polling place:
    - Permanent staff member \$2788.72
    - Casual staff member \$3646.56
  - Staffing for polling day only at each designated polling place 8.00am to 4.00pm:
    - Permanent staff member \$380.28
    - Casual staff member \$475.44

**LEGAL IMPLICATIONS**

25. There are no direct legal implications related to this matter other than compliance with the specific provisions relating to the conduct of elections as per the Act and the Regulations pertinent to the conduct of elections.

**ENVIRONMENTAL CONSIDERATIONS**

26. N/A

**ALTERNATE OPTIONS**

27. Council may choose to retain the current conduct of elections by postal vote, or change the method of voting to in-person voting, in accordance with the Regulations.

**CONCLUSION**

28. That the WA Electoral Commissioner be appointed to conduct Ordinary and Extraordinary Local Government Elections for the City of Albany by postal vote until the end of 2021.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Elections) Regulations 1997</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Report Item CCS019 OCM 19/12/2017

## CCS279: NATIONAL ANZAC CENTRE – Q4 2019-20 REPORT

<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: National Anzac Centre (NAC) – Quarter 4 (Q4) 2019/20 Operational Report
<b>Report Prepared By</b>	: Manager Facilities (L Stone)
<b>Responsible Officer(s)</b>	: Executive Director Community Services (N Watson)

### 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
  - **Key Theme:** Smart Prosperous and Growing.
  - **Strategic Objectives:** To strengthen our region's economic base; and
    - To develop and promote Albany as a unique and sought after destination.
  - **Community Priorities:** Strengthen our economy by supporting business innovation and diversity; and
    - Promote the Albany region as a sought after and iconic tourism destination.

#### In Brief:

- To provide Council with update on Q4 2019-20 performance of the NAC.

### RECOMMENDATION

#### CCS279: RESOLUTION VOTING REQUIREMENT: SIMPLE MAJORITY

**MOVED: COUNCILLOR SLEEMAN**  
**SECONDED: COUNCILLOR DOUGHTY**

**THAT the NAC Operational Report for Q4 2019-20 be RECEIVED.**

**CARRIED 12-0**

#### CCS279: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR BENSON-LIDHOLM**  
**SECONDED: COUNCILLOR THOMSON**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

#### CCS279: RESPONSIBLE OFFICER RECOMMENDATION

**THAT the NAC Operational Report for Q4 2019-20 be RECEIVED.**

### BACKGROUND

2. The NAC is the City of Albany's most significant tourism asset.
3. The NAC represents a \$10.6 million 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.

4. The City of Albany manages this national museum and understands the importance of generating economic outcomes for the region using the NAC and the Albany Heritage Park (AHP) assets to encourage increased visitation and extended stays to the region.
5. The City established an independent NAC Advisory Group during the 2016/17 financial year to assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards. The NAC Advisory Group has been meeting quarterly since convening.
6. It was agreed in November 2018 that the NAC Advisory Group would now meet twice a year. The next meeting is planned for Friday, 18 September 2020.
7. Council has budgeted a subsidy of \$250,000 annually for the operations of the NAC and the AHP and has established a reserve on the understanding that any surplus funds be reinvested and used to leverage additional grant funding to improve the asset.
8. This report template is reviewed regularly to ensure that the Community & Corporate Services Committee and the NAC Advisory Group receive all relevant information to assess its performance.

## **DISCUSSION**

9. Q4 2019/20 achieved overall total visitation numbers of 356,623 visitors to the NAC since opening in November 2014. This equates to an average annual visitation of 62,934 visitors per year.
10. Total visitation for Q4 2019/20 decreased by 23,112 visitors compared to the same period in 2018/19 and 16,956 compared to same time 2017/18 year (predominantly due to COVID19 closure).
11. The visitation in Q4 2019/20 from the Great Southern Region totalled 44 people. This was in the month of June when re-opening occurred, consisting of 68% of visitors from Albany, 16% Denmark, 11% Katanning, and 2% from Lake Grace.
12. The total visitation in Q4 2019/20 originated from Western Australia (97%) and interstate (3%).
13. Visitors from other States and Territories consisted of 47% from NSW, 23% from VIC, 16% from QLD, 12% from NT, 2% from SA followed by ACT and TAS with 0%.
14. Of the total 1% of international visitors, they consisted of 5 from France and New Zealand, 1 from each of the UK, USA and Spain.
15. Revenue generated in Q4 2019/20 by the NAC was \$264,974 less compared to the same period in 2018/19. The Forts Store revenue of \$18,435 saw a decrease of \$115,181 compared to the same period in 2018/19. These figures have been strongly impacted due to the closure of the site for 2 of the 3 months this quarterly report reflects.
16. As at the end of Q4 2019/20, 5,204 local residents were members of the NAC League of Local Legends program, with 79 joining during Q4.
17. The NAC had 25 non-local paying visitors in Q4 2019/20 as a result of the NAC League of Local Legends program.
18. NAC 3<sup>rd</sup> year Membership with Cultural Attractions of Australia has been cancelled. The current climate of COVID-19 creates a significant issue for the National Anzac Centre to be able to service the Signature Experience as it is aimed entirely at an international market with travel restricted into Australia at this time.

19. In Q4 2019/20, progression of 2 major projects - phase one of the NAC Refresh and Hidden Stories of the Fortress grant works for Princess Royal Fortress - continued. These were affected by COVID19 with delay in arrival of products and some labour works. Both projects have recommenced and moving ahead well.
20. NAC Refresh phase one works have continued with the new Convoy Table commissioned on Friday, 3 July, enabling works to move into completion of the Theatre space.
21. Retail consultant, Terrific Trading Incorporated, completed a review process on the Fort Store and Albany. The final report and recommendations, were presented to Council and Executive team on 9 June 2020.

**GOVERNMENT & PUBLIC CONSULTATION**

22. Not Applicable.

**STATUTORY IMPLICATIONS**

23. Not Applicable.

**POLICY IMPLICATIONS**

24. Not Applicable.

**RISK IDENTIFICATION & MITIGATION**

25. Nil.

**FINANCIAL IMPLICATIONS**

26. Refer to the financial summary below for the National Anzac Centre full year budget and YTD position as at June 30, 2020.

- a. Full year operating expenditure budget includes:

- i. \$221,000 of costs from accounts that are “shared” across the AHP. A total of \$869,000 of budgeted costs reported under the AHP have been deemed to be a shared cost, across the four reporting areas under the AHP (NAC, Retail, Forts, and AHP Precinct). For the purpose of presenting a standalone view of the NAC, managers have used their best judgement to notionally allocate the \$869,000 across the four areas. Significant shared expenses attributed to the NAC include shared employee costs (\$90,000 of the \$221,000), marketing, ground maintenance, internal service delivery, security, electricity, and insurance.

National ANZAC Centre	FY19/20 Budget	YTD Budget	YTD Actual	YTD Variance
Operating Income	\$915,000	\$915,000	\$778,039	\$136,961
Operating Expenditure	\$(582,589)	\$(582,589)	\$(442,268)	\$140,321
<b>Net Operating Income/(Expense) before Indirect Costs</b>	<b>\$332,411</b>	<b>\$332,411</b>	<b>\$335,771</b>	<b>\$3,360</b>
Indirect Expenses	\$(221,454)	\$(221,454)	\$(182,028)	\$39,427
<b>Net Operating Income/(Expense)</b>	<b>\$110,957</b>	<b>\$(110,957)</b>	<b>\$153,743</b>	<b>\$42,787</b>
Capital Expense	\$(730,000)	\$(730,000)	\$(314,221)	\$415,778
<b>Total</b>	<b>\$(619,043)</b>	<b>\$(617,043)</b>	<b>\$160,478</b>	<b>\$458,566</b>

## **LEGAL IMPLICATIONS**

27. Nil.

## **ENVIRONMENTAL CONSIDERATIONS**

28. Nil.

## **ALTERNATE OPTIONS**

29. The Committee can request further development and refinement of the quarterly reporting tool including both content and frequency of reporting.

## **SUMMARY CONCLUSION**

30. Overall Q4 2019/20 has been a very different period for the NAC and the overall AHP site. The COVID19 impact saw operations close as of March 23, which had obvious roll on effects to Q4 financial figures. With restrictions easing and allowing museums to re-open, the NAC opened its doors again on 9 June 2020 for 6 days per week (closed Mondays).

31. Princess Royal Fortress free tours are on hold due to volunteer services closed. The release of free educational activity sheets for families to use while visiting, along with the information hub has also enhanced the experience. The resource/activity sheets have now been uploaded to our website for public access.

32. Overall Q4 saw steady figures of attendance in the NAC and Fort Store sales for the month of June in Q4, on what is primarily the low season for the AHP. Visitation and figures were remaining relatively in-line with previous years.

<b>Consulted References</b>	:	Nil.
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	CCS251 - OCM 26/05/2020

**CCS280: WRITE OFF RATE DEBT REPORT AS AT 30 JUNE 2020**

<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: Write Off Rate Debt Report as at 30 June 2020
<b>Report Prepared by</b>	: Senior Finance Officer – Rates (G Shephard)
<b>Responsible Officer</b>	: Executive Director Corporate & Commercial Services (D Olde)

**RECOMMENDATION**

**CCS280: RESOLUTION**  
**VOTING REQUIREMENT: SMPLE MAJORITY**

**MOVED: COUNCILLOR SLEEMAN**  
**SECONDED: COUNCILLOR SMITH**

**THAT Council RECEIVE the Write Off Rates Debt Report as at 30 June 2020.**

**CARRIED 12-0**

**CCS280: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR SMITH**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

**CCS280: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council RECEIVE the Write Off Rates Debt Report as at 30 June 2020.**



## **CCS281: COMMUNICATIONS & ENGAGEMENT STRATEGY**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: City of Albany Communications & Engagement Strategy
<b>Report Prepared By</b>	: Acting Manager Community Development & Engagement (R Param)
<b>Responsible Officers:</b>	: Acting Executive Director Community Services (N Watson)

### **STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Community Strategic Plan:

- **Theme:** Leadership
- **Objective:** To engage effectively with our community.
- **Community Priority:** Improve community engagement processes and platforms to provide our community with a variety of opportunities to be involved and contribute to decisions;

This item relates to the following elements of the Corporate Business Plan:

- **Key Organisational Criteria:** Develop a Council strategy to improve communication with residents and businesses.

#### **In Brief:**

- Note the City of Albany Communications & Engagement Strategy progress report.

### **RECOMMENDATION**

#### **CCS281: RESOLUTION**

#### **VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SMITH**

**SECONDED: COUNCILLOR SLEEMAN**

**THAT Council NOTE the City of Albany Communications & Engagement Strategy progress report ending June 2020 (Q4) and its endorsement by the Communications & Engagement Advisory Group.**

**CARRIED 12-0**

#### **CCS281: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SLEEMAN**

**SECONDED: COUNCILLOR STEPHENS**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

#### **CCS281: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council NOTE the City of Albany Communications & Engagement Strategy progress report ending June 2020 (Q4) and its endorsement by the Communications & Engagement Advisory Group.**

## **BACKGROUND**

2. Council adopted the Communications & Engagement Strategy at the May 2019 OCM. The Strategy sets a clear direction for communication and engagement activities by the City. The Strategy is underpinned by an Action Plan
3. The Strategy implementation and annual action plan is overseen by a Communications and Engagement Advisory Group comprising community representatives, Elected Members and City officers. The Advisory Group is scheduled to meet quarterly to review and endorse the progress report.

## **DISCUSSION**

4. The Advisory Group previously met and endorsed the Q1 progress report on 28 November 2019, and this was tabled and noted at the OCM of 25 February 2020.
5. The COVID19 pandemic resulted in the cancellation of the group's next scheduled meeting in March 2020 as focus turned towards navigating the public health crisis, and this delayed the quarterly progress reporting to Council.
6. Extensive engagement and communications activities were undertaken during the initial response to the pandemic, utilising all the City's available resources and channels.
7. The communications activity aligned to several of the priorities adopted within the Action Plan and included the #albanyinthistogether campaign and community recovery initiatives that involved engagement with stakeholders and community.
8. One of the communication initiatives that was well received by the community was the weekly filming of a Mayor's Message, which was published on social media and the City's website to keep Albany reassured during the crisis and updated on the latest health advice.
9. While the Community Recovery actions undertaken by the Community Development and Engagement Team do not strictly align to any of the specific actions adopted prior to the pandemic, this activity included stakeholders and involved extensive engagement with priority residents to understand their concerns and needs during the pandemic.
10. The Advisory Group was able to reconvene on 13 July 2020 to endorse the Q4 progress report and conclude the reporting for 2019-2020.
11. The progress report represents activity and achievements by the City against the Communications and Engagement Strategy. An updated action plan for Q1 of 2020-2021 will be reviewed by the Advisory Group at its next scheduled meeting in October 2020.
12. Existing actions will be carried forward into 2020-21 and new actions added as required.

## **GOVERNMENT & PUBLIC CONSULTATION**

13. Extensive community consultation was undertaken during the development of the Communications & Engagement Strategy and achieved the highest reach of any engagement project undertaken by the City.
14. The progress report has been reviewed and supported by the Advisory Group, which includes members representing community.

## **STATUTORY IMPLICATIONS**

15. Nil

## **POLICY IMPLICATIONS**

16. Nil

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational:</b> If community engagement expectations are not met due to budget, viability, funding agreements, safety or legislative constraints.	Likely	Moderate	High	Clearly define and communicate to community instances where project engagement is constrained by non-negotiable factors.
<b>Reputational:</b> If communications or engagement activity is ad-hoc, untimely, inaccurate or untargeted.	Unlikely	Major	Low	Follow best practice engagement framework and provide timely, informative and accurate communications to the community through effective channels as outlined in the Communications & Engagement Strategy.
<b>Operational:</b> Some aspirations of the Strategy may not be fully realised due to budget, funding or resource constraints.	Possible	Moderate	Medium	Prioritise budget allocation where necessary and explore all options to achieve objectives.
<b>Operational:</b> A severe second wave of Covid-19 that results in re-tightening of community restrictions and impacts City operational priorities.	Possible	Major	High	Follow Federal and State public health directions as informed and re-prioritise actions as necessary to align with City's operational priorities and capacity.

## FINANCIAL IMPLICATIONS

18. Nil.

## LEGAL IMPLICATIONS

19. Nil.

## ENVIRONMENTAL CONSIDERATIONS

20. Nil.

## ALTERNATE OPTIONS

21. Nil.

## CONCLUSION

22. The Communications & Engagement Strategy is overseen by an Advisory Group comprising community, Elected Member and City staff representatives.
23. Community representation on the Advisory Group ensures community needs and priorities remain central to the implementation of the Communications and Engagement Strategy.
24. A quarterly progress report of achievements against the Strategy is endorsed by the Advisory Group and submitted to Council for information. The progress report against the Strategy's Action Plan for Q4 of 2019-2020 is submitted to Council.

<b>Consulted References</b>	:	City of Albany Communication and Engagement Strategy 2019
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM February 2020, Resolution CCS217

## CCS282: COMPASSIONATE ALBANY CHARTER

<b>Reference Documents</b>	: AMT18303418 – Memorandum of Understanding
<b>Attachments</b>	: Community Engagement Report Draft Compassionate Albany Charter Draft Compassionate Albany Charter Report
<b>Report Prepared by</b>	: Compassionate Community Project Officers (A Lynch and V Gardiner) Acting Manager Community Development & Engagement (R Param)
<b>Responsible Officer</b>	: Acting Executive Director Community Services (N Watson)

### STRATEGIC IMPLICATIONS

This item relates to the following elements of the City of Albany Strategic Community Plan:

- **Theme 4** - Community Health & Participation:
- **Our Aspiration:** “We will live in communities where people feel they belong and are supported in a manner that reflects our rich and diverse heritage.”
- **Objective 4.1:** To build a resilient and cohesive community with a strong sense of community spirit
- **Objective 4.3:** To develop and support a healthy and accessible community

#### In Brief:

1. *Compassionate Communities* is a global movement that ‘traditionally’ encourages communities and neighbourhood networks to play a much stronger role in supporting people and their families and carers at the end of life.
2. The *Compassionate Albany Charter* is a key deliverable of the WA Primary Health Alliance (WAPHA) Great Southern Compassionate Community Project which is funded by the Commonwealth Government Department of Health - *Greater Choice for at Home Palliative Care Measure*. The City of Albany is currently partnering with WAPHA to deliver this project.
3. The Charter will be vested with the City of Albany on behalf of the Albany community.

### RECOMMENDATION

**CCS282: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GOODE**  
**SECONDED: COUNCILLOR SHANHUN**

**THAT Council ENDORSE the Compassionate Albany Charter.**

**CARRIED 12-0**

**CCS282: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: MAYOR WELLINGTON**  
**SECONDED: COUNCILLOR SLEEMAN**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 11-0**

CCS282: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ENDORSE the Compassionate Albany Charter.

## **BACKGROUND**

1. The City of Albany entered a Memorandum of Understanding (MOU) on the 25 May 2018 to partner with WAPHA on the Compassionate Communities Project. This included locating a Project Officer (0.6) with the City of Albany until 30 June 2020.
2. The Compassionate Albany Charter is a key deliverable of WAPHA Great Southern Compassionate Community Project which is funded by the Commonwealth Government Department of Health - Greater Choice for at Home Palliative Care measure.
3. The MOU was amended to include an additional Community Connector position between 1 July 2019 and 30 June 2020. The MOU has since been amended to extend the project until 30 October 2020.
4. The community engagement process for the Charter commenced in November 2019 in accordance with the Community Engagement Plan.
5. Six workshops were facilitated with 107 participants. This was followed by a Strategic Workshop with elected members on 18 February 2020 and a further 4 focus groups held with special interest groups in February 2020. Please refer to the attached Community Engagement Report for further information (attached).
6. The Draft Charter has been endorsed by the Compassionate Communities Project Steering Group 16 June 2020.

## **DISCUSSION**

7. WAPHA's role is to simplify and improve access to primary care and work with partners such as the City of Albany to ensure a health system that works for people, ensuring they can access excellent care closer to home.
8. As the first line of connection to people where they live, local governments play an important role in contributing to the social wellbeing of communities. The City of Albany undertakes critical functions in community services, social planning, and delivery of human services at the local level which influence people's sense of connectedness to their community, and overall community wellbeing.
9. Compassionate Communities is a global movement that 'traditionally' encourages communities and neighbourhood networks to play a much stronger role in supporting people and their families and carers at the end of life. Through the community engagement process the scope was broadened to include all social and economic hardship.
10. The community considered supporting each other through hardship is broader than just end of life; compassion should be embedded in all aspects of everyday life.
11. As the Charter will be community-owned and led. The community engagement process has been crucial for fostering ownership by the community and those organisations that connect and support our communities.
12. The role of the City of Albany is to be the custodian or holder of the Charter on the community's behalf.
13. The Charter has been developed using an asset-based community development approach. The community engagement process asked the following questions; What are we already doing well in our community? What could we do to build on this? What do we need to create a more compassionate community?

14. The community engagement process identified 6 emerging themes which have been incorporated into the Charter Framework:
  - a. Leadership, mentoring and advocacy;
  - b. Shared humanity;
  - c. Community Services and Initiatives;
  - d. Communication and Information;
  - e. Compassionate Spaces and Places;
  - f. Community Mindedness.
15. A summary of the engagement process was emailed to the workshop participants in January 2020.

### **Compassionate Communities post COVID-19**

16. Since the recent impacts of COVID-19 there has been increasing evidence and recognition that asset-based community development programs, such as Compassionate Communities, are essential for both community wellbeing and for our care systems to function effectively. COVID-19 has reinforced the importance of empowering local communities to work not only together, but in partnership with service providers.
17. Transitioning to a post COVID-19 world, the Compassionate Albany Charter has the potential to harness the capacity of our community and service systems to come together quickly and 'act as one' to achieve a common goal. The Charter also has the potential to draw upon this same collective energy to drive community recovery from hardship, including the economic and social impacts of hardship.
18. Compassionate Communities as a broader public health approach can also provide people in rural areas greater healthcare choices, beyond palliative care as well as addressing the social determinants of health such as social connection.

### **Compassionate Albany Charter**

19. *I belong to a community where everyone recognises that we have a part to play in supporting each other during life's toughest experiences, especially at times of hardship, illness, loneliness, death and grief.*  
*All of us are touched by these challenges at some point in our lives.*  
*Let's have conversations about living well and dying well and supporting each other emotionally and practically along the way.*
20. The Compassionate Albany Charter proposes the following 6 aspirations and 'calls to action'
  - a) **Shared Humanity** *Compassion comes from the heart and starts with me*
  - b) **Community Mindedness** *Let's ask, what can I do for my community?*
  - c) **Compassionate Organisations** *Let's grow, recognise and reward*
  - d) **Compassionate Places and Spaces** *Let's use our places and spaces more to connect and belong*
  - e) **Communication and Information Sharing** *Let's Listen, Let's Ask, Let's Talk, Let's Share*
  - f) **Leadership and Advocacy** – *Let's lead by sharing what we've learnt and listening with our hearts*

## GOVERNMENT & PUBLIC CONSULTATION

21. The workshops were advertised using the following methods:

Newspapers:

- a. 14/11/19 Full page advert in the *Albany Advertiser*.
- b. 21/26/11/19 Quarter page advert in the *Albany Advertiser*.
- c. 14/11/19 Full page advert in the *Weekender* newspaper.
- d. 21/11/19 Quarter page advert in the *Weekender* newspaper.

City of Albany Facebook Page:

- e. 20/11/19 at 8am. The post reached 1.4k people.
- f. 25/11/19 at 12.30pm. The post reached 1.7k people.
- g. Additional listings in the City of Albany community newsletter for several weeks and was also uploaded to the website listed under Events.
- h. WA Primary Health Alliance (WAPHA) exchange
- i. Great Southern Compassionate Communities webpage listing including workshop dates and venues - from 30 September.

Direct invites were sent to:

- j. City of Albany Elected Members.
- k. Albany Leisure and Aquatic Centre for distribution to sporting clubs and associations.
- l. Individual, business and community groups direct email – 186 e.g. 'Friends of' groups, Ratepayer Associations and interest group networks, Faith Groups, Social Services, Youth Advisory Council.
- m. Albany Chamber of Commerce and Industry – 2 direct email invitations to 739 subscribers. Opened respectively by 254 of 737 recipients and 274 of 739 recipients.
- n. Compassionate Communities Project Stakeholder list inclusive of government organisations, businesses, community services, community groups, clubs, churches and faith groups.
- o. Invites were sent to special interest groups and in partnership with key stakeholder organisations i.e. ACTIV, Great Southern Migrant Services, WAPHA Regional Clinical Committee Chair (Primary Health). Albany Early Years Network, Youth Advisory Council.

22. The two-hour workshops were delivered using a world café format, with written feedback collated from small group discussions.

23. The following is a schedule of workshops that were held:

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Inform and Consult	Workshop – Community members	27 November 2019	20	N/A
Inform and Consult	Workshop – Sporting Clubs and businesses	27 November 2019	24	N/A
Inform and Consult	Workshop – Government and Service Providers	28 November 2019	14	
Inform and Consult	Workshop – Early Years Network	28 November 2019	3	
Inform and Consult	Workshop – Youth Advisory Council	29 November 2019	12	

Inform and Consult	Workshop – Community/Faith Groups and Not-for-Profit organisations	4 December 2019	34	
Inform and Consult	Strategic Workshop - City of Albany Elected Member	18 February 2020	11	
Inform and Consult	Focus Group - Primary Health (GP's)	26 February 2020	8	
Inform and Consult	Focus Group – People living with Disability (in partnership with ACTIV)	20 February 2020	6	
Inform and Consult	Aboriginal Community	27 February 2020	3	
Inform and Consult	Culturally and Linguistically Diverse (Karen Community)	27 February 2020	9	

**STATUTORY IMPLICATIONS**

24. None.

**POLICY IMPLICATIONS**

25. None.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Operational, &amp; Financial.</b> <i>Risk: There is a risk that by endorsing of the Compassionate Albany Charter will negatively impacts on the City's general operations and budget.</i>	Unlikely	Minor	Low	<i>The Charter is aspirational and does not include any specific actions or infer responsibility to any one individual agency. The opportunity exists for the City to align its values and programs where applicable to the aspirations.</i>
<b>Reputational Risk:</b> that the Charter is endorsed and no action results from it.  <i>Risk: raising community expectations that the City will lead activity in this space.</i>	Unlikely	Minor	Low	<i>Reinforce that the Charter is a whole of community responsibility it contains aspirations that relate to community members, service providers, businesses, organisations, groups and clubs to pursue.</i>  <i>As above</i> <i>Source funding to achieve activity as well as partnering with relevant agencies.</i>
<b>Opportunity:</b> Endorsing and adopting the Compassionate Albany Charter signals to the community that the City is committed to listening to the community and are a compassionate Council that is willing to work together with the community, service providers, businesses, organisations, groups and clubs to pursue the aspirations outlined in the Charter.				

**FINANCIAL IMPLICATIONS**

27. There are no direct financial implications in relation to this item. Any initiatives pursued by the City in response to the Charter will be in partnership with sector organisations and/or via externally-sourced grant funding.



## LEGAL IMPLICATIONS

28. Not applicable.

## ENVIRONMENTAL CONSIDERATIONS

29. Not applicable.

## ALTERNATE OPTIONS

30. Council has the following options in relation to this item:

- a. To refuse endorsement of the Compassionate Albany Charter, specifically holding the Charter on behalf of the Albany community. This would go against community expectation established during the project engagement process.
- b. To refuse endorsement of the Compassionate Albany charter and resolve that an alternate body is best positioned to hold the Charter on behalf of the Albany community.

## CONCLUSION

31. The recent impact of the coronavirus demonstrated the important role community play during times of hardship and the willingness of the Albany community to support each other during such times.
32. The *Compassionate Albany Charter* has the potential to harness the capacity of our community and service systems to come together quickly and 'act as one' to achieve a common goal. Well connected communities that are supported by community centred services are stronger and more resilient and better able to cope, respond and adapt to challenges and crises.

<b>Consulted References</b>	:	AMT18303418 – Memorandum of Understanding
<b>File Number (Name of Ward)</b>	:	All wards
<b>Previous Reference</b>	:	Nil.

## CCS283: PROPOSED JETTIES, BRIDGES, BOAT PENS AND SWIMMING STRUCTURES LOCAL LAW 2020

<b>Land Description</b>	: (All Wards)
<b>Attached</b>	: Proposed Jetties, Bridges, Boat Pens and Swimming Enclosures Local Law 2020
<b>Report Prepared By</b>	: Manager Governance & Risk (S Jamieson)
<b>Responsible Officers:</b>	: Executive Director Corporate & Commercial Services (D Olde)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan and Corporate Business Plan:
  - **Theme:** Leadership.
  - **Objective:** To establish and maintain sound business and governance structures
  - **Community Priority:** Provide informed and transparent decision making that is consistent with our strategic direction, meets our legal obligations, reflect the level of associated risk and are adequately explained to community.

#### In Brief:

- Council is requested to consider adopting the proposed local law.

#### Purpose and Effect:

- **Purpose:** To regulate the care, control and management of the Albany Jetties, Bridges, Boat Pens and Swimming Enclosures.
- **Effect:** To control the use of and behaviour. Written approval from the local government is required for certain activities and some activities are restricted or prohibited. Offences are created for non-compliance with certain provisions. The local government may close the jetties or sections thereof under certain circumstances.

### RECOMMENDATION

**CCS283: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR STOCKS**

**THAT Council:**

- (1) **NOTE** in accordance with section 3.6 of the *Local Government Act 1995* (the Act), the Governor has given consent for local law to apply to areas outside of the district.
- (2) In accordance with section 3.12 of the *Local Government Act 1995*, resolves to **ADOPT** the *City of Albany Jetties, Bridges, Boat Pens and Swimming Structures Local Law 2020*, noting the minor amendments detailed in the report.

**CARRIED 12-0**  
**ABSOLUTE MAJORITY**

CCS283: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SLEEMAN

SECONDED: COUNCILLOR BENSON-LIDHOLM

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS283: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

(1) NOTE in accordance with section 3.6 of the *Local Government Act 1995* (the Act), the Governor has given consent for local law to apply to areas outside of the district.

(2) In accordance with section 3.12 of the Local Government Act 1995, resolves to ADOPT the *City of Albany Jetties, Bridges, Boat Pens and Swimming Structures Local Law 2020*, noting the minor amendments detailed in the report.

**BACKGROUND**

2. On 25 September 2018, Council resolved to remake the *City of Albany Jetties, Bridges & Boat Pens Local Law 2005*.
3. On 28 May 2019, Council resolved to MAKE the proposed new local law, noting the requirement that prior to presentation for final adoption, in accordance with section 3.6 of the Local Government Act 1995 (the Act), the Governor's consent must be sought.
4. On 17 December 2019, Council resolved to authorise the Chief Executive Officer to seek the Governor's consent in accordance with section 3.6 of the Act.
5. On 24 July 2020, Department of Local Government, Sport and Cultural Activities (the Dept.) advised that The Governor has approved, under section 3.6(1) of the *Local Government Act 1995*, of the making of the *City of Albany Jetties, Bridges, Boat Pens and Swimming Structures Local Law 2020* to the extent that it will apply outside the district of the City of Albany.
6. On 28 July 2020, Governor's consent given and published in the *Government Gazette* No. 127.

**DISCUSSION**

7. Post the 17 December 2019 meeting additional consultation and minor amendments have been required to be applied based on Dept. feedback.
8. The feedback received and action taken are detailed in the government and public consultation section of the report.

**GOVERNMENT & PUBLIC CONSULTATION**

9. **Stakeholder engagement:** As previously advised the local law making process provided members of the public and government departments to have their say on the proposed local law and their relevance within the community.
10. On 19 December 2019, proposed local law sent to Minister and Dept.
11. On 8 April 2020, additional clarification of content sought from the Dept.
12. On 24 July 2020, Dept. advised **that** the Governor has approved the local law to the extent that it will apply outside the district of the City of Albany.
13. Additional consultation was also conducted with internal stake-holders in regards to the proposed minor amendments, specifically the Reserves Management and Leasing Teams.

15. The following details the comments received post presentation to Council in December 2019, noting amendments highlighted in the updated proposed local:

Proposed Local Law:	Comment / Action taken:
<p><b>Dept. Feedback: RE: Clause 1.3(2)</b></p> <p>The Emu Point Marina isn't an issue. The diagram is clear and there's a sub-aquatic property lot involved, so the affected area is obvious.</p> <p>Please confirm local law is going to apply to the area the City wants it to.</p> <p>The City needs to ensure the wording (description) effectively captures the affected area and doesn't leave room for misinterpretation.</p> <p>Please confirm the City wants to regulate all the area within the Middleton Beach Shark Barrier, including a jetty and a diving platform both located within the barrier zone.</p> <p>If that is the case, the proposed amended wording for clause 1.3(2) as follows:</p> <p style="text-align: center;">----</p> <p>(2) This local law applies to the following areas located outside the district:</p> <ul style="list-style-type: none"> <li>(a) Lot 350, 7031 Swarbrick Street, Emu Point WA; and</li> <li>(b) The region bounded by: <ul style="list-style-type: none"> <li>(i) the swimming enclosure;</li> <li>(ii) the coastal boundary of Lot 1474, Flinders Parade, Middleton Beach WA; and</li> <li>(iii) the coastal boundary of Lot 651, 2 Flinders Parade, Middleton Beach WA;</li> </ul> </li> </ul> <p>on the date this local law came into operation.</p> <p style="text-align: center;">----</p>	<p><b>Manager Governance &amp; Risk:</b></p> <p><b>RE: Please let me know whether this description seems to cover the area the City wishes to regulate.</b></p> <p><b>Response:</b> Yes, proposed local law amended accordingly.</p>

Proposed Local Law:	Comment / Action taken:
<p><b>Dept. Feedback: RE: Clauses 2.11 and 2.14 – Additional Clarification Sought</b></p> <p>Ideally, we need a definition that provides certainty. For example, if there is only one or two swimming structures in the district, the definition should refer to them by name and location. Alternatively, if they are something that can be established from time to time, the local law should contain a clause explaining how this establishment will occur. The definition can then refer to that clause.</p>	<p><b>Manager Governance &amp; Risk:</b></p> <p><b>Response:</b> Fully reviewed and amended to address concerns. Amendments presented to Dept.: To future proof the local law, provision to allow determinations applied.</p> <ul style="list-style-type: none"> <li>• <b>PART 5 - DETERMINATIONS IN RESPECT OF JETTIES AND SWIMMING STRUCTURES</b></li> <li>• <b>SCHEDULE 1 - DETERMINATIONS IN RESPECT OF JETTIES AND SWIMMING STRUCTURES</b></li> </ul>
<p><b>Dept. Feedback: RE: Clauses 2.11 and 2.14 – Additional Clarification Sought</b></p> <p>Also, are you able to provide any further info regarding the query about swimming jetties? Most of the clauses in the local law refer to “jetty” but clause 2.11 and 2.14 refer to a “swimming jetty”. It is uncertain how the local law distinguishes one kind of jetty from the other, since any jetty can be potentially used for swimming. Can you advise further?</p>	<p><b>Manager Governance &amp; Risk:</b></p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>• All jetties can be used for swimming, or fishing etc.</li> <li>• Jetty is currently defined as:</li> </ul> <div data-bbox="1339 946 2072 1425" style="border: 1px solid black; padding: 5px;"> <p><b>jetty</b> means –</p> <ul style="list-style-type: none"> <li>(a) any jetty, pier, wharf, quay, grid, slip, landing place, boat launching ramps, stage, platform (other than a platform that is a vessel for the purposes of the <i>Western Australian Marine Act 1982</i>) or similar structure, whether fixed or floating, erected or placed, wholly or in part, in, on or over any waters; and</li> <li>(b) any ramp and supporting structure for vessel access to a ramp which is or which may be used for the purpose of launching or landing a vessel; which is under the care, control or management of the local government;</li> </ul> </div>

Proposed Local Law:	Comment / Action taken:
	<ul style="list-style-type: none"> <li>Swimming Jetty is currently defined as: <div data-bbox="1339 395 2072 547" style="border: 1px solid black; padding: 5px;"> <p><b>Swimming Jetty</b> means the jetty structure located off land and includes all buildings and other structures on, under or attached to the Swimming Jetty;</p> </div> </li> <li>The term Swimming Jetty could be removed and Swimming Structure used instead, proposed amendment being:  <b>Swimming Structure</b> means a structure designated for swimming only.</li> </ul>
<p><b>Dept. Feedback: RE: Clause 2.11</b>            Clause 2.11 of the local law refers to swimming jetties, but it explicitly doesn't apply to the Ellen Cove Jetty.            Is this clause referring to a swimming jetty located in the Emu Harbour Marina or is it referring to other jetties located elsewhere?</p>	<p><b>Manager Governance &amp; Risk:</b>  <b>RE: Also, clause 2.11 of the local law refers to swimming jetties, but it explicitly doesn't apply to the Ellen Cove Jetty. Is this clause referring to a swimming jetty located in the Emu Harbour Marina or is it referring to other jetties located elsewhere?</b></p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>Yes, it does not apply to the Ellen Cove Jetty, as this is used by the "Fishers with Disabilities" as there is wheel chair access and it as determined that it poses little risk to swimmers.</li> <li>This does not apply to designated Jetties in the Emu Harbour Marina area.</li> <li>This does apply to swimming jetties located elsewhere.</li> </ul>

## STATUTORY IMPLICATIONS

16. Adopting a local law needs to be done in accordance with section 3.12 of the Act.
17. The resolution of Council to make the local law must be carried by **Absolute Majority**.
18. After adopting the local law, the local government is to publish it in the Gazette and give a copy of it to the Ministers for Local Government and Emergency Services.
19. After the local law has been published in the Gazette the local government is to give local public notice.
20. Section 3.12 of the Act requires the person presiding at a Council meeting to give notice to the meeting of the purpose and effect of the proposed local law.

## POLICY IMPLICATIONS

21. Administrative policy implications will result from enacting the proposed local law.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Legal &amp; Compliance</b> <i>Local law may be disallowed if content is considered inappropriate, being outside the remit of the Local Government Act 1995.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Amend local law if requested.</i>
<b>Opportunity:</b> <i>Opportunity to enable better public safety.</i>				

## FINANCIAL IMPLICATIONS

23. An appropriate budget line exists for the cost of giving public notice and advertising.
24. This cost is estimated to be approximately \$400 in addition to staff time.

## LEGAL IMPLICATIONS

### Legislative Environment

25. It should be noted that Local Laws (which were once known as 'By Laws') are subsidiary legislation, made by Local Governments.
26. Local Laws must not contravene any State or Federal Act or Regulation, and in the event of any inconsistency, the Act or Regulation will override the Local Law to the extent of the inconsistency.
27. Section 3.12 of the Act prescribes the procedures for making and finalising the process of adopting Local Laws.
28. Whilst the Act does expressly prescribe a time frame in which the procedural requirements for making Local Laws are to be completed, the procedures should be undertaken with "all convenient speed" in line with the *Interpretations Act 1984*.

## ENVIRONMENTAL CONSIDERATIONS

29. Appropriate compliance strategies conducted by City Officers, to protect the amenity, health and safety of the community will be empowered by the proposed local law.

## **ALTERNATE OPTIONS**

30. Council may wish to reconsider its position on the proposed local law, and conduct an additional review.

## **CONCLUSION**

31. It is recommended that the proposed local law be adopted.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Local Government Act 1995</i></li><li>• Local Government Operational Guidelines   Number 16</li></ul>
<b>File Number (Name of Ward)</b>	:	(All Wards)
<b>Previous Reference</b>	:	<ul style="list-style-type: none"><li>• OCM 17/12/2019 Resolution CCS200</li><li>• OCM 25/09/2018 Resolution CCS087</li><li>• OCM 28/05/2019 Resolution AR062</li></ul>



## CCS284: COUNCIL POLICY – PURCHASING POLICY (TENDERS AND QUOTES)

<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: Current Purchasing Policy, Proposed Purchasing Policy
<b>Report Prepared By</b>	: Acting Manager Finance (S Van Nierop)
<b>Responsible Officers:</b>	: Executive Director Corporate & Commercial Services (D Olde)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan:
  - a. **Theme:** Civic Leadership.
  - b. **Strategic Objectives:** To establish and maintain sound business and governance structures.
  - c. **Strategy:** To develop informed and transparent decision making processes that meet our legal obligations.

#### In Brief:

- Review and adopt the revised policy: Purchasing Policy (Tenders and Quotes).
- The Local Government (Functions and General) Regulations 1996 have recently been amended with regard to purchasing policies for local governments
- Changes have been made to the Major Quotations and Major Purchase (Tender) categories in line with the changes to the Regulations i.e. tender threshold has been amended to over \$250,000, and Major Quotations upper limit has been changed to \$250,000.
- Other minor changes deemed immaterial to the functionality of the policy.

### RECOMMENDATION

**CCS284: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR TERRY**

**THAT the amended policy: Purchasing Policy (Tenders and Quotes) be ADOPTED.**

**CARRIED 12-0**

CCS284: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 11-0**

CCS284: RESPONSIBLE OFFICER RECOMMENDATION

THAT the amended policy: Purchasing Policy (Tenders and Quotes) be ADOPTED.

**BACKGROUND**

2. Following is an overview of the changes to the category values:

**Current Policy:**

Category	Value (exc. GST)	Minimum Protocol
Minor Purchase	\$0-\$2,000	1 Verbal Quote
Minor Quotation	\$2,001-\$5,000	2 Verbal Quotes
Intermediate Quotation	\$5,001-\$30,000	2 Written Quotes
Major Quotation	\$30,001-\$150,000	3 Written Quotes
Major Purchase (Tender)	Over \$150,000	In accordance with Division 2 – Section 11 of the Local Government (Functions and General) Regulations 1996

**Proposed Policy:**

Category	Value (exc. GST)	Minimum Protocol
Minor Purchase	\$0-\$2,000	1 Verbal Quote
Minor Quotation	\$2,001-\$5,000	2 Verbal Quotes
Intermediate Quotation	\$5,001-\$30,000	2 Written Quotes
Major Quotation	\$30,001-\$250,000	3 Written Quotes
Major Purchase (Tender)	Over \$250,000	In accordance with Division 2 – Section 11 of the Local Government (Functions and General) Regulations 1996

**DISCUSSION**

3. The current Policy was adopted by Council on 28 June 2016.
4. The content of the Policy has been amended to include the recent changes to *the Local Government (Functions and General) Regulations 1996*, namely:

Division 1, section 11A:

*(1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.*

*(2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*

Division 2, section 11:

*(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

**GOVERNMENT & PUBLIC CONSULTATION**

5. Not applicable to this report.

## STATUTORY IMPLICATIONS

6. In May 2020, the Local Government (Functions and General) Regulations 1996 were amended so that local governments have to prepare or adopt, and implement, a purchasing policy where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less.

## POLICY IMPLICATIONS

7. Adoption of the amended Policy will replace the current Policy which was adopted by Council on 28 June 2016.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation. Purchasing Policy not adopted</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>City officers address areas of concern and re-present for approval.</i>

## FINANCIAL IMPLICATIONS

9. Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the City. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.
10. There are no significant financial implications to the City from implementing this Policy.

## LEGAL IMPLICATIONS

11. Nil.

## ENVIRONMENTAL CONSIDERATIONS

12. Nil.

## ALTERNATE OPTIONS

13. If Council determines not to adopt the revised Policy, it will still be required to revisit the purchasing protocols outlined in the Policy, to ensure it adheres to the new increased purchasing limit of \$250,000 stated under Division 1, section 11A and Division 2, section 11.

## CONCLUSION

14. The current Policy was reviewed and adopted by Council on 28 June 2016.
15. Changes have been made to the category values as per the amended Regulations.
16. It is recommended that the amended policy position be adopted.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>Local Government (Functions and General) Regulations 1996</li> <li>Council Policy – Purchasing Policy (Tenders &amp; Quotes)</li> </ul>
<b>File Number (Name of Ward)</b>	:	CM.STD.7 (All)
<b>Previous Reference</b>	:	OCM 28/06/16 - Item CSF246

**CCS285: FILM FRIENDLY CITY AND GUIDELINE**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Film Friendly Guideline
<b>Report Prepared By</b>	: Event Coordinator (S Klose)
<b>Responsible Officers:</b>	: Acting Executive Director Community Services (N Watson)

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan:
  - a. **Theme 2:** Smart Prosperous & Growing.
  - b. **Objective 2.3:** To develop and promote Albany as a unique and sought-after visitor location.
  - c. **Community Priority 2.3.1:** Encourage, support and deliver significant events that promote our region and have a positive economic and social benefit.

**In Brief:**

- Note the City of Albany Film Friendly Guideline as a framework for managing filming requests in our municipality.
- Endorse the City of Albany becoming a Film Friendly City which will promote Albany and the region as a welcoming and attractive destination for film and television production projects.

**RECOMMENDATION**

**CCS285: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR THOMSON**

**SECONDED: COUNCILLOR BENSON-LIDHOLM**

**THAT Council:**

1. **ENDORSE** the City of Albany becoming a Film Friendly City; and
2. **NOTE** the supporting City of Albany Film Friendly Guideline.

**CARRIED 12-0**

**CCS285: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SMITH**

**SECONDED: COUNCILLOR THOMSON**

**THAT** the Responsible Officer Recommendation be **ADOPTED**.

**CARRIED 11-0**

**CCS285: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

1. **ENDORSE** the City of Albany becoming a Film Friendly City; and
2. **NOTE** the supporting City of Albany Film Friendly Guideline.

## BACKGROUND

2. The beautiful natural environment of the Great Southern region lends itself to unique cinematic experiences, and consequently there has been an increase in the professional film and television industry's interest in filming in Albany and surrounds.
3. These productions projects result in direct and indirect economic benefit to the region, and importantly, showcase Albany and surrounds to audiences far and wide, generating positive destination marketing opportunities for local communities.
4. Becoming a Film Friendly City will give Albany greater exposure to film production companies as the City will be affiliated with ScreenWest's promotion of film locations in Western Australia.
5. In addition, Film Friendly Guidelines have been developed which will enable a more streamlined approvals process for filming projects.

## DISCUSSION

6. The development and growth of Australia's film industry, in addition to increased global demand for content has stimulated interest in Australia as a location for creative content production. Over the last decade Albany and the Great Southern have been home to a number of film and television productions, including:
  - [H is for Happiness](#) – 2018/2019 (Albany)
  - [Rams](#) – 2018/2019 (Mount Barker)
  - [Itch](#) – 2018/2019 (Albany)
  - [Breath](#) – 2016 (Denmark and the South Coast)
  - [The Turning](#) – 2013 (Great Southern)
  - [Lockie Leonard](#) – 2007 & 2010 (Albany)
7. Albany is an attractive location to capture film content given its unique heritage characteristics and proximity to the ocean.
8. In June 2020 the Western Australian Government announced a four-year, \$16 million investment to encourage film and television production in the state's regions as a boost to local economies. Furthermore, with Western Australia's successful management to date of COVID-19 and its phased recovery transition, WA is likely to be viewed as a safe place for returning to screen production.
9. Becoming a Film Friendly City positions Albany to leverage economic development and tourism outcomes from these opportunities by promoting Albany as an attractive and welcoming destination for film and television production.
10. Some of the benefits linked to supporting the capture of film content within Albany and the development of a strong and active film sector may include but not be limited to:
  - a) Raising the profile of the City of Albany by promoting Albany and the surrounding regions as a visitor destination through a significant level of positive media exposure outside of the region;
  - b) Positioning the City of Albany as a great place to live, work and visit;
  - c) Providing interesting street level activation outcomes via presence of film sets or related activity;
  - d) Possibly resulting in a large number of production crew being based in the City of Albany over an extended period of time, providing direct local spend;
  - e) Feature film or television series filmed and developed in Albany and the region that are of national or international significance. These are likely to be viewed by people outside of Western Australia, and;
  - f) Resulting in creation of local jobs, engagement of local film/creative businesses, and providing opportunities for development of local talent

11. As the local authority, the City is routinely approached by production project teams for support including administrative and office space, obtaining requisite permits, stakeholder and community liaison, and access to locations and premises.
12. Until recently the City has not had a single point of contact for these enquiries, resulting in production companies unnecessarily needing to liaise with different officers and complete multiple application forms for approval.
13. The Film Friendly Guidelines will streamline and formalise this process to assist with approvals, advice and local information. It also formalises the City's administrative support and assessment criteria for additional in-kind or financial support requests, so expectations can be managed and protracted negotiations are potentially avoided

## GOVERNMENT & PUBLIC CONSULTATION

14. City officers are currently participating in an online Film Friendly Western Australia program provided by ScreenWest including a five-week training course in Film Liaison. This program will also help the City to attract production projects to Albany, as Albany will be promoted as a film friendly location on the ScreenWest website and in marketing publications presented to filmmakers.
15. If Council endorses Albany becoming a Film Friendly City, communications will be prepared to promote this to the local and regional community and media outlets.

## STATUTORY IMPLICATIONS

16. The Film Friendly Guideline will align with statutory obligations under relevant Acts and Local Laws, e.g. the Public Health Act, Environmental Protections Act and Regulations, Copyright Act, Privacy Act, West Australian Screen Industry Code of Practice.

## POLICY IMPLICATIONS

17. The Film Friendly Guideline also aligns with ScreenWest Strategic Plan 2016 – 2021 and ScreenWest Indigenous Screen Strategy 2016 – 2020.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Business Operation Risk:</b> There is a risk that requests for City assistance will result in additional operational workload for relevant directorates.	Possible	Moderate	Medium	Implement Film Friendly Guidelines that direct requests through a single point of contact and clearly define the assistance the City can provide visiting productions
<b>Reputation Risk:</b> There is a risk that promotion of Albany and the region through Screenwest does not match the expectations of filmmakers once arriving in the region.	Unlikely	Minor	Low	Ensure that accurate, up to date images and promotional material of Albany and the region is submitted to Screenwest for inclusion on its website.
<b>Opportunity:</b> The effect of COVID in relation to restricting travel is likely to last for some time. Attracting film production to Albany and the region will benefit the local economy in broad terms, and more specifically, local business operators during the recovery phase. In particular, those in the hospitality and tourism sector, one of the hardest hit sectors as a result of the Coronavirus pandemic.				

## FINANCIAL IMPLICATIONS

19. Film Liaison Officer training is being offered for free, and there are no costs associated with ScreenWest affiliation.
20. The Film Friendly City Guideline does not include provision of grants or sponsorships and requests for financial support will need to be considered on a case-by-case basis in line with existing budget allocations and the support assessment criteria outlined within the Guideline.
21. Council may wish to consider a future, specific budget allocation to support film attraction and production within the region.

## LEGAL IMPLICATIONS

22. The supporting guideline supports the legal obligations of the City as a local government, which is detailed in the Legislative and Strategic Context of the proposed guideline.

## ENVIRONMENTAL CONSIDERATIONS

23. Environmental considerations are considered in the application process, noting the authority to administer the use of public property is vested in the care and control of local government to protect the community's health, safety and amenity.

## ALTERNATE OPTIONS

24. Council could choose to not endorse Albany becoming a Film Friendly City and officers will continue to manage film production requests and approvals ad-hoc.

## CONCLUSION

25. Becoming a Film Friendly City positions Albany to leverage economic development and tourism outcomes from these opportunities by promoting Albany as an attractive and welcoming destination for film and television production.
26. Being affiliated with ScreenWest gives Albany and the Great Southern region greater exposure to the film industry as a production destination.
27. Film Friendly Guidelines have been developed to assist City officers to manage requests for support and to streamline the approvals process for film and television production outlets.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Local Government Act 1995</i></li><li>• <i>Screenwest WA: the Regions Guide to Filming</i></li><li>• <a href="https://www.screenwest.com.au/news-events/2019/04/film-friendly-resources-for-filmmakers/">https://www.screenwest.com.au/news-events/2019/04/film-friendly-resources-for-filmmakers/</a></li></ul>
<b>File Number (Name of Ward)</b>	:	<ul style="list-style-type: none"><li>• All Wards, Synergy File Number to be assigned.</li></ul>
<b>Previous Reference</b>	:	<ul style="list-style-type: none"><li>• Nil</li></ul>

## AR079: INTERNAL AUDIT – ACTION ITEMS

<b>Business Entity Name</b>	: City of Albany
<b>Attachment</b>	: Internal Audit Action Plan – 27 July 2020
<b>Report Prepared By</b>	: Acting Manager Finance (S van Nierop)
<b>Responsible Officers:</b>	: Executive Director Corporate & Commercial Services (D Olde)

### CONFIDENTIAL REPORT

*This matter was discussed under Confidential Cover, in accordance with s5.23(f) of the Local Government Act 1995; being:*

- A matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law*

### COVID-19 IMPACT

- This report outlines where the City can improve. COVID-19 may impact the desired timeframe to implement the Actions.

### STRATEGIC IMPLICATIONS

- This item relates to the following elements of the City of Albany Strategic Community Plan:
  - Theme:** Leadership.
  - Objective:** To establish and maintain sound business and governance structures.
  - Community Priority:** Provide informed and transparent decision making that is consistent with our strategic direction, meets our legal obligations, reflects the level of associated risk and is adequately explained to the community.

### RECOMMENDATION

**AR079: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY**  
**SECONDED: COUNCILLOR SMITH**

**THAT the Internal Audit Action Plan be RECEIVED subject to further detail on items 2.2.1 and 2.2.2 which are listed in the Addendum to this report.**

**CARRIED 12-0**

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>Local Government Act 1995</li><li>Local Government Amendment (Auditing) Act 2017</li><li>Auditor General Act 2006</li></ul>
<b>File Number (Name of Ward)</b>	:	(All Wards)
<b>Previous Reference</b>	:	<ul style="list-style-type: none"><li>Audit &amp; Risk Committee - 02/06/2020 - Report AR077</li></ul>



## **DIS223: FOGO ROLLOUT DEFERRAL**

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

### **STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** Clean, Green & Sustainable.
  - **Objective:** To identify and deliver improvements in sustainability within the City and wider community.
  - **Community Priority:** Deliver a sustainable and progressive approach to waste management including collaboration with neighbouring local governments.

#### **In Brief:**

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

### **RECOMMENDATION**

**DIS223: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HAMMOND**  
**SECONDED: COUNCILLOR BENSON-LIDHOLM**

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

**CARRIED 12-0**

**DIS223: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR HAMMOND**  
**SECONDED: COUNCILLOR BENSON-LIDHOLM**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 10-0**

**DIS223: RESPONSIBLE OFFICER RECOMMENDATION**

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

### **BACKGROUND**

2. In May 2019, Council resolved to:
  - a. **APPROVE** the commencement of a kerbside FOGO service in January 2020 to properties receiving a kerbside waste collection.
  - b. **APPROVE** Option 3, being fortnightly collection of all bins (FOGO, commingled recyclables and general waste) with weekly FOGO collection for 8 weeks during December-February.

3. In November 2019, Council resolved:
  - a. That the commencement of the kerbside FOGO service be DEFERRED until the **first** quarter of Financial Year 2020-21.
4. The proposed deferral aligns implementation of FOGO with the end of the current collection and processing of green waste bins contract and will allow for external Department of Water and Environmental Regulation (DWER) approvals to be implemented.
5. The delivery of the Department of Water and Environmental Regulation (DWER) Better Bins project to provide Australian-standard coloured bin lids to residents will align with this revised date and does not impact milestones for Better Bins funding.

## **DISCUSSION**

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

## **GOVERNMENT & PUBLIC CONSULTATION**

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

## 14. Community Engagement

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

**STATUTORY IMPLICATIONS**

15. Waste Avoidance and Recovery Act and associated Regulations.

**POLICY IMPLICATIONS**

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

**RISK IDENTIFICATION & MITIGATION**

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

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

**FINANCIAL IMPLICATIONS**

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

**LEGAL IMPLICATIONS**

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

**ENVIRONMENTAL CONSIDERATIONS**

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

### **ALTERNATE OPTIONS**

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

### **CONCLUSION**

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

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

**DIS224: C20008-PROVISION OF CLEANING SERVICES**

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

**6.37PM** Councillor Shanhun declared a Financial Interest in this item and left the Chamber.

**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** 3. Clean, Green & Sustainable
  - **Objective:** 3.2 To build, maintain and renew city assets sustainably.
  - **Community Priority:** 3.2.1 Deliver environmentally and financial sustainable long term planning for infrastructure via a forward capital works program that meets the needs of our community.

**In Brief:**

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

**COVID-19 IMPACT**

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

**RECOMMENDATION**

**DIS224: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR THOMSON**

**THAT Council ACCEPT the tender from CGS Quality Cleaning as RECOMMENDED by the evaluation panel in the Confidential Briefing Note and AWARD Contract C20008.**

**CARRIED 11-0**  
**ABSOLUTE MAJORITY**

**DIS224: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR STEPHENS**  
**SECONDED: COUNCILLOR TERRY**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 9-0**

**DIS224: RESPONSIBLE OFFICER RECOMMENDATION**

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

## BACKGROUND

2. Tenders were called for the Provision of Cleaning Services for a period of up to three (3) years including an option. The tender is for the following Council buildings:
  - a) Albany Airport – 35615 Albany Highway
  - b) Albany Public Library – 221 York Street
  - c) Mercer Road Offices – 39 Mercer Road
  - d) Mercer Road Depot – 39 Mercer Road
  - e) Albany Regional Day Care Centre – Corner Grey & Collie Street
  - f) Lotteries House – 211-217 North Road
  - g) Administration Building – North Road
  - h) Albany Visitors Centre – 221 York Street
  - i) Vancouver Arts Centre – 85 Vancouver Street
  - j) Hanrahan Landfill Site/AWARE Centre – Cumming & Chester Pass Roads
  - k) National ANZAC Centre – 1347 Forts Road
  - l) Albany Leisure and Aquatic Centre – Barker Road
  - m) Mary Thompson House – 85 Vancouver Street
3. The current contract expires 30 September 2020.

## DISCUSSION

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

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

5. A total number of twenty two (22) tender documents were issued with five (5) completed tender documents submitted on or before the stipulated closing date and time.
6. The following table summarises the tenderers and the overall evaluation scores applicable.

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

## GOVERNMENT & PUBLIC CONSULTATION

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

## STATUTORY IMPLICATIONS

8. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be more, or worth more, than \$150,000.00.
9. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.

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

### POLICY IMPLICATIONS

11. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.
12. The value of this tender is expected to be in excess of \$500,000.00 and therefore Council approval is required as this exceeds the CEO's delegation.

### RISK IDENTIFICATION & MITIGATION

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

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

### FINANCIAL IMPLICATIONS

14. Each location maintains individual operational budgets for cleaning purposes with the tendered price being shared across the organisation. Each directorate and facility manager has provided for cleaning services in their respective operational budgets as required.
15. The value of the tender is in excess of \$500,000.00 which exceeds officer delegation and therefore the approval is referred to Council for consideration.

### LEGAL IMPLICATIONS

16. Nil

### ENVIRONMENTAL CONSIDERATIONS

17. Nil

### ALTERNATE OPTIONS

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

### CONCLUSION

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

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

**6.38PM** Councillor Shanhun returned to the Chamber. Councillor Shanhun was not present during the discussion and vote for this item.



**DIS225: PLANNING AND BUILDING REPORTS JULY 2020**

**Proponent / Owner** : City of Albany.  
**Attachments** : Planning and Building Reports July 2020  
**Report Prepared By** : Business Support Officer – J Cobbold  
**Responsible Officers:** : Manager Planning and Land Information Services  
(J Van Der Mescht)

**RECOMMENDATION**

**DIS225: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**Moved: Councillor Doughty**  
**Seconded: Councillor Terry**

**THAT Council NOTE the Planning and Building Reports for July 2020.**

**CARRIED 12-0**

## DIS226: SWIMMING ENCLOSURE REPLACEMENT

<b>Land Description</b>	: Ellen Cove, Middleton Beach.
<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: <b>Commercial in Confidence</b> Swimming Enclosure Replacement Tender Evaluation
<b>Report Prepared By</b>	: Senior Civil Engineering Officer (R. Westerberg)
<b>Responsible Officers:</b>	: Executive Director Infrastructure, Development & Environment (P. Camins)

### STRATEGIC IMPLICATIONS

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

### Maps and Diagrams:



### In Brief:

- Noting the completion of the competitive tender process, approval is sought to award the tender for the Contract C20011 – Replacement of Ellen Cove Swimming Enclosure to the preferred tenderer recommended in the confidential attachment to this report.

**COVID-19 IMPACT**

2. Components of the preferred tenderers product are manufactured in China which may result in a delay to expected practical completion date.

**RECOMMENDATION**

**RESOLUTION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR THOMSON**

**THAT in accordance with clause 3.5 of the City of Albany Standing Orders Local Law 2014 (as amended) Report Item DIS226: Swimming Enclosure Replacement be ACCEPTED for consideration by Council as an urgent item.**

**CARRIED 11-1  
ABSOLUTE MAJORITY**

**Record of Vote**

Against the Motion: Councillor Goode

**6.48PM**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR THOMSON**

**SECONDED: COUNCILLOR SLEEMAN**

**THAT the meeting be CLOSED to members of the public to allow discussion in accordance with clause 4.8 of the Standing Orders Local Law 2014 (As Amended).**

**CARRIED 12-0**

**6.50PM**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR THOMSON**

**THAT the meeting be RE-OPENED to members of the public.**

**CARRIED 12-0**

**DIS226: RESOLUTION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR THOMSON**

**SECONDED: COUNCILLOR SLEEMAN**

**THAT Council:**

- (1) ACCEPT the funding offered by State Government for the replacement of the swimming enclosure of \$200,000;**
- (2) ACCEPT the tender from Global Marine Enclosures and**
- (3) AWARD Contract C20011 – Replacement of Ellen Cove Swimming Enclosure, including ongoing maintenance, to Global Marine Enclosures. .**

**CARRIED 11-1  
ABSOLUTE MAJORITY**

**Record of Vote**

Against the Motion: Councillor Goode

## BACKGROUND

3. The Swimming Enclosure at Ellen Cove has been very popular with the community. A past survey of the community in March 2017 found that 93.15% of people saw value in the City installing and maintaining the enclosure.
4. The previous swimming enclosure was showing signs of significant wear and was subsequently removed in June 2020.
5. The City owns the anchoring system that remains in place (chain, anchors, concrete blocks) for the swimming enclosure. The anchoring system has a longer lifespan (approximately 20 – 30 years) and can be used to install a replacement enclosure.
6. On the 9th June 2020 the State Government announced that it will provide funding assistance on the capital component for the replacement of the swimming enclosure on a dollar for dollar basis, up to a maximum of \$200,000.
7. Further advocacy to the State Government has resulted in a commitment from the Minister to provide assistance of the whole \$200,000. See the confidential briefing note for further details.

## DISCUSSION

8. The standard tender process was undertaken as prescribed by the Local Government Act 1995 (the Act) and Local Government (Function and General) Regulations 1996 (the Regulations).
9. Tenders were advertised both state-wide and locally from the 8 July 2020 and were closed on 29 July 2020.
10. Eleven (11) tender documents were downloaded from the City of Albany website, resulting in the City receiving two (2) conforming tender submissions.

## EVALUATION OF TENDERS

11. The tender panel evaluated tenders using the weighted criteria methodology across five key areas, shown in Table 1.

**Table 1 – Evaluation Criteria**

Criteria	% Weighting
Relevant Experience	20%
Key Personnel Skills and Experience	10%
Demonstrated Understanding	25%
Corporate Social Responsibility	5%
Cost	40%
<b>Total</b>	<b>100%</b>

12. The following Table 2 summarises the tenders and the overall evaluation scores applicable.

**Table 2 – Summary of Tender Submissions**

Tenderer	Total	Rank
Preferred Tenderer	598.89	1
Company 2	561.11	2

13. The preferred tenderer ranked highest with the highest total weighted score.

## GOVERNMENT & PUBLIC CONSULTATION

14. Two community surveys have been undertaken on the matter of the swimming enclosure. These were:
  - a. A community perception survey in October 2015 prior to the installation of the first swimming enclosure; and,
  - b. A community experience survey in March 2017 post installation of the first swimming enclosure.
15. The results of the post installation survey conducted in March 2017 showed strong community support for the swimming enclosure.
16. The City of Albany advocated for funding from the State Government, specifically the Department of Primary Industries and Regional Development.
17. The Department of Primary Industries and Regional Development committed to providing funding assistance on the capital component for the replacement of the Middleton Beach swimming enclosure on a dollar for dollar basis, up to a maximum of \$200,000.
18. The Department of Primary Industries and Regional Development will be notified with regard to the award of tender and the timeframe for completion.

## STATUTORY IMPLICATIONS

19. Regulation 11 of the Regulations requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$150,000.
20. 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.
21. Regulation 19 of the Regulations requires Council to advise each tenderer in writing of Council's decision.
22. Voting Requirement: **Absolute Majority**.

## POLICY IMPLICATIONS

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

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Environment</b> <i>Proposed enclosure structure is not designed to allow the movement of wrack (seagrass) through the enclosure.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Consideration made to the movement of wrack by the tenderers.</i>
<b>Financial &amp; Sponsor Reputation</b> <i>Lost opportunity to replace the asset with State funding being made available.</i>	<i>Almost Certain</i>	<i>High</i>	<i>Moderate</i>	<i>Approve proposed award of tender and subsequent installation of replacement enclosure.</i>
<b>People Health &amp; Safety</b> <i>Potential for shark attacks without the swimming enclosure installed</i>	<i>Unlikely</i>	<i>Severe</i>	<i>High</i>	<i>Replace the previous swimming enclosure through an open tender process.</i>
<b>Opportunity:</b> <i>Enable the provision of a community desired facility to the Albany municipality.</i>				

## FINANCIAL IMPLICATIONS

25. See Confidential Briefing Note.

## LEGAL IMPLICATIONS

26. Responsibility has been assigned to ensure contractual terms for all aspects of this project are applied.

## ENVIRONMENTAL CONSIDERATIONS

27. Site management controls will be enforced to mitigate adverse any possible environmental impacts.

## ALTERNATE OPTIONS

28. The options are:
- Accept the recommended tender;
  - Not approve any tender; or
  - Select an alternative tender.

## CONCLUSION

29. On reviewing the submissions, the preferred tenderer is deemed the most advantageous tenderer across the evaluation criteria for the installation and maintenance of the replacement swimming enclosure. Their tender was well detailed and demonstrated a good understanding of the objectives.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Local Government Act 1995</i></li><li>• <i>Local Government (Functions and General) Regulations 1996</i></li><li>• <i>Purchasing Policy (Tenders and Quotes), including procedures</i></li><li>• <i>City of Albany Buy Local Policy (Regional Price Preference)</i></li></ul>
<b>File Number (Name of Ward)</b>	:	<ul style="list-style-type: none"><li>• <i>PR.DEC.56</i></li></ul>
<b>Previous Reference</b>	:	<ul style="list-style-type: none"><li>• <i>Swimming Enclosure Replacement Strategy – presented at May 2020 DIS Committee and Ordinary Council Meeting</i></li><li>• <i>Confidential Briefing Note supporting the Swimming Enclosure Replacement Strategy</i></li></ul>

## PR008: CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

<b>Attachments</b>	:	i. <b>CONFIDENTIAL – CEO Annual Appraisal Council Report prepared by John Phillips Consulting</b> ii. <b>CONFIDENTIAL – CEO Key Performance Indicators Statement</b> iii. <b>CEO Performance Review Process Policy</b>
<b>Report Prepared By</b>	:	Manager People & Culture (L Harding)
<b>Responsible Officers:</b>	:	Manager People & Culture (L Harding)

*This report and attachments i. & ii. were considered as CONFIDENTIAL in accordance with section 5.23(2)(a) of the Local Government Act 1995, as it relates to a matter affecting an employee.*

The Chief Executive Officer Mr Andrew Sharpe left the Chamber after declaring a Financial Interest in this item.

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** Leadership.
  - **Objective:** To provide strong, accountable leadership supported by a skilled and professional workforce
  - **Community Priority:** Provide positive leadership that delivers community outcomes.

### In Brief:

- Consider the recommendations of the CEO Performance Review Committee following the completion of the annual CEO performance review process.

### RECOMMENDATION

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

**MOVED COUNCILLOR TERRY**  
**SECONDED: COUNCILLOR SUTTON**

**THAT in accordance with clause 3.5 of the City of Albany Standing Orders Local Law 2014 (as amended) Report Item PR008: Chief Executive Officer Performance Review be ACCEPTED for consideration by Council as an urgent item.**

**CARRIED 12-0**  
**ABSOLUTE MAJORITY**

**PR008: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR HAMMOND**

**THAT the Committee Recommendation contained in the Confidential version of this report be ADOPTED.**

**CARRIED 12-0**

Mr Sharpe returned to the Chamber. Mr Sharpe was not present during the discussion and vote for this item.

<b>Consulted References</b>	:	<i>Local Government Act 1995 Local Government (Administration) Regulations 1996 Council Policy-CEO Performance Review Process Chief Executive Officer Employment Contract</i>
<b>File Number (Name of Ward)</b>	:	Personnel File
<b>Previous Reference</b>	:	OCM 27/08/2019 Report Item PR007



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

DIS226: SWIMMING ENCLOSURE REPLACEMENT  
PR008: CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

**15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil**

**16. REPORTS OF CITY OFFICERS Nil**

**17. MEETING CLOSED TO PUBLIC**

AU079: INTERNAL AUDIT ACTION ITEMS  
DIS226: SWIMMING ENCLOSURE REPLACEMENT  
PR008: CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

**18. CLOSURE**

There being no further business the Mayor declared the meeting closed at 6.53PM.



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Dennis W Wellington  
**MAYOR**