

AGENDA

Ordinary Meeting of Council

Tuesday 28 November 2023

6.00pm

Council Chambers



NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday 28 November 2023 in the Council Chambers, 102 North Road, Yakamia commencing at 6.00pm.

Andrew Sharpe
CHIEF EXECUTIVE OFFICER

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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

We would also like to pay respect to Elders past, present and emerging”

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor

G Stocks

Councillors:

Councillor

P Terry (Deputy Mayor)

Councillor

L MacLaren

Councillor

A Cruse

Councillor

C McKinley

Councillor

M Lionetti

Councillor

R Sutton

Councillor

M Traill

Councillor

D Baesjou

Councillor

S Grimmer

Staff:

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

M Gilfellow

Executive Director Infrastructure, Development

& Environment

P Camins

Executive Director Community Services

N Watson

Manager Planning and Building Services

J Van Der Mescht

Meeting Secretary

J Williamson

Apologies:

Councillor

T Brough (Leave of Absence)

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

7. PUBLIC QUESTION TIME

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

Clause 4 (6) The total time allowed for public question time will be no more than 30 minutes.

Any extension to the time period defined by the City of Albany Standing Orders Local Law 2014 (as amended) will be at the discretion of the Presiding Member.

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

Clause 5) The Presiding Member may decide that a public question shall not be responded to where—

- (a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*
- (b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. PETITIONS AND DEPUTATIONS

10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Ordinary Council Meeting held on 31 October 2023, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

CCS559: CLIMATE CHANGE ACTION DECLARATION

This report was deferred at the Ordinary Council Meeting held on 22 August 2023 to be re-presented to Council at a future Council meeting post the October 2023 Ordinary Local Government Elections.

CCS574: MONTHLY FINANCIAL REPORT – SEPTEMBER 2023

Proponent / Owner : City of Albany
Attachments : Monthly Financial Report – September 2023
Report Prepared By : Manager Finance (S van Nierop)
Authorising Officer: : Executive Director Corporate & Commercial Services
(M Gilfellon)

STRATEGIC IMPLICATIONS

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

IN BRIEF

- Under the Local Government Financial Management Regulations, a local government is to prepare monthly a statement of financial activity that is presented to Council.
- Under changes to the Regulations in June 2023, a local government is now required to also prepare monthly a statement of financial position that is presented to Council.
- The City of Albany’s Monthly Financial Report (inclusive of the statement of financial activity and the statement of financial position) for the period ending 30 September 2023 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City’s Investment of Surplus Funds Policy.
- The financial information included within the Monthly Financial Report for the period ended 30 September is preliminary and has not yet been audited.

RECOMMENDATION

CCS574: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Monthly Financial Report for the period ending 30 September 2023 be RECEIVED.

CCS574: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY
SECONDED: COUNCILLOR MCKINLEY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS574: AUTHORISING OFFICER RECOMMENDATION

THAT the Monthly Financial Report for the period ending 30 September 2023 be RECEIVED.

DISCUSSION

2. To fulfil statutory reporting obligations, the Monthly Financial Report prepared provides a snapshot of the City's year to date financial performance. The report provides the:
 - (a) Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the Local Government (Financial Management) Regulations 1996);
 - (b) Statement of Financial Position (satisfying Regulation 35 of the Local Government (Financial Management) Regulations 1996);
 - (c) Basis of Preparation
 - (d) Explanation of material variances to year-to-date budget;
 - (e) Net Current Asset & Funding Position;
 - (f) Investment Portfolio Snapshot;
 - (g) Receivables; and
 - (h) Capital Acquisitions.
3. Additionally, each year a local government is to adopt a percentage or value to be used in the Statement of Financial Activity for reporting material variances. Under Council item CCS545, Council approved that a variance between actual and budget-to-date of greater than \$100,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2023/2024.
4. The Statement of Financial Activity and Statement of Financial Position may be subject to year-end adjustments and have not been audited.
5. It is noted that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."

STATUTORY IMPLICATIONS

6. The Local Government (Financial Management) Regulations 1996 were amended (SL2023/106) and published on 30 June 2023. The changes, effective from 1 July 2023, have an impact on the reporting of the financial activity statement required each month (Section 34). The below outlines the new reporting requirement under Section 34:
 - 34(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for the previous month (the "relevant 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); and
 - (b) budget estimates to the end of the relevant month; and
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
 - (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 relevant month and a note containing a summary explaining the composition of the net current assets.
 - 34(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).
 - 34(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

- 34(2) Each statement of financial activity is to be accompanied by documents containing-
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- 34(3) The information in a statement of financial activity may be shown according to nature classification.
- 34(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- 34(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.
7. An amendment to the *Local Government (Financial Management) Regulations 1996*, effective from 1 August 2023, is the addition of Regulation 35, with Local Governments now required to report a financial position statement each month. The additional Regulation 35 is as follows:
- 35(1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —
- (a) the financial position of the local government as at the last day of the previous financial year; or
 - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.
- 35(2) A statement of financial position must be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
 - (b) recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS

8. The City's 2023/24 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 September 2023 has been incurred in accordance with the 2023/24 budget parameters.
11. Details of any budget variation more than \$100,000 (year to date) is outlined in the Statement of Financial Activity. There are no other known events, which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

LEGAL IMPLICATIONS

12. Nil.

ENVIRONMENTAL CONSIDERATIONS

13. Nil.

ALTERNATE OPTIONS

14. Nil.

CONCLUSION

15. The Authorising Officer's recommendation be adopted.

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

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

CCS575: LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2023

Business Entity Name	: City of Albany
Attachments	: List of Accounts for Payment
Report Prepared By	: Manager Finance (S Van Nierop)
Authorising Officer:	: Executive Director Corporate and Commercial Services (M Gilfellon)

STRATEGIC IMPLICATIONS

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

IN BRIEF

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

RECOMMENDATION

**CCS575: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2023 totalling \$6,191,440.18 be RECEIVED.

CCS575: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CRUSE
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS575: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2023 totalling \$6,191,440.18 be RECEIVED.

DISCUSSION

3. The table below summarises the payments drawn from the City’s Municipal and Trust funds for the period ending 15 October 2023. Please refer to the Attachment to this report.

Fund	Transaction Type	Amount (\$)
Municipal	Credit Cards	\$22,883.66
Municipal	Payroll	\$1,784,654.36
Municipal	Cheques	\$165.98
Municipal	Electronic Funds Transfer	\$4,383,736.18
Trust	N/A	\$0.00
TOTAL		\$6,191,440.18

4. Included within the Electronic Funds Transfers from the City’s Municipal account are Purchasing Card transactions, required to be reported under Regulation 13(A), totalling: \$16,752.27.
5. The table below summarises the total outstanding creditors as at 15 October 2023.

Aged Creditors	Amount (\$)
Current	\$356,216.92
30 Days	\$306,494.06
60 Days	\$1,128.64
90 Days	-\$46.31
TOTAL	\$663,793.31
Cancelled Cheques	Nil

STATUTORY IMPLICATIONS

6. 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.
7. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
8. 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.
9. As part of the Local Government Regulations Amendment Regulations 2023 (SL2023/106), additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, is required, as follows:

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment;*
- (d) sufficient information to identify the payment.*

(2) *A list prepared under subregulation (1) must be*

(a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*

(b) *recorded in the minutes of that meeting.*

10. Regulation 13(A) comes into operation from 1 September 2023.

POLICY IMPLICATIONS

11. Expenditure for the period to 15 October 2023 has been incurred in accordance with the 2023/2024 budget parameters.

FINANCIAL IMPLICATIONS

12. Expenditure for the period to 15 October 2023 has been incurred in accordance with the 2023/2024 budget parameters.

LEGAL IMPLICATIONS

13. Nil

ENVIRONMENTAL CONSIDERATION

14. Nil

ALTERNATE OPTIONS

15. Nil

CONCLUSION

16. That the list of accounts has been authorised for payment under delegated authority.

17. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

Consulted References	:	<i>Local Government (Financial Management) Regulations 1996</i>
File Number	:	FM.FIR.2

**CCS576: DELEGATED AUTHORITY REPORTS – 16 SEPTEMBER 2023 to
15 OCTOBER 2023**

Proponent / Owner	: City of Albany
Attachments	: Executed Document and Common Seal Report
Report Prepared By	: PA to Mayor and Councillors (D Clark)
Authorising Officer:	: 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:
 - **Pillar:** Leadership.
 - **Outcome:** A well informed and engaged community.

RECOMMENDATION

**CCS576: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Delegated Authority Reports 16 September 2023 to 15 October 2023 be RECEIVED.

CCS576: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY
SECONDED: COUNCILLOR GRIMMER

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS576: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 September 2023 to 15 October 2023 be RECEIVED.

BACKGROUND

2. In compliance with Section 9.49A of the *Local Government Act 1995* the attached report applies to the use of the Common Seal and the signing of documents under Council's Delegated Authority:
 - **Delegation: 006** – Sign Documents on Behalf of the City of Albany (Authority to Executive Deeds & Agreements and apply the Common Seal)
 - **Delegation: 009** – Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding (Including the provision of sponsorship through the waiver of fees & charges)
 - **Delegation: 018** – Award Contracts (Supply of Equipment, Goods, Materials & Services)

CCS577: CORPORATE BUSINESS PLAN – ANNUAL REVISION

- Attachments** : 2023 Community Scorecard results and updated 'At a glance' content
- Report Prepared By** : Business Planning and Performance Coordinator
(A Olszewski)
- Authorising Officer:** : Manager Finance (S Van Nierop)

STRATEGIC IMPLICATIONS

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

In Brief:

- It is a legislated requirement that Council review its [Corporate Business Plan](#) (CBP) on an annual basis.
- The review has been completed and a range of minor updates have been made to the document largely to contemporise the content.
- The only substantive additions relate to the 2023 Community Scorecard results and the 'At a glance' statistics page, which are attached for reference.

RECOMMENDATION

**CCS577: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the amendments to the Corporate Business Plan 2022-2026 be APPROVED.

CCS577: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BAESJOU

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS577: AUTHORISING OFFICER RECOMMENDATION

THAT the amendments to the Corporate Business Plan 2022-2026 be APPROVED

BACKGROUND

2. The CBP is the Council's four-year planning document that gives effect to the first four years of the [Strategic Community Plan](#). It is pivotal in ensuring that medium term commitments are both strategically aligned and affordable.
3. Under s5.56 of the *Local Government Act 1995*, local governments are required to review their CBP on an annual basis, and Council are required to approve any amendments to it.
4. The Integrated Planning and Reporting four-year cycle proceeds as follows:
 - a. *Year 1 – Major strategic review (2021; requires community engagement)*
 - b. *Year 2 – Non-strategic review (2022)*
 - c. *Year 3 – Minor strategic review (2023; no community engagement required)*
 - d. *Year 4 – Non-strategic review (2024)*

DISCUSSION

5. The scope of the 2022 non-strategic review (ref: CCS492) involved the following:
 - a. Updates to the 'Our Plan for the Future' actions listed throughout the CBP and aligned to our five Pillars. Notably, this included addition of new CEO KPI actions.
 - b. The 'Resourcing the Plan' preamble was expanded to explain how the City's activities are funded, including the addition of new 'Financial Plan' content.
 - c. 'An Effective Workforce' section was updated with the current workforce figures.
 - d. The 'Managing Risk' section was simplified, with the previously listed risks removed.
6. This year's minor strategic review will contemporise the above information as necessary while adding the following to the CBP and SCP:
 - a. Integration of the 2023 Community Scorecard results. These results are taken directly from the 2023 Community Scorecard Report which, unlike the previous format, can be included at no additional cost.
 - b. Review and update of the 'At a glance' statistics. Categories have been modified slightly in response to availability of current data.
7. These two updates represent the only substantive changes to the documents.
8. No new actions have been integrated into this revision of the CBP. CEO KPIs will continue to be reported on separately until required to be published publicly by [pending legislation](#).
9. The revised CBP and SCP will be published online as soon as possible upon approval.

GOVERNMENT & PUBLIC CONSULTATION

10. N/A.

STATUTORY IMPLICATIONS

11. The annual review delivers on the City’s obligations under the *Local Government (Administration) Regulations 1996*, regulation 19DA in relation specifically to the Corporate Business Plan:

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

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *Govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
***Absolute majority required.**
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

POLICY IMPLICATIONS

12. N/A.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Legal and Compliance: <i>Legal implications arising out of non-compliance with s5.56 of the Local Government Act 1995.</i>	Rare	Moderate	Low	<i>The only requirement is to ‘review’ the CBP: it is open to Council to ‘re-approve’ the existing CBP without change.</i>
Opportunity: <i>Integration of CEO KPIs into the CBP will enhance oversight.</i>				

FINANCIAL IMPLICATIONS

14. N/A.

LEGAL IMPLICATIONS

15. Failure of Council to review its CBP would contravene s5.56 of *the Local Government Act 1995*.

ENVIRONMENTAL CONSIDERATIONS

16. N/A.

ALTERNATE OPTIONS

17. Council may choose to reapprove the existing CBP without changes.

CONCLUSION

18. It is recommended the amendments be approved for inclusion into the first annual revision of the CBP.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995, s5.56</i>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i>• <i>IPR Framework and Guidelines 2019</i>
Previous Reference	:	<ul style="list-style-type: none">• OCM 24/08/2021 - Report Item CCS374• CCS 8/11/2022 – Report Item CCS492

CCS578: HOSTING ORDINARY COUNCIL AND COUNCIL COMMITTEE MEETINGS AT RURAL HALLS

Business Entity Name : City of Albany
Attachments : [Elected Member Meet and Greet Guidelines](#)
Report Prepared By : Manager Governance & Risk (S Jamieson)
Executive Director Corporate & Commercial Services
(M Gilfellon)
Authorising Officer: : 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:
 - **Pillar:** Leadership.
 - **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.
 - **Outcome:** A well-informed and engaged community.

In Brief:

- This report has been prepared to provide options for consideration of the feasibility of holding Ordinary Council Meetings or committee meetings at rural halls.
**Council Committees, being the Corporate & Community Services (CCS) Committee and the Development and Infrastructure Services (DIS) Committee.*

RECOMMENDATION

**CCS578: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council:

1. **RECEIVE** the report on holding Council and committee meetings in rural halls.
2. **CONFIRM** that Meet and Greets, as per the Elected Member Meet & Greet Guidelines, remain the preferred method of building relationships between elected members and the broader community.

CCS578: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS578: AUTHORISING OFFICER RECOMMENDATION

THAT Council:

1. RECEIVE the report on holding Council and committee meetings in rural halls.
2. CONFIRM that Meet and Greets, as per the Elected Member Meet & Greet Guidelines, remain the preferred method of building relationships between elected members and the broader community.

BACKGROUND

2. At the Ordinary Council Meeting held 23 May 2023, the Council resolved:
“THAT the CEO prepare a report to be presented at a CCS meeting before the end of November 2023 examining options for hosting Meetings (Committee or Ordinary Council Meetings) in one or more of the municipality’s rural halls or gathering points per year.”
3. The City of Albany Mayor and councillors are required to attend Council and committee meetings as part of their role in local government.
4. These meetings provide an opportunity for elected members to participate in discussion and debate on a range of issues and make decisions that are for the benefit of the residents of Albany.
5. In accordance with the Local Government Act 1995 and the Local Government (Administration) Regulations 1996, local public notice must be given at least once per year detailing when and where Council and committee meetings open to the public are to be held.
6. Council and committee meetings are held in the Council Chamber at 102 North Road, Yakamia.
7. The Council Chamber is equipped with audio visual equipment, including microphones, to allow remote attendance and recording of meetings.
8. Local Government Reforms are currently being introduced by the WA State government. Part of those reforms is the requirement for local governments to livestream Council and committee meetings.
9. Livestreaming is intended to provide a more transparent and accountable meeting process by ensuring records are available of what elected members said during debate on items before them for consideration.
10. It is expected that livestreaming will be implemented in 2024.

DISCUSSION

11. As the level of government closest to the people local government should be accessible to its community.
12. Most of the decision making of a local government takes place in Council or committee meetings.
13. Community members have the opportunity to attend Council and committee meetings which are open to the public, and to address Council during Public Question Time at those meetings.
14. Community members in attendance at meetings also have the opportunity to observe the decision-making process of Council.
15. In preparing this report, staff have considered the following opportunities and challenges associated with holding Council and/or committee meetings in rural halls.

Community Engagement/Attendance

16. Holding a Council or committee meeting in a rural hall provides an opportunity for local residents to attend those meetings in person and observe the decision-making process.
17. Should a decision of Council be required on a matter which would affect residents in a certain area, there may be the opportunity to hold that meeting in a venue which would provide convenient access for those residents.
18. Another option would be to combine a Council or committee meeting with a Council Meet and Greet session. This may necessitate holding the Council or committee meeting at a time outside the usual 6.00pm start time.
19. It is recommended that should Council wish to hold meetings in rural halls, that community engagement is facilitated with those communities to ensure that their views are considered, and they are able to give feedback on the proposal.
20. It may be that community members wish to engage with Council using other mechanisms, such as the Council Meet and Greet sessions rather than observing a formal decision-making process.
21. Council meetings are a formal decision-making process. There is no opportunity for engagement with members of the public.
22. Opportunities for interaction with residents would be limited to a pre or post meeting discussion.
23. If a meeting was held in a rural hall and there were items on the agenda related to a more city centric issue, it may hinder attendance by members of the public who may wish to address Council but who are unable to travel the required distance to attend in person.
24. Given that Council meetings are advertised 12 months in advance, the City would need to ensure that any ad-hoc meetings not held in the Council Chambers are advertised appropriately with the required notice to ensure compliance with legislation.
25. It may be difficult to plan which meetings should be held in rural halls without understanding which agenda items may be of interest to rural communities in advance.

Livestreaming

26. Livestreaming of Council meetings will be mandatory in 2024.
27. The audio-visual system in the Council Chambers currently used for remote attendance is not portable and therefore cannot be used at other venues.
28. In readiness for mandatory live-streaming, the City is currently evaluating live-streaming technology options. It is unknown at this time if any of those options would be able to be used in other venues.
29. Should Council choose to hold meetings in rural halls it may be that a separate portable audio-visual system will need to be evaluated and purchased to ensure that the City of Albany can meet its legislated requirements around livestreaming and provide appropriate technological support for Council decision making.
30. The City's ICT team will be required to provide technical support prior to, during and after meetings to set up, monitor and pack up the audio-visual equipment required to successfully livestream.

Meeting Schedule

31. The Council and committee meeting schedule is set once per year by the resolution of the Council.
32. In accordance with the Local Government Act 1995 and the Local Government (Administration) Regulations 1996, local public notice must be given at least once per year detailing the date, time, and place where Council and committee meetings open to the public are to be held.
33. In accordance with section 5.25(1)(g) of the Act, "meeting details" for a meeting refer to the essential information concerning the date, time, and location where the meeting is scheduled to take place.
34. It is the responsibility of the Chief Executive Officer (CEO) to ensure that these meeting details are made accessible to the public through the local government's official website.
35. Specifically, the CEO is obligated to publish the meeting details for two types of meetings:
 - a. Ordinary council meetings.
 - b. Committee meetings that are either mandated by the Act to be open to members of the public or have been proposed to be open to members of the public.
36. Furthermore, any modifications or changes made to the meeting details for meetings falling under the categories mentioned above must be promptly updated and published on the local government's official website. This ensures that the public remains informed and up to date about any alterations to the scheduled meetings, promoting transparency and accessibility in local government proceedings.
37. The schedule is considered by Council at the December Ordinary Council Meeting each year to set the meeting dates and times for the following year.
38. Council also has the opportunity at that time to review the start time for Council and committee meetings.
39. Previous feedback from community members indicated that 6.00pm was the preferred start time for Council and committee meetings as it enables attendance by members of the public.
40. Should Council choose to hold meetings in a rural hall, the dates, times and place must be advertised in accordance with the relevant legislation.

Community Engagement-Council Meet and Greet

41. The City has been hosting Council Meet and Greet opportunities since 2018. A number of these forums are held each year and are aimed at engaging with different population groups.
42. The conduct of the Meet and Greet sessions is guided by the Elected Member Meet and Greet Guidelines. This document was reviewed by Council on 14 March 2023.
43. The Meet and Greet format has been very popular with local communities and provides an opportunity for residents to meet with Councillors and City staff.
44. The focus of the Meet and Greet forum is to encourage open conversations between elected members and the community. Staff also attend to record questions and/or concerns so that feedback can be provided after the event, and progress on any actions required are tracked by the Executive Management Team.

Logistical Considerations

45. Holding a Council meeting in a rural hall or location other than Council Chambers will require several logistical considerations including:
 - a. Provision of suitable desks and seating for Council and seating for attendees. This may have to be hired and transported to the venue, set-up, packed down and returned;
 - b. Setting up of venues. City staff will be required to travel to rural halls in advance of meetings to set up the venue, including live streaming equipment.
 - c. Transport of Councillors, Executive Management Team, and support staff to rural halls. Given that meetings commence at 6.00pm, this will necessitate travel out of work hours for staff. It would be preferable that Council and the Executive Management travel together in one vehicle (bus) to minimise fatigue and reduce vehicle emissions. Safety is also a consideration as staff and elected members will be travelling after dark and there is the risk of fatigue for those who may be driving.
 - d. A meal is supplied to Council following Council meetings. Catering for meetings held in rural halls will require transportation to the venue. Restrictions may apply should the venue not have appropriate food storage facilities. City staff will be responsible for organising the catering, transporting it to site and storing it appropriately, serving the meal and ensuring that the venue kitchen is cleaned prior to departure.

Work, Health, and Safety Implications

46. Support staff who are required to travel to rural halls to facilitate Council meetings should be appropriately resourced to ensure that the City's obligations under the Work Health and Safety Act 2020 are met.
47. This may include providing additional staff to assist with the logistical arrangements.
48. Support staff will be required to pack down and clean after meetings in rural halls and ensure that the kitchen at these venues is left clean and any catering not consumed is removed from the site.
49. This will mean that support staff will be the last ones to leave the site and appropriate measures will need to be implemented to ensure safety of those staff members.
50. Provision of suitable transport to rural halls will be required to ensure that support staff are not driving when fatigued.

GOVERNMENT & PUBLIC CONSULTATION

51. No community consultation or engagement has been undertaken prior to preparing this report.
52. It is strongly recommended that should Council choose to proceed with holding meetings in rural halls that community engagement and consultation be facilitated to receive their feedback and suggestions.
53. It is recommended that the results of the consultation and engagement are summarised in a further report to Council with recommendations as a result of that consultation and engagement.
54. It should be noted that Council will be receiving community engagement and consultation training from an external facilitator as part of the City of Albany Elected Member Professional Development Program for 2023-24.
55. The training will build on the current community engagement processes already in place and promote enhanced engagement with the community around informed decision making, trust and community ownership.

STATUTORY IMPLICATIONS

56. City of Albany Standing Orders Local Law 2014, extract:

<p style="text-align: center;">PART 2—MEETINGS OF COUNCIL AND COMMITTEES</p> <p>2.1 Ordinary and special Council Meetings</p> <p>(1) An ordinary Meeting of Council is for the purpose of considering and dealing with the ordinary business of Council and may include any matter the CEO considers should be decided at the Meeting.</p> <p>(2) A special Meeting of Council is held for the purpose of considering and dealing with Council business that is of an urgent nature and for a particular purpose.</p> <p>2.2 Committee Meetings</p> <p>a. The CEO is to call a Meeting of any Committee when requested—</p> <ul style="list-style-type: none">i. by the Presiding Member of the Committee; orii. in writing, by the majority of Members of that Committee. <p>b. In convening a Meeting of a Committee, the CEO is to give each Member at least 72 hours' notice of the date, time, place and purpose of the Meeting.</p> <p>c. The Committee Meeting notice may include any matter the CEO considers should be considered at the Meeting.</p>
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57. Local Government Act 1995, section 5.25(1)(g), extract:

<p>5.25. Regulations about council and committee meetings and committees</p> <p>(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —</p> <ul style="list-style-type: none">(g) the giving of public notice of the date and agenda for council or committee meetings; and

58. Local Government (Administration) Regulations 1996,

<p>12. Publication of meeting details (Act s. 5.25(1)(g))</p> <p>(1) In this regulation —</p> <p>meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.</p> <p>(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —</p> <ul style="list-style-type: none">i. ordinary council meetings;ii. committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public. <p>(3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.</p>
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59. Voting requirement for this item is **Simple Majority**.

POLICY IMPLICATIONS

60. The City of Albany Community Engagement Policy was developed to ensure effective community engagement to share information and gather resident's views and opinions.
61. The City's Elected Member Meet and Greet Guidelines also provide a framework for the meet and greet events and provide opportunities for councillors to engage with the broader community.

RISK IDENTIFICATION & MITIGATION

62. Risks and opportunities discussed, with mitigation strategies.
63. In addition to the risks and opportunities discussed previously the following additional evaluation was conducted using the City’s Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Business Operation, Reputation & Financial. <i>Risk: Limited Telecommunications Infrastructure. Poor internet connectivity or communication disruptions can hinder meetings.</i>	Possible	Moderate	High	<i>Prioritise locations with stable connectivity, have backup communication methods in place, and provide technical support.</i>
Risk: Technical Failure. <i>Technical equipment malfunctions or power outages can disrupt meetings.</i>	Possible	Moderate	High	<i>Carry backup equipment (i.e., Starlink Satellite, and have contingency plans for power and network issues</i>
Risk: Accessibility Issues. <i>Travel challenges may lead to lower attendance and reduced engagement from attendees from other locations.</i>	Possible	Moderate	High	<i>Schedule meetings at convenient times, provide transportation options, and consider remote attendance options.</i>
Risk: Lack of Public Participation. <i>Public attendance may decrease due to distance, and compromised live streaming to the internet, impacting transparency.</i> <i>Mitigation.</i>	Likely	Moderate	High	<i>Promote meetings, offer remote participation options, and engage the public through outreach.</i>
Risk Environmental Considerations. <i>Environmental factors like extreme weather could disrupt meetings.</i>	Rare	Major	Low	<i>Monitor weather forecasts, have contingency plans for emergencies, and prioritize safety.</i>
Logistical Challenges. <i>Logistics such as transportation and venue setup may encounter issues.</i>	Possible	Major	High	<i>Plan logistics meticulously, allocate responsibilities, and conduct site inspections.</i>
Public Perception. <i>Public perception of fairness and transparency may be affected.</i>	Possible	Moderate	Medium	<i>Communicate the reasons for rural meetings, address concerns transparently, and involve the public in decision-making.</i>
Consistency & Fairness. <i>Locations used may raise questions about fairness.</i>	Possible	Moderate	Medium	<i>Establish clear criteria for selecting meeting locations and maintain a consistent approach</i>
Meeting Duration. <i>Rural meetings may require more time due to logistics.</i>	Almost Certain	Moderate	High	<i>Plan agendas efficiently, allocate additional time, and inform participants in advance.</i>
<p>Opportunity: <i>While holding council meetings in rural locations presents challenges, there are also opportunities that could be gained from such a decision. Here are some potential opportunities:</i></p> <p><i>Holding council meetings in rural locations offers opportunities such as increased community engagement, a more local perspective, enhanced transparency, reduced urban bias, improved relationships with rural communities, showcasing rural assets, addressing regional issues, promoting regional development, fostering civic participation, and learning from rural experiences. These opportunities can strengthen regional identity, inclusivity, and collaboration while demonstrating a commitment to transparent and accessible governance.</i></p>				

FINANCIAL IMPLICATIONS

64. Should Council choose to hold meetings at rural halls or other venues outside the Council Chamber, the following financial implications may present:
- Hire of venue;
 - Provision of appropriate seating and desks (this may require hiring);
 - Travel costs for Council, Executive Management Team, and staff; and
 - Paid overtime for staff who must attend meetings to provide logistical, administrative and IT support.
 - Additional paid staff to assist with logistical arrangements as required.

LEGAL IMPLICATIONS

65. There are no direct legal implications related to this report.

ENVIRONMENTAL CONSIDERATIONS

66. Consideration should be given to consolidated travel arrangements for Council, Executive Management Team, and staff to ensure that the City's commitment to reducing emissions is acknowledged and facilitated.

ALTERNATE OPTIONS

67. That Council consult with the relevant communities, including those that currently attend Council meetings, to gain further information on the desires of the relevant communities.
68. Proceed with hosting Ordinary Council Meetings or Committee Meetings in rural halls. It is strongly suggested that community consultation be undertaken prior to making a final decision on hosting Ordinary Council Meetings or Committee Meetings in rural halls.

CONCLUSION

69. In light of the considerations outlined in this report, it is evident that the proposal to hold Council and committee meetings in rural halls presents both opportunities and challenges for the City of Albany. The decision to explore such a move aligns with the City's commitment to effective governance, community engagement, and transparency.
70. The potential benefits of rural meetings include increased community engagement, a localised perspective, improved transparency, reduced urban bias, and stronger ties with rural communities. These opportunities can foster inclusivity, regional collaboration, and a deeper understanding of rural issues, ultimately strengthening the City's governance.
71. However, this move also entails significant logistical, financial, and technological considerations. Mitigating risks such as limited telecommunications infrastructure, technical failures, and security concerns is essential to ensure the effectiveness of rural meetings.
72. Moreover, the impending requirement for mandatory livestreaming in 2024 adds an additional layer of complexity, necessitating careful evaluation of audio-visual equipment and technical support.
73. This then leaves a question of whether there could be greater benefits gained but utilising alternative formats, such as Meet and Greet, while at the same time requiring less resources to be used to achieve the intended aims.
74. Should Council choose to pursue hosting Ordinary Council Meetings and/or committee meetings at rural halls, it is recommended that the City initiates a public consultation and engagement process to gather feedback from rural residents. This will ensure that the community's views are considered in the decision-making process.

75. In conclusion, the decision to hold Council meetings in rural locations reflects the City's commitment to accessible and transparent governance.
76. With thorough planning, robust risk mitigation, and community engagement, the City of Albany can navigate the challenges and embrace the opportunities presented by this proposal.
77. The future of rural meetings holds the potential to enhance governance and foster stronger connections with the diverse communities within the City's jurisdiction.

Consulted References	:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Administration) Regulations 1996</i> • <u>City of Albany's adopted policy position: Governance & Meetings of Council Framework (Terms of Reference for Committees and Working Groups)</u> • <u>City of Albany Standing Orders Local Law 2014</u> • <i>Work Health and Safety Act 2020</i> • <u>City of Albany Community Engagement Policy</u> • <u>City of Albany Elected Member Meet and Greet Guidelines</u> • <u>Department of Local Government, Sport and Cultural Industries – Guide: A guide to council and committee meetings</u>
File Reference	:	GO.CLS.24
Previous Reference	:	15.2: Notice of Motion, Resolution of Council 23 May 2023.

**CCS579: COMMUNICATIONS AND ENGAGEMENT STRATEGY
PROGRESS REPORT**

Proponent / Owner	: City of Albany
Attachments	: City of Albany Communications & Engagement Strategy 2022-2023 Progress Report (August 2023)
Report Prepared By	: Community Development Coordinator (T Flett) Communications Coordinator (L Condon)
Authorising Officer:	: 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:
 - **Pillar/Priority:** Leadership
 - **Outcome:** A well informed and engaged community.

In Brief:

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

RECOMMENDATION

**CCS579: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the City of Albany Communications & Engagement Strategy progress report for August 2023 and its endorsement by the Communications & Engagement Advisory Group be NOTED.

CCS579: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GRIMMER
SECONDED: COUNCILLOR BAESJOU

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS579: AUTHORISING OFFICER RECOMMENDATION

THAT the City of Albany Communications & Engagement Strategy progress report for August 2023 and its endorsement by the Communications & Engagement Advisory Group be NOTED.

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 meets quarterly to review and endorse the progress report.

DISCUSSION

Progress Report

4. The Advisory Group met and endorsed the 2022-2023 progress report for August 2023 (Q3) at its meeting on Thursday 3 August 2023.
5. The Advisory Group noted new updates to the progress report and City engagement projects.
6. Discussion was also held on the ongoing review of the Communications and Engagement Strategy and next steps.
7. The City's Community Development Coordinator and Communications Coordinator presented a revised draft strategy, which incorporated feedback from the Advisory Group members, for discussion.
8. The Advisory Group supported the proposed revised draft strategy and action plan for workshopping with Council after the election.
9. This current report includes 65 actions, 44 which have been completed, 17 remain ongoing or underway, and 4 are on hold.

GOVERNMENT & PUBLIC CONSULTATION

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

STATUTORY IMPLICATIONS

12. Nil

POLICY IMPLICATIONS

13. This item aligns with the Council's adopted policy position: Community Engagement Policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational: Community engagement expectations are not met due to budget, viability, funding agreements, safety, or legislative constraints.</i>	Likely	Moderate	High	Clearly define and communicate to community instances where project engagement is constrained by non-negotiable factors.
<i>Reputational: Communications or engagement activity is ad-hoc, untimely, inaccurate, or untargeted.</i>	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.
<i>Operational: Some aspirations of the Strategy may not be fully realised due to budget funding, or resource constraints.</i>	Possible	Moderate	Medium	Prioritise budget allocation where necessary and explore all options to achieve objectives.

FINANCIAL IMPLICATIONS

15. Nil.

LEGAL IMPLICATIONS

16. Nil.

ENVIRONMENTAL CONSIDERATIONS

17. Nil.

ALTERNATE OPTIONS

18. Council may request a more comprehensive review of the Communications and Engagement Strategy using an external consultant. Additional budget would be required to support this option.

CONCLUSION

19. The Communications & Engagement Strategy is overseen by an Advisory Group comprising the community, Elected Members and City staff representatives.
20. Community representation on the Advisory Group ensures that community needs, and priorities remain central to the implementation of the Communications and Engagement Strategy.
21. Regular progress reports of achievements against the Strategy are endorsed by the Advisory Group and submitted to Council for information. The progress report against the Strategy’s Action Plan for August 2023 (Q3) is submitted to Council for noting.
22. A review of the Communications and Engagement Strategy is underway and a time will be scheduled to workshop the review with Elected Members before preparing a report on the revised Strategy for Council’s formal consideration.

Consulted References	:	City of Albany Communication and Engagement Strategy 2019 Council Policy – Community Engagement
Previous Reference	:	OCM 23 May 2023, Resolution CCS529

CCS580: PROPOSED NEW GROUND LEASE – LMS ENERGY PTY LTD – HANRAHAN ROAD WASTE FACILITY – RESERVE 52474

Land Description	: Crown Reserve 52474, Lot 1135 on Deposited Plan 208775, the subject of Certificate of Title LR3167 Folio 459, Mount Melville
Proponent	: LMS Energy Pty Ltd
Owner	: Crown (City of Albany under Management Order)
Report Prepared By	: Team Leader Property & Leasing (T Catherall)
Authorising Officer:	: Executive Director Corporate & Commercial Services (M Gilfellon)

STRATEGIC IMPLICATIONS

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

Maps and Diagrams:



In Brief:

- Council is requested to consider a new lease to LMS Energy Pty Ltd (LMS) for the establishment of a gas utilisation facility at the Hanrahan Road Waste Facility.
- The establishment of an effective landfill gas management system is a mandatory requirement of the City's closure plan for this site.
- LMS was selected as the preferred contractor through the City's quotation process for landfill biogas capture and abatement services at the site, operating under a Build, Own and Operate (BOO) model.
- LMS has requested a lease to formalise their use of a portion of the site to construct, operate and maintain a gas utilisation facility.
- The proposed lease with LMS offers the opportunity to fulfill landfill management responsibilities.
- It is recommended that the proposed new lease be approved.

RECOMMENDATION

**CCS580: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council APPROVE a new ground lease to LMS Energy Pty Ltd over portion of Crown Reserve 52474, located at the Hanrahan Road Waste Facility, subject to the terms and conditions outlined in section 11 of this report.

CCS580: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS580: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE a new ground lease to LMS Energy Pty Ltd over portion of Crown Reserve 52474, located at the Hanrahan Road Waste Facility, subject to the terms and conditions outlined in section 11 of this report.

BACKGROUND

2. Crown Reserve 52474 is under Management Order issued to the City for the purpose of 'Waste Management Facility' with power to lease for a term not exceeding 21 years, subject to the prior approval of the Minister for Lands.
3. The 'C' class reserve, an area of approximately 31.45 hectares, is located off Hanrahan Road, Mount Melville and is known as the Hanrahan Road Waste Facility.
4. The Hanrahan Road Waste Facility is a central location for waste and recycling in Albany and has been in operation for approximately 45 years.
5. The closure plan for the landfill at Hanrahan Road Waste Facility, as submitted to the Department of Water, Environment and Regulation (DWER), includes the requirement to establish an effective landfill gas management system to meet Environmental and Protection Authority (EPA) compliance standards.

6. LMS, a company specialising in biogas utilisation, carbon emissions reduction and environmental compliance, secured the contract through the City’s quotation process.
7. A contract will be entered into by both parties to cover the processes for biogas extraction and utilisation from the landfill. The contract is subject upon approval of the lease by Council and the Minister for Lands.
8. LMS has requested a lease to formalise their use of a portion of the site for construction, operation and maintenance of a gas utilisation facility.

DISCUSSION

Negotiation on lease terms

9. Council’s Property Management – Leases and Licences Policy provides that the rent for commercial leases be determined by market valuation provided by a licensed Valuer.
10. LMS has requested a peppercorn rent of \$10 per annum due to their substantial investment in project construction. Council is requested to waive the standard valuation requirement.
11. The table below summarises the key terms of the proposed ground lease:

Item	Details
Tenant	LMS Energy Pty Ltd
Land Description	Crown Reserve 52474, Lot 1135 on Deposited Plan 208775 being the whole of the land described in Certificate of Title LR3167 Folio 459
Land Ownership	Crown (City of Albany under Management Order)
Lease Area	Approx. 114m ² , subject to survey
Permitted Use	‘Gas utilisation facility site’ as specified in the Contract, in accordance with and limited by the Management Order over the land
Fee	\$10 + GST per annum (payable on demand)
Term	The earlier of: a) 20 years and 364 days after the commencement date; or b) Six (6) months after the expiry or earlier termination of the Contract.
Outgoings & Utilities	Tenant responsible for all outgoings & utilities, including insurance
Maintenance	LMS will be responsible for installing, maintaining and operating the biogas buildings and infrastructure
Minister for Lands	Section 18 of the <i>Lands Administration Act 1997</i> , the Minister for Lands consent being obtained
Special Conditions	<ul style="list-style-type: none"> • Construction, ownership and liability for biogas buildings and infrastructure remains with the Tenant throughout the lease. • All biogas buildings and infrastructure below the landfill surface will become the property of the Landlord upon expiry or early termination. • If the Contract is terminated early, the lease term will expire 6 months thereafter (allowing LMS time to perform their contracted decommissioning activities). • The Lease is subject to Development Approval.

12. LMS has agreed in-principle with the above terms, subject to Council and Minister for Lands approval.

GOVERNMENT & PUBLIC CONSULTATION

13. Section 18 of the *Land Administration Act 1997* provides that a person shall not assign, sell, transfer or otherwise deal with interests in Crown land without the prior written approval of the Minister for Lands.
14. The Department of Planning, Lands and Heritage has been consulted and has provided in-principle consent to a lease with the tenant, subject to final approval from the Minister for Lands as per Section 18 of the *Land Administration Act 1997*.
15. Section 3.58 of the *Local Government Act 1995* (Act) outlines the processes by which the City can dispose of property. For the purposes of this section, a lease is considered to be a disposal. The Act requires the following:
 - a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks.
 - b. Any submissions are to be considered by Council and their decision to be recorded in the minutes.
 - c. A local government can then proceed with the lease/licence.
16. The proposed lease will be advertised to comply with the requirements of the Act.
17. Community Engagement.

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Advertise proposed lease in local newspaper and City's website inviting submissions from the public	A two-week period following Council endorsement of agenda item	Open to the public	Section 3.58 of the Local Government Act 1995

STATUTORY IMPLICATIONS

18. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including both leased and licensed land and buildings.
19. Section 18 of the *Land Administration Act 1997* provides that individuals cannot assign, sell, transfer or otherwise deal with interests in Crown land, create, or grant an interest in Crown land without the prior approval in writing of the Minister for Lands.
20. The lease proposal aligns with the requirements governing the disposal of property and interests in Crown land.

POLICY IMPLICATIONS

21. The Property Management (Leases and Licences) Policy aims to support equitable access and the efficient management of City owned and managed properties in line with statutory procedures.
22. Under this policy, the rent for commercial leases should be determined by market valuation provided by a licensed Valuer.
23. LMS has proposed a peppercorn rent and Council's support for this variation is requested.
24. The remainder of the lease terms will align with the policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation: New lease not approved – perceived lack of support for the environment.	Unlikely	Moderate	Medium	Key terms of the lease have been agreed by both parties. Seek to negotiate terms to Council satisfaction.
Business Operation: New lease not approved – delay in meeting EPA compliance.	Unlikely	Moderate	Medium	Seek to negotiate terms to Council satisfaction.
Business Operation: New lease not approved – Loss of potential royalty earnings.	Unlikely	Moderate	Medium	Seek to negotiate terms to Council satisfaction.
Opportunity: This lease supports the City’s Strategic Community Plan 2032 objective to work towards net zero greenhouse gas emissions.				
Opportunity: This lease helps the City in fulfilling environmental responsibilities including EPA compliance for the landfill site.				
Opportunity: It aligns with the State Government’s commitment to transition to net zero emissions and actively manage climate risks.				

FINANCIAL IMPLICATIONS

- 26. All costs associated with the supply and installation of the biogas buildings and infrastructure including utility costs will be the responsibility of LMS.
- 27. All costs associated with the development and finalisation of the new ground lease documentation will be met by the City to support environmental requirements.

LEGAL IMPLICATIONS

- 28. The lease documentation will be prepared by City’s lawyers with enforceable terms and conditions.
- 29. Additionally, LMS Energy will sign a separate contract with the City as the successful contractor for capturing and reducing landfill biogas. The contract will provide the terms and conditions for the extraction and use of biogas from the landfill.

ENVIRONMENTAL CONSIDERATIONS

- 30. There are no specific environmental obligations related to the lease, but there are obligations associated with the overall project.
- 31. The landfill closure plan for the Hanrahan Road Waste Facility requires the establishment of a reliable gas management system. LMS, the selected contractor, is required to comply with all the relevant environmental conditions.

ALTERNATE OPTIONS

- 32. Council may:
 - a. Approve the lease to LMS; or
 - b. Support some elements of the new lease although not in its entirety; or
 - c. Decline the lease request.
- 33. Should Council decline the lease, the City could seek other qualified contractors through a new competitive process.
- 34. Alternatively, the City has the option to undertake the gas extraction itself to meet EPA requirements. This is estimated to require investment of over \$1.3 million for gas extraction equipment and piping, along with additional costs for monitoring infrastructure.

CONCLUSION

35. A closure plan for the landfill at the Hanrahan Road Waste Facility has been developed to manage environmental compliance at the site. The plan includes the provisions of an effective landfill gas management system.
36. LMS successfully secured the City’s quotation process for implementing landfill biogas capture and abatement services at the site. LMS will sign a contract with the City to manage the extraction and use of biogas from the landfill.
37. LMS has formally requested a lease to secure their use of a portion of the site for the gas utilisation facility.
38. The proposed new ground lease is recommended for approval to support the project.

Consulted References	:	<ul style="list-style-type: none"> • Property Management (Lease and Licences) Policy • <i>Local Government Act 1995</i> • <i>Land Administration Act 1997</i>
File Number	:	PRO475, A111037
Previous Reference	:	Nil

CCS581: NATIONAL ANZAC CENTRE – Q1 2023-24 REPORT

Proponent / Owner	: City of Albany
Attachments	: National Anzac Centre (NAC) – Quarter 1 (Q1) 2023/24 Operational Report
Report Prepared By	: Manager Facilities (L Stone)
Authorising Officer:	: Executive Director Community Services (N Watson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032 or Corporate Business Plan informing plans or strategies:
 - **Pillar:** Prosperity.
 - **Outcome:** A highly sought-after tourist destination.
 - **Objective:** Create a competitive and sustainable tourism offer.

In Brief:

- To provide Council with an update on Q1 2023/24 performance of the NAC.

RECOMMENDATION

**CCS581: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the NAC Operational Report for Q1 2023/24 be RECEIVED.

CCS581: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TRAILL
SECONDED: COUNCILLOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

CCS581: AUTHORISING OFFICER RECOMMENDATION

THAT the NAC Operational Report for Q1 2023/24 be RECEIVED.

BACKGROUND

2. The NAC is the City of Albany's most significant tourism asset.
3. The NAC represents a \$10.6 million dollar investment from the Federal and State Government with an additional \$1.5 million invested by Wesfarmers for the construction of the Convoy Walk and Lookout.
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 meet quarterly and assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards.

6. The NAC Advisory Group agreed in November 2018 that the group would meet twice a year. The next meeting is scheduled for November 2023.
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. Visitation in Q1 of 2022/23 took overall total visitation to the NAC to 533,208 since opening in November 2014. This equates to an average annual visitation of 60,363 visitors per year.
10. NAC visitation of 11,214 for Q1 is a decrease of 1,399 compared with the same period in 2022/23 which recorded 12,613.
11. August NAC visitation numbers of 3,018 were lower performing figures compared with the same period in 2022/23 but an increase of more than 600 on 2021/22.
12. September NAC visitation numbers of 4,961 were lower performing figures compared with same period in 2022/23 but an increase on 2021/22 which recorded 4,186.
13. The visitation in Q1 for 2023/24 from the Great Southern region totalled 549 people, equating to 10.8% of Western Australia's overall visitation of 5,064 (an increase of 0.5% on the previous quarter).
14. The total visitation in Q1 2023/24 originated from Western Australia (45%), interstate (48%) and international (4%) and code not recorded (3%).
15. Visitors from other States and Territories consisted of 34% from NSW, 30% from VIC, 21% from QLD, 10% from SA, followed by TAS, ACT and NT all on 1-4%.
16. Interstate visitation of 5,402 (48% of overall visitation) aligns to percentages from several previous years (pre-covid) of interstate visitation.
17. Revenue generated in Q1 of 2023/24 by the NAC was \$20,334 less compared to the same quarter in 2022/23, however revenue still marginally exceeded budget.
18. The Forts Store revenue of \$95,866 was \$21,801 less than same period in 2022/23 but is offset by savings in stock purchase.
19. As at the end of Q1 2023/24, 9,243 households hold memberships to the NAC League of Local Legends program, an increase of 275 from the previous quarter.
20. This continuing increase in memberships is attributed to the ongoing free-entry membership benefit for residents from the Great Southern region.

GOVERNMENT & PUBLIC CONSULTATION

21. Not Applicable.

STATUTORY IMPLICATIONS

22. Not Applicable.

POLICY IMPLICATIONS

23. Not Applicable.

RISK IDENTIFICATION & MITIGATION

24. Nil.

FINANCIAL IMPLICATIONS

25. Refer to the financial summary below for the National Anzac Centre full year budget and YTD position as of September 30, 2023.

26. Full year operating expenditure budget includes:

- a. \$209,627 of costs from accounts that are “shared” across the AHP. A total of \$812,907 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 \$812,907 across the four areas. Significant shared expenses attributed to the NAC include shared employee costs (\$96,895 of the 209,627), marketing, ground maintenance, internal service delivery, security, electricity, and insurance.

National ANZAC Centre	FY2023/24 Budget	YTD Budget	YTD Actual	YTD Variance
Operating Income	\$850,000	\$174,387	\$189,213	\$14,826
Operating Expenditure	\$(575,829)	\$(129,509)	\$(111,500)	\$18,009
Net Operating Income/(Expense) before Indirect Costs	\$274,171	\$44,878	\$77,713	\$32,835
Shared Costs of the Precinct	\$(209,627)	\$(42,542)	\$(43,937)	\$1,395
Internal Service Delivery	\$(31,651)	\$(7,913)	\$(7,913)	\$0
Net Operating Income/(Expense)	\$32,893	\$(5,577)	\$25,863	\$31,440
Capital Expense	\$(176,383)	\$(44,079)	\$(0)	\$44,079
Total	\$(143,490)	\$(49,656)	\$25,863	\$75,519

27. The \$176,383 capital expense amount above is the balance of an initial reserve drawdown in 2020-2021 for the NAC refresh.

28. The balance of the drawdown as of 30 June 2023 being \$176,383 has been carried forward to the 2023-2024 Budget to continue the refresh program as previously discussed with Council.

LEGAL IMPLICATIONS

29. Nil.

ENVIRONMENTAL CONSIDERATIONS

30. Nil.

ALTERNATE OPTIONS

31. Council may request further development and refinement of the quarterly reporting tool including both content and frequency of reporting.

CONCLUSION

32. Overall, Q1 2023/24 has shown slightly lower visitation to the NAC compared to the same time in 2022/23.
33. Q1 has continued the trend of a slow return of international visitors, with only 439 visitors representing 4% of visitation for the quarter, 0.6% less than the previous quarter.
34. Great Southern visitation to the NAC was 10.8% of overall WA visitation during the July – September period in Q1 2022/23.
35. This is 0.5% higher than the previous quarter (Q4 of 2022/23) and remains significantly higher than the average 1% of overall WA visitation prior to the League of Local Legends free-entry membership promotion.
36. Interest in the Princess Royal Fortress and exhibitions continues with 832 people taking part in 110 Princess Royal Fortress Tours.
37. Overall Q1 generated slightly lower figures compared to Q1 in 2022/23 (but higher figures than Q1 in 2021/22). This demonstrates a steady visitation pattern.
38. NAC revenue of \$189,213 for Q1 2023/24 was a decrease of \$20,334 compared to the same quarter in 2022/23.
39. Fort Store revenue of \$95,866 for Q1 2023/24 was a decrease of \$21,801 compared to the same quarter in 2022/23.

Consulted References	:	Nil.
File Number	:	RC.SPV.8
Previous Reference	:	OCM 22/08/2023 – Report Item CCS557

DIS370: OYSTER HARBOUR FORESHORE MANAGEMENT PLAN

Attachments	: Oyster Harbour Foreshore Management Plan
Report Prepared By	: Major Projects Officer (L Adams)
Authorising Officer:	: Executive Director Infrastructure, Development and Environment (P Camins)

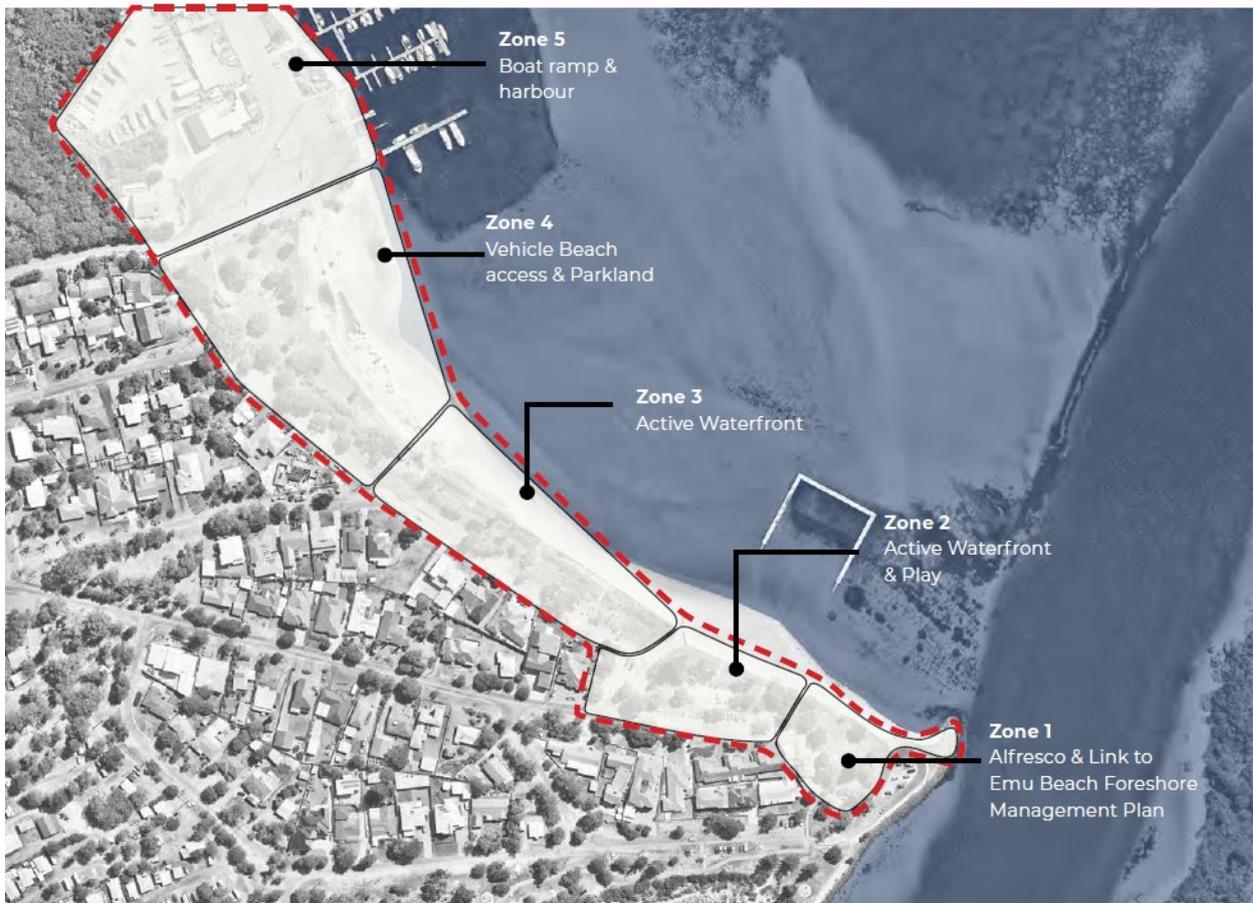
STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany's Strategic Community Plan 2032 or Corporate Business Plan 2021-2025 informing plans or strategies:
 - **Pillar:** Place.
 - **Outcome:** Interesting, vibrant and welcoming places.
 - **Pillar:** Planet.
 - **Outcome:** Sustainable management of natural areas; balancing conservation with responsible access and enjoyment.

In Brief:

- The Oyster Harbour Foreshore Management Plan (FMP) is an important guiding document for the management of coastal assets in the precincts between the Emu Point Marina and café.
- The purpose of this report is for Council to consider adoption of the final Oyster Harbour FMP prepared for the City of Albany.

Maps and Diagrams: Subject Site and Key Assets



RECOMMENDATION

**DIS370: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council, in accordance with *State Planning Policy No. 2.6 – State Coastal Planning Policy*, ADOPT the final Oyster Harbour Foreshore Management Plan.

DIS370: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

DIS370: AUTHORISING OFFICER RECOMMENDATION

THAT Council, in accordance with *State Planning Policy No. 2.6 – State Coastal Planning Policy*, ADOPT the final Oyster Harbour Foreshore Management Plan.

BACKGROUND

2. In 2019 the City of Albany completed the first Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the area of coast from Ellen Cove to the Emu Point Boat Harbour.
3. Whilst the CHRMAP makes broad recommendations about what to do to manage the coast over the long-term, a FMP essentially details the 'how' by identifying a series of key management actions through engagement with the community and key stakeholders. This is then translated into management strategies with technical detail from engineers, landscape architects and town planners.
4. A Foreshore Management Plan (FMP) for the Emu Beach area was developed and adopted by Council in August 2021 (DIS267), which predominantly deals with management of assets from erosion hazards.
5. Through the Emu Beach FMP process it became clear that a FMP was also required for the area of Oyster Harbour from the Emu Point Café to the Emu Point Marina, which has a different set of management issues.
6. These key issues were identified as:
 - Short-term beach erosion vulnerability.
 - Long-term vulnerability of assets from erosion and inundation in certain areas.
 - The estimated 10-15 years of remaining design life of the northern groyne and grouted rock wall.
 - A lack of adequate parking in the marina.
 - The identified need to provide uninterrupted cycling and pedestrian paths along the coastline, separated from private vehicle traffic (as also identified in the Cycle City Albany Strategy).

7. The study area includes the coast and adjacent parks, beaches, playgrounds and car parks. The area south of the café is excluded from the remit of this Oyster Harbour FMP as it is covered in the Emu Beach FMP; the plan on page 53 of the Oyster Harbour FMP shows how these neighbouring plans interface.
8. The 90% complete draft document was presented to Elected Members via a Briefing Note on 15 April 2023, which was followed by workshops and a further round of consultation.

DISCUSSION

9. The key objectives of the Oyster Harbour FMP are:
 - To respond and align with the findings of the Middleton Beach to Emu Point CHRMAP.
 - To inform and consult with the local community and stakeholders to deliver the FMP.
 - To provide guidance for future development along the Oyster Harbour foreshore area.
 - To provide recommendations on appropriate land uses and functions that respond to the changing coastline.
10. The FMP analyses the existing conditions from the planning and environmental context, alongside the social value of the sites and the activities community members carry out at these places.
11. Accordingly, the FMP recognises the strong community values of access to the beach for swimming and walking, long-term pedestrian and cycling connectivity, the commercial and recreational uses of the place, and the preservation of coastal habitats and landscapes.
12. The coastal management actions contained in the FMP include dual naming (as a delivery of the Restoring Menang Place Names project), resilience planning and monitoring, sand nourishment, physical asset management, natural asset management, erosion threshold markers, educational signage, lease land management and an investigation into a future jetty suitable for Fishability WA.
13. The final FMP compiles concept plans for five activity ‘zones’ covering public recreation spaces and commercial areas, and these concepts have been the key focus for public and stakeholder interest in the plan.

GOVERNMENT & PUBLIC CONSULTATION

14. The project governance structure included a Project Steering Group, with membership comprising City of Albany staff and relevant government, community and business stakeholders.
15. Additional consultation activities included static displays of the project boards at the Albany Library, in-person consultation sessions at the Emu Point Sporting Club and Emu Point Café, and individual meetings with stakeholder groups, such as representatives from the Friends of Emu Point.
16. The results of this process informed the 50% Engagement Outcomes report, which was finalised by Shape Urban at the end of 2021. The key issues raised by the public and stakeholders in the consultation sessions were, in general:
 - Public toilets and amenities.
 - Safety concerns about revising the current boat parking arrangement at the marina.
 - Dual-use paths, however some respondents were concerned about speeding cyclists.
 - Access for the disabled, including parking.
 - Land regeneration.
 - A general requirement for more car parking.

17. This consultation was used to update the FMP to 90% design, with the 90% document advertised for public comment.
18. A further round of consultation addressed finer detail issues, such as ensuring turnarounds for trailers were feasible on the proposed new access to the Emu Point Café. These issues will be further explored when concepts are progressed to detailed/engineered design.
19. In response to user conflict issues regarding parking at the marina, City staff have undertaken significant stakeholder consultation in the period between November 2022 and April 2023.
20. Maritime businesses and marina user groups have had multiple one-on-one sessions to discuss potential car park layouts to alleviate the issues of congestion near the commercial jetty, unorganised car parking outside of demarcated bays, safety concerns around speeding cars, and general under-provision of parking spaces for cars.
21. The design has been redrafted to reflect all feedback. Marina stakeholders consulted in detail regarding the parking layout include:
 - Emu Point Slipway
 - Squid Shack
 - Watercraft Marine
 - Harvest Road
 - Albany Boating and Fishing Club and the Albany Dragon Boat Club
 - Fishability WA
 - Albany Sea Rescue.
22. The Department of Transport (DoT), as owner of the commercial jetties, is also a key stakeholder for works at the marina. DoT's Operations Manager has been consulted regarding the revised car parking design.
23. DoT support introducing the cul-de-sac at the northern end of the existing car park and restricting access to the water's edge in that area to operational vehicles only.
24. DoT have also consistently advocated for increasing the density of boat and trailer parking near the boat ramp, but preliminary designs to revise the layout of boat parking bays drew considerable opposition from the community and other stakeholders.

STATUTORY IMPLICATIONS

25. The purpose of *State Planning Policy 2.6: State Coastal Planning Policy* (SPP 2.6, WAPC) is to:

'Provide guidance for decision-making within the coastal zone including managing development and land use change; establishment of foreshore reserves; and to protect, conserve and enhance coastal values.'
26. The Emu Point to Middleton Beach Coastal Hazard Risk Management Adaptation Plan (CHRMAP), which has been used to guide the preparation of this FMP, was prepared in accordance with SPP 2.6.
27. SPP 2.6 provides a definition for an FMP and the general requirements for its development. Further guidance within the SPP 2.6 suite of documents is provided through the *State Coastal Planning Policy Guidelines* (WAPC 2020) and the *Coastal Planning and Management Manual* (WAPC 2003).

POLICY IMPLICATIONS

28. N/A.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational / Business Operations: <i>The FMP is not adopted.</i>	Possible	Moderate	Medium	<i>The FMP will be reviewed and represented for adoption.</i>
Opportunity: <i>Confidence in the City of Albany to deliver outcome from funding body and confidence with the community and key stakeholders is maintained.</i>				
Financial: <i>The projects in the FMP are unable to be delivered.</i>	Possible	Moderate	Medium	<i>Alignment with Capital Works program</i>
Opportunity: <i>Packaging the projects within this FMP and its integrated planning framework opens their eligibility for various funding rounds.</i>				

FINANCIAL IMPLICATIONS

30. There are no financial implications related to this report.
31. The Oyster Harbour FMP was completed within the agreed budget allocation.
32. The implementation of the precinct concepts of the Oyster Harbour FMP will be subject to further funding being acquired, and a detailed/engineered design process.

LEGAL IMPLICATIONS

33. Governments at all levels and private parties (individuals, businesses and the community) each have important, complementary and differentiated roles in managing risk arising from coastal hazards.
34. Local government decision making on coastal planning and development is steered by State government policy and legislation.
35. There are no direct legal implications related to this report. However, it should be noted that the City is responsible for:
 - Local land use planning;
 - Significant aspects of environmental management in the coastal zone, including the provision of waste removal and treatment services, and working with state government for the provision of water, drainage and sewerage services;
 - Land management of coastal reserves and other coast buffer areas; and
 - Provision and management of public infrastructure such as roads, recreational area and parks in the coastal zone.
36. Governments, on behalf of the community, are primarily responsible for managing risk to public goods and public assets which they own and manage.
37. WALGA have issued a document titled *Legal Response to the Local Government Coastal Hazard Planning Issues Paper*.
38. Whilst not a formal legal opinion, this document provides guidance on issues that WA Local Governments are experiencing in meeting coastal hazard planning responsibilities established by SPP 2.6.

ENVIRONMENTAL CONSIDERATIONS

39. Implementation of individual management actions and precinct concepts will require further environmental consideration.

ALTERNATE OPTIONS

40. Council may choose not to support the adoption of the Oyster Harbour Foreshore Management Plan.

CONCLUSION

41. The City of Albany has undertaken the development of a FMP for the Oyster Harbour area to guide the management of coastal assets identified by the community as highly valued for economic, social and environmental reasons.
42. It is recommended the Oyster Harbour Foreshore Management Plan be adopted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995, s5.56</i>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i>• <i>State Planning Policy No. 2.6 – State Coastal Planning Policy</i>
Previous Reference	:	<ul style="list-style-type: none">• <i>Emu Beach Foreshore Management Plan (DIS 267) – August 2021</i>

DIS371: PLANNING AND BUILDING REPORTS OCTOBER 2023

Proponent / Owner : City of Albany.
Attachments : Planning and Building Reports October 2023
Report Prepared By : Technical Support Officer (P Ruggera)
Authorising Officer: : Manager Planning and Building Services
(J van der Mescht)

RECOMMENDATION

DIS371: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Planning and Building Reports for October 2023 be NOTED.

LEMC033: RECEIVE THE MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 22 JUNE 2023

Attachments : Confirmed Minutes of the LEMC Meeting held 22/06/2023
Report Prepared By : Personal Assistant to the ED Corporate & Commercial Services (H Bell)
Authorising Officer: : Executive Director Corporate and Commercial Services (M Gilfellon)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** Leadership.
 - **Outcome:** A well informed and engaged community.

In Brief:

- Receive the minutes of the Local Emergency Management Committee meeting held on 22nd June 2023.

RECOMMENDATION

**LEMC033: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the confirmed minutes of the Local Emergency Management Committee meeting held on 22nd June 2023 be RECEIVED.

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