



AGENDA

Ordinary Meeting of Council

Tuesday 24 February 2026

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 24 February 2026 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 LANDOWNERS

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

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

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

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor	G Stocks
Councillors:	
Councillor	P Terry (Deputy Mayor)
Councillor	L MacLaren
Councillor	M Lionetti
Councillor	R Sutton
Councillor	I Clarke APM
Councillor	R Stephens
Councillor	C McKinley
Councillor	T Brough

Staff:	
Chief Executive Officer	A Sharpe
Executive Director Community Services	N Watson
Executive Director Corporate and Commercial Services	M Giffellon
Manager IT	A Catterall
Manager Development Services	J Van Der Mescht

Meeting Secretary	J Williamson
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Apologies/Leave of Absence:	
Executive Director Infrastructure, Development & Environment	P Camins (Apology)

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS
6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil
7. PUBLIC QUESTION TIME

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

Prevention of Disturbance:

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

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

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

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

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

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

8. APPLICATIONS FOR LEAVE OF ABSENCE
9. PETITIONS AND DEPUTATIONS Nil
10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Ordinary Council Meeting held on Tuesday 16 December 2025, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS
12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

CCS767: MONTHLY FINANCIAL REPORT – DECEMBER 2025

Proponent / Owner : City of Albany
Attachments : Monthly Financial Report – December 2025
Report Prepared By : Manager Finance
Authorising Officer: : Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

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

IN BRIEF

- Under the Local Government Financial Management Regulations, a local government is to prepare monthly a statement of financial activity and statement of financial position that is presented to Council.
- The City of Albany’s Monthly Financial Report (inclusive of the statement of financial activity and the statement of financial position) for the period ending 31 December 2025 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City’s Investment of Surplus Funds Policy.
- The financial information included within the Monthly Financial Report for the period ended 31 December 2025 is preliminary and has not yet been audited.

RECOMMENDATION

**CCS767: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Monthly Financial Report for the period ending 31 December 2025 be RECEIVED.

CCS767: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR CLARKE**

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS767: AUTHORISING OFFICER RECOMMENDATION

THAT the Monthly Financial Report for the period ending 31 December 2025 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 CCS732, 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 2025/2026.
4. The Statement of Financial Activity and Statement of Financial Position may be subject to year-end adjustments and have not been audited.
5. It is noted that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

8. The City's 2025/26 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 31 December 2025 has been incurred in accordance with the 2025/26 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

CCS768: LIST OF ACCOUNTS FOR PAYMENT – DECEMBER 2025

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

STRATEGIC IMPLICATIONS

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

IN BRIEF

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

RECOMMENDATION

**CCS768: 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 31 December 2025 totalling \$11,557,403.23 be RECEIVED.

CCS768: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR MACLAREN
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS768: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 31 December 2025 totalling \$11,557,403.23 be RECEIVED.

DISCUSSION

2. The table below summarises the payments drawn from the City’s Municipal and Trust funds for the period ending 31 December 2025. Please refer to the Attachment to this report.

Fund	Transaction Type	Amount (\$)	%
Municipal	Electronic Funds Transfer	\$9,175,086.23	79.4
Municipal	Payroll	\$2,351,104.03	20.3
Municipal	Credit Cards	\$31,212.97	0.3
Municipal	Cheques	\$0.00	0.0
Trust	N/A	\$0.00	0.0
TOTAL		\$11,557,403.23	100.0%

3. Included within the Electronic Funds Transfers from the City’s Municipal account are Purchasing Card transactions, required to be reported under Regulation 13(A), totalling: \$9,746.37.
4. The table below summaries the total outstanding creditors as at 31 December 2025.

Aged Creditors	Amount (\$)
Current	\$1,313,629.58
30 Days	\$178,948.73
60 Days	\$108,881.86
90 Days	\$16,501.13
TOTAL	\$1,617,961.30

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment can only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.
8. As part of the Local Government Regulations Amendment Regulations 2023 (SL2023/106), additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, requires Local Governments to report on payments by employees via purchasing cards.

POLICY IMPLICATIONS

9. Expenditure for the period to 31 December 2025 has been incurred in accordance with the 2025/2026 budget parameters.

FINANCIAL IMPLICATIONS

10. Expenditure for the period to 31 December 2025 has been incurred in accordance with the 2025/2026 budget parameters.

LEGAL IMPLICATIONS

11. Nil

ENVIRONMENTAL CONSIDERATIONS

12. Nil

ALTERNATE OPTIONS

13. Nil

CONCLUSION

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

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

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

**CCS769: DELEGATED AUTHORITY REPORTS – 16 NOVEMBER 2025 TO
15 JANUARY 2026**

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

STRATEGIC IMPLICATIONS

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

RECOMMENDATION

**CCS769: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Delegated Authority Reports 16 November 2025 to 15 January 2026 be RECEIVED.

CCS769: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS769: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 November 2025 to 15 January 2026 be RECEIVED.

BACKGROUND

2. In compliance with Section 9.49A of the *Local Government Act 1995* the attached report applies to the use of the Common Seal and the signing of documents under Council's Delegated Authority:
 - **Delegation: LG1.18** – Sign Documents on Behalf of the City of Albany (Authority to Executive Deeds & Agreements and apply the Common Seal)
 - **Delegation: LG4.06**– Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding (Including the provision of sponsorship through the waiver of fees & charges)
 - **Delegation: LG5.05** – Award Contracts (Supply of Equipment, Goods, Materials & Services)

**CCS770: REQUEST FOR ADDITIONAL DRAWDOWN OF FUNDS -
NATIONAL ANZAC CENTRE PHASE 2 REFRESH**

Proponent / Owner : City of Albany
Business Entity Name : National Anzac Centre
Report Prepared By : Manager Facilities
Authorising Officer: : Executive Director Community Services

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** People.
 - **Outcome:** A happy, healthy and resilient community.
 - **Pillar:** Place.
 - **Outcome:** Local history, heritage and character is valued and preserved.

In Brief:

- To seek Council approval for a drawdown of reserve funds to complete priority projects associated with the National Anzac Centre Refresh Phase 2 and the Convoy Walk.

RECOMMENDATION

**CCS770: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council APPROVE the following budget amendments;

1. Increase the budget “National Anzac Centre – Refresh Capital” (WO75434.1755C) from \$176,383 to \$334,784; and
2. Transfer \$158,401 from the “National Anzac Centre Reserve” (WO17459.2703).

CCS770: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS770: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE the following budget amendments;

1. Increase the budget “National Anzac Centre – Refresh Capital” (WO75434.1755C) from \$176,383 to \$334,784; and
2. Transfer \$158,401 from the “National Anzac Centre Reserve” (WO17459.2703).

BACKGROUND

2. The National Anzac Centre (NAC) opened in November 2014 and is one of the City of Albany's most significant tourism assets.
3. The City of Albany manages this national museum and understands the importance of generating economic outcomes for the region using the NAC and Albany Heritage Park (AHP) assets to encourage visitation to the region.
4. Currently it is estimated the NAC generates \$42.7 million in economic benefit for the region annually based on recent data.
5. The NAC is in Phase 2 of a refresh program developed in support with curatorial partner Western Australian Museum (WAM)
6. The Refresh Phase 2 program was initiated to maintain the Centre's relevance, improve visitor experience, and address critical infrastructure needs.
7. Despite proactive efforts, two grant applications submitted in 2025 were unsuccessful, leaving a funding shortfall for essential upgrades. These upgrades are integral to the visitor experience and the Centre's long-term sustainability.

DISCUSSION

NAC Refresh

8. Phase 1 of the NAC Refresh occurred from 2019-2021 with an initial Council-approved drawdown of \$730,000 from the NAC Reserve.
9. The following was completed as part of Phase 1:
 - Artefact loan renewals and returns;
 - Convoy Table rebuild;
 - Pool of Reflection rebuild;
 - Viewing Hall
 - Theatrette and temporary exhibition space
 - Film content for theatrette
10. Following completion of Phase 1 and due to project budget savings, there was \$176,383 remaining from the reserve drawdown which has been retained on budget to continue Phase 2 of the program.
11. Some low-expense projects within Phase 2 have been completed with annual operational budgets such as the lighting audit and disaster management kit.
12. The City has been attempting to use the remaining balance of the original reserve drawdown to leverage government funding to complete the priority project of Phase 2 – upgrading the Tribute Wall posts.
13. The following two grant applications for the Tribute Wall upgrade were unsuccessful:
 - 18 June 2024 – Applied for \$150,000 through the Commonwealth's Saluting their Service Commemorative Grants Program. Notified 16 January 2025 that the application was unsuccessful as 'projects that result in a profit (admission fee upon entry) are ineligible for funding'.
 - 30 June 2025 – Applied for \$180,000 through the State Government's Anzac Day Trust Program. Notified 6 October 2025 that the application was unsuccessful. No specific feedback on the application was provided.
14. Upgrade of the Tribute Wall is now critical and officers are seeking Council support to progress the upgrade this financial year using further reserve funds.

15. The Tribute Wall is essential to the NAC visitor experience, with the AV and IT hardware at end-of-life and experiencing frequent back-end technical issues.
16. The Tribute Wall and Character Card posts share the same hardware/software, and the back-end upgrades will occur concurrently.

Convoy Walk Signage

17. The interpretive signage of the First and Second Anzac Convoys along the Convoy Walk leading to the Convoy Lookout was installed as part of the National Anzac Centre construction in 2014.
18. Exposure to the elements of more than 11 years has resulted in significant deterioration of the 21 signs, with some signs now heavily faded and in some cases almost illegible.
19. The walkway signs and lookout were generously funded by Wesfarmers as part of the support the City received to commemorate the Anzac Centenary in 2014.
20. Multiple attempts have been made to contact Wesfarmers to seek to renew this partnership and support a refresh of the signage. Officers have been looking for other funding opportunities, however, this will take time and is not guaranteed.
21. The current state of the signs presents poorly and detracts from this world-class commemorative site, and officers are recommending that the signage be upgraded.

GOVERNMENT & PUBLIC CONSULTATION

22. Nil

STATUTORY IMPLICATIONS

23. Voting requirement for this report is **ABSOLUTE MAJORITY**.

POLICY IMPLICATIONS

24. Nil

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
<p><i>Business Operation, Reputation.</i> Risk: If maintenance is not undertaken the current interpretation, hardware and tech software issues will increase and eventually fail, impacting operations.</p>	Likely	Major	High	Upgrading the hardware and software will ensure the Tribute Wall and Character Card posts remain functional.
<p><i>Financial</i> Risk: Costs will increase if the upgrade is delayed or the tech fails.</p>	Likely	Moderate	High	Accept the current quote before end of February 2026.
<p><i>Opportunity: To maintain a world-class museum experience that commemorates the Anzacs and ensures visitors can interact with the interpretation and storytelling.</i></p>				

FINANCIAL IMPLICATIONS

26. Officers are seeking Council approval to drawdown \$158,401 from the NAC reserve to top up the balance of \$176,383 from the original drawdown to complete the required upgrades.
27. Below shows the funds available in the NAC reserve and impact on the reserve of the requested drawdown:
- Current balance of NAC Reserve: \$818,667
 - Request additional funds from Reserve: -\$158,401
 - Forecast NAC Reserve balance: \$660,266
28. The Tribute Wall project has experienced multiple cost adjustments due to timing of grant application outcomes:

Stage	Quote	Notes
Initial Quote	\$181,133	First grant declined (2024); quote expired.
Second Quote	\$229,112	Second grant declined (2025), quote expired.
Current Quote (valid to Feb 2026)	\$246,484	\$65k increase from initial quote. Quote expires Feb 26.

29. A breakdown of the project budgets and reserve allocations is provided below:

Project	Budget	Reserve allocations
Tribute Wall	\$246,484	\$176,383
Convoy Walk Signs	\$88,300	\$158,401
TOTAL	\$334,784	\$334,784

LEGAL IMPLICATIONS

30. Nil

ENVIRONMENTAL CONSIDERATIONS

31. Nil

ALTERNATE OPTIONS

32. Council may choose to not approve the reserve drawdown and instead consider this as part of the 2026-2027 Budget, however this would further delay the projects and will likely result in increased costs.

CONCLUSION

33. The National Anzac Centre remains a pillar of Albany’s cultural and historical identity, attracting visitors from across Australia and internationally.
34. Completion of this Phase 2 project and replacement of the Convoy Walk interpretive signage is essential to maintaining the NAC’s relevance, enhance visitor experience, and safeguard critical infrastructure.
35. With grant applications unsuccessful, an additional drawdown of reserve funds is the most viable option to progress these priority projects.

Consulted References	:	National Anzac Centre Refresh Implementation Plan 2023
File Number	:	CS.PLA.26
Previous Reference	:	OCM 25/06/2019 – CCS162

CCS771: NEW LEASE AND LICENCES – BEACH FISHING PTY LTD TRADING AS WESTERBERG BROS – LOTS 2, 3 AND 14 CHEYNE ROAD, CHEYNE BEACH

Land Description	: Portion of Crown Reserve 878 Lot 7442 on Deposited Plan 214689, the subject of Qualified Certificate of Crown Land Title Volume LR3082 Folio 959, Cheyne Beach
Proponent	: Beach Fishing Pty Ltd (ACN 008 883 109) trading as Westerberg Bros <ul style="list-style-type: none">• Directors being Tony David Westerberg and Jeffrey Neil Westerberg
Owner	: Crown Land
Report Prepared By	: Team Leader Property and Leasing
Authorising Officer	: Executive Director Corporate and Commercial Services

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2032:
 - **Pillar:** Prosperity – A strong, diverse and resilient economy with work opportunities for everyone.
 - **Outcomes:** Attract, retain and support a diverse range of businesses and industries to grow the economy and create more local jobs.

Maps and Diagrams:



In Brief:

- Council is requested to approve a new lease and two licences to Beach Fishing Pty Ltd trading as Westerberg Bros over lots 2, 3 and 14 Cheyne Beach Road, Cheyne Beach.
- The lease and licences support the continuation of long-established commercial fishing accommodation and operations at Cheyne Beach.
- A 5-year term is proposed, consistent with the Council's Property Management (Leases and Licences) Policy.
- Westerberg Bros have requested a 5-year term with a further 5-year option. While a single 5-year term is recommended, City officers are not opposed to the inclusion of an option based on the tenant's strong compliance history and proposed risk controls.
- Lots 2 and 3 are located on waterfront land and are subject to coastal erosion risk.
- Special indemnity and risk clauses are proposed to protect the City and the Minister for Lands from erosion-related liability.
- The lease and licences apply to land only; all buildings and structures remain the tenant's responsibility.
- It is recommended that Council approve the new lease and licences.

RECOMMENDATION

**CCS771: COMMITTEE RECOMMENDATION (AMENDMENT BY COUNCILLOR BROUGH)
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council APPROVE the Lease over Lot 3 and Licences over Lots 2 and 14 Cheyne Beach Road, Cheyne Beach to Beach Fishing Pty Ltd trading as Westerberg Bros on a portion of Reserve 878 for a term of 5 + 5 years, as detailed in section 24 of this report.

CCS771: COMMITTEE RECOMMENDATION (AMENDMENT BY COUNCILLOR BROUGH)

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT Council APPROVE the Lease over Lot 3 and Licences over Lots 2 and 14 Cheyne Beach Road, Cheyne Beach to Beach Fishing Pty Ltd trading as Westerberg Bros on a portion of Reserve 878 for a term of 5 + 5 years, as detailed in section 24 of this report.

CARRIED 9-0

CCS771: AMENDMENT BY COUNCILLOR BROUGH

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT the term of the lease be AMENDED to offer a 5+5 year lease period and section 24 of this report be updated accordingly.

CARRIED 9-0

Councillor Brough then moved an Amendment to the Authorising Officer Recommendation

CCS771: AUTHORISING OFFICER RECOMMENDATION

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT Council APPROVE the Lease over Lot 3 and Licences over Lots 2 and 14 Cheyne Beach Road, Cheyne Beach to Beach Fishing Pty Ltd trading as Westerberg Bros on a portion of Reserve 878 for a term of 5 years, as detailed in section 24 of this report.

BACKGROUND

2. Lot 2, 3 and 14 Cheyne Road are located within Crown Reserve 878, Cheyne Beach.
3. The reserve is under management order issued to the City of Albany with the power to lease or licence for any term not exceeding 21 years subject to the consent of the Minister for Lands.
4. The reserve purpose includes recreation, camping, holiday accommodation, accommodation associated with the fishing industry, fire station and supporting or beneficial communications operations and a waste transfer site.
5. Reserve 878 currently comprises:
 - 29 holiday accommodation leases;
 - 6 leases for accommodation associated with the commercial fishing industry;
 - 2 licences (waterfront access for fish loading operations and net drying);
 - Commercial waste transfer lease (Cheynes Beach Caravan Park);
 - A Telstra telecommunication tower lease; and
 - the City's fire shed.

Current use of the sites

6. Lot 2 (non-exclusive licence area) is used for fish loading, vehicle movements and temporary storage of fishing equipment during the season.
7. Lot 14 (non-exclusive licence area) is used for drying and storage of commercial fishing nets.
8. A non-exclusive licence allows the tenant to use the land for specific purposes but does not grant exclusive occupation. These areas may also be accessed by commercial fishers and the public.
9. Lot 3 (lease area) contains:
 - three dwellings used to accommodate the tenant's families and seasonal workers; and
 - three large sheds used for the storage of fishing equipment, which are also utilised by other professional fishers.
10. Westerberg Bros have requested a new lease and licences to continue commercial fishing operations at Cheyne Beach for 5-year term with a further 5-year option.
11. Westerberg Bros have operated at Cheyne Beach for over 70 years and have met all obligations under previous agreements.
12. The current lease and licences expired on 30 November 2025, with Westerberg Bros continuing occupation under holding over arrangements.

DISCUSSION

13. Under Council's Property Management (Leases and Licences) Policy, leases and licences may be granted to commercial fishermen at Cheyne Beach who:
 - are actively engaged in the commercial fishing industry;
 - provide at least three months of catch reports; and
 - hold a current Commercial Fishing Licence and Managed Fishery Licence issued by the Department of Primary Industries and Regional Development (DPIRD).
14. Westerberg Bros meet all policy requirements.
15. Council policy limits waterfront leases and licences to a maximum term of 5 years.
16. Westerberg Bros have requested a 5-year term with a further 5-year option to provide business certainty and reduce administrative burden.
17. An option allows the tenant to extend the lease and licences for another 5 years, provided they are fully compliant with all lease or licence conditions at the time of exercising the option.
18. City officers acknowledge that Westerberg Bros have previously held 10-year leases and licences have complied with all obligations.
19. Based on this compliance history, City officers are not opposed to a 5-year lease with a further 5-year option. The option does not provide an automatic extension, as it may only be exercised if the tenant is fully compliant with the lease conditions at the time and would remain subject to compliance and special lease conditions addressing coastal erosion and land management risks.
20. Notwithstanding this, a single 5-year term is recommended to align with Council policy and manage long-term uncertainty associated with waterfront land.
21. Coastal erosion has progressively reduced the usable areas of waterfront Lots 2 and 3, creating uncertainty over their long-term viability.
22. To manage erosion risk, the lease will include special conditions requiring that:
 - all buildings and structures are at the tenant's risk;
 - no erosion mitigation works may be undertaken without City consent;
 - unsafe structures must be made safe or removed at the tenant's cost; and
 - the tenant indemnifies the City and the Minister for Lands against erosion-related damage.
23. The lease will also acknowledge Council's intent to manage waterfront land. Upon expiry or termination of the lease, Council is not obliged to offer a further lease over Lots 2 and 3 but may consider allowing the tenant to relocate to non-waterfront lots, subject to availability and Council approval.

24. The table below summaries the key terms of the proposed lease and licences:

Item	Details
Tenant	Beach Fishing Pty Ltd trading as Westerberg Bros
Lease Area (Lot 3)	7661m ²
Licence Area (Lot 2)	3632m ²
Licence Area (Lot 14)	2178m ²
Land Description	Portion of Crown Reserve 878 Lot 7442 on Deposited Plan 214689, the subject of Qualified Certificate of Crown Land Title Volume LR3082 Folio 959, Cheyne Beach
Land Ownership	Crown Land (City of Albany under Management Order)
Lease Permitted Use	Lot 3 – Accommodation only for directors and direct employees involved in commercial fishing and limited by the Management Order over the Land.
Licence Permitted Use	Lot 2 – Temporary laydown of fishing equipment and fish loading operations. Lot 14 – Drying of fishing nets associated with commercial fishing operations only
Term of Lease & Licences	5 years
Commencement Date	1 December 2025
Rent	Lease – \$6,000.00 per annum + GST (market valuation, reviewed every 3 years with CPI to be applied in between years). Licences – \$1,283.00 per annum + GST each (equivalent to minimum rate set annually by Council).
Insurance	Tenant to insure buildings, fixtures and fittings and \$20 million public liability.
Outgoings & Utilities	Tenant responsible for all costs.
Minister for Lands	Section 18 of the <i>Lands Administration Act 1997</i> , Minister for Lands consent to the lease and licences being obtained.
Special Conditions	<ul style="list-style-type: none"> Waterfront occupation at tenant's risk; erosion indemnities; no unauthorised works; unsafe structures must be made safe or removed. The tenant must keep the licensed areas clean and safe. The City may impose reasonable access conditions from time to time to protect public safety.
Preconditions	Provision of catch reports; valid DPIRD licences; use limited to permitted purposes.

25. Lease and Licences are consistent with Council Policy – Property Management (Leases and Licences).
26. Westerberg Bros have met all obligations under their existing lease and licences including payment of rent, outgoings and regulatory compliance.
27. Westerberg Bros have agreed in principle to the above terms, noting their request for a 5-year term with a 5-year option, which is subject to Council's consideration.

GOVERNMENT & PUBLIC CONSULTATION

28. Section 18 of the *Land Administration Act 1997* provides that interests in Crown land cannot be assigned, sold, transferred or otherwise dealt with without the prior written approval of the Minister for Lands.
29. Ministerial consent will also be sought under Section 18 of the *Land Administration Act 1997* before the lease and licences are finalised.

30. Section 3.58 of the *Local Government Act 1995* governs property disposal, including leases and licences. The Act requires the proposal to be advertised and allows the public to provide submissions before Council makes a decision
31. The proposed Lease and Licences will be advertised to comply with the requirements of the Act.
32. Community Engagement

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Advertise proposed lease in local newspaper and City website inviting submissions from the public	A 2-week period following Council endorsement of agenda item	Open	Section 3.58 of the <i>Local Government Act 1995</i>

STATUTORY IMPLICATIONS

33. 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.
34. Section 18 of the *Land Administration Act 1997* requires Ministerial approval for any dealings with interests in Crown Land, including lease agreements.
35. The proposed new lease complies with the statutory requirements for property disposal and interests in Crown Land.

Aboriginal Heritage

36. Previous consultation with the local Noongar community has identified areas of cultural significance within the Cheyne Beach locality.
37. A comprehensive Aboriginal Heritage Survey has been undertaken for the Cheyne Beach area to guide future land use and manage heritage risks. No additional development is proposed as part of this lease and licences. Any future development will need to comply with the recommendations of the Survey and relevant heritage legislation.

POLICY IMPLICATIONS

38. The Property Management (Leases and Licences) Policy supports equitable access and efficient management of City owned and managed properties in line with relevant legislation and statutory procedures.
39. The Policy limits commercial fishing accommodation leases on waterfront land to a maximum of 5 years.
40. Westerberg Bros have requested a 5-year lease with a further 5-year option. The request reflects the long-term nature of their fishing operations, investment in infrastructure and historic occupation of the site for more than 70 years.
41. While officers are not opposed to the requested option, a single 5-year term is recommended to ensure consistency with policy.
42. All other lease and licence terms will align with the Policy.
43. The proposal is consistent with the City's Cheyne Beach Local Planning Policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation: Lease and licences not approved</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Negotiate terms to Council satisfaction</i>
<i>Reputation: Lease and licences not approved – reduced accommodation and support for Cheyne Beach fishing industry</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Negotiate terms to Council satisfaction</i>
<i>Reputation: New lease and licences not approved – current tenant required to relocate or cease operations</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>City to consider relocation assistance to an alternate site at Cheyne Beach</i>
<i>Opportunity: Support the Cheyne Beach commercial fishing industry, recognising its historic and economic contribution to the area.</i>				
<i>Opportunity: Attract, retain and support a diverse range of businesses that contribute to economic activity and employment.</i>				

FINANCIAL IMPLICATIONS

45. All documentation costs for the lease and licences will be met by Westerberg Bros.
46. The new lease rental has been set at \$6,000.00 per annum + GST, as determined by market valuation provided by a licensed Valuer.
47. Each new licence rental for the non-exclusive licences over Lot 2 and Lot 14 will be set at the annual minimum rate by Council each year, currently \$1,283.00 per annum + GST.

LEGAL IMPLICATIONS

48. The lease and licences documentation will be prepared by City's lawyers and will include enforceable terms to minimise risks to the City and Minister for Lands.
49. The licences do not grant exclusive use or occupation of the licensed areas.

ENVIRONMENTAL CONSIDERATIONS

50. Lots 2 and 3 are located on the waterfront and subject to coastal erosion, including potential impacts from storm surges and extreme weather events that may affect land stability over time.
51. To manage these risks, the lease and licences will include special conditions that prohibit erosion protection or mitigation works without approval and require the tenant to fully indemnify the City and Minister for Lands against any loss or damage arising from coastal erosion.
52. These measures ensure that the City's exposure to environmental and liability risks is minimised, while allowing Westerberg Bros to continue their long-established commercial fishing operations at Cheyne Beach.

ALTERNATE OPTIONS

53. Council may:
- Approve the new lease and licences for 5 years; or
 - Approve the new lease and licences for 5 years with a further 5-year option; or
 - Decline the new lease and licences request.
54. If Council declines the lease and licences, Westerberg Bros would need to find alternative land at Cheyne Beach. Relocation may be difficult and could disrupt or prematurely end their operations. Council may consider relocation assistance.
55. In addition, if the lease and licences are not approved, Westerberg Bros may be required to vacate the land, remove all buildings and infrastructure and reinstate the site to its original condition.

CONCLUSION

56. Westerberg Bros have a long-standing presence at Cheyne Beach and support the local commercial fishing industry.
57. A new lease and two licences over Lots 2, 3 and 14 are required to enable the continuation of commercial fishing operations at Cheyne Beach.
58. A 5-year lease and licences term is recommended, consistent with Council’s Property Management (Leases and Licences) Policy.
59. Lots 2 and 3 are located on waterfront land subject to ongoing coastal erosion, which may affect land stability and the long-term usability of the sites.
60. The proposed lease and licences will include special conditions that place all building and structure risk with the tenant and fully indemnify the City and the Minister for Lands.
61. It is recommended that Council approve the new lease and licences to Beach Fishing Pty Ltd trading as Westerberg Bros for Lots 2, 3 and 14 for a 5-year term.

Consulted References	:	Council Policy – Property Management (Leases and Licences) <i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
File Number	:	PRO230, A72350 PRO231, A72346 PRO435, A240181
Previous Reference	:	OCM 18.09.2001 Item 11.3.2 OCM 18.09.2012 Item 1.1 OCM 26.11.2013 Item CSF034 OCM 11.08.2015 Item CSF188 OCM 22.05.2018 Item CCS055 OCM 28.08.2018 Item CCS079

CCS772: SUNDRY DEBTOR WRITE OFF

Business Entity Name : Regional Express Holdings Ltd
Report Prepared By : Manager Finance
Authorising Officer: : Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

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

In Brief:

- This report outlines a write-off of debt owed to the City of Albany (“the City”) from Regional Express Holdings Ltd (“REX”).
- REX entered voluntary administration in 2024, owing the City \$456,065.97 under its commercial agreement for use of Albany Airport.
- Under the approved Deed of Company Arrangement (“DOCA”) and sale to Air T, unsecured creditors of REX (including the City) will not receive any payment.
- As the debt is unrecoverable and no legal or commercial avenues exist to pursue repayment, writing off the amount is the only viable option.
- Council approval is required to finalise the write off of \$456,065.97.

RECOMMENDATION

**CCS772: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council APPROVE the write-off of the detailed sundry debt under section 6.12(1) of the Local Government Act 1995 as recommended in this report.

CCS772: COMMITTEE RECOMMENDATION

MOVED: MAYOR STOCKS
SECONDED: DEPUTY MAYOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 5-4

Record of Vote

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

CCS772: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE the write-off of the detailed sundry debt under section 6.12(1) of the Local Government Act 1995 as recommended in this report.

BACKGROUND

2. REX is a major Australian regional airline operator, providing passenger and freight services across regional and remote communities.
3. The airline's operations were historically focused on turboprop aircraft servicing regional routes. In the early 2020s, the company commenced operations on selected capital city routes using jet aircraft, which involved higher operating costs and exposure to increased competition.
4. In late July 2024, REX requested a trading halt on the Australian Securities Exchange. On 30 July 2024, the company and certain subsidiaries entered voluntary administration, with Ernst & Young ("EY") appointed as Joint and Several Voluntary Administrators to take control of the group's affairs, assess its financial position and explore restructuring or sale options.
5. Upon the commencement of the voluntary administration, the City lodged with the administrators its Proof of Debt owing, totalling \$456,065.97.
6. After entering administration, REX grounded its Boeing 737 jet fleet (which had been used for capital city services) and those operations ceased, while its core regional Saab 340 turboprop flights continued under the administrators' oversight.
7. The Federal Government provided interim financial support, including a loan to the administrators to keep critical regional flights operating and guarantees for ticket sales, to ensure continuity of essential regional connectivity during the administration process.
8. EY pursued strategic options for REX's future, including asset sales and interest from potential bidders. Non-core assets were sold to repay debt, and bids were solicited for a full or partial buy-out to preserve ongoing operations.
9. The Commonwealth acquired approximately \$50 million of REX's corporate debt, making it the largest secured creditor, and continued to work with administrators to support the sale process and regional aviation services.
10. The Federal Court extended the administration convening period multiple times to allow EY to finalise the sale process, with ongoing negotiations with prospective buyers to achieve the best outcome for creditors and ensure the long-term viability of regional services.
11. In late 2025, EY entered into a Sale and Implementation Deed with Air T, Inc. for the acquisition of the REX Group business, enabling the continuation of regional airline operations and an exit from voluntary administration via a DOCA.
12. The DOCA was approved by creditors and executed in November 2025, with Air T acquiring ownership and control of the ongoing regional operations, while the jet business entity was placed into liquidation.
13. The administrators confirmed that sale proceeds are insufficient to satisfy all creditor claims, with funds prioritised toward secured creditors and employee entitlements.
14. Ordinary unsecured creditors, including local governments and trade suppliers, will receive no distribution under the DOCA, with the administrators advising this outcome is no worse than a liquidation scenario.
15. As a result of the approved DOCA and completed sale, amounts owed to unsecured creditors (including the City of Albany) are not recoverable and are considered unrealisable.

PERTH-ALBANY ROUTE: GOVERNMENT AND AIRPORT ARRANGEMENTS

16. The Perth–Albany air route is a regulated Regular Public Transport (RPT) route under the WA State Government’s regional aviation framework, meaning the airline operator is selected through a State Government procurement process rather than an open commercial market.
17. REX was selected by the WA State Government following a competitive tender process to operate the Perth–Albany service, based on its ability to provide reliable, affordable and continuous regional air services.
18. The State Government entered into a formal service agreement (and subsequent extensions) with REX to ensure ongoing air connectivity for Albany, recognising the route’s importance for regional access to health, business and government services.
19. As the contracted operator on a regulated route, REX’s operations at Albany Airport were undertaken in accordance with State Government policy and contractual arrangements, rather than a direct commercial selection by the City.
20. In lieu of airport landing and lease fees, a commercial agreement between REX and the City was entered, allowing REX to use the City’s airport and associated infrastructure for an annual fee, paid monthly.
21. At the time of REX going into voluntary administration, the City was owed \$456,065.97. This related to monthly payments per the commercial agreement between REX and the City, for the months of May 2024, June 2024, and the 30 day period 1 July 2024 to 30 July 2024, the date of REX entering Administration.

DISCUSSION

22. The amount owing to the City of Albany from REX, that is the subject of this write-off approval request, totals \$456,065.97.
23. This debt stems from fees charged to REX as part of their agreement with the City of Albany. There are no direct out-of-pocket expenses paid by the city.
24. At the time that the debt was being incurred, Council was verbally updated on the situation. Due to the regulated nature of the transport route, the only operational option available to Council was to restrict or prevent REX from landing at the airport.
25. Such action was assessed as having a significant adverse impact on the community, given the extent to which the service is relied upon not only by patients seeking specialist appointments in Perth and medical professionals servicing the region, but also by government agencies, businesses, students, and residents requiring access to essential services.
26. On this basis, it was determined that the broader community and economic impacts of service disruption outweighed the financial risk associated with the non-payment of fees.

GOVERNMENT CONSULTATION

27. As REX entered voluntary administration, a number of regional councils and council-owned airports across Australia reported being owed unpaid landing fees and airport charges. This exposure highlighted the financial risk to local governments arising from airline defaults, particularly where services operate through regulated or government-supported routes.
28. In response, several regional councils publicly called for state and federal government intervention, including the introduction of reimbursement mechanisms or other financial support, noting that unrecovered airport charges place additional pressure on council budgets and may affect the long-term sustainability of regional air connectivity.

29. During the administration process, the Australian Government implemented a range of measures primarily aimed at maintaining continuity of regional aviation services, including:
 - a. the provision of a financing package to support the continued operation of REX's regional routes;
 - b. early access to the Fair Entitlements Guarantee (FEG) for eligible former REX employees;
 - c. the introduction of a regional flight booking guarantee to protect passengers and maintain confidence in services; and
 - d. the acquisition of REX's debt, resulting in the Commonwealth becoming the principal secured creditor to support the sale and administration process.
30. Separately, and in recognition of the financial exposure faced by council-operated airports, the federal government announced a \$5 million support program for regional and remote airports that were unsecured creditors of REX. The program is intended to provide relief for unpaid airport fees; however, at the date of this report, the program has not yet opened for applications.
31. In parallel, regional councils and industry bodies have advocated for longer-term regulatory and contractual safeguards, including the use of bonds, guarantees or government underwriting arrangements for airlines operating on regional routes and using council-owned airport infrastructure, to reduce the likelihood of future debt write-offs by local governments.

STATUTORY IMPLICATIONS

32. The Local Government Act 1995 gives Council the power to write off any amount of money owing to the City;
 - 6.12. *Power to defer, grant discounts, waive or write off debts.*
 - (1) *Subject to subsection (2) and any other written law, a local government may —*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*
33. The Local Government Act 1995 gives Council the power to write off any amount of money owing to the City.
34. The voting requirement for this report is **Absolute Majority**.

** Absolute majority required.*

POLICY IMPLICATIONS

35. The City of Albany Register of Delegation and Authorisation provides the CEO and the Executive Director of Corporate & Commercial Services (sub delegated to the Manager Finance) authority to write off individual sundry debts up to \$10,000. All sundry debts in excess of \$10,000 are to be written off by Council resolution.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Compliance & Reputation Risk: Non-compliance with delegated authority.</i>	<i>Rare</i>	<i>Moderate</i>	<i>Low</i>	<i>Compliance with Councils delegated authority condition that amounts above \$10,000 are to be approved by Council.</i>
<i>Financial Future risk of losing funds from REX in a similar manner (payments made in arrears)</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Continued pursuance of outstanding amounts from debtors. No mitigating measures put in place with payments still made in arrears from REX (a risk of doing business). Unlikely to cease flight arrangements with REX if landing fees are not paid on time.</i>

FINANCIAL IMPLICATIONS

- 37. The amount proposed to be written off is \$456,065.97.
- 38. The City has allowed for the impairment of receivables on its balance sheet. As at the date of this report, the allowance for the impairment of receivables is \$458,007.63. The impairment balance for the City has been estimated considering the known write-off of debt owed by REX.
- 39. It is recommended to write off the full amount owed by REX to the City, however noting the \$5 million support program announced by the Federal Government should be explored and applied for if applicable, to offset the write-off.

LEGAL IMPLICATIONS

40. Nil

ENVIRONMENTAL CONSIDERATIONS

41. Nil

ALTERNATE OPTIONS

42. There are no alternative options. The debt is unrecoverable, and the City has no legal or commercial avenue to pursue payment. Writing off the amount is therefore the only viable action.

CONCLUSION

- 43. Due to the DOCA and sale to Air T, unsecured creditors of REX (including the City) are not entitled to receive any payment for their outstanding debts.
- 44. It is recommended that Council approve the Authorising Officer’s recommendation and write-off the \$456,065.97 owing.

Consulted References	:	Local Government Act 1995, Section 6.12(1)(c)
File Number	:	FM.DEB.11
Previous Reference	:	Not applicable.

**CCS773: CORPORATE SCORECARD – OCTOBER TO DECEMBER
2025 QUARTER**

Attachments : Corporate Scorecard Report Q2 2025-26
Report Prepared By : Business Planning and Performance Officer
Authorising Officer: : Manager Finance

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. A well-governed city that uses resources wisely to meet local needs.
- **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.

In Brief:

- The Strategic Community Plan 2032 (SCP) and the first Corporate Business Plan (CBP) were adopted by Council in August 2021.
- The CBP outlines a comprehensive suite of strategic actions that effectively form Council’s priority commitments to the community.
- The Corporate Scorecard provides a summary overview of these actions, while adding commentary on those that are not ‘on track’.
- Also included within the Corporate Scorecard is an update on the Chief Executive Officer’s (CEO) Key Performance Indicators (KPIs) for the 2025/26 financial year.

RECOMMENDATION

**CCS773: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Corporate Scorecard Report Q2 2025-26 be NOTED.

CCS773: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS773: AUTHORISING OFFICER RECOMMENDATION

THAT the Corporate Scorecard Report Q2 2025-26 be NOTED.

BACKGROUND

2. The SCP establishes the results the community expects Council to achieve through the City, while the CBP describes the specific actions necessary to achieve those results.
3. In addition, Council has assigned the CEO with KPIs for the 2025-26 financial year, that have been incorporated into the existing corporate framework to improve transparency, efficiency and consistency.
4. Delivery of these actions are monitored through the City's strategy management software CAMMS, which defines the associated project milestones for the current financial year and enables reporting against them.

DISCUSSION

5. The attached Corporate Scorecard report provides an update on the status of the CBP actions and CEO KPIs for the October to December 2025 quarter.
6. CBP actions are reported as Ongoing; Completed; In Progress; Deferred or Not Started.
7. The attached report shows that 97% of actions in the CBP 2024-2028 are Ongoing, Completed or In Progress. A comment is provided on the remaining actions that are Deferred or Not Started.
8. The CEO KPIs section of the report provides additional information and a progress update on the 6 KPIs assigned for the 2025-26 financial year. All of these actions are either On Track or Generally On Track when considered against their respective milestones.
9. A major review of the Corporate Business Plan is underway, in conjunction with the Strategic Community Plan. This process is due to be completed by March 2026.

GOVERNMENT & PUBLIC CONSULTATION

10. N/A

STATUTORY IMPLICATIONS

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

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

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *Govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*

- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications. ***Absolute majority required.**
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

POLICY IMPLICATIONS

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
<i>Business Operation/ Reputation. Risk: Loss of reputation from not following through on commitments outlined in the CBP.</i>	Likely	Minor	Moderate	Staff to review and address areas of concern prior to reconsideration by Council.
<i>Opportunity: Significantly enhanced oversight of CBP Actions, leading to improved community perception of Council leadership.</i>				

FINANCIAL IMPLICATIONS

14. N/A

LEGAL IMPLICATIONS

15. N/A

ENVIRONMENTAL CONSIDERATIONS

16. N/A

ALTERNATE OPTIONS

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

CONCLUSION

18. It is recommended the Corporate Scorecard Report Q1 2025-26 be noted.

Consulted References	:	<ul style="list-style-type: none"> • Local Government Act 1995, s5.56 • Local Government (Administration) Regulations 1996, Reg. 19D • IPR Framework and Guidelines 2019
File Number	:	CM.RVW.9
Previous Reference	:	OCM 22/07/2025 – Report Item CC728

CCS774: TENDERS AWARDED REPORT – OCTOBER TO DECEMBER 2025

Proponent : City of Albany
Attachments : Quarterly Report - Tenders Awarded – October to December 2025
Report Prepared by : Manager Finance
Authorising Officer : Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

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

In Brief:

- This report provides Council with a summary of tenders awarded during October to December 2025 quarter, including those endorsed by Council where the contract value exceeded \$1.0 million.
- The report is presented for information and transparency purposes.
- Further information relating to City of Albany Tenders can be found on the City's website at: <https://www.albany.wa.gov.au/council/working-with-the-city/quotes-tenders/tender-register.aspx>

RECOMMENDATION

**CCS774: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Tenders Awarded Report – October to December 2025 be RECEIVED.

CCS774: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR LIONETTI
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS774: AUTHORISING OFFICER RECOMMENDATION

THAT the Tenders Awarded Report – October to December 2025 be RECEIVED.

BACKGROUND

2. The City undertakes tender processes in accordance with the Local Government Act 1995, the Local Government (Functions and General) Regulations 1996, and the City’s Purchasing and Buy Local Policies.
3. Tenders with a total contract value exceeding \$1.0 million are required to be endorsed by Council, while other tenders may be awarded under delegated authority.
4. In accordance with good governance and transparency principles, a consolidated report of all tenders awarded during the quarter is presented to Council for noting, inclusive of both delegated and Council-endorsed tender awards.

DISCUSSION

5. All tenders listed in this report have been awarded following a competitive procurement process and assessed against the advertised evaluation criteria, including price and qualitative considerations.
6. Where applicable, tenders were endorsed by Council prior to award due to their value exceeding \$1.0 million. All other tenders were awarded under delegated authority in accordance with legislative and policy requirements.
7. The City’s Buy Local Policy was applied during the quantitative evaluation of tenders, with consideration given to opportunities to support local businesses where this aligned with value-for-money and probity principles.
8. No further decision is required by Council in relation to the tenders included in this report.

GOVERNMENT CONSULTATION

9. Nil

PUBLIC CONSULTATION

10. In accordance with legislative requirements, tenders included in this report were publicly advertised as required under the Local Government (Functions and General) Regulations 1996.
11. No additional public consultation was undertaken or required.

STATUTORY IMPLICATIONS

12. The tender processes and awards outlined in this report comply with:
 - a. Local Government Act 1995; and
 - b. Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

13. The tenders were awarded in accordance with the City’s Purchasing Policy, Buy Local Policy, and delegated authority framework where applicable.

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>Reputation Risk: Perceived lack of transparency in procurement activities.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Regular reporting of tender awards to Council to support transparency, accountability, and good governance.</i>

FINANCIAL IMPLICATIONS

15. The financial commitments associated with the awarded tenders have been accommodated within existing, Council-approved budgets.

LEGAL IMPLICATIONS

16. Nil

ENVIRONMENTAL CONSIDERATIONS

17. Nil

ALTERNATE OPTIONS

18. Council may choose not to receive the report; however, this would not affect the validity of tenders already awarded in accordance with legislative and delegated authority requirements.

CONCLUSION

19. This report is presented to Council for information, providing transparency regarding tenders awarded during the reporting period.
20. It is recommended that Council receive the report as presented.

Consulted References	:	Local Government Act 1995; Local Government (Functions and General) Regulations 1996
File Number	:	CM.TEN.7
Previous Reference	:	CCS752: OCM 28/10/2025

**CCS775: ADOPTION OF THE BUDGET REVIEW FOR THE PERIOD
ENDING 31 DECEMBER 2025**

Proponent	:	City of Albany
Attachments	:	Budget Review for the period ending 31 December 2025
Report Prepared by	:	Business Analyst/Management Accountant
Authorising Officer	:	Executive Director Corporate & Commercial Services

STRATEGIC IMPLICATIONS

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

In Brief:

- Local governments are required to conduct a budget review between 1 January and the last day of February in each financial year in accordance with regulation 33A of the Local Government (Financial Management) Regulations 1996.
- This review is for the period ending 31 December 2025 and achieves a Balanced Budget (nil surplus or deficit as at 30 June 2026) inclusive of the proposed Budget Review allocations

RECOMMENDATION

**CCS775: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the Budget Review for the period ending 31 December 2025 be ADOPTED.

CCS775: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BROUGH
SECONDED: COUNCILLOR MCKINLEY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 9-0

CCS775: AUTHORISING OFFICER RECOMMENDATION

THAT the Budget Review for the period ending 31 December 2025 be ADOPTED.

BACKGROUND

2. The Department of Local Government, Industry Regulation and Safety (“LGIRS”) recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual. This was completed by the City in September 2025 under agenda item CCS746.
3. Under legislation (regulation 33A(1) of the Local Government (Financial Management) Regulations 1996, Local Governments are required to conduct a budget review between 1 January and the last day of February each financial year.
4. Council adopted the FY2025/26 budget on 22 July 2025 (CCS732). The total adopted budget expenditure of \$200.5m was comprised of:
 - i. \$101.0m capital works;
 - ii. \$1.2m debt reduction; and
 - iii. \$98.3m in operating expenditure.
5. The current budget (inclusive of budget amendments already endorsed by Council throughout FY2025/26) has expenditure totalling \$208.3m.

DISCUSSION

6. Key elements of this proposed budget review include:
 - a. A net reduction in expenditure of \$57.9m, predominantly the deferral of two large multi-year infrastructure projects into FY2026/27.
 - b. As a result, a net reduction in funds of \$57.9m to complete the proposed amendments, as follows (excluding non-cash):
 - i. \$42.8m: Reduction in grants and contributions
 - ii. \$9.4m: Reduction in net reserves (restricted cash)
 - iii. \$6.5m: Reduction in new loan funding
 - iv. \$(0.8)m: Increase in operating revenue
 - c. This review maintains Council's budget in a balanced position as at 30 June 2026.
 - d. Total expenditure of \$150.2m in FY2025/26, comprised of:
 - i. \$47.5m capital works;
 - ii. \$1.2m debt reduction; and
 - iii. \$101.5m in operating expenditure.
7. A detailed copy of the budget review for the period ending 31 December 2025 is attached.
8. Any budget adjustments thereafter will be brought to Council as an item to be discussed when required and actioned outside of this review.

GOVERNMENT & PUBLIC CONSULTATION

9. LGIRS guidelines were followed in the preparation of this report.
10. City of Albany Executives, Managers and Officers with budget responsibility were consulted in the preparation of the Budget Review.

STATUTORY IMPLICATIONS

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

12. If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of 7 days and (a) its intention to do so; and (b) the date from which it is proposed the fees or charges will be imposed.
13. The voting requirement of Council is **Absolute Majority**.

POLICY IMPLICATIONS

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

RISK IDENTIFICATION & MITIGATION

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

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

FINANCIAL IMPLICATIONS

16. Please refer to the attachment: Budget Review for the period ending 31 December 2025.

LEGAL IMPLICATIONS

17. Nil.

ENVIRONMENTAL CONSIDERATIONS

18. Nil.

ALTERNATE OPTIONS

19. For the period ending 31 December 2025, Council may consider to:
- a. Adopt the Budget Review as recommended; or
 - b. Adopt the Budget Review with amendments (as specified by Council)

SUMMARY CONCLUSION

20. That the Authorising Officer Recommendation to adopt the Budget Review for the period ending 31 December 2025 be supported.

Consulted References	<ul style="list-style-type: none"> • Adopted Budget 2025/2026 • Local Government Act 1995
File Number	FM.BUG.12
Previous Reference	<ul style="list-style-type: none"> • Adopted Budget 2025/2026 – OCM 22/07/2025 Resolution CCS732 • Budget Review Period Ending 31 July 2025 - OCM 30/09/2025 Resolution CCS746

CCS776: REQUEST FOR NOMINATION AND ENDORSEMENT OF APPOINTMENT OF A COUNCILLOR TO THE MUSEUM OF THE GREAT SOUTHERN ADVISORY COMMITTEE

Business Entity Name	: Museum of the Great Southern
Attachments	: Correspondence from Museum of the Great Southern requesting endorsement of an Ex Officio Member
Report Prepared By	: Executive Officer Governance
Authorising Officer:	: Chief Executive Officer

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Pillar:** Leadership.
 - **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.
 - **Pillar:** Place.
 - **Outcome:** Local history, heritage and character is valued and preserved.

In Brief:

- The City of Albany has received a request from the Museum of the Great Southern Advisory Committee to nominate and endorse a Councillor as an ex-officio representative of Council on that committee.

RECOMMENDATION

**CCS776: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT:

1. **Nominations be called for an Ex Officio member of the Museum of the Great Southern Advisory Committee; and**
2. **The successful nominee be APPOINTED as an Ex Officio Member of the Museum of the Great Southern Advisory Committee.**

BACKGROUND

2. The City has received a written request from the Museum of the Great Southern Advisory Committee to nomination a new ex officio representative of Council.
3. Council previously endorsed the appointment of Councillor Malcolm Traill at the Ordinary Council Meeting held 23 April 2024.
4. Councillor Traill was not re-elected to Council at the Ordinary Local Government 2025 election and his membership of the committee ceased.

DISCUSSION

5. The appointment of a Councillor as an ex officio member of the Advisory Committee is recognition of the City of Albany’s role as a key stakeholder and major partner with the Museum of the Great Southern.
6. Ex-officio positions on the committee do not have a fixed term of appointment and the Committee is an advisory body only and has no delegated powers.
7. For this reason, the Committee does not have a fixed list of “powers and functions” under the *Museum Act 1969* and therefore considers and advises the Museum on a broad range of matters.
8. The primary role of the Advisory Committee is to link the Museum with the community it serves. This is a “two-way” liaison, representing the community to the Museum and acting as an advocate for the Museum in the community.

STATUTORY IMPLICATIONS

9. Section 5.9(b) of the *Local Government Act 1995* outlines the composition of committees within local governments and does not apply in this case.
10. Appointment of elected members to an external committee is by **Simple Majority**.

POLICY IMPLICATIONS

11. Representatives are required to provide the Council with regular information and feedback from the committee meetings that the elected member considers would be of interest or concern to the Council.
12. An ex-officio representative is part of a committee due to their official role or position, while a regular member of a committee is appointed or elected based on established processes independent of any official role.
13. The ex-officio representative’s membership is tied to their position, whereas a committee member’s membership is a separate designation based on the Museum of the Great Southern’s organisational procedures.

FINANCIAL IMPLICATIONS

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

OPTIONS

15. Council may choose to not appoint a Councillor as an ex officio member of the Advisory Committee, or there may be no nominations received.
16. Councillors may reserve the right to nominate at a future date.

Consulted References	:	<i>Local Government Act 1995</i>
File Number	:	GO.COM.3
Previous Reference	:	Report Item CCS621 OCM 23/04/2024

**AEM001: MOTION FROM ANNUAL ELECTORS' MEETING HELD 05
FEBRUARY 2026**

Report Prepared By : Executive Officer Governance
Authorising Officer: : Chief Executive Officer

STRATEGIC IMPLICATIONS

1. This report relates to the following elements of the City of Albany Strategic Community Plan:
 - **Pillar:** Leadership.
 - **Outcomes:**
 - Proactive, visionary leaders who are aligned with community needs and values.
 - A well informed and engaged community.
 - **Pillar:** Place
 - **Outcomes:**
 - Responsible growth, development and urban renewal.
 - Local history, heritage and character is valued and preserved.
 - **Pillar:** Planet
 - **Outcomes:**
 - Sustainable management of natural areas; balancing conservation with responsible access and enjoyment.

In Brief:

- The Annual Electors' Meeting for the City of Albany was held on 05 February 2026.
- At that meeting a motion from Mr Jon Doust was presented and carried. In accordance with Section 5.33 of the *Local Government Act 1995*, all decisions made at an electors' meeting are to be considered at the next ordinary council meeting.
- Council is now requested to receive the motion.

RECOMMENDATION

**AEM001: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the motion carried at the Annual Electors' Meeting held on 05 February 2026, as detailed in paragraph 2 of this report; be RECEIVED.

BACKGROUND

2. At the Annual Electors' Meeting held on 05 February 2026 the following motion was carried:

MOTION BY JON DOUST

MOVED: JON DOUST

SECONDED: MANDY ARNOLD

THAT Council:

1. *DESIGNATE* Lot 4743 North Road, Yakamia as heritage bushland to protect the area from future development.
2. *ALLOCATE* funding in the 2026-27 financial year budget for the purchase of adjoining freehold land and installation of barriers to protect the heritage bushland from unauthorised use by vehicles.

CARRIED

3. Under section 5.33 of the *Local Government Act 1995*, all motions carried at an electors' meeting required to be presented to the council for consideration.
4. The City's Planning Framework may be amended to apply specific zoning, reservations or development controls that support conservation outcomes following completion of the Albany North District Structure Plan.

Consulted References	:	<i>Local Government Act 1995</i>
File Number	:	GO.COM.1
Previous Reference	:	N/A

**DIS464: PLANNING AND BUILDING REPORTS DECEMBER 2025 AND
JANUARY 2026**

Proponent / Owner : City of Albany
Attachments : Planning and Building Reports December 2025 and January
2026
Report Prepared By : Information Officer – Development Services
Authorising Officer: : Manager Development Services

RECOMMENDATION

**DIS464: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Planning and Building Reports for December 2025 and January 2026 be
RECEIVED.**

ORDINARY COUNCIL MEETING
AGENDA – 24/02/2026

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**