



MINUTES

Ordinary Meeting of Council

Tuesday 28 October 2025

6.00pm

Council Chambers



STRATEGIC COMMUNITY PLAN 2032



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1. DECLARATION OF OPENING

The Mayor declared the meeting open at 6.00pm

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"

DECLARATION OF COUNCILLORS

In accordance with section 2.29 of the *Local Government Act 1995*, a person elected as a Councillor is to make a declaration in the prescribed form, and before a prescribed person, before acting in office.

Councillors Elect Stephens, Sutton, Brough and Clarke made their Declaration, witnessed by WA Police District Superintendent Jon Munday APM.

Nominations were then called for the position of Deputy Mayor. Nominations were received from Councillor MacLaren and Councillor Terry.

A ballot was conducted and Councillor Terry was declared as Deputy Mayor.

DECLARATION OF DEPUTY MAYOR

Councillor Terry then made his Declaration for the position of Deputy Mayor, witnessed by WA Police District Superintendent Jon Munday APM.

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	T Brough
Staff:	
Chief Executive Officer	A Sharpe
Executive Director Infrastructure, Development & Environment	P Camins
Executive Director Community Services	N Watson
Executive Director Corporate and Commercial Services	M Gilfellon
Manager IT	A Catterall
Meeting Secretary	J Williamson
Apologies/Leave of Absence:	
Councillor	C McKinley (Apology)

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest
Nil		

5. REPORTS OF MEMBERS

6.20pm Councillor Sutton

Summary of key points:

Councillor Sutton acknowledged the valuable contribution made by Councillors Grimmer, Cruse, Traill and Baesjou during their terms. Councillor Sutton said that it would be a busy and exciting time ahead for Council and the City with the delivery of major projects, infrastructure and events, including Range Road.

6.22pm Councillor Brough

Summary of key points:

Councillor Brough acknowledged candidates involved in the election, and said that he ran on a simple platform of freedom of speech and local government restraint in returning to the core functions of local government.

6.23pm Councillor MacLaren

Summary of key points:

Councillor MacLaren expressed her appreciation to everyone involved in the recent LG election and thanked Councillors Baesjou, Traill, Cruse and Grimmer for their service. Councillor MacLaren provided the following list of engagements:

- Site Tour
- Lange forest walks
- Albany vs the World-Albany Roller Derby Event
- Launch of Oyster Harbour Catchment Council Meadow Lake revegetation project
- Kalgan Hall meeting about Water Corporation's plans for a desalination plant
- Open Gardens Albany-Hospice Fundraiser

6.27pm Deputy Mayor Terry

Summary of key points:

Deputy Mayor Terry welcomed Councillors Sutton, Brough, Stephens and Clarke and thanked outgoing Councillors for their dedication and contribution to serving their community.

Deputy Mayor Terry said that the Kari Kola "Lighting the Sound" event as part the 2026 events will be an exciting event.

Deputy Mayor Terry attended the Headspace Mad Hatters event, All Abilities Ball and commended the Albany Children's Theatre Performance of the Little Mermaid. Deputy Mayor Terry paid tribute to the late Mr Barrie Bickford who passed away recently.

Deputy Mayor Terry also commended Greenskills contribution to the Containers for Change initiative.

6.32pm Councillor Lionetti

Summary of key points:

Councillor Lionetti welcomed newly elected Councillors.

6.33pm Mayor Stocks

Summary of key points:

Mayor Stocks said that the recent local government election is an important democratic process which saw 23 candidates nominate to represent the community of Albany. Mayor Stocks thanked outgoing Councillors for their significant contribution as elected members and wished them well in their future endeavours.

Mayor Stocks welcomed Councillors Sutton, Stephens, Clarke and Brough who have demonstrated capability and commitment to their community.

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Council Meeting held on Tuesday, 30 September, the following questions from Sarah Taylor were taken on notice.

(1) Has there be a reduction in transfer from road reserve?

Yes, there will be a \$1,050,000 reduction in the amount required to be transferred to reserve.

(2) How is this underestimation of revenue and carried forward surplus justified under section 6.2 of the Local Government Act?

The Budget has been prepared and adopted in full compliance with Section 6.2 of the Local Government Act 1995. The budget has been prepared, taking into account not just the immediate financial year but also the plan for the future, as is required by Section 6.2, this is why over the past ten years the City has been recognised for its good financial management and improved financial health, allowing the City to plan for a growing population, continue to provide, upkeep and replace critical infrastructure.

(3) What plans have you put in place to deal with the UV minimum issue for next year? And, if you are planning on receiving ministerial approval, why could that not have been done in the 25/26 budget year and saved farmers an increase in rates of three times more than town rates and 29 times more than UV minimum rates?

Firstly, it is important to understand that according to Section 6.32 of the Local Government Act, rates are imposed to make up a budget deficiency. It is not the intention for rates levied to be directly related to the services provided in each area of a local government. Then legislation that governs Local Government attempts to prevent this, such as Section 7 of the Local Government (Financial Management) Regulations 1996, which states that the local government is to have regard to the needs of the district as a whole. There are options available to local governments to directly charge for the provision of services, but it is not the legislation's intent for rates to be one of these options.

For the 2025/26 Financial Year, there were no issues from an administrative perspective with UV minimum rates. All rating was implemented in line with the Council Decision and in accordance with all relevant legislation. The increase in rates for an individual property will never be equal to the overall increase in rates, particularly so in a year in which property values are revalued by Landgate, which is every year for UV properties.

As per Section 6.35 of the Local Government Act, Minimum Rates are allowed to be imposed by a Local Government when they want to charge an amount greater than the general rate that would otherwise be chargeable. For the 2025/26 Financial Year Budget, those on the minimum rate continued to pay a higher percentage than they otherwise would if they were levied the same as general ratepayers.

Each year, the budget is discussed with Council each year prior to its adoption. This includes the setting of rates. In 2025, a Rating Strategy Review has been undertaken as part of the City's ongoing review of operations. The results of this review will be discussed as part of the Council Budget Workshops that will be undertaken to develop the 2026/27 Financial Year Budget.

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.

6.37pm Don Philips

Summary of key points:

Mr Phillips congratulated Councillors on their successful election and addressed Council regarding the use of City Reserves.

6.41pm Juliet Bateman

Summary of key points:

Ms Bateman addressed Council on behalf of the Friends of Yakamia Forest.

6.43pm Melanie Michael

Summary of key points:

Ms Michael addressed Council regarding the proposed Water Corporation desalination proposal for Nanarup Beach.

6.48pm Mr Scott Leary MLA

Summary of key points:

Mr Leary congratulated successful candidates in the 2025 LG election, and that 23 candidates contesting four vacancies was an outstanding effort. Mr Leary said that the future of the City of Albany for 2026 and beyond was looking bright.

There being no further speakers the Mayor declared Public Question Time closed at **6.49pm**.

8. APPLICATIONS FOR LEAVE OF ABSENCE Nil

9. PETITIONS AND DEPUTATIONS Nil

10. CONFIRMATION OF MINUTES

RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BROUGH

SECONDED: DEPUTY MAYOR TERRY

THAT the minutes of the Ordinary Council Meeting held on Tuesday, 30 September 2025, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 8-0

11. PRESENTATIONS Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

CCS747: MONTHLY FINANCIAL REPORT – AUGUST 2025

Proponent / Owner : City of Albany
Attachments : Monthly Financial Report – August 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 August 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 August 2025 is preliminary and has not yet been audited.

RECOMMENDATION

CCS747: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

Moved: Councillor Sutton
Seconded: Councillor Clarke

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

CARRIED 8-0

CCS747: COMMITTEE RECOMMENDATION

Moved: Councillor Sutton
Seconded: Councillor Traill

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 8-0

CCS747: AUTHORISING OFFICER RECOMMENDATION

THAT the Monthly Financial Report for the period ending 31 August 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 August 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

CCS748: LIST OF ACCOUNTS FOR PAYMENT – AUGUST 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

CCS748: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR BROUGH

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 31 August 2025 totalling \$12,557,274.98 be RECEIVED.

CARRIED 8-0

CCS748: COMMITTEE RECOMMENDATION

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR MCKINLEY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 8-0

CCS748: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 31 August 2025 totalling \$12,557,274.98 be RECEIVED.

DISCUSSION

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

Fund	Transaction Type	Amount (\$)	%
Municipal	Electronic Funds Transfer	\$10,264,576.47	81.8%
Municipal	Payroll	\$2,252,794.82	17.9%
Municipal	Credit Cards	\$39,903.69	0.3%
Municipal	Cheques	\$0.00	0.0%
Trust	N/A	\$0.00	0.0%
TOTAL		\$12,557,274.98	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: \$4,232.92.
4. The table below summaries the total outstanding creditors as at 31 August 2025.

Aged Creditors	Amount (\$)
Current	\$1,086,510.46
30 Days	\$556,086.69
60 Days	\$1,200
90 Days	\$0.00
TOTAL	\$1,643,797.15

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 August 2025 has been incurred in accordance with the 2025/2026 budget parameters.

FINANCIAL IMPLICATIONS

10. Expenditure for the period to 31 August 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

CCS749: DELEGATED AUTHORITY REPORTS – 16 AUGUST 2025 TO 15 SEPTEMBER 2025

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

CCS749: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STEPHENS
SECONDED: COUNCILLOR CLARKE

THAT the Delegated Authority Reports 16 August 2025 to 15 September 2025 be RECEIVED.

CARRIED 8-0

CCS749: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BAESJOU
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 8-0

CCS749: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 August 2025 to 15 September 2025 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)

CCS751: COMMITTEE NOMINATIONS AND APPOINTMENT

Attachments	: Council Policy: 1.29 Governance & Meetings of Council Framework
Report Prepared By	: Manager Governance & Risk 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.
 - **Outcomes:** Provide strong, accountable leadership.

In Brief:

- Committee membership ceases at the time of the local government election held on 18 October 2025.
- Nominations and appointments to the listed Committees are to be made at this meeting.
- Appointments to the Audit, Risk & Improvement Committee (ARIC) will be considered at the November Ordinary Council Meeting, providing newly elected members additional time to consider applications for appointment of independent members.

RECOMMENDATION

CCS751: RESOLUTION VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CLARKE

THAT Council:

- (1) **NOTE** that all Elected Members are members of the Development and Infrastructure Services (DIS) Committee and the Community and Corporate Services (CCS) Committee, and that membership of the CEO Performance Review Committee is prescribed by Council Policy.
- (2) **RESOLVE** to appoint the Presiding Member and Deputy Presiding Member for each of these committees.
- (3) **APPOINT** the nominated elected members to the following Committees:

COMMITTEES OF COUNCIL

Community and Corporate Services Committee

Mayor Stocks	Councillor Sutton
Councillor Terry	Councillor Stephens
Councillor MacLaren	Councillor Clarke
Councillor McKinley	Councillor Brough
Councillor Lionetti	

Presiding Member	Councillor Stephens
Deputy Presiding Member	Deputy Mayor Terry

Development and Infrastructure Services Committee

Mayor Stocks	Councillor Sutton
Councillor Terry	Councillor Stephens
Councillor MacLaren	Councillor Clarke
Councillor McKinley	Councillor Brough
Councillor Lionetti	

Presiding Member	Councillor Sutton
Deputy Presiding Member	Councillor Brough

Chief Executive Officer Performance Review Committee (Statutory Requirement)

1. Mayor Stocks	4.Councillor McKinley
2. Deputy Mayor Terry	
3.Councillor Stephens	

Presiding Member	Mayor Stocks
Deputy Presiding Member	Deputy Mayor Terry

Bush Fire Advisory Committee (BFAC)

1. Councillor Brough	4. Vacant
2. Councillor Sutton	
3. Deputy Mayor Terry	

Local Emergency Management Committee (LEMC) (Statutory Requirement)

1. Councillor Clarke
2. Councillor Stephens

EXTERNAL COMMITTEES

(with Council Appointed, Nominated Elected Members)

Development Assessment Panel (DAP)

1. Councillor Terry (Member 1)
2. Mayor Stocks (Member 2)
3. Councillor McKinley (Alternate Member 1)
4. Councillor MacLaren (Alternate Member 2)

Great Southern Regional Road Group

1. Councillor Clarke
2. Councillor Sutton

South Coast Alliance Inc.

1. Mayor Stocks
2. Deputy Mayor Terry
3. Councillor Stephens

Great Southern Recreation Advisory Group (GSRAG)

- | |
|------------------------|
| 1. Councillor McKinley |
| 2. Councillor Clarke |

Western Australian Regional Capitals Alliance Group

- | |
|-------------------------------|
| 1. Mayor Stocks |
| 2. Proxy – Deputy Mayor Terry |

WA Local Government Association (WALGA) Great Southern Zone

- | |
|--------------------------------|
| 1. Deputy Mayor Terry |
| 2. Councillor McKinley |
| 3. Councillor Brough (Reserve) |
| 4. Mayor Stocks (Reserve) |

WALGA Roadwise Advisory Committee

- | |
|----------------------|
| 1. Councillor Clarke |
| 2. Councillor Sutton |

INTERNAL & EXTERNAL WORKING GROUPS

(with Council Appointed, Nominated Elected Members)

Albany 2026 Reference Group

- | |
|------------------------|
| 1. Mayor Stocks |
| 2. Councillor Stephens |

Communications and Engagement Advisory Group

- | |
|------------------------|
| 1. Councillor MacLaren |
| 2. Councillor Stephens |

National Anzac Centre Advisory Group (NACAG)

- | |
|-------------------------------|
| 1. Mayor Stocks |
| 2. Deputy Mayor Terry (Proxy) |

Waste Management Working Group

- | |
|------------------------|
| 1. Councillor Clarke |
| 2. Deputy Mayor Terry |
| 3. Councillor Lionetti |
| 4. Mayor Stocks |

**CARRIED 8-0
ABSOLUTE MAJORITY**

BACKGROUND

2. Under Section 5.11(1)(d) of the *Local Government Act 1995*, a person's membership of a committee ends at the next ordinary local government election.
3. Reports for Council consideration are generally referred through a Council Committee, operating within a transparent and legally compliant meeting framework.
4. Committees have no delegated authority unless specified; they make recommendations for Council consideration at Ordinary Council Meetings.

DISCUSSION

5. At this meeting, Council is required to appoint members to the listed Committees in the Recommendation to Council.
6. These appointments are necessary to ensure the continued operation of Council's core standing committees.
7. Appointments to the Audit, Risk & Improvement Committee (ARIC) will be considered at the November Ordinary Council Meeting. This approach provides newly elected members with additional time to consider their interests and availability before nominating for membership on this committee. It also supports the Council in reviewing the applications for the independent Presiding Member and members of the Committee.
8. The Terms of Reference for each Council Committee will be endorsed by Council following the first meeting of each committee, in accordance with statutory requirements and Council policy.

Terms of Reference for Council Committee and External Committees:

9. The Terms of Reference and purpose of each committee are defined in the attached Governance and Meeting Framework (revised), subject to Council endorsement.
10. All elected members are appointed as members of the Community and Corporate Services (CCS) Committee and the Development and Infrastructure Services (DIS) Committee.
11. Council Committees will appoint a Chair and Deputy Chair at their first meeting.

COMMITTEES OF COUNCIL

Community and Corporate Services Committee

- Legislative basis: Local Government Act 1995 — Sections 5.8 to 5.11A (establishment and operation of committees).
- Type: Non-statutory (discretionary committee of council).
- Purpose: To support Council in oversight of corporate, community, governance, and financial matters.

Development and Infrastructure Services Committee

- Legislative basis: Local Government Act 1995 — Sections 5.8 to 5.11A.
- Type: Non-statutory.
- Purpose: Advisory and review committee for planning, infrastructure, environment, and asset management.

Chief Executive Officer Performance Review Committee

- Legislative basis: Local Government Act 1995, particularly:
 - Section 5.38 – Review of CEO's performance.
 - Section 5.39A – Model standards for CEO recruitment, performance and termination.
- Local Government (Administration) Regulations 1996 – Part 5, Division 2.
Type: Statutory requirement.
- Purpose: To undertake the CEO performance review in line with legislative obligations.

Bush Fire Advisory Committee (BFAC)

- Legislative basis: Bush Fires Act 1954, Section 67(1) – Local government must appoint a Bush Fire Advisory Committee.
- Type: Statutory requirement.
- Purpose: To advise the local government on bushfire prevention, preparedness, response and recovery.

Local Emergency Management Committee (LEMC)

- Legislative basis: Emergency Management Act 2005, Section 38(1) – Local government must establish a Local Emergency Management Committee.
- Type: Statutory requirement.
- Purpose: To ensure effective local emergency management arrangements, including prevention, preparedness, response and recovery.

EXTERNAL COMMITTEES / REPRESENTATIVE BODIES

Development Assessment Panel (DAP)

- Legislative basis: Planning and Development Act 2005, Part 11A.
- Planning and Development (Development Assessment Panels) Regulations 2011.
- Type: Statutory external committee (State Government).
- Purpose: Independent panel to determine certain development applications. Local government nominates members.

Great Southern Regional Road Group (GSRRG)

- Legislative basis: Local Government Act 1995 (general power to collaborate).
- Operates under the State Road Funds to Local Government Agreement between Main Roads WA and WALGA.
- Type: Non-statutory external body.
- Purpose: Regional coordination and prioritisation of road funding and projects.

South Coast Alliance Inc.

- Legislative basis: Incorporated under the Associations Incorporation Act 2015.
- Type: Non-statutory external organisation (regional collaboration).
- Purpose: The Alliance was formed to promote collaborative economic development in the region. Advocacy, Economic Development and Tourism and Resource Efficiency.

Great Southern Recreation Advisory Group (GSRAG)

- Legislative basis: None specific; established by regional agreement under Local Government Act 1995 general powers.
- Type: Non-statutory regional advisory group.
- Purpose: Coordination of regional recreation planning and funding priorities.

Western Australian Regional Capitals Alliance (WARCA)

- Legislative basis: Incorporated under the Associations Incorporation Act 2015.
- Type: Non-statutory external organisation.
- Purpose: Advocacy and collaboration among regional city local governments.

WALGA Great Southern Zone

- Legislative basis: Local Government Act 1995 (enabling general local government cooperation).
- Operates under the WALGA Constitution and Associations Incorporation Act 2015.
- Type: Non-statutory external body (local government association zone).
- Purpose: Coordination and advocacy of member councils within the Great Southern Zone.

WALGA RoadWise Advisory Committee

- Legislative basis: Road Safety Council Act 2002 (provides context for State Road Safety Strategy).
- Administered through WALGA and Main Roads WA partnership.
- Type: Non-statutory external advisory committee.
- Purpose: Supports local road safety initiatives and promotion of the “Towards Zero” strategy.

EXTERNAL INTERNAL & EXTERNAL WORKING GROUPS

(with Council Appointed / Nominated, Elected Members).

12. Membership to these groups is governed by the City’s internal policy framework and is designed to enhance governance, transparency, and community engagement.

Albany 2026 Reference Group

- Legislative basis: Operational Working Group under Council Policy 1.29.
- Purpose: To facilitate inter-organisation collaboration and guide the delivery of strategic projects and initiatives for Albany 2026.

Communications and Engagement Advisory Group

- Legislative basis: Operational Working Group under Council Policy 1.29.
- Purpose: The Communications & Engagement Advisory Group supports Council by monitoring and guiding the implementation of the Communications & Engagement Strategy in alignment with best practice public participation principles.

National Anzac Centre Advisory Group (NACAG)

- Legislative basis: Advisory Working Group under Council Policy 1.29.
- Purpose: The National Anzac Centre Advisory Group (NACAG) provides expert advice to ensure the Centre’s appeal, visitor experience, and financial sustainability as a premier heritage tourism destination.

Waste Management Working Group

- Legislative basis: Advisory Working Group under Council Policy 1.29.
- Purpose: Supports strategic decisions on waste infrastructure, including Hanrahan landfill decommissioning.

Airport Emergency Committee (Operational Committee)

- There is no specific requirement in the Civil Aviation Act 1988 or CASR for elected members on an Airport Emergency Committee. Membership should reflect operational needs and stakeholder engagement.
- It is recommended that elected members no longer be appointed to this committee.
- Therefore, an appointment has not been recommended.

GOVERNMENT & PUBLIC CONSULTATION

13. The *Local Government Act 1995* (the Act) and supporting legislation, and Local Government Operational Guidelines, are referenced.

STATUTORY IMPLICATIONS

Appointment of Committee Members

14. Council appoints committee members at the first Ordinary Council Meeting following the local government election, by **absolute majority**, in accordance with Section 5.10(1) of the Local Government Act 1995. Membership ceases at the next ordinary local government election (Section 5.11(1)(d)).

Appointment of Presiding Members

15. The presiding member (Chair) and deputy presiding member of each committee are determined by the Committee.
16. Post the first meeting of the Committee, Council, as required by Section 5.12 of the Local Government Act 1995 (**absolute majority** required), endorses the appointment.

Terms of Reference

17. Council endorses the Terms of Reference for each committee after the first committee meeting. Some Terms of Reference are prescribed by legislation (e.g., Audit, Risk and Improvement Committee under Section 7.1A; CEO Performance Review Committee under the Local Government (Administration) Regulations 1996), while others are determined by Council policy and the City's Governance and Meeting Framework.

Committee-Specific Nuances

18. Where a committee's Terms of Reference or membership is prescribed by legislation or regulation, this is noted in the relevant committee report (e.g., Audit, Risk & Improvement Committee, CEO Performance Review Committee).

POLICY IMPLICATIONS

19. The total number of elected members following the 2025 Ordinary Local Government election will be reduced to 9.
20. The Governance and Meeting Framework defines the structure, membership, and purpose of each committee.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Business Operation. <i>Members are not appointed to committees.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Elected Members are appointed to committees at a future Council meeting. Officer reports and recommendations to be considered by the whole of Council at Ordinary Council Meetings.</i>

FINANCIAL IMPLICATIONS

22. A budget line exists for the cost of administering committees, including representation on external committees.

LEGAL IMPLICATIONS

23. Council is being asked to:

- a. Appoint committee members by absolute majority, as required by Section 5.10(1) of the Local Government Act 1995 (the Act).
- b. The appointment (endorsement) of the Presiding Member and Deputy Presiding Member for each committee will be resolved by the Council at its first Ordinary Meeting, following the committee's appointment and recommendation to Council, as required under Section 5.12 of the Act.
- c. Endorse the Terms of Reference for each committee after the first committee meeting, in accordance with relevant legislation and Council policy.

ENVIRONMENTAL CONSIDERATIONS

24. There are no direct environmental considerations related to this report.

ALTERNATE OPTIONS

25. Elected members may reserve the right to nominate for committees at a later date, provided vacancies exist.
26. The number of members on a committee is determined by the Committee's Terms of Reference.

CONCLUSION

27. In accordance with the Local Government Act 1995 and the City of Albany Governance and Meeting Framework, it is necessary for Council to appoint elected members to the listed internal, external, and statutory committees following the 2025 local government election.
28. These appointments ensure the effective and compliant operation of Council committees, support good governance, and facilitate the continued oversight of key strategic, operational, and statutory functions.
29. Council's endorsement of committee memberships at this meeting will enable committees to commence their activities promptly, with Chairs, Deputy Chairs, and Terms of Reference to be confirmed at each committee's first meeting.

Consulted References	:	• <i>Local Government Act 1995 (as amended by the Local Government Amendment Act 2024)</i> • <i>Local Government (Administration) Regulations 1996</i> • <i>Bush Fires Act 1954</i> • <i>Emergency Management Act 2005</i> • <i>Planning and Development Act 2005</i> • <i>Planning and Development (Development Assessment Panels) Regulations 2011</i> • <i>Road Safety Council Act 2002</i> • <i>Associations Incorporation Act 2015</i> • <i>City of Albany Delegation Register</i> • <i>Council Policy: 1.10 CEO Performance Review Process Policy</i> • <i>Council Policy: 1.29 Governance & Meetings of Council Framework</i> • <i>Department of Local Government, Electoral Affairs and Communities – Operational Guidelines*</i>, formally known as the <i>Department of Local Government, Sport and Cultural Industries (DLGSC)</i> • <i>State Road Funds to Local Government Agreement (Main Roads WA and WALGA)</i> • <i>WALGA Constitution and Governance Framework</i>
File Numbers	:	Multiple
Previous Reference	:	OCM 31/10/2023 Resolution CCS573.

CCS752: TENDERS AWARDED REPORT – JULY TO SEPTEMBER 2025

Proponent	: City of Albany
Attachments	: Tenders Awarded Report – July to September 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.

RECOMMENDATION

CCS752: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR LIONETTI
SECONDED: COUNCILLOR BROUGH

THAT the Tenders Awarded Report – July to September 2025 be RECEIVED.

CARRIED 8-0

DIS450: PLANNING AND BUILDING REPORTS SEPTEMBER 2025

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

RECOMMENDATION

DIS450: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR LIONETTI
SECONDED: COUNCILLOR SUTTON

THAT the Planning and Building Reports for September 2025 be RECEIVED.

CARRIED 8-0

DIS451: BUDGET AMENDMENTS FOR C25019 AND C25020

Proponent / Owner	: City of Albany.
Business Entity Name	: City of Albany.
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover
Report Prepared By	: Civil Construction Site Supervisor
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

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:** Place.
 - **Outcome:** 3.4: A safe, sustainable and efficient transport network.
 - **Objective:** 3.4.1: Improve road safety, connectivity and traffic flow.

In Brief:

- This is an additional budget review outside the normal budget review process.
- Following a competitive tender process Council approval is sought to modify current budgets for the following capital works projects:
 - C25019 – Bayview Drive Reconstruction SLK 0.47 – 1.06; and
 - C25020 – Lancaster Road Reconstruction SLK 1.34-1.95
- The budget is required to be increased by \$20,000.00 to award to the successful tenderer for C25019. This means the current budget will be changed from \$625,000.00 (ex-GST) to \$645,000.00 (ex-GST).
- The budget is required to be increased by \$100,000.00 to award to the successful tenderer for C25020. This means the current budget will be changed from \$692,546.00 (ex-GST) to \$792,546.00 (ex-GST).
- The budget shortfall is proposed to be addressed by a combination of transferring surplus funds from Job No. 3697 and drawing additional funds from reserves.

RECOMMENDATION

DIS451: RESOLUTION 1
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR CLARKE

THAT Council amend the Budget as follows:

1. **REDUCE WO.13339: Roadworks, Drainage and Paths Reserve from \$2,211,606.00 to \$2,191,606.00.**
2. **INCREASE budget for Job No. 4281 Bayview Drive SLK 0.47-1.06 from \$625,000.00 (ex-GST) to \$645,000.00 (ex-GST).**

CARRIED 8-0
ABSOLUTE MAJORITY

DIS451: RESOLUTION 2
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR BROUGH

THAT Council amend the Budget as follows:

- 1. REDUCE budget for Job No. 3697 (Whidby Street Basin) from \$995,000.00 (ex GST) to \$895,000.00 (ex GST)**
- 2. INCREASE budget for Job No. 0377 Lancaster Road SLK 1.34-1.95 from \$692,546.00 (ex-GST) to \$792,546.00 (ex-GST).**

CARRIED 8-0
ABSOLUTE MAJORITY

BACKGROUND

2. Bayview Drive is a single-lane local distributor road located in Little Grove, within the City of Albany. It is one of the few access roads into Little Grove, carrying an average of 1,104 vehicles per day. Sections of the road have subsided over time, and reconstruction is required to minimise ongoing maintenance costs and ensure the road meets expected standards.
3. The proposed work involves:
 - a. Mulching of Vegetation for road widening.
 - b. Extension of stormwater culvert.
 - c. Reconstruction of existing road pavement.
 - d. Sealing and asphaltting.
 - e. Installation of kerbing and driveway crossovers.
4. Lancaster Road is a single lane local distributor road located in McKail, within the City of Albany. Lancaster Road provides access to residential and rural properties, Albany Harness Racing Club and completes a link from Albany Hwy to South Coast Hwy via Timewell Road. Timewell Road carries an average of 655 vehicles per day.
5. The proposed work involves:
 - a. New drainage infrastructure.
 - b. Road reconstruction and widening.
 - c. Asphalt and kerbing.
 - d. Reconstruct driveway crossovers.
6. The City of Albany team will complete the drainage works in-house prior to the award of the Lancaster Road tender; therefore, these works were not included as part of the tender scope.
7. Design and specification documentation was prepared by the City of Albany to the stage of 'Issued for Tender'.

DISCUSSION

8. Four (4) complying tenders were received for C25019.
9. Five (5) complying tenders were received for C25020.
10. The tender for Lancaster Road was open from Wednesday 6 August 2025 to Wednesday 3 September 2025.
11. The tender for Bayview Drive was open from Wednesday 20 August 2025 to Wednesday 17 September 2025.
12. The successful tenderer for both projects claimed the Buy Local Policy reduction.
13. All tenders were over the allocated budget, including the successful tenders.
14. Additional funds are required on both projects for the contracts to be awarded and commence construction.
15. If the budget amendment is approved, the contract will be awarded under delegation by the CEO.

GOVERNMENT & PUBLIC CONSULTATION

16. A request for tenders for Lancaster Road was published in The West Australian on Wednesday, 6 August 2025 and The Albany Extra on Friday, 8 August 2025.
17. A request for tenders for Bayview Drive was published in The West Australian on Wednesday, 20 August 2025 and The Albany Extra on Friday, 22 August 2025.

STATUTORY IMPLICATIONS

18. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$250,000.
19. Voting Requirement: **Absolute Majority.**

POLICY IMPLICATIONS

20. Council's Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Service delivery Interruption <i>Lack of maintenance causes road failure and disrupts traffic flows.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Identify maintenance intervention level of road and act accordingly.</i>
Legal and compliance <i>Excessive damage to vehicles from poorly maintained roads could result in legal claims against the City</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Continue annual maintenance and capital works on road infrastructure. Identify maintenance intervention level of road and act accordingly</i>

FINANCIAL IMPLICATIONS

22. The current budget allocated is insufficient to award and commence construction, therefore additional budget is required.
23. Funding for this project has been received from Main Roads WA, Road Project Grants.
24. More detailed information regarding the financial implications and tender results is contained in the Confidential Briefing Note.

LEGAL IMPLICATIONS

25. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

26. Vegetation clearing is restricted to pruning within road reserve and is exempt from required approvals

ALTERNATE OPTIONS

27. The options are:
- a. Council may choose to accept the recommended budget amendment; or
 - b. Council may reject the recommendation, thereby preventing the award of these tenders.

CONCLUSION

28. It is recommended that the Authorising Officer's Recommendation to adopt the budget amendment be supported, enabling the completion of these works as part of the 2025/26 Capital Works Program.

Consulted References	• Local Government (Functions and General) Regulations 1996 • Council Policy – Purchasing • Council Policy – Buy Local (Regional Price Preference)
File Number	C25019 – Bayview Drive C25020 – Lancaster Road
Previous Reference	N/A

DIS452: C25018 - ADMIRAL STREET RECONSTRUCTION SLK 0.00-0.49

Proponent / Owner	: City of Albany.
Business Entity Name	: City of Albany.
Attachments	: Commercial in Confidence - Confidential Briefing Note under separate cover
Report Prepared By	: Civil Construction Site Supervisor
Authorising Officer:	: Executive Director Infrastructure, Development & Environment

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:** Place.
 - **Outcome:** 3.4: A safe, sustainable and efficient transport network.
 - **Objectives:** 3.4.1: Improve road safety, connectivity and traffic flow.
3.4.3: Encourage more people to use active transport (walking and cycling).

In Brief:

- Following a competitive tender process, and approval of additional funds, Council approval is sought to award Tender C25018 Admiral Street Reconstruction.
- Three (3) complying tenders were received, with Tenderer A being the recommended contractor.
- The budget is required to be increased by \$310,000 to award to the successful tenderer. This means the current budget will be changed from \$819,138.11 (ex-GST) to \$1,129,138.11 (ex-GST).

RECOMMENDATION

DIS452: RESOLUTION 1
VOTING REQUIREMENT: ABSOLUTE MAJORITY

Moved: Deputy Mayor Terry
Seconded: Councillor Brough

THAT Council amend the Budget as follows:

1. **REDUCE** budget for Job No. 3697 (Whidby Street Basin) from \$895,000.00 (ex GST) to \$585,000.00 (ex GST).
2. **INCREASE** budget for Job No. 2828 Admiral Street Reconstruction from \$819,138.11 (ex-GST) to \$1,129,138.11 (ex-GST).

CARRIED 8-0
ABSOLUTE MAJORITY

Councillor Terry proposed an alternate motion to the Authorising Officer Recommendation 2.

**DIS452: RESOLUTION (ALTERNATE MOTION BY DEPUTY MAYOR TERRY)
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: DEPUTY MAYOR TERRY
SECONDED: COUNCILLOR SUTTON**

THAT Council AWARD Contract C25018-Admiral Street Reconstruction to Phoenix Civil and Earthmoving, as identified in the Confidential Briefing Note attached to this report including the reasons for the tender award detailed in the addendum to the Confidential Briefing Note.

CARRIED 8-0

Councillor Reason:

This motion is intended to promote equitable distribution of work across capable suppliers and avoid the concentration of multiple contracts with a single tenderer.

Phoenix Civil and Earthmoving submitted a lower-priced offer, with overall evaluation scores being extremely close.

Phoenix Civil and Earthmoving has a proven record of successfully completing similar works for the City, providing confidence in its capability to deliver the required outcomes.

Phoenix Civil and Earthmoving is a locally established business rather than an international company operating through a local office, thereby contributing to the support and development of the local economy.

**DIS452: AUTHORISING OFFICER RECOMMENDATION 2
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council AWARD Contract C25018 – ADMIRAL STREET RECONSTRUCTION to the tenderer recommended by the evaluation panel, as detailed in the Confidential Briefing Note attached to this report.

BACKGROUND

2. Admiral Street is a single lane minor road that services Lockyer Primary School and serves as the main pickup/drop off for school buses. The road carries an average of 668 vehicles per day of every weekday traffic with peak times during school drop off/pickup.
3. The proposed work involves:
 - a. The reconstruction of Admiral Street SLK 0.00 to 0.49. From South Coast Hwy through to 30 metres south of Banks Street.
 - b. The work will involve replacement of existing, and installation of new stormwater drainage pits, covers and grates.
 - c. Reconstruction of the existing road pavement, sealing and asphaltting.
 - d. Installation of kerbing, pram ramps, driveway aprons and crossovers, and the removal and installation of concrete paths.
 - e. Installation of road markings and signage.
4. Design and specification documentation was prepared by the City of Albany to the stage of 'Issued for Tender'.
5. Subject to award, construction is expected to commence in December 2025 with completion in late March 2025.

6. To reduce the impact to bus services and Lockyer Primary School, this project will require works to be completed in 2 stages.
 - a. Stage 1 (Road closure between Sinclair Street and Leschenault Street) - Works can proceed without any school-related restrictions.
 - b. Stage 2 - Works can commence under traffic controls with restrictions during school times between 9am and 2pm. School-related restrictions will not apply during 19th December 2025 to 1st February 2026 school holidays.
7. Works outside these dates can occur but will need to be planned to ensure the school and associated services can function as normal.
8. The tender was open from the 11th to the 26th of August 2025.

DISCUSSION

9. A total of fifty-two (52) tender documents were issued by City of Albany.
10. Four (4) complete tender documents were submitted on or before the stipulated closing date and time.
11. Three (3) tenders were deemed conforming.
12. One (1) tender was deemed non-conforming due to the contractor not attending a mandatory site meeting.
13. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Qualitative Criteria	Weighting (%)
Cost	30%
Relevant Experience	25%
Demonstrated Understanding	20%
Tenderer's Resources	20%
Corporate Social Responsibility	5%
Total	100%

14. The following table summarises the tenderers and their weighted scores:

Tenderer	Buy Local	Weighted Score	Rank
Tenderer A	Yes	637.26	1
Tenderer B	Yes	628.38	2
Tenderer D	No	522.69	3

15. The successful tenderer claimed the Buy Local Policy reduction.
16. Tenderer A ranked highest with the highest score of 637.26.
17. Based on the evaluation scoring, Tenderer A is the preferred tenderer. It is therefore recommended that, subject to the approval of the budget amendment, their tender be accepted and the contract awarded.

GOVERNMENT & PUBLIC CONSULTATION

18. A request for tenders was published in The West Australian on Monday, 11 August 2025 and The Albany Extra on Friday, 15 August 2025.

STATUTORY IMPLICATIONS

19. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$250,000.
20. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
21. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.
22. Voting Requirement:
- Recommendation 1: **Absolute Majority.**
 - Recommendation 2: **Simple Majority.**

POLICY IMPLICATIONS

23. Council's Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.
24. The value of this tender is more than \$1,000,000 and therefore Council approval is required as this exceeds the CEO's delegation.

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
People Health and Safety A vehicle accident occurs due to poor geometry and narrow road width.	Possible	Major	High	Continue upgrading road as funding is available.
Service delivery Interruption Lack of maintenance causes road failure and disrupts traffic flows.	Unlikely	Moderate	Medium	Identify maintenance intervention level of road and act accordingly.
Legal and compliance Excessive damage to vehicles from poorly maintained roads could result in legal claims against the City	Unlikely	Moderate	Medium	Continue annual maintenance and capital works on road infrastructure. Identify maintenance intervention level of road and act accordingly
Community Lack of consultation will cause frustrations and delays.	Possible	Minor	Medium	Complete and instigate community engagement plan
Finance Non-compliance with contract or business failure	Unlikely	Moderate	Medium	Standard general conditions of contract protect the City by allowing for contract termination on the basis of failure to supply goods and services.

FINANCIAL IMPLICATIONS

26. The value of this tender is more than \$1,000,000 and therefore approval is referred to Council for consideration.
27. Funding for this project has been received from Department of Infrastructure Transport, Regional Development, Communications and Arts.
28. An additional budget allocation of \$310,000, proposed to be drawn from Job No. 3697 – Whidby Street Basin, which has surplus funds available, is required to enable the award and completion of this project.
29. Significant savings have been realised on Job No. 3697 (Whidby St Basin), which is primarily an earthworks project requiring minimal traffic management. These savings are largely due to the lower rates offered by local contractors who bid on the project
30. More detailed information regarding the financial implications is contained in the Confidential Briefing Note.

LEGAL IMPLICATIONS

31. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

32. There are no permits or approvals required for this project.

ALTERNATE OPTIONS

33. The options are that Council may:
 - a. Accept the budget review and recommended tender; or
 - b. Accept the budget review, and award to a different tenderer; or
 - c. Not approve the budget review or tender.

CONCLUSION

34. The City has undergone a competitive process in line with the relevant legislation and established policies.
35. It is recommended, based on the evaluation scoring, clarification and financial check processes that the proposed budget amendment be approved and the tender be awarded to Tenderer A.

Consulted References	• Local Government (Functions and General) Regulations 1996 • Council Policy – Purchasing • Council Policy – Buy Local (Regional Price Preference)
File Number	C25018
Previous Reference	N/A

DIS453: C25023 – HENRY STREET PATHWAY CONSTRUCTION

Proponent / Owner : City of Albany.
Business Entity Name : City of Albany.
Attachments : **Commercial in Confidence - Confidential Briefing Note**
Report Prepared By : Civil Engineering Officer
Authorising Officer: : Executive Director Infrastructure, Development & Environment

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:** Place.
 - **Outcome:** 10. A safe, sustainable and efficient transport network
 - **Objectives:** 3.4.1: Improve road safety, connectivity and traffic flow.
3.4.3: Encourage more people to use active transport (walking and cycling).

In Brief:

- Following a competitive tender process, and approval of additional funds, Council approval is sought to award Tender C25023 Henry Street Pathway Construction.
- Three (3) complying tenders were received, with Fulton Hogan Industries being the recommended contractor.
- The budget is required to be increased by \$72,900 to award to Fulton Hogan Industries. This means the current budget will be increased from \$1,458,000.00 to \$1,530,900.

RECOMMENDATION

DIS453: RESOLUTION 1
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR STEPHENS
SECONDED: COUNCILLOR LIONETTI

THAT Council amend the Budget as follows:

1. **REDUCE WO.13339: Roadworks, Drainage and Paths Reserve from \$2,191,606.00 to \$2,118,706.00.**
2. **INCREASE budget for Job Number C25023 (Henry Street Pathway Construction) from \$1,458,000 to \$1,530,900.**

CARRIED 8-0
ABSOLUTE MAJORITY

DIS453: RESOLUTION 2
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CLARKE
SECONDED: COUNCILLOR LIONETTI

THAT Council AWARD Contract C25023 – Henry Street Pathway Construction to Fulton Hogan Industries as recommended by the evaluation panel, and detailed in the Confidential Briefing Note attached to this report.

CARRIED 8-0

BACKGROUND

2. The construction of the Henry Street Pathway will enhance connectivity between the existing shared paths along Rufus and Adelaide Streets and the proposed path on Chester Pass Road.
3. The new pathway will ultimately link into the existing path near Harvey Norman on Chester Pass Road, forming a key connection between Albany Highway and Chester Pass Road. This upgrade will significantly improve safety and accessibility for both pedestrians and cyclists.
4. The proposed works include construction of a 2.5-metre-wide concrete path connecting the existing path on Adelaide Street to the intersection of Henry Street and Chester Pass Road, closure of the existing open drain along Henry Street, and installation of a new stormwater network along Henry Street, aligned with the updated drainage design.
5. This pathway will serve as a vital link between the Milpara and Walmsley areas, improving local mobility and encouraging active transport options.

DISCUSSION

6. This project was advertised in early September 2025 and closed on 1 October 2025. A total of three submissions were received.
7. A total of forty-seven (47) tender documents were issued by City of Albany during the current tender period.
8. Three (3) complying tender documents were submitted on or before the stipulated closing date and time.
9. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Qualitative Criteria	Weighting (%)
Relevant Experience	20%
Tenderers Resources	20%
Demonstrated Understanding	25%
Environmental, Social and Governance	5%
Cost	30%
Total	100%

10. The following table summarises the tenderers and their weighted scores:

Tenderer	Buy Local	Weighted Score	Rank
Tenderer A	Yes	638.08	1
Tenderer B	Yes	630.24	2
Tenderer C	Yes	531.68	3

11. All tenderers claimed and were eligible for the Buy Local Policy reduction.
12. Based on the evaluation scoring, Fulton Hogan Industries is the preferred tenderer. It is therefore recommended that, subject to the approval of the budget amendment, their tender be accepted and the contract awarded.

GOVERNMENT & PUBLIC CONSULTATION

13. A request for tenders was published in The West Australian on Wednesday 3rd September 2025 and The Albany Extra on Tuesday 2nd September 2025.

STATUTORY IMPLICATIONS

14. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than \$250,000.
15. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
16. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.
17. Voting Requirement:
- Recommendation 1: **Absolute Majority.**
 - Recommendation 2: **Simple Majority.**

POLICY IMPLICATIONS

18. Council's Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Environment <i>Risk: Increased vehicle traffic causing pollution.</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>If proposed path link is accepted this will encourage more users to walk or cycle to these facilities.</i>
People Health and Safety <i>Risk: Pedestrians accessing link from Henry Street to Chester Pass Road are required to use the verge or road risking being struck by vehicles, also there is an existing open drain for the whole section of Henry Street.</i>	<i>Possible</i>	<i>Severe</i>	<i>High</i>	<i>A clear, delineated path would increase the level of safety for pedestrians.</i>
Opportunity: <i>To link Rufus/Adelaide Street to Chester Pass Road via Henry Street creating a vital link between Albany Highway and Chester Pass Road Shopping Centre.</i>				

FINANCIAL IMPLICATIONS

20. Current funding for this project has been received from the Department of Transport's Western Australian Bicycle Network (WABN) program, and City of Albany municipal funds as allocated in the 2025-2026 budget.
21. The current budget allocated is insufficient to award and commence construction.
22. More detailed information regarding the financial implications is contained in the Confidential Briefing Note.

LEGAL IMPLICATIONS

23. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

24. Vegetation clearing as part of this contract is considered to be minimal, of low impact and is exempt from any required referrals or approvals.

ALTERNATE OPTIONS

25. The options are that Council may:
- Accept the budget review and recommended tender; or
 - Accept the budget review, and award to a different tenderer; or
 - Not approve the budget review or tender.

CONCLUSION

26. The City has undergone a competitive process in line with the relevant legislation and established policies.
27. It is recommended, based on the evaluation scoring, clarification and financial check processes that the proposed budget amendment be approved and the tender be awarded to Fulton Hogan Industries.

Consulted References	- Local Government (Functions and General) Regulations 1996 - Council Policy – Purchasing - Council Policy – Buy Local (Regional Price Preference)
File Number	RD.DEC.258
Previous Reference	N/A

DIS454: P25012 – SUPPLY AND APPLICATION OF BITUMEN

Proponent / Owner	: City of Albany
Attachments	: Confidential Attachment Under Separate Cover
Report Prepared By	: Manager Operations
Authorising Officer:	: Executive Director Infrastructure Development and Environment

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:** Place
 - **Outcome:** Responsible growth, development and urban renewal

In Brief:

- Following a competitive e-quote process, Council approval is sought to award the e-Quote for Contract P25012 – Supply and Application of Bitumen.
- The contract supports the annual capital works program for sealing gravel roads and the annual reseal program, which must be completed by 30 April 2026.

RECOMMENDATION

DIS454: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CLARKE
SECONDED: COUNCILLOR LIONETTI

THAT Council AWARD Contract P25012 – Supply and Application of Bitumen to Fulton Hogan Industries as recommended by the evaluation panel and detailed in the Confidential Briefing Note attached to this report.

CARRIED 8-0

BACKGROUND

2. In Western Australia, spray sealing is one of the most common and cost-effective methods of constructing and maintaining road surfaces, particularly on rural roads. It provides a durable, weather-resistant surface that protects the underlying pavement from water damage and traffic wear.
3. Bitumen spray sealing involves spraying a layer (or multiple layers) of hot bitumen binder onto a prepared road surface, followed by the application of a layer of crushed rock aggregate.
4. Resealing applies a new seal over an existing bitumen road, while primer seals are the initial seal applied to newly constructed gravel surfaces.
5. Spray sealing is cheaper than asphalt. Asphalt is a 30–40 mm thick layer of bitumen and aggregates, laid hot and compacted for a smooth, durable surface, typically used in urban or high-traffic areas.
6. The City seeks to establish a new panel annually to provide the reseal/primer seal program. Previously, we have offered a panel arrangement that involves appointing up to three (3) contractors to the panel for the works.

7. E-quotes were called for P25012 – Supply and Application of Bitumen through the WALGA Preferred Supplier arrangement from nine (9) potential suppliers.
8. The Schedule of Works for the Reseal/Primer Seal 2025/2026 program is set out below: -

2025/2026 SCHEDULE OF WORKS - RESEALS

Job No.	Works Item (Section Nos)	From (SLK) ¹	To (SLK) ¹	Road Width (m)	Area Estimates (m ²)	Stockpile Location	Comments
4277	Anson Rd	0.74	1.07	10.0m	3,300	Depot	10mm
4283	Boycartup St	0.00	0.25	6.0m	1,500	Manypeaks	10mm
4201	Chillinup Rd	6.85	15.52	7.0m	61,000	South Stirlings Rd	10mm
4284	Forsyth Glade	0.00	0.41	6.2m	2,600	Railway Rd	10mm
3021	Gladville Rd	1.08	1.45	6.4m	2,400	Depot	10mm
3936	Green St	0.00	0.15	6.0m	900	Manypeaks	10mm
4287	Harding Rd	0.00	0.54	6.0m	3,250	Roundhay Rd	10mm
4282	Hortin Rd	1.59	2.25	7.2m	4,800	Railway Rd	10mm
4272	Hortin Rd	3.00	3.50	7.2m	3,100	Railway Rd	10mm
2446	Hunwick Rd	12.69	13.16	7.6m	3,800	Redmond Hall	10mm
3021	Imperial Rd	0.00	0.23	6.4m	1,500	Depot	10mm
4273	Migo Pl	0.00	0.50	6.0m	3,000	Railway Rd	10mm
4291	Perkins Beach Rd	0.00	1.77	6.6m	11,700	Railway Rd	10mm
1362	Queen St	0.41	0.53	6.2m	800	Roundhay Rd	10mm
4288	Redmond West Rd	6.00	8.79	6.6m	18,500	Redmond Hall	10mm
4303	Robinson Rd	0.00	1.50	Various	9,000	Roundhay Rd	10mm
4304	Swan Point Rd	0.00	1.20	6.4m	7,700	Depot	10mm
4323	Symers St	0.00	1.10	6.0m	6,600	Roundhay Rd	10mm
3934	Taylor St	0.00	0.25	6.0m	1,500	Manypeaks	10mm

2025/2026 SCHEDULE OF WORKS – PRIMER SEALS

Job No.	Works Item (Section Nos)	From (SLK) ¹	To (SLK) ¹	Road Width (m)	Area Estimates (m ²)	Stockpile Location	Comments
4258	Chillinup Rd	4.80	6.80	Various	6,000	Chillinup Rd	14mm
4201	Chillinup Rd	10.95	15.52	Shoulders 1.0m	9,000	Chillinup Rd	14mm
4276	Chillinup Rd	41.30	44.50	7.5m	23,750	Chillinup Rd	14mm
4276	Chillinup Rd	45.80	46.60	7.5m	6,750	Chillinup Rd	14mm
3033	Curtiss Rd/Bond Rd	0.55	0.70	Various	2,100	Depot	14mm
4247	Kempton Close	0.00	0.45	6.2m	3,000	Depot	14mm
8389	Siding Rd	0.00	1.82	6.6m	12,000	Redmond Hall	14mm
8389	Siding Rd	1.95	2.40	6.6m	3,000	Redmond Hall	14mm

DISCUSSION

9. Nine (9) preferred WALGA Suppliers were notified of the e-Quote; eight (8) didn't respond, and one (1) submitted a price.

Evaluation of e-Quote

10. The e-Quote panel evaluated submissions using the weighted criteria methodology across six (6) areas, shown in Table 1.

Table 1 – Evaluation Criteria

Criteria	% Weighting
Cost	40%
Environmental, Social, and Governance ("ESG")*	5%
Demonstrated Ability to Meet Timeframe	15%
Demonstrated Experience	20%
Demonstrated Safety Plan	5%
Demonstrated Understanding	15%
Total	100%

11. The following Table 2 summarises the e-Quote and the overall evaluation score applicable.

Table 2 – Summary of e-Quote Submissions

Supplier	Weighted Score
Supplier A	670

12. From the evaluation scoring, clarification, and financial check process, Supplier A is the only option. It is recommended that their e-Quote be accepted and the contract awarded.

GOVERNMENT & PUBLIC CONSULTATION

13. During the budget process for this financial year, the Council approved the annual reseal program, and the budget was allocated accordingly.

STATUTORY IMPLICATIONS

14. Voting Requirement: **Simple Majority**

POLICY IMPLICATIONS

15. The City of Albany Purchasing Policy (Tenders and Quotes) and Buy Local Policy (Regional Price Preference) apply to this item.
16. The value of this e-Quote is in excess of \$1,000,000.00, and therefore, Council approval is required to award the works to the supplier, as this exceeds the CEO's delegation.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Organisation's Operations. If the council does not award this Contract, delays in achieving the capital works program may result.	Unlikely	Major	High	This Contract is awarded so that the Scheduled Works can be completed.
Financial. Not awarding this contract and forcing carry-overs to the next financial year.	Unlikely	Major	High	This Contract is awarded to the recommended Contractor, giving the City flexibility to deliver the capital works program.
Legal & Compliance. Non-compliance with the Contract or business failure.	Unlikely	Moderate	Medium	General conditions of contract allow for contract termination based on failure to supply goods and services.
Reputation. The community's expectation of completion of the capital works program.	Possible	Insignificant	Low	The community are advised of any work delays.
Opportunity: To deliver the budgeted scheduled capital works resal program.				

FINANCIAL IMPLICATIONS

18. The value of this eQuote is in excess of \$1,000,000.00, and therefore, the approval is referred to Council for consideration. However, the Scheduled Works program has already been adopted by Council through the budget process. This item requests that a supplier be awarded to proceed with the schedule.

LEGAL IMPLICATIONS

19. There are no legal implications related to report.

ENVIRONMENTAL CONSIDERATIONS

20. There are no direct environmental considerations related to this item, as all related works are occurring on existing City roads.

ALTERNATE OPTIONS

21. Council can accept or reject the e-Quote.

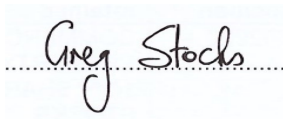
CONCLUSION

22. The City has undergone a competitive process in line with the relevant legislation and established policies.

Consulted References	:	- Local Government Act 1995 - Local Government (Functions and General) Regulations 1996 - Council Policy: Purchasing Policy (Tenders and Quotes) - Tender Procedure - Evaluation Procedure (Tenders and Quotes) - Council Policy: Buy Local Policy (Regional Price Preferences)
File Number	:	P25012

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

There being no further business the Mayor declared the meeting closed at **7.27PM**.

A handwritten signature in black ink, reading "Greg Stocks", is written over a light blue rectangular background. The signature is written in a cursive style. Below the signature, there is a horizontal dotted line.

Gregory B Stocks
MAYOR