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# AGENDA

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Ordinary Meeting of Council

Tuesday 25 May 2021

6.00pm  
Town Hall  
York Street  
ALBANY

CITY OF ALBANY  
COMMUNITY STRATEGIC PLAN (ALBANY 2023)



NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday 25 May 2021 in the **Town Hall, York Street, Albany** commencing at 6.00pm.

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Andrew Sharpe  
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING  
AGENDA – 25/05/2021

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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

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

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

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor

D Wellington

**Councillors:**

Breaksea Ward

P Terry

Breaksea Ward

R Hammond

Frederickstown Ward

G Stocks (Deputy Mayor)

Kalgan Ward

E Doughty

Kalgan Ward

M Benson-Lidholm JP

Vancouver Ward

J Shanhun

Vancouver Ward

T Sleeman

West Ward

A Goode JP

Yakamia Ward

R Sutton

Yakamia Ward

C Thomson

**Staff:**

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

D Olde

Executive Director Infrastructure, Development  
& Environment

P Camins

Executive Director Community Services

N Watson

Manager Planning and Building Services

J van der Mescht

Manager Governance & Risk

S Jamieson

Meeting Secretary

D Clark

**Apologies:**

West Ward

S Smith (Leave of Absence)

Frederickstown Ward

Vacant

ORDINARY COUNCIL MEETING  
AGENDA – 25/05/2021

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

7. PUBLIC QUESTION TIME

8. APPLICATIONS FOR LEAVE OF ABSENCE

9. PETITIONS AND DEPUTATIONS Nil

10. CONFIRMATION OF MINUTES

DRAFT MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the minutes of the Ordinary Council Meeting held on 27 April 2021, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil

## **CCS345: FINANCIAL ACTIVITY STATEMENT – MARCH 2021**

<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: Financial Activity Statement – March 2021
<b>Report Prepared by</b>	: Manager Finance (S Van Nierop)
<b>Responsible Officer</b>	: Executive Director Corporate & Commercial Services (D Olde)

### **COVID-19 IMPACT**

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

### **RECOMMENDATION**

#### **CCS345: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Financial Activity Statement for the period ending 31 March 2021 be RECEIVED.**

#### **CCS345: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR GOODE  
SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

#### **CCS345: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the Financial Activity Statement for the period ending 31 March 2021 be RECEIVED.

### **BACKGROUND**

1. The Statement of Financial Activity for the period ending 31 March 2021 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

### **DISCUSSION**

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$100,000 are reported to Council.
6. These financial statements are still subject to further year-end adjustments and have not been audited by the appointed auditor.

*"Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The 'errors' may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect."*

## STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- I. A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail:
    - a. annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
    - b. budget estimates to the end of the month to which the statement relates; and
    - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
    - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e. the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
    - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c. such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a. according to nature and type classification; or
    - b. by program; or
    - c. by business unit.
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
    - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - b. recorded in the minutes of the meeting at which it is presented.
  - V. Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances

## POLICY IMPLICATIONS

8. The City's 2020/21 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 March 2021 has been incurred in accordance with the 2020/21 proposed budget parameters.
11. Details of any budget variation in excess of \$100,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

File Number (Name of Ward)	FM.FIR.7 - All Wards
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**CCS346: LIST OF ACCOUNTS FOR PAYMENT – APRIL 2021**

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

**COVID-19 IMPACT**

- COVID-19 has no impact on this report.

**RECOMMENDATION**

**CCS346: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 April 2021 totalling \$6,737,064.28 be RECEIVED.**

**CCS346: COMMITTEE RECOMMENDATION**

MOVED: MAYOR WELLINGTON

SECONDED: COUNCILLOR BENSON-LIDHOLM

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

**CCS346: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 April 2021 totalling \$6,737,064.28 be RECEIVED.

**BACKGROUND**

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

**DISCUSSION**

2. The table below summarises the payments drawn from the municipal fund for the period ending 15 April 2021. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$0.00
Credit Cards	\$5,296.61
Payroll	\$1,574,202.90
Cheques	\$19,745.26
Electronic Funds Transfer	\$5,137,819.51
<b>TOTAL</b>	<b><u>\$6,737,064.28</u></b>



3. As at 15 April 2021, the total outstanding creditors stands at \$359,298.65 and is made up as follows;

Current	\$143,284.62
30 Days	\$244,967.19
60 Days	-\$15,017.93
90 Days	-\$13,935.23
<b>TOTAL</b>	<b>\$359,298.65</b>
<b>Cancelled Cheques</b>	<b>Nil</b>

#### STATUTORY IMPLICATIONS

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

#### POLICY IMPLICATIONS

7. Expenditure for the period to 15 April 2021 has been incurred in accordance with the 2020/2021 budget parameters.

#### FINANCIAL IMPLICATIONS

8. Expenditure for the period to 15 April 2021 has been incurred in accordance with the 2020/2021 budget parameters.

#### CONCLUSION

9. That list of accounts have been authorised for payment under delegated authority.
10. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

<b>File Number (Name of Ward)</b>	<b>:</b>	FM.FIR.2 - All Wards
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**CCS347: DELEGATED AUTHORITY REPORTS – MARCH 2021 to APRIL 2021**

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

**BACKGROUND:**

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

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

**COVID-19 IMPACT**

- COVID-19 has no impact on this report.

**RECOMMENDATION**

**CCS347: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Delegated Authority Reports 16 March 2021 to 15 April 2021 be RECEIVED.**

**CCS347: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR SLEEMAN  
SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

**CCS347: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 March 2021 to 15 April 2021 be RECEIVED.**

## CCS348: RV FRIENDLY STATUS

<b>Attachments</b>	: <b>CONFIDENTIAL Briefing Note – RV Friendly Status presented to Elected Member Strategic Workshop</b>
<b>Report Prepared By</b>	: Executive Director Corporate & Commercial Services (D Olde)
<b>Responsible Officers:</b>	: Executive Director Corporate & Commercial Services (D Olde)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Community Strategic Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** Smart, Prosperous and Growing.
  - **Objective:**
    - To strengthen and grow our region's economic base.
    - To develop a smart city that supports economic growth.
    - To develop and promote Albany as a unique and sought-after visitor location.
  - **Community Priority:** Provider positive leadership that delivers community outcomes.

### COVID-19 IMPACT

- COVID-19 impact experienced during 2020, delayed the assessment and preparation of this report.
- COVID-19 has no financial impact on this report.

### In Brief:

- Report prepared for Council to consider request to seek RV (Recreational Vehicle) Friendly Status.

### RECOMMENDATION

#### CCS348: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

#### THAT:

- (1) The attached confidential briefing presented to the Council Strategic Workshop held on 8 April 2021 be NOTED.
- (2) The existing camping locations and RV Facilities provided by the City of Albany, throughout the municipality, be NOTED:
  - (a) Six (6) free or low-fee camping grounds;
  - (b) Thirty (30) free sites;
  - (c) Twenty (20) low-fee sites; and
  - (d) Four (4) dump points within the municipality.
- (3) The request to seek 'RV Friendly Status' be DECLINED.

#### CCS348: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS  
SECONDED: COUNCILLOR DOUGHTY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9-2

### Record of Vote

Against the Vote: Councillor Goode and Councillor Sutton

**PROCEDURAL MOTION BY COUNCILLOR GOODE**

**MOVED: COUNCILLOR GOODE**

**SECONDED: COUNCILLOR SUTTON**

**THAT** this report be DEFERRED for consideration at the Ordinary Council Meeting to be held 27 July 2021.

**LOST 3-8**

**Record of Vote**

For the Motion: Councillors Goode, Sutton and Hammond.

**CCS348: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT:**

- (1) The attached confidential briefing presented to the Council Strategic Workshop held on 8 April 2021 be NOTED.
- (2) The existing camping locations and RV Facilities provided by the City of Albany, throughout the municipality, be NOTED:
  - (a) Six (6) free or low-fee camping grounds;
  - (b) Thirty (30) free sites;
  - (c) Twenty (20) low-fee sites; and
  - (d) Four (4) dump points within the municipality.
- (3) The request to seek 'RV Friendly Status' be DECLINED.

**BACKGROUND**

2. In late February 2020, the Western Australian Association of Caravan Clubs Inc (WAACCI), now known as the Association of Caravan Clubs WA (ACCWA), approached the City of Albany with a request for the City to consider seeking an 'RV Friendly' status.
3. The association represents Caravan and Motor Home Clubs in Western Australia and also operates under a registered business name of "Caravanswest"
4. ACCWA offered the possibility of a small cash contribution to initiate RV Friendly status.
5. At OCM 25 February 2020, Council received the Post Event Valuation report for the destination hosting the 17<sup>th</sup> National Caravan Clubs Rallying October 2019.
6. Post this meeting Officers were requested to prepare a report to enable Council to consider the request.
7. On 20 October 2020, Council received a briefing and was followed up with a Council Strategic Workshop held on 8 April 2021.

**DISCUSSION**

8. RV Friendly is a Campervan and Motorhome Club (CMCA) initiative aimed to assist recreational vehicle users as they travel across the country. CMCA is the organisation that manages the accreditation and assessment of any town that seeks RV Friendly status.
9. To be deemed RV Friendly, a number of essential and desirable criteria need to be satisfied, as below
  - a. Essential Criteria:
    - Provision of appropriate parking within town centre with access to a general shopping area with groceries & fresh produce.
    - Provision of short term (24/48/72+ hour) parking within reasonable distance to CBD.

- Provision of long term parking, to be at a reasonable rate commensurate with the requirements of self-contained vehicles.
  - Access to medical facilities or an applicable evacuation plan.
  - Access to a pharmacy or a procedure to obtain pharmaceutical products.
  - Access to potable water.
  - Access to a Dump Point, if not in town, within a distance of up to 50 kilometres from town.
- b. Desirable Criteria:
- A service centre able to provide basic vehicle repairs.
  - Visitor Information Centre (VIC) with appropriate parking facilities within a reasonable distance.
  - VIC to provide a town map showing essential facilities such as hospital, medical services,
  - fuel, shopping area, dump point, fresh water etc.
10. Without undertaking a full, formal assessment, it would appear that the City currently satisfies most of both the essential and desirable criteria by default, given it is a larger regional town.
11. The essential criteria that the City doesn't satisfy, and does not support, is provision of short term (24 hour / 48 hour / 72 hour) parking within a reasonable distance to the CBD.

### Consultation

12. In February this year the City sought feedback from local caravan park operators on the RV Friendly proposal. In response the City received nine submissions and one from the Caravan Industry Association of WA.
13. In summary, little support was given for seeing RV Friendly status. A number of submissions had specific objections summarised into four key points:
- a. Point One (1): Providing free camping is in direct competition with local park operators. These operators pay significant rates, lease fees to local government, as well as investing significantly in their business infrastructure with a flow on benefit to other local businesses. Providing services at no cost devalues and undermines the financial viability of local parks and discourages investment by the operator thereby creating a lose / lose situation for the local economy. A number of submissions raised competitive neutrality concerns.
  - b. Point Two (2): The control and resources needed to monitor the sites is a consideration. The length of stay has to be monitored, since occupants will often try to stay longer, especially in a popular tourist location. While the intent is for fully self-contained RVs only, it would be difficult to monitor use by smaller camper vans who may arrive late in the day and leave early, in a van with no toilet or shower on board.
  - c. Point Three (3): The economic benefit often quoted seems difficult to prove. A number of submissions have provided case studies showing the negative impact on the business they operate. Submissions also list low occupancy rates, low fees during off season (\$20 - \$30 per night in a central location), and no shortage of sites in the region.
  - d. Point Four (4): The unfairness of private owners needing to comply with many regulations and requirements, yet an RV friendly site would be largely unregulated.

**Current Free/Low-Fee Sites and Assets Available**

14. The Officer recommendation is to decline the offer to seek RV Friendly status given the City already has extensive assets and infrastructure in place to facilitate free or low fee visitors, and it is understood that further free facilities may result in adversely impact on the viability of local operators.
15. Within the City, a number of free or low fee sites exist. This includes City owned and managed sites, other agencies such as the Department of Biodiversity, Conservation and Attractions, and private operators having sites available from approximately \$30 per night in low season.
16. The City currently manages 6 low or no fee camp grounds. The City's ArcGIS map has further details. In summary, these are:
  - a. Cosy Corner East (includes a dump point) – free, 21 RV suitable bays;
  - b. Torbay Inlet - free – 5 smaller caravan sites;
  - c. Normans Beach – free, smaller caravans, 6 sites;
  - d. Bettys Beach – free;
  - e. East Bay – free (Not suitable for caravans); and
  - f. Cape Riche (outside 50kms radius from the CBD) – fees payable.
17. Therefore, within 50kms of the CBD, the City has in excess of 30 free sites, with a further 20 paid sites at Cape Richie.
18. The City provides 4 free dump points. These are located at:
  - a. Wellstead to the east;
  - b. Cosy Corner East camp site to the west of town;
  - c. Albany Highway (opposite Le Grande Ave); and
  - d. Amity Quays, off Princess Royal Drive.
19. Neither of the two sites within the urban area would be suitable, both being on major traffic routes and frequently used by large volumes of traffic and heavy vehicles.
20. The other criteria, such as access to medical and shopping services are well catered for.

**GOVERNMENT & PUBLIC CONSULTATION**

21. The City has consulted with local caravan park owners and operators and surrounding local governments.
22. Industry specific consultation was also undertaken.

**STATUTORY IMPLICATIONS**

23. There are no statutory implications related to this report.
24. The RV Friendly program is a voluntary program with no statutory responsibilities within that program.

**POLICY IMPLICATIONS**

25. Nil.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational.</b>  <i>Risk: Not seeking RV Friendly status will result in reputational damage.</i>	Possible	Minor	Medium	Reinforce and highlight the existing extensive RV facilities provided, such as free or low cost camp sights and existing dump points.
<b>Reputational and Economic.</b>  <i>Risk: Seeking RV Friendly status may adversely impact local caravan parks.</i>	Possible	Minor	Medium	Work with local caravan parks to ensure long term sustainability of tourism operators.
<b>Opportunity:</b> Visitor understanding and promotion of existing infrastructure and services within the City.				
<b>Opportunity:</b> To support the local caravan park operations to ensure long term sustainability and tourism benefits to the community.				

## FINANCIAL IMPLICATIONS

27. The Officer recommendation action of declining to seek RV Friendly status will have no additional financial implication.
28. While no specific site has been identified, some allowance for site works and possible upgrades would need to be made if RV Friendly Status was sought. It is difficult to quantify what that may be, as it would be site specific.
29. If the site required extensive works, such as earth works to construct suitable parking, addition of a dump point, and connection to potable water, a cost of at least \$50 000 could be expected. In addition, an allowance for potential more staffing costs incurred in monitoring the site would need to be considered.

## LEGAL IMPLICATIONS

30. Nil.

## ENVIRONMENTAL CONSIDERATIONS

31. Nil.

## ALTERNATE OPTIONS

32. Council may consider seeking 'RV Friendly Status' and an allocation in the budget for development of suitable sites

## CONCLUSION

33. That the Responsible Officer Recommendation be supported not to pursue formal RV Friendly status.

Consulted References	:	Local Government Act 1995 <a href="http://www.caravanclubswa.asn.au/">http://www.caravanclubswa.asn.au/</a>
File Number (Name of Ward)	:	All Wards
Previous Reference	:	OCM 25/02/2020 Resolution CCS218 Council Strategic Workshop held on 8 April 2021

## **CCS349: NATIONAL ANZAC CENTRE – Q3 2020-21 REPORT**

<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: National Anzac Centre (NAC) – Quarter 3 (Q3) 2020/21 Operational Report
<b>Report Prepared By</b>	: Manager Facilities (L Stone)
<b>Responsible Officer(s)</b>	: Executive Director Community Services (N Watson)

### **STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies
  - **Key Theme:** Smart Prosperous and Growing.
  - **Strategic Objectives:** To strengthen our region's economic base; and
    - To develop and promote Albany as a unique and sought after destination.
  - **Community Priorities:** Strengthen our economy by supporting business innovation and diversity; and
    - Promote the Albany region as a sought after and iconic tourism destination.

#### **In Brief:**

- To provide Council with update on Q3 2020-21 performance of the NAC.

#### **COVID-19 Impact Statement:**

- COVID-19 has had a direct impact on this report, with fluctuations experienced in visitor numbers due to inter-state and intra-state movement restrictions.

### **RECOMMENDATION**

#### **CCS349: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the NAC Operational Report for Q3 2020-21 be RECEIVED.**

#### **CCS349: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR HAMMOND

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

#### **CCS349: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the NAC Operational Report for Q3 2020-21 be RECEIVED.

### **BACKGROUND**

2. The NAC is the City of Albany's most significant tourism asset.
3. The NAC represents a \$10.6 million dollar investment from the Federal and State Government with an additional \$1.5 million invested by Wesfarmers for the construction of the Convoy Walk and Lookout.



4. The City of Albany manages this national museum and understands the importance of generating economic outcomes for the region using the NAC and the Albany Heritage Park (AHP) assets to encourage increased visitation and extended stays to the region.
5. The City established an independent NAC Advisory Group during the 2016/17 financial year to assist in the further development of both the NAC and AHP, to ensure the assets continue to evolve, aligned with contemporary museum standards. The NAC Advisory Group has been meeting quarterly since convening.
6. It was agreed in November 2018 that the NAC Advisory Group would now meet twice a year. The next meeting is planned for June 2021.
7. Council has budgeted a subsidy of \$250,000 annually for the operations of the NAC and the AHP and has established a reserve on the understanding that any surplus funds be reinvested and used to leverage additional grant funding to improve the asset.
8. This report template is reviewed regularly to ensure that the Community & Corporate Services Committee and the NAC Advisory Group receive all relevant information to assess its performance.

### **DISCUSSION**

9. Q3 2020/21 achieved overall total visitation numbers of 400,119 visitors to the NAC since opening in November 2014. This equates to an average annual visitation of 62,328 visitors per year.
10. Total visitation for Q3 2020/21 increased by 2,154 visitors compared to the same period in 2019/20.
11. The visitation in Q3 2020/21 from the Great Southern Region totalled 652 people, equating to 4.6% of Western Australia's overall visitation of 14,071. (1.6% increase from previous quarter)
12. The total visitation in Q3 2020/21 originated from Western Australia (92%) and interstate (8%).
13. Visitors from other States and Territories consisted of 26% from QLD, 20% from VIC, 29% from NSW, 16% from SA, followed by TAS, ACT and NT all on 3%.
14. Revenue generated in Q3 2020/21 by the NAC was \$4,896 more compared to the same period in 2019/20. The Forts Store revenue of \$123,958 saw an increase of \$22,997 compared to the same period in 2019/20.
15. Fort Store revenue for March of \$59,023 was a minor decrease of \$1,495 from the same period in 18/19 (pre covid.)
16. January NAC visitation numbers of 8,199 were the highest since 2017.
17. As at the end of Q3 2020/21, 4,123 households hold memberships to the NAC League of Local Legends program, an increase of 1,207 from previous quarter.
18. In Q3 2020/21, final stages achieved of phase one of the NAC Refresh. Annex room carpentry works were completed and Now screening '100 Stories', while the theatre space is now complete and screening the 'Bayonets & Butterflies' film.

### **GOVERNMENT & PUBLIC CONSULTATION**

19. Not Applicable.

### **STATUTORY IMPLICATIONS**

20. Not Applicable.

### **POLICY IMPLICATIONS**

21. Not Applicable.

**RISK IDENTIFICATION & MITIGATION**

22. Nil.

**FINANCIAL IMPLICATIONS**

23. Refer to the financial summary below for the National Anzac Centre full year budget and YTD position as at March 31, 2021.
24. Full year operating expenditure budget includes: \$199,000 of costs from accounts that are “shared” across the AHP. A total of \$774,000 of budgeted costs reported under the AHP have been deemed to be a shared cost, across the four reporting areas under the AHP (NAC, Retail, Forts, and AHP Precinct).
25. For the purpose of presenting a standalone view of the NAC, managers have used their best judgement to notionally allocate the \$774,000 across the four areas. Significant shared expenses attributed to the NAC include shared employee costs (\$77,000 of the \$199,000), marketing, ground maintenance, internal service delivery, security, electricity, and insurance.

<b>National ANZAC Centre</b>	<b>FY20/21 Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>YTD Variance</b>
Operating Income	\$805,500	\$625,500	\$767,052	\$141,552
Operating Expenditure	\$(529,001)	\$(382,591)	\$(261,176)	\$121,415
<b>Net Operating Income/(Expense) before Indirect Costs</b>	<b>\$276,499</b>	<b>\$242,909</b>	<b>\$505,876</b>	<b>\$262,967</b>
Indirect Expenses	\$(199,077)	\$(147,483)	\$(130,569)	\$16,914
<b>Net Operating Income/(Expense)</b>	<b>\$77,422</b>	<b>\$95,426</b>	<b>\$375,307</b>	<b>\$279,881</b>
Capital Expense	\$(492,882)	\$(492,882)	\$(117,596)	\$375,286
<b>Total</b>	<b>\$(415,460)</b>	<b>\$(397,456)</b>	<b>\$257,711</b>	<b>\$655,167</b>

**LEGAL IMPLICATIONS**

26. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

27. Nil.

**ALTERNATE OPTIONS**

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

**SUMMARY CONCLUSION**

29. Overall Q3 2020/21 has shown a steady hold in numbers visiting the NAC, this is pleasing after the unknown impact COVID may have. Q3 has shown the highest numbers for January since 16/17, yet the lowest February since opening. The assumption being visitation from within our state is higher due to state border closures/restrictions, but lower numbers in group bookings from bus tours and no Cruise ships is having an impact for this time of year.
30. Great Southern visitation to the NAC has increased from what has been a steady 1% of overall WA visitation in the past, to 4.6% during Jan – Mar period. This increase would anecdotally be due to Free League of Local Legends program, travel restrictions and Great Southern residents exploring their own backyards.
31. Interest in the Princess Royal Fortress and exhibitions has increased during Q3 due to volunteer services recommencing late September, with 1,250 people taking part in Princess Royal Fortress Tours during Q3. The opening of the ‘Recovering the Past’ exhibit in April has been of interest to our visitors.

32. Overall Q3 generated steady figures of attendance in the NAC and Fort Store sales, given the challenges we are faced with interstate and international visitation. Visitation was strong for the January period for the NAC and figures for the March period for the Store. February being the quietest compared to all previous years with 3,213 visitors.

<b>Consulted References</b>	:	Nil.
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Nil.

## CCS350: COMMUNICATIONS & ENGAGEMENT STRATEGY

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: City of Albany Communications & Engagement Strategy 2020-21 Quarter 3 Progress Report
<b>Report Prepared By</b>	: Acting Manager Community Development & Engagement (R Param)
<b>Responsible Officers:</b>	: Executive Director Community Services (N Watson)

### STRATEGIC IMPLICATIONS

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

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

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

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

#### In Brief:

- Note the City of Albany Communications & Engagement Strategy Q3 progress report.

### COVID-19 IMPACT

- The easing of restrictions on public gatherings has enabled the City's face to face community engagement to resume, with measures in place to ensure appropriate physical distancing, good hygiene and limits on the numbers of people allowed in indoor spaces.
- Meeting rooms at Albany Public Library have now reopened for public use after COVID restrictions have been eased, and can now be used for community engagement activities where appropriate.

### RECOMMENDATION

#### CCS350: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

**THAT Council NOTE the City of Albany Communications & Engagement Strategy progress report ending March 2021 (Q3) and its endorsement by the Communications & Engagement Advisory Group.**

#### CCS350: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SLEEMAN  
SECONDED: COUNCILLOR DOUGHTY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

**CCS350: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council NOTE the City of Albany Communications & Engagement Strategy progress report ending March 2021 (Q3) and its endorsement by the Communications & Engagement Advisory Group.

**BACKGROUND**

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

**DISCUSSION**

4. The Advisory Group previously met and endorsed the 2020-2021 Q2 progress report on 23 February 2021, and this was tabled and noted at the OCM of 23 March 2021.
5. The Advisory Group endorsed the 2020-2021 Q3 progress report at its meeting on 20 April 2021, noting that community engagement activity has steadily progressed since the easing of COVID19 restrictions, with a corresponding increase in attendance at City events and services. The Advisory Group noted new updates to the progress report, including:
  - a. Engagement planning for the Albany Bicentenary in 2026 and a verbal update from the City's Bicentenary Coordinator;
  - b. Engagement with the wider community in relation to the major review of the City's Community Strategic Plan and corresponding Community Scorecard survey and a verbal update from the City's Business Planning and Performance Coordinator;
  - c. Engagement by the Waste Team on the upcoming implementation of Food Organics Garden Organics (FOGO) across the City. City staff have provided public information at various events and other activations during the reporting period;
  - d. Engagement of young people and youth services to review and update the Youth Friendly Albany Plan. This engagement is largely being driven by the Youth Advisory Council; and
  - e. Statutory engagement under the Aboriginal Heritage Act for proposed ground disturbances for capital works in Kalgan and Oyster Harbour.
6. Communications has continued to support the media, marketing and engagement functions as engagement activity has increased and projects started. Significant work went into promoting the Community Scorecard survey across the community, marketing and collateral to support the Great Southern Arts, Culture and Heritage Strategy, and continued promotion of FOGO messaging to residents.
7. A new, contemporary online retail outlet for the Forts Store is in the final stages of completion with testing confirming its functionality. Rollout is aimed for May in time for Mother's Day subject to successful testing.
8. Updates to the Communications and Engagement Strategy Advisory Group Terms of Reference was tabled at the April 2021 meeting and was endorsed. The group supported a recommendation to increase the number of community representatives from 2 to 4, and this will be progressed by staff prior to the next scheduled quarterly meeting.
9. This report includes 64 actions, 27 which have been completed, 34 remain ongoing or underway, and 3 are on hold.

**GOVERNMENT & PUBLIC CONSULTATION**

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

**STATUTORY IMPLICATIONS**

12. Nil

**POLICY IMPLICATIONS**

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

**RISK IDENTIFICATION & MITIGATION**

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

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

**FINANCIAL IMPLICATIONS**

15. Nil.

**LEGAL IMPLICATIONS**

16. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

17. Nil.

**ALTERNATE OPTIONS**

18. Nil.

**CONCLUSION**

19. The Communications & Engagement Strategy is overseen by an Advisory Group comprising community, Elected Member and City staff representatives.
20. Community representation on the Advisory Group ensures community needs and priorities remain central to the implementation of the Communications and Engagement Strategy.
21. A quarterly progress report of achievements against the Strategy is endorsed by the Advisory Group and submitted to Council for information. The progress report against the Strategy's Action Plan for Q3 of 2020-2021 is submitted to Council for noting.

<b>Consulted References</b>	:	City of Albany Communication and Engagement Strategy 2019 Council Policy – Community Engagement
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM March 2021, Resolution CCS331

## **CCS351: BUDGET AMENDMENT REQUEST**

**Proponent** : City of Albany  
**Report Prepared by** : Executive Director Corporate and Commercial Services (D Olde)  
**Responsible Officer** : Chief Executive Officer (A Sharpe)

### **STRATEGIC IMPLICATIONS**

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

#### **In Brief:**

- This is a request for reallocation of unspent funds from Council Operating Expenses budget line to Members Fees and Allowances.
- This budget amendment request requires no additional expenditure by the City, and maintains the City's balanced budget for the FY20/21 financial year.
- The payment is in line with the COVID payment to be made to City staff, endorsed by Council at the Ordinary Council meeting held 27 April 2021.

#### **COVID-19 Impact Statement:**

- COVID-19 resulted in the requirement to prepare this report.

### **RECOMMENDATION**

#### **CCS351: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT the Budget Amendment detailed at Paragraph 7 of this Report be ADOPTED.**

#### **CCS351: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR SMITH  
SECONDED: COUNCILLOR STOCKS

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 11-0

#### **CCS351: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the Budget Amendment detailed at Paragraph 7 of this Report be ADOPTED.



**BACKGROUND**

2. The COVID-19 (COVID) pandemic significantly disrupted the City's operations throughout most of 2020 and continues to impact the City in 2021.
3. At the July 2020 Ordinary Council Meeting, Elected Members voluntarily opted to reduce their Councillor Allowances by 20% for a period of six months, in response to the projected financial impact of the COVID-19 pandemic.
4. As a result of a more positive financial position experienced by the City, the six-month period of 20% reduction ceased in November 2020.

**DISCUSSION**

5. Elected Members were provided with a confidential briefing note at the Strategic Workshop held on the 13 April 2021 regarding a potential COVID Payment to the City's staff. At the Council meeting held 27 April 2021, Council endorsed the Responsible Officer Recommendation, supporting the proposed COVID Payment to the City's Employees, refer to Report Item CCS344.
6. The briefing note stated that *"It is intended for an equitable payment to the Mayor and Councillors to be included in the budget amendment to be presented at the May 2021 Ordinary Council Meeting."*
7. A reallocation of unspent funds totalling \$10,163 from the current Council Operating Costs budget line to Members Fees and Allowances is proposed.
8. A summary of the General Ledger Accounts associated with the proposed budget line reallocation is shown below:

GL Account	Account Name	FY20/21				FY19/20
		Original Budget	Current Budget	Proposed Budget	Movement	Actuals
1181020	Mayor's and Members' Meeting Fees	\$384,887	\$398,046	\$405,965	<b>\$7,919</b>	\$427,652
1314320	Mayoral Allowance	\$80,778	\$83,540	\$85,335	<b>\$1,795</b>	\$89,753
1314420	Deputy Mayors Allowance	\$20,195	\$20,885	\$21,334	<b>\$449</b>	\$22,439
1382620	Members of Council Operating Costs	\$153,041	\$153,041	\$142,878	<b>\$(10,163)</b>	\$113,549
	<b>Total</b>	<b>\$638,901</b>	<b>\$655,512</b>	<b>\$655,512</b>	<b>\$0</b>	<b>\$653,393</b>

**GOVERNMENT & PUBLIC CONSULTATION**

9. Department of Local Government 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.

**FINANCIAL IMPLICATIONS**

11. This budget request requires no additional expenditure by the City, and maintains the City's balanced budget for the FY20/21 financial year.

**STATUTORY IMPLICATIONS**

12. Under the *Local Government Act 1995* (the Act), section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
  - a. is incurred in a financial year before the adoption of the annual budget by the local government
  - b. is authorised in advance by a resolution (absolute majority required) or;
  - c. is authorised in advance by the Mayor in an emergency.
13. Under Section 5.63(1)(c) of the Act, an interest does not need to be disclosed by elected members if it relates to the payment of a fee subject to regulation. Accordingly Elected Members do not need to declare an interest in this item
14. The voting requirement of Council is **Absolute Majority**.

**POLICY IMPLICATIONS**

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

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation.</i> <i>Community perception that savings realised should be used for community purposes.</i>	<i>Possible</i>	<i>Severe</i>	<i>High</i>	<i>Clear communication of City's current financial position, noting that the payment will not impact on the City's ability to adequately service its obligations and achieve its operational and financial objectives this financial year.</i>

**LEGAL IMPLICATIONS**

17. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

18. Nil.

**ALTERNATE OPTIONS**

19. Committee may:

- Adopt the amendment as recommended; or
- Adopt the amendment with alterations (as specified by Council); or
- Reject the recommendation.

**SUMMARY CONCLUSION**

20. That the Responsible Officer's Recommendation to adopt the Budget Amendment be supported.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>Adopted Budget 2020/2021</li><li><u>Local Government Act 1995</u></li></ul>
<b>File Number (Name of Ward)</b>	:	FM.BUG.12
<b>Previous Reference</b>	:	CCS271: Annual Budget - OCM 28/07/2020 CCS344: COVID Payment – OCM 27/04/2021

## CCS352: 2021 COMMUNITY SCORECARD REPORT

<b>Attachments</b>	:	2021 MARKYT Community Scorecard Report
<b>Report Prepared By</b>	:	Business Planning and Performance Coordinator (A Olszewski)
<b>Responsible Officers:</b>	:	Manager People and Culture (L Harding)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Theme:** Leadership.
  - **Objective:** To engage effectively with our community.
  - **Community Priority:** Develop structures and processes that engage the community and engender community confidence, and trust that their input is valued and used to inform decisions and priorities, and;  
Improve community engagement processes and platforms to provide our community with a variety of opportunities to be involved and to contribute to decisions.

#### In Brief:

- The biennially commissioned community perception survey process was recently completed and the final 2021 Community Scorecard Report (Community Scorecard) is now available and is included as an attachment to this report.
- Results from the Community Scorecard represent a strong improvement in the City's performance across almost all its services and facilities, as indicated by a record high number of participants (1429).
- Notably, the results show that the City of Albany now has the highest 'Overall Performance' amongst participating *regional* local governments in Western Australia, and is equal second highest amongst *all* participating local governments in this category.
- The Community Scorecard results will contribute to the revised Strategic Community and Corporate Business Plans for consideration by Council at the August 2021 Ordinary Council Meeting.

#### COVID Impact Statement:

- Nil.

### RECOMMENDATION

#### CCS352: RESPONSIBLE OFFICER RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

**THAT the 2021 Community Scorecard Report be RECEIVED and the document be published in full on the City's public website.**

### BACKGROUND

2. The *Local Government (Administration) Regulations 1996* stipulate that a major strategic review of each local governments' Community Strategic Plan, and informing strategies and plans, be conducted every four years.
3. As part of this review process, the City has undertaken a community survey every two years since 2013, with the last survey being conducted in 2019, to receive community feedback on the City's performance, services and facilities.

5. The Community Scorecard Survey is a randomised controlled survey facilitated by an independent, external third party, that asks community members to rate the City's range of services and facilities, as well as provide comments on community priorities which are important to them.
6. The Community Scorecard also allows the City to benchmark its performance and compare it to survey results from other local governments.
7. This year's Community Scorecard Survey coincides with the City's second major strategic review and results from the survey will also be used to guide strategic and operational planning to ensure that community priorities are captured in the Community Strategic Plan.

## DISCUSSION

8. The Community Scorecard survey took place between 8 and 26 March 2021, and was supported by a comprehensive engagement campaign resulting in the City's highest ever level of participation in the process. The 1429 respondents more than doubled the previous highest level of engagement (*see page 7 of attachment*).
9. Participants rated the City of Albany's 'Overall Performance' (an indexed score combining community perception of the City of Albany 'as a place to live' and as a 'governing organisation') 75 in 2021, compared to 69 in 2019 (*page 18*).
10. The result lifts the City into first place in the 'Overall Performance' category amongst all participating regional local governments, and equal second amongst all 43 participating local governments. The City is now 10 index points above the industry average.
11. Supporting this result, nearly all individual service areas and facilities included in the survey performed at or above industry average (40 out of 45; *page 20*).
12. Further, the City of Albany leads the industry in the following six areas (*page 21*):
  - Tourism attractions and marketing;
  - Library services;
  - Recognition and respect for Aboriginal cultures and heritage;
  - Public health and wellbeing programs and education;
  - Community buildings and halls; and
  - Public toilets.
13. The Community Scorecard also revealed the community's highest priorities (*page 27*):
  - Sustainability / Climate Change;
  - Youth Services; and
  - Footpaths and Cycle-ways.
14. The Community Scorecard is playing a central role in reaffirming the City's strategic direction through its program of high-level actions and projects within the new Corporate Business Plan. The final draft of this plan will be tabled for Council's consideration and endorsement at the August OCM.

## GOVERNMENT & PUBLIC CONSULTATION

### 15. Community Engagement

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Mail Out / E mail / Phone / In-person	8/3/2021-26/3/21	1429	Reg.19C of the Local Government (Administration) Regulations 1996

### 16. Community consultation detailed in the discussion section of the report.

## STATUTORY IMPLICATIONS

17. It is a regulatory requirement under s5.56 of the *Local Government Act 1995* that the City completes a major review of its Strategic Community and Corporate Business Plans.

## POLICY IMPLICATIONS

18. While there are no specific policy implications at this time, the Community Scorecard will help inform and prioritise the strategic actions listed in the Corporate Business Plan and Long-Term Financial Plan.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b>  <b>Risk:</b> Council does not receive the 2021 Community Scorecard Report.	Rare	Minor	Low	Address Council concerns and re-present the report.
<b>Opportunity:</b> The Community Score Card (CSC) process is a powerful tool to monitor services, empower our community, and improve the accountability of local governments as a service provider. The scoring exercises provides our community with an opportunity to analyse services based on their personal perceptions and provide feedback to Council.				

## FINANCIAL IMPLICATIONS

20. The Community Scorecard will help inform strategic actions over the next four years. These will be incorporated into the budget process, including the Annual Budget and Long-Term Financial Plan.

## LEGAL IMPLICATIONS

21. There is no legal implication related to this report.

**ENVIRONMENTAL CONSIDERATIONS**

22. There are no direct environmental considerations related to this item; however, the City's performance in regards to conservation and environmental management are measured in the report.

**ALTERNATE OPTIONS**

23. Council may choose not to receive the 2021 Community Scorecard Report.

**RECOMMENDATION**

24. It is recommended that Council receive the 2021 Community Scorecard Report, and that it be published in full on the City's public website.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Local Government Act 1995, s5.56</i></li><li>• <i>Local Government (Administration) Regulations 1996, Reg. 19C</i></li><li>• <i>IPR Framework and Guidelines 2019</i></li></ul>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Community Scorecard May 2019 OCM 26/09/2017- Report Item CCS057

**AR092: INTERNAL AUDIT – ACTION PLAN – PROGRESS REPORT**

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

**CONFIDENTIAL REPORT**

*This matter will be discussed under Confidential Cover, in accordance with s5.23(f) of the Local Government Act 1995; being: A matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law*

**COVID-19 IMPACT**

- This report outlines where the City can improve. COVID-19 may impact the desired timeframe to implement the actions detailed in the Internal Audit Action Plan.

**STRATEGIC IMPLICATIONS**

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

**ADDENDUM**

Post the Audit and Risk Committee Meeting held on 04 May 2021, the City's auditors have provided the finalised Internal Audit Reports, which are provided as confidential attachments to this report.

**RECOMMENDATION**

**AR092: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Internal Audit Action Plan – Progress Report be RECEIVED.**

AR092: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS  
SECONDED: MAYOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

AR092: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Internal Audit Action Plan – Progress Report be RECEIVED.

## BACKGROUND

2. Internal auditing is an important element of our governance structure. It gives Council and the Executive Management Team independent assurance that a robust internal control structure is in place and our outputs are operating effectively, efficiently and lawfully.
3. At the Audit & Risk Committee meeting held on 2 June 2020, the first three internal audit reports prepared by AMD and inclusive of City of Albany management comments, were considered. The three internal audit reports covered the following four audit modules:
  - a. Project, Tender & Contract Management;
  - b. Insurance Management;
  - c. Financial Management Systems Review; and
  - d. General Financial Controls.
4. The Committee made the following recommendation:

*THAT the Audit and Risk Committee:*

  1. *RECEIVE the three internal audit reports.*
  2. *NOTE that the management comments will be refined to include ED summaries and defined actions.*
  3. *REQUEST that City Officers provide a quarterly update to the Audit and Risk Committee tracking against the defined actions of the internal audit reports.*
4. At the Audit & Risk Committee meeting held on 4 August 2020, suggested modules were recommended for the Committee to endorse, to be audited by AMD in financial year 2020/2021.
5. The program recommended by the Audit Risk Committee for the year ended 30 June 2021 included four modules:
  - a. Risk Management
  - b. Policy and Procedure Maintenance
  - c. Fraud and Corruption Control
  - d. Information Technology Systems
6. AMD completed their audit work and prepared their reports over the months of February and March 2021.
7. AMD presented the draft reports to the City on 1 April 2021. The finalised reports were received by the City post the Audit and Risk Committee meeting held on 04 May 2021.
8. Further audit modules will be completed in 2022, the modules selected for audit will be at the discretion of the Audit & Risk Committee, planned to be decided upon early in the FY21/22 year.

## DISCUSSION

5. As requested by the Audit and Risk Committee, City staff have prepared an Internal Audit Action Plan outlining the progress of the agreed upon recommendations in the Internal Audit reports prepared by AMD.
6. The commentary included within the report has been reviewed by the City's Executive Management Team.
7. This Action Plan **does not** include the findings and recommendations associated with the audit work completed by AMD in February and March 2021. These findings and recommendations are yet to be discussed with the Audit and Risk Committee.
8. The next iteration of this progress report, scheduled for August 2021 (next Audit and Risk Committee meeting) is anticipated to contain the content of the audit reports received by the City on 1 April 2021, as well as the agreed upon action items by the City.



## GOVERNMENT & PUBLIC CONSULTATION

9. No government or public consultation was required in preparing this report.

## STATUTORY IMPLICATIONS

10. The Local Government Amendment (Auditing) Regulations 2017 states, in part:

*Regulation 16. Functions of audit committee: An audit committee has the following functions –*

*(a) to guide and assist the local government in carrying out –*

*(i) its functions under Part 6 of the Act; and*

*(ii) its functions relating to other audits and other matters related to financial management.*

*Regulation 17. CEO to review certain systems and procedures:*

*(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –*

*(a) risk management; and*

*(b) internal control; and*

*(c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review.*

## POLICY IMPLICATIONS

11. There are no direct policy implications related to this report; however, findings of the internal audit may require the formulation of new and/or amended policy positions and associated guidelines and procedures.

## RISK IDENTIFICATION & MITIGATION

12. Not applicable, information only report.

## FINANCIAL, LEGAL IMPLICATIONS & ENVIRONMENTAL CONSIDERATIONS

13. Nil

## ALTERNATE OPTIONS

14. Nil

## CONCLUSION

15. That the Responsible Officer Recommendation be adopted.

Consulted References	:	<ul style="list-style-type: none"><li>• Local Government Act 1995</li><li>• Local Government Amendment (Auditing) Act 2017</li><li>• Auditor General Act 2006</li></ul>
File Number (Name of Ward)	:	(All Wards)
Previous Reference	:	<ul style="list-style-type: none"><li>• Audit &amp; Risk Committee - 02/06/2020 - Report AR077</li><li>• Audit &amp; Risk Committee - 04/08/2020 - Report AR079</li><li>• Audit &amp; Risk Committee - 18/11/2020 - Report AR084</li><li>• Audit &amp; Risk Committee - 02/02/2021 - Report AR088</li></ul>

## AR094: REQUEST FOR NOMINATIONS TO AUDIT AND RISK COMMITTEE

<b>Attachments</b>	: Governance and Meeting Framework (Council Committee Terms of Reference)
<b>Report Prepared By</b>	: Manager Governance and Risk (S Jamieson) Senior Team Leader Records/Council Liaison (J Williamson)
<b>Responsible Officers:</b>	: Chief Executive Officer (A Sharpe)

### STRATEGIC IMPLICATIONS

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

### In Brief:

- Councillor Rebecca Stephens resigned as an elected member effective 23 March 2021, following her election as MLA for Albany in the 2021 WA State election.
- Councillor Stephens' membership of the Audit and Risk Committee is now vacant, and nominations are called for to fill that vacancy.

### RECOMMENDATION

#### AR094: RESPONSIBLE OFFICER RECOMMENDATION VOTING REQUIREMENT: ABSOLUTE MAJORITY

**THAT nominations be called for to fill the vacancy on the Audit and Risk Committee, and the successful nominee be APPOINTED as a Member of the Audit and Risk Committee.**

### BACKGROUND

2. Councillor Rebecca Stephens resigned as an elected member effective 23 March 2021, following her election as the MLA for Albany.
3. Councillor Stephens was a member of the following internal Council Committees:
  - Community and Corporate Services (CCS) Committee;
  - Development and Infrastructure Services (DIS) Committee; and
  - Audit and Risk Committee.
4. At the Ordinary Council Meeting held on 27 April 2021, Council resolved to hold the Frederickstown Ward vacancy created by Councillor Stephens' resignation until the October 2021 Ordinary Local Government election.
5. As all elected members are members of the CCS and DIS Committees, the vacancies created by Councillor Stephens' resignation for the CCS and DIS Committee will remain until after the 2021 Ordinary Local Government election.

### DISCUSSION

6. The Terms of Reference for the Audit and Risk Committee state that membership of that committee is a minimum of four and maximum of seven elected members.
7. To achieve a quorum of the Audit and Risk Committee, four members must be in attendance. In order to ensure that the Committee is able to operate when required, it is recommended that the vacancy be filled.

**Terms of Reference: Audit and Risk Committee** (Statutory Requirement)

8. The Audit and Risk Committee is responsible for assisting Council discharge its responsibilities with regard to the exercise of due care, diligence and skill in relation to:

- Reporting of financial information;
- Application of accounting policies;
- Management of the financial affairs of the City; and
- Assessment of the adequacy of the management of risk, internal control and legislative compliance.

**Executive Officers:** Chief Executive Officer, Executive Director Corporate and Commercial Services, Manager Finance and Manager Governance and Risk.

**Meeting Schedule:** Scheduled quarterly meetings.

**Membership:** Minimum of four and maximum of seven elected members.

9. Current members of the Audit and Risk Committee are:

- Councillor Smith **Chair**
- Councillor Goode **Deputy Chair**
- Mayor Wellington
- Councillor Stocks
- Councillor Terry
- Councillor Doughty

**GOVERNMENT & PUBLIC CONSULTATION**

10. The *Local Government Act 1995* and supporting legislation and the Department of Local Government Guidelines were consulted.

**STATUTORY IMPLICATIONS**

11. There is a statutory requirement for Council to form an Audit Committee.
12. Division 2, Part 5 of the *Local Government Act 1995* deals with Council meetings, committees and their meetings.
13. Appointment to committees is by **Absolute Majority**.

**POLICY IMPLICATIONS**

14. There are no policy implications related to this report, unless the Terms of Reference for a committee are to be amended.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Business Operation Risk:</b> No nominations are received to fill the vacancy.	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>The Audit and Risk Committee will continue to operate with six members, noting that the quorum required is four members in attendance.</i>

**FINANCIAL IMPLICATIONS**

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

**LEGAL IMPLICATIONS**

17. The legal implication is related to compliance with specific provisions of the *Local Government Act 1995* including subdivision 2- Committees and their meetings.

**ENVIRONMENTAL CONSIDERATIONS**

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

**ALTERNATE OPTIONS**

19. Elected members may reserve the right to nominate for committee membership at a later date.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Department of Local Government Guidelines</i> <i>Governance and Meeting Framework Policy</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM 29/10/2019-CCS185

## DIS256: LOCAL PLANNING SCHEME AMENDMENT NO.36 – LOTS 201, 202 AND 203 CHESTER PASS ROAD AND LOT 1004 VIASTRA DRIVE, LANGE

<b>Land Description</b>	: Lots 201, 202 and 203 Chester Pass Road and Lot 1004 Viastra Drive, Lange.
<b>Business Entity Name</b>	: Enanby Pty Ltd and Cloudy Beach Investment Company Pty Ltd.(Neil Crawford McGregor)
<b>Attachments</b>	: Scheme Amendment Document, Agency comments Schedule of Submissions and Recommendations
<b>Councillors Lounge</b>	: Public submissions
<b>Report Prepared by</b>	: Senior Planning Officer – Strategic Planning (A Nicoll)
<b>Responsible Officer</b>	: Executive Director Infrastructure, Development and Environment (P Camins).

### STRATEGIC IMPLICATIONS

1. Council is required to exercise its quasi-judicial function in this matter.
2. In making a decision on the proposed amendment, the Council is obliged to draw conclusion from its adopted *Albany Local Planning Strategy 2019* and its *Community Strategic Plan – Albany 2030*.
3. This item relates to the following elements of the City of Albany *Strategic Community Plan 2030*:

**Theme:** Smart, Prosperous and Growing

**Objective:** To strengthen and grow our region's economic base

**Community Priority:** Work with business and other stakeholders to attract investment, diversify the economy, create jobs and support small business growth.

**Theme:** A connected and safe built environment.

**Objective:** To develop vibrant neighbourhoods which retain local character and heritage.

**Community Priority:** Develop and implement a contemporary Local Planning Strategy that reflects our identity and supports economic growth.

4. The amendment complies with the City's Local Planning Strategy 2019 for the following reason:
  - a) The *Local Planning Strategy 2019* promotes urban consolidation by making better use of existing zoned land and infrastructure through urban renewal.

### Maps and Diagrams:



**In Brief:**

- In September 2020, proposed Scheme Amendment No. 36 to Local Planning Scheme No.1 (LPS1) was referred to Council for initiation to adopt and advertise under report item DIS229. A decision was deferred for two months to allow staff to undertake further consultation and discussion, and re-present the item at the Ordinary Council Meeting in November.
- Following further consultation and discussion of the proposed amendment undertaken by staff, the item was re-presented to the Ordinary Council Meeting in November 2020. Consequently, Council resolved to approve and advertise Scheme Amendment No. 36.
- Lots 201, 202 and 203 Chester Pass Road and Lot 1004 Viastra Drive, Lange are currently zoned 'Special Use 23' (SU23). Within this 'Special Use' zone, there are specified land uses, which may be considered for approval.
- The landholder has expressed a need to amend the specified land uses and zoning of the scheme, to allow for additional uses that better reflect market demand.
- The Scheme Amendment application in its original form proposed the following:
  - a) Delete the Special Uses of 'Aged Persons' and 'Nursing Home';
  - b) Add the Special Uses of Child Care Premises, Community Purpose, Recreation-Private and Veterinary Centre;
  - c) Retain the following medical related uses: Consulting Room; Hospital; Medical Centre; and Pharmacy.
  - d) Rezone a portion of the Lot 1004 from "Special Use (SU23)" to "Highway Commercial".
- The proposed Amendment to LPS1 is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Planning Regulations) for the following reasons:
  - The amendment is consistent with the Local Planning Strategy.
  - The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
  - The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- Scheme Amendment No. 36 was advertised for public comment in accordance with s. 38 of the Planning Regulations.
- During advertising, the St Ives Aged Persons Village expressed concern relating to the introduction of industrial activities associated with the Highway Commercial zone.
- As a result of concerns raised during advertising, modifications are proposed to:
  - Not continue with the rezoning of a portion of Lot 1004 Viastra Drive to Highway Commercial;
  - Instead retain the SU23 zone over the whole site area, including the original portion of Lot 1004 Viastra Drive proposed to be rezoned Highway Commercial;
  - Incorporate a number of uses to be permitted within the SU23 zone, that are not of a light industry nature.
- The proposed scheme changes are justified in the context of the Local Planning Strategy 2019, which seeks to promote urban consolidation and diversify and consolidate activity centres.
- It should be noted that preliminary officer advice from the Department of Planning, Lands and Heritage on the proposed modifications acknowledged the reasoning behind the proposed modifications, however it was indicated that the modifications may not be supported.
- It is recommended that Council resolve to support the proposed scheme amendment, subject to modifications, which seek to limit impact to the St Ives Retirement Village.

## COVID-19 IMPACT

- No identified implications.

## RECOMMENDATION

### **DIS256: COMMITTEE RECOMMENDATION** **VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council, pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to:**

- 1. SUPPORT, with modifications, Scheme Amendment No.36 to the City of Albany Local Planning Scheme No. 1 as follows:**
  - (i) In Schedule 4 Special Use Zones, for Special Use Zone No.23 (SU23), delete the Special Uses of “Aged Persons’ Village” and “Nursing Home”.**
  - (ii) In Schedule 4 for SU23, add the Special Uses of:**
    - Child Care Premises
    - Civic Use
    - Community Purpose
    - Dry Cleaning Premises
    - Exhibition Centre
    - Garden Centre
    - Lunch Bar
    - Market
    - Motor Vehicle, Boat or Caravan Sales
    - Motor Vehicle / Boat Repair
    - Public Utility
    - Recreation-Private
    - Service Industry
    - Showroom
    - Storage
    - Trade Display
    - Veterinary Centre
    - Warehouse
  - (iii) In Schedule 4 for SU23, modify the “Conditions” column by:**
    - Adding “as a ‘D’ use” after “Local Government” in Condition 1.
    - Replacing “Structure Plan and/or Local Development Plan and Design Guidelines” with “Local Development Plan” in Condition 1.
    - Replacing “Design Guidelines” with “Local Development Plan” in Condition 2.
- 2. Note the submissions received as detailed in the Schedule of Submissions and Recommendations.**
- 3. Forward the amendment documentation, to the Western Australian Planning Commission with a request that the Minister for Planning grant approval to the amendment.**
- 4. Notify the applicant and submitters of Council’s decision.**

DIS256: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 12-0

DIS256: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council, pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to:

1. SUPPORT, with modifications, Scheme Amendment No. 36 to the City of Albany *Local Planning Scheme No. 1* as follows:
  - (i) In Schedule 4 Special Use Zones, for Special Use Zone No.23 (SU23), delete the Special Uses of “Aged Persons’ Village” and “Nursing Home”.
  - (ii) In Schedule 4 for SU23, add the Special Uses of:
    - Child Care Premises
    - Civic Use
    - Community Purpose
    - Dry Cleaning Premises
    - Exhibition Centre
    - Garden Centre
    - Lunch Bar
    - Market
    - Motor Vehicle, Boat or Caravan Sales
    - Motor Vehicle / Boat Repair
    - Public Utility
    - Recreation-Private
    - Service Industry
    - Showroom
    - Storage
    - Trade Display
    - Veterinary Centre
    - Warehouse
  - (iii) In Schedule 4 for SU23, modify the “Conditions” column by:
    - Adding “as a ‘D’ use” after “Local Government” in Condition 1.
    - Replacing “Structure Plan and/or Local Development Plan and Design Guidelines” with “Local Development Plan” in Condition 1.
    - Replacing “Design Guidelines” with “Local Development Plan” in Condition 2.
2. Note the submissions received as detailed in the Schedule of Submissions and Recommendations.
3. Forward the amendment documentation, to the Western Australian Planning Commission with a request that the Minister for Planning grant approval to the amendment.
4. Notify the applicant and submitters of Council’s decision.

**BACKGROUND**

5. In September 2020, the proposed Scheme Amendment No. 36 was initially referred to Council for initiation (item DIS229). At its meeting, Council resolved to defer the item for two months to allow further consultation and discussion and re-present the item in two months.
6. Subsequently, in November 2020 the item was re-presented to Council following further consultation and discussion. At its meeting in November 2020, Council resolved to adopt and advertise Scheme Amendment No.36 to Local Planning Scheme No.1 (LPS1).



7. The landholder believes there is limited market interest for the current uses set out in 'Special Use' Zone No.23 and is therefore requesting to identify:
  - a) A new zone (Highway Commercial) for a portion of the Lot 1004; and
  - b) Additional land uses for the site zoned 'Special Use' (Lots 201, 202 and 203 and portion of Lot 1004).
8. The amendment was referred to the Environmental Protection Authority and it was decided that the proposal does not need assessment under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act) and that it is not necessary to provide any advice or recommendations.
9. The amendment application was advertised to surrounding landholders (500m radius) and government agencies. A total of 18 submissions were received in relation to the proposal.
10. Concerns raised included:
  - a) The Department of Fire and Emergency Services believe that a Bushfire Management Plan should be submitted to advise the scheme amendment;
  - b) Main Roads WA advised that direct access to the subject Lots via Chester Pass Rd and Mercer Rd is not possible and that the subject Lots shall require future access to Viastra Drive;
  - c) The Department of Water and Environmental Regulation advised that the existing drainage basin should be appropriately developed/landscaped and reserved/ceded to the Crown;
  - d) The St Ives Retirement Village commented that the proposed Highway Commercial zone introduces the opportunity for industrial type land uses, which may have a detrimental impact to the amenity of the area (e.g. noise and traffic).
11. Supporting comment included:
  - a) Opportunity is retained for a portion of the site to be developed to provide medical facilities to support the St Ives aged person's village.
  - b) The Scheme Amendment proposes some uses that will complement the function of the Neighbourhood Centre.
12. The comments have been summarized in a schedule of submissions, which is provided as an attachment to this report item.

## **DISCUSSION**

13. The subject land is located in the locality of Lange, adjacent to the 'Brooks Garden' Neighbourhood Centre and 4 kilometres north of the Albany town centre. The site is currently vacant and surrounded by Chester Pass Road, Mercer Road, Viastra Drive, a Harvey Norman development and an aged persons' development (St Ives).
14. The original Scheme Amendment proposed to keep a portion of the site under the 'Special Use (SU23)' zone and to rezone the remaining portion to 'Highway Commercial'.
15. For the portion remaining SU23, the Scheme Amendment proposed to delete the existing uses of 'Aged Persons Village' and 'Nursing Home' and to extend the range of uses, to include:
  - a) Child Care Premises;
  - b) Community Purpose;
  - c) Recreation-Private; and
  - d) Veterinary Centre.

16. The proponent's rationale for the original proposed amendment was as follows:
  - a) Removing the opportunity for 'Aged Persons Village' and 'Nursing Home', reflected a low market demand due to the existing developed St Ives aged persons' village; and
  - b) Introducing the additional uses and the 'Highway Commercial' zone, allowed for a greater opportunity of uses considerate of market demand.
17. During advertising, the neighbouring St Ives Aged Persons Village raised the following concerns, outlining that:
  - a) Viastra Drive is not designed to accommodate heavy vehicles associated with industrial land uses and will result in safety issues for St Ives residents in the event Viastra Drive being utilised as an entry and exit point for any future commercial development.
  - b) The Highway Commercial zoning contains land use categories (e.g. light industrial), which would impact (e.g. noise) on the lifestyle and safety of the St Ives residents.
18. The City confirms that Viastra Drive and associated intersections have been designed/developed, capable of accommodating vehicles associated with the development of a Neighbourhood Centre (e.g. trucks and over 3000vpd).
19. The Highway Commercial zone allows for a range of services and activities, which are ideally located along main transport lines to the central business district.
20. The City acknowledges the concerns raised by the St Ives relating to the proposal to introduce the Highway Commercial zone. Some land uses, which may be considered for approval in the 'Highway Commercial' zone (e.g. light industry), may have a detrimental impact on the St Ives Retirement Village (noise, odour and dust).
21. The City therefore recommends the following modifications to the proposed amendment:
  - a) Not proceed with the rezoning a portion of Lot 1004 Viastra Drive to Highway Commercial zone;
  - b) Instead retain the 'Special Use' zone across the whole subject site; and
  - c) Incorporate the following low impact uses to the 'Special Use' zone, for consideration as a development application:
    - Child Care Premises
    - Civic Use
    - Community Purpose
    - Dry Cleaning Premises
    - Exhibition Centre
    - Garden Centre
    - Lunch Bar
    - Market
    - Motor Vehicle, Boat or Caravan Sales
    - Motor Vehicle / Boat Repair
    - Public Utility
    - Recreation-Private
    - Service Industry
    - Showroom
    - Storage
    - Trade Display
    - Veterinary Centre
    - Warehouse

22. By retaining the 'Special Use' zone, site-specific conditions are also retained. In accordance with the 'Special Use' zone classification, a Local Development Plan would be prepared to inform a development application and deal with the following matters;
  - a) Landscaping treatment, building design, building orientation and setbacks being undertaken to ensure visual appeal to Chester Pass Road and Viastra Drive;
  - b) Access and parking design that ensures safety and visual appeal;
  - c) Developments mitigating noise through the use of building materials and building setbacks;
  - d) Public art and signage design and location.
23. The proposal has been assessed against all the relevant legislative requirements of the Scheme, State and Local Planning Policies and has taken into consideration agency and public comments received as a result of advertising.
24. The scheme amendment complies with the strategic direction endorsed by the Local Planning Strategy 2019.
25. Staff recommend that Council adopt the proposed amendment, subject to modifications.

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

26. Scheme Amendment No.36 was advertised in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.
27. A 'Schedule of Submissions and Recommendations' has been developed to summarise and respond to concerns raised during the public advertising and agency consultation process. A copy of each submission has been made available to Councillors.
28. Preliminary officer advice from the Department of Planning, Lands and Heritage on the proposed modifications acknowledged the reasoning behind the proposed modifications, however, it was indicated that the modifications may not be supported by the Western Australian Planning Commission (WAPC) as the modifications may be considered as:
  29. A significant departure from the original proposal; and
  30. Not being in alignment with the purpose and objectives of a 'Special Use' zone, in that as the proposed additional and deleted permitted uses to the retained 'Special Use' zone do not necessarily entail a 'common theme' (such as medical/aged care).
31. Although the proposed modification to omit light industry type uses, that would normally be permitted in a Highway Commercial zone, is to address concerns raised during advertising, the rationale and approach was not necessarily supported.

#### **STATUTORY IMPLICATIONS**

32. Scheme amendments undergo a statutory process in accordance with the Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015.
33. Section 75 of the Planning and Development Act 2005 allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.
34. Voting requirement for this item is **SIMPLE MAJORITY**.

#### **POLICY IMPLICATIONS**

35. The following State Planning Policies are relevant to the assessment of this amendment;
  - a) State Planning Strategy 2050 - The Amendment is consistent with the Strategy given it promotes commercial, community and associated development within an activity centre.
  - b) State Planning Policy No. 3 Urban Growth and Settlement - The Amendment is consistent with SPP3 given it provides opportunities for employment and business activity and an infill site which forms part of an activity centre.

- c) State Planning Policy 5.4 Road and Rail Noise - With appropriate attenuation measures, future development of the subject lots should be able to comply with the provisions of State Planning Policy 5.4.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational:</b> The proposal may not be accepted by the Western Australian Planning Commission or the Minister for Planning.	Possible	Moderate	Medium	If not supported by the WAPC or Minister, the amendment will not be progressed or will have to be modified, with the reasons for refusal or modification clearly communicated to the proponent and community.
<b>Opportunity:</b> To support urban consolidation by making better use of existing zoned land and infrastructure through land use permissibility.				

### FINANCIAL IMPLICATIONS

37. There are no financial implications relating to the proposal to amend the *Local Planning Scheme No. 1*.

### LEGAL IMPLICATIONS

38. There are no legal implications directly relating to this item.

### ENVIRONMENTAL CONSIDERATIONS

39. The Environmental Protection Authority decided that the proposal is not significant to warrant a formal environmental assessment.

### ALTERNATE OPTIONS

40. Council may consider alternate options in relation to this item, such as:
- To resolve to support the scheme amendment with modifications (e.g. as originally submitted and advertised); or
  - To resolve not to support the scheme amendment and advise the Western Australian Planning Commission, in writing, of the reasons for doing so.

### CONCLUSION

41. The Lots 201, 202 and 203 Chester Pass Road and Lot 1004 Viastra Drive, Lange are zoned 'Special Use 23'. Within this 'Special Use' zone, there are specified land uses, which may be considered for approval.
42. The landholder has expressed a need to amend the zoning of a portion of the subject land to 'Highway Commercial', and to allow for some additional land uses, for the portion zoned 'Special Use', to better reflect market demand.
43. The proposal has been assessed against all the relevant legislative requirements of the Scheme, State and Local Planning Policies and has taken into consideration agency and public comments received as a result of advertising.
44. Staff recommend that Council adopt the proposed amendment, subject to modifications to ensure the amenity of the area is protected. Staff recommend that the 'Highway Commercial' zone is not introduced and instead, the whole site is zoned 'Special Use', with the opportunity to consider a range of land uses that will complement the activity centre and not impact the St Ives Retirement Village.

Consulted References	:	1. <i>Local Planning Scheme No. 1</i> 2. <i>Albany Local Planning Strategy (2019)</i> 3. <i>State Planning Strategy 2050</i> 4. <i>State Planning Policy No. 3 (2006)</i> 5. <i>State Planning Policy 5.4</i>
File Number (Name of Ward)	:	LAMD36 (Yakamia Ward)
Previous Reference	:	OCM - DIS229 – 24 November 2020

**DIS257: PLANNING AND BUILDING REPORTS APRIL 2021**

**Proponent / Owner** : City of Albany.  
**Attachments** : Planning and Building Reports April 2021  
**Report Prepared By** : Information Officer – Development Services - Zoe Sewell  
**Responsible Officers:** : Manager Planning and Building Services  
(J Van Der Mescht)

**RECOMMENDATION**

**DIS257: RESPONSIBLE OFFICER RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Planning and Building Reports for April 2021 be NOTED.**

**COVID-19 IMPACT**

- COVID-19 has no impact on this report.

**DIS258: COMMUNITY WASTE PROGRESS REPORT – QUARTER 3**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Community Waste Resource Strategy 2019-2026 Progress Report (Quarter 3)
<b>Report Prepared By</b>	: Manager, Engineering & Sustainability (R March)
<b>Responsible Officers:</b>	: Executive Director Development, Infrastructure and Environment (P Camins)

**RECOMMENDATION**

**DIS258: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the Community Waste Resource Strategy 2019-2026 Progress Report (Quarter 3) be NOTED.**

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 Nil**
17. **MEETING CLOSED TO PUBLIC**
18. **CLOSURE**