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# MINUTES

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Ordinary Meeting of Council

Wednesday 26 April 2023

6.00pm

Council Chambers



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## 1. DECLARATION OF OPENING

The Mayor declared the meeting open at 6.00PM

## 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

A Cruse

Frederickstown Ward

G Stocks (By Zoom)

Frederickstown Ward

M Traill

Kalgan Ward

T Brough

Kalgan Ward

M Benson-Lidholm JP

Vancouver Ward

J Shanhun

Vancouver Ward

D Baesjou

West Ward

S Smith

West Ward

S Grimmer

Yakamia Ward

C Thomson

Yakamia Ward

R Sutton

### Staff:

Chief Executive Officer

A Sharpe

Executive Director Corporate & Commercial Services

M Giffellon

Executive Director Infrastructure, Development

& Environment

P Camins

Executive Director Community Services

N Watson

Manager Planning and Building Services

J Van Der Mescht

Meeting Secretary

J Williamson

**Apologies:** Nil

Three members of the media and 10 members of the public were in attendance.

### RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR THOMSON

SECONDED: COUNCILLOR SUTTON

THAT Councillor Stocks be GRANTED approval to attend this meeting remotely using Zoom.

CARRIED 12-0

#### 4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest
Nil		

#### 5. REPORTS OF MEMBERS

##### 6.01pm Councillor Grimmer

###### Summary of key points:

Councillor Grimmer reported that he had attended the Good Food Shed, Bornholm which is open from November to April. Councillor Grimmer stated that the Good Food Shed is a fantastic initiative selling local produce.

Councillor Grimmer also attended the Bornholm Hall Anzac Service which saw over 50 attendees.

Councillor Grimmer also attended the 100th birthday party for the Youngs Siding Hall, which has benefited from Federal government funding for upgrades. Councillor Grimmer said that between 200 to 300 people attended.

##### 6.05pm Councillor Baesjou

###### Summary of key points:

Councillor Baesjou attended the Dawn Service on Anzac Day.

##### 6.06pm Councillor Benson-Lidholm

###### Summary of key points:

Councillor Benson-Lidholm attended the Albany Golf Club Masterplan presentation. Councillor Benson-Lidholm opened the Albany Speedway Easter Show Down.

Councillor Benson-Lidholm also attended the Dawn Anzac Service and the Wellstead Progress Association AGM.

##### 6.10pm Councillor Brough

###### Summary of key points:

Councillor Brough said that he had served as part of the Anzac Operation in Timor-Leste, and reflected on Anzac Day bringing the community together. Councillor Brough expressed his concern that this day of significance may be deconstructed, and said that 103,000 men and women who died in conflicts are listed on the Honour Roll. Councillor Brough said that this was a reflection on ordinary people doing extraordinary things.

##### 6.12pm Councillor Traill

###### Summary of key points:

Councillor Traill commented on the Centenary of Youngs Siding Hall, and the recent passing of former Councillor Jan Waterman, who served on Council from 2003 to 2007.

Councillor Traill attended the launch of *No Longer a Wandering Spirit*, a biography celebrating the legacy of Menang woman Bessy Flowers.

Councillor Traill also attended First Lights: Binalup.

**6.15pm Councillor Terry**  
**Summary of key points:**

Councillor Terry attended the Great Southern Art Award and congratulated the winners including Samantha Dennison who won the City of Albany Acquisitive Award.

Councillor Terry also congratulated the City's Youth Development Team, Albany Library, ALAC and Town Hall staff for the School Holiday Program.

Councillor Terry attended the WALGA Zone Meeting in Kojonup, which included the Regional Development Australia (Great Southern) presentation by Great Southern Rail Advocacy Group. Councillor Terry said that he would like local governments to lobby for more involvement in setting speed zones on local roads.

Councillor Terry attended the Anzac Dawn Service and was grateful that the weather was kind. Councillor Terry also expressed his condolences on the passing of former Councillor Jan Waterman.

**6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Ordinary Council Meeting held on Tuesday 28 March 2023, the following questions were taken on notice from members of the public:

*Please provide clear details of how a rezoning of Lot 4743 to a reserve can be achieved in the North Albany District Structure Plan while the Albany Local Planning Scheme still has it zoned as Future Urban Residential.*

**Response:**

*The "Future Urban" (LPS1) or "Urban Development" (LPS2) zones require and enable the preparation of a Structure Plan prior to any extensive development/use or subdivision.*

*A Structure Plan guides how the land could be serviced, developed, used and subdivided. As part of this plan, areas earmarked for public open space or conservation are also shown.*

*Once the Structure Plan is complete, it can be implemented. Any public open space or conservation areas may be subdivided and ceded as part of the implementation. Following that the Structure Plan can be incorporated into the Planning Scheme via a Basic Scheme Amendment or Scheme Review."*

**Does Council have a plan to protect native vegetation across the City?**

**Response:**

*"Plans that the City has to protect native vegetation include:*

- ALPS, which has a presumption against clearing for development.*
- The City's Environmental Impact Assessment Policy and Procedure ensure works are conducted in a manner that minimise the environmental impact on land vested with the City of Albany*
- The City's Natural Reserves Strategy & Action Plan 2017 – 2021 provides the framework and an action plan to manage the 450 reserves under the City's stewardship"*

***It has been stated that 'The recommendations/actions from Albany Local Planning Strategy, as well as additional recommendations from the State and locally adopted guiding documents, were incorporated into the creation of Local Planning Scheme 2.'***

***If this is the case, why are Yakamia Forest and some other areas of remnant vegetation still zoned as urban development and have not been rezoned as environment conservation in the LPS2, given that the Albany Local Planning Strategy states: 'There is a presumption against clearing for development' and it is known that retaining remnant vegetation helps to mitigate greenhouse emissions?***

Response:

*"The actions from ALPS are being implemented.*

*The Yakamia area is designated as an Urban Growth area and is specifically addressed in ALPS.*

*Below are 2 separate extracts from the Urban Growth section in the Albany Local Planning Strategy:*

*'Actions*

*1. Settlement growth will occur in areas designated as 'Urban Growth' on Figure 2. Priority will be given to areas already zoned 'Future Urban' under the Local Planning Scheme."*

*Land designated on Figure 2 as 'Urban Growth' has been identified in accordance with the following criteria:*

- a structure plan has been approved or recommended for approval by the City at the time this Strategy was endorsed by the WAPC;*
- environmental assessment has been undertaken by EPA and vegetation has been assessed or land is predominantly cleared;*
- the land is part of the planned expansion of power, water and wastewater servicing;*
- the land is an extension of the existing developed urban front;*
- a Local Water Management Strategy has been prepared and endorsed;*
- the land is not impacted by buffers (noise, odour), or contained in a Special Control Area; and*
- appropriate community infrastructure has been identified and planned for (e.g. primary schools)."*

**Is the City working to subdivide Lot 4743 to include the City administration building and land south of Yakamia Creek in a commercial zone, with the remainder of the subdivision to be rezoned to Conservation?**

Response:

*"No work is currently being undertaken".*

**Will there be flora and fauna studies carried out over a 12-month period to capture all activities across the six Noongar seasons? We certainly hope so and since that means they will naturally take a year, we want to know if the surveys have started? If not, when will they begin?**

Response:

*"The Flora and Fauna Studies will be carried out in accordance with the requirements of DWER and will be carried out in the spring/summer prior to works commencing as per Department of Water, Environment and Regulation (DWER) requirements. We are uncertain who will be doing them, but quotations will be sought from third party qualified expert consultants. The study commencement will be dependent on the program of works and the availability of funding."*

## **7. PUBLIC QUESTION TIME**

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

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

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

**6.19pm Mr Jon Doust, Angove Road Spencer Park**  
**Summary of key points:**

Mr Doust addressed Council in support of the Notice of Motion by Councillor Thomson which proposes to fly the Ukrainian flag at the Anzac Peace Park.

**6.23pm Mr Trenton Brennan, 116 Middleton Beach Road**  
**Summary of key points:**

Mr Brennan addressed Council in support of the Notice of Motion by Councillor Thomson which proposes to fly the Ukrainian flag at the Anzac Peace Park.

**6.25pm Mr Craig Hamilton, 82 La Perouse Road, Goode Beach**  
**Summary of key points:**

Mr Hamilton addressed Council regarding a letter he had circulated to Elected Members regarding Goode Beach fire safety. Mr Hamilton's correspondence is detailed at Appendix A.

**6.27pm Ms Merry Robertson, ArtSouth WA Chair**  
**Summary of key points:**

Ms Robertson addressed Council in support of the Committee Recommendation for the Regional Events Sponsorship funding for the 2023 Southern Art and Craft Trail.

**6.32pm Mr Paul O'Donnell, Vice President Albany Mountain Bike Club**  
**Summary of key points:**

Mr O'Donnell addressed Council in support of the Regional Events Sponsorship application for the WA Inaugural Pump Track Championships at the Youth Challenge Park.

There being no further speakers the Mayor declared Public Question Time closed at **6.33pm**.

**8. APPLICATIONS FOR LEAVE OF ABSENCE Nil**

**9. PETITIONS AND DEPUTATIONS Nil**

**10. CONFIRMATION OF MINUTES**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TRAILL**

**SECONDED: COUNCILLOR TERRY**

**THAT the minutes of the Ordinary Council Meeting held on 28 March 2023, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 13-0**

**11. PRESENTATIONS Nil**

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



## CCS516: THREE MONTH TRIAL PERIOD FOR BODY WORN CAMERAS BY CITY RANGERS

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: <ul style="list-style-type: none"><li>• Body Worn Camera Policy – Draft</li><li>• Standard Operating Procedure (SOP) - Draft</li><li>• Confidential Briefing Note</li></ul>
<b>Report Prepared By</b>	: Manager Public Health and Safety (S Reitsema)
<b>Authorising Officer:</b>	: Chief Executive Officer (A Sharpe) Executive Director Corporate & Commercial Services (M Gilfellow)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
  - **Pillar:** People
  - **Outcomes:** A safe community
  - **Objectives:**
    - Improve community safety.
    - Encourage responsible animal management.
  - **Pillar:** Leadership
  - **Outcomes:** Strong workplace culture and performance

#### In Brief:

- That Council note that the CCS Committee was requested to consider the endorsement of an initial three-month Body Worn Camera trial for the purpose of training, evaluation and testing of administrative policy and associated procedures.
- At the CCS Committee Meeting held on 11 April 2023, the Chief Executive Officer advised the Committee that this matter would be included in the Agenda for the Ordinary Council Meeting to be held on Wednesday 26 April 2023 for noting.

### RECOMMENDATION

#### CCS516: RESOLUTION

#### VOTING REQUIREMENT: SIMPLE MAJORITY

**MOVED: COUNCILLOR TERRY**

**SECONDED: COUNCILLOR SMITH**

**THAT Council NOTE the following Committee Recommendation:**

***‘THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons.’***

**CARRIED 10-3**

#### Record of Vote

Against the Motion: Councillors Thomson, Brough and Benson-Lidholm

CCS516: AMENDMENT BY COUNCILLOR THOMSON  
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be AMENDED to read:

THAT Council:

- NOTE the following Committee Recommendation: '*THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons*';
- DIRECT the CEO to report to a meeting of Council within three months of conclusion of the planned three-month body worn camera trial on the outcomes of the trial; and
- DIRECT the CEO, in the event he considers the three-month trial to have been successful, to include in the above-mentioned report a draft body-worn camera policy that reflects findings from the trial, and a recommendation for council determination of a final policy.

LOST 5-8

#### **Record of Vote**

For the Motion: Councillors Thomson, Brough, Benson-Lidholm, Traill and Sutton.

#### **Councillor Reason:**

This amended motion proposes that the officers' recommendation be endorsed.

It is further recommended that results of the three-month body worn camera trial suggested by officers be presented in a report to the City council, and that outcomes of the trial inform a draft body worn camera policy for consideration and determination by the council.

The amendment, if endorsed, would in no way delay implementation of body worn cameras for authorised council officers should the council endorse recommendations of the proposed officer report.

Presentation of a final draft policy, informed by lessons from the three-month trial, would be consistent with the usual orderly and staged policy development process of Albany's City council.

The administration has advised that it has the power to introduce body worn cameras without endorsement of the council.

The administration has further advised that decisions on the implementation of council policies are the remit of the council.

This is consistent with Clause 2.7(2)(b) of the Local Government Act that affirms it is the role of councils to "determine the local government's policies".

Under the current officer recommendation, the council would not have the opportunity to either endorse or provide feedback on the draft policy. No substantial council debate about the policy would occur, against which to test and potentially modify the administration's advice.

In such a circumstance, the council would waive its responsibility to establish appropriate settings in advancing the safety of the Albany community and authorised officers, delegating this important task to the unelected administration.

Of the LGAs that have implemented the cameras, the Town of Claremont, and shires of Esperance, Toodyay and Wyndham-East Kimberley, at least, have introduced their body worn camera policies only after their councils – as elected representatives of the people – were afforded the opportunity to endorse those policies.

Engaging elected members as decision-makers on a draft body worn camera policy is:

- in full accordance with the Local Government Act;
- consistent with usual City of Albany policy development practice; and
- a more strategic, democratic and transparent approach to policy development on this important matter.

**Officer Comment:**

The administration highly values our trusted and cooperative relationship and cooperative approach with Council. It is for this reason that the administration put a report to the Corporate and Community Services Committee and Council regarding the introduction of Body Worn Cameras. By presenting the report, it gives the awareness to Council of the proposed introduction and gives the ability to influence the decisions of administration through the introduction of a Council Policy, statement of a position or other.

The administration will respect the governance process. Should Council want to receive a report through the Council Meeting process on the outcome of a trial and the recommendation of a Council Policy, then the administration will respect this position.

*Following Councillor Thomson speaking in support of the amendment, Councillor Brough withdrew as seconder and suggested that Councillor Sutton second the amendment. Councillor Sutton agreed to second the amendment.*

*Councillor Thomson then moved an amendment to the Authorising Officer Recommendation which was seconded by Councillor Brough.*

CCS516: AUTHORISING OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR SMITH

THAT Council NOTE the following Committee Recommendation:

*‘THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons.’*

CCS516: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR SMITH

THAT the Amended Authorising Officer Recommendation be ADOPTED.

CARRIED 10-3

**Record of Vote**

Against the Motion: Councillors Thomson, Brough and Benson-Lidholm

CCS516: AMENDED AUTHORISING OFFICER RECOMMENDATION

THAT the Committee NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons.

### ADDENDUM

- The views and questions raised at the March Committee meeting were reviewed by City Officers and additional information sought post meeting.
- Additional Information detailed in the attached Confidential Briefing Note, which includes the amended officer recommendation for noting of the subject report by the Committee only.
- The responsibility for use of body worn cameras by authorised officers' rests with the administration (the City's Executive).
- In accordance with the City's Standing Orders Local Law, this matter is required to be brought back to the Committee as a result of the procedural motion to refer/adjourn (DEFER) the matter.
- Recommended way forward is for the Committee to NOTE the report only as the determination to use BWC is an administrative function.

*As the Alternate Motion by Councillor Thomson was lost, the Committee then considered the Amended Authorising Officer Recommendation.*

#### CCS516: ALTERNATE MOTION BY COUNCILLOR THOMSON

MOVED: COUNCILLOR THOMSON

SECONDED: COUNCILLOR BROUGH

THAT:

1. Before the end of 2023, the administration present a draft council policy regarding the use of body worn cameras for endorsement, or otherwise, of the city council;
2. The above-mentioned draft policy be accompanied by a report that comprehensively addresses advantages and disadvantages, potential unintended consequences, likely efficacy, and other ranger and community safety measures that may complement the use, of body worn cameras; and
3. Recognising the legislative limits on councils intervening in administrative matters, and the fact that in some other Western Australian municipalities it has been councils rather than administrations that have decided whether to introduce body worn cameras, the administration consider inserting a recommendation in the above-mentioned report concerning council endorsement, or otherwise, of the introduction of body worn cameras for authorised City of Albany staff.

LOST 3-10

#### Record of Vote

For the Motion: Councillors Thomson, Brough and Benson-Lidholm

#### Councillor Reason:

Introducing body worn cameras for City rangers and other authorised personnel, as proposed by the administration, is an escalation in the surveillance of the Albany community.

Potential impacts on the civil liberties and safety of the community, as well as on the safety of rangers and other authorised staff, are of strategic importance. They therefore warrant comprehensive, transparent consideration and debate by the full city council.

The administration has advised that, technically, it has the power to introduce body worn cameras without endorsement of the city council. Yet, in other parts of Western Australia, the decision to introduce body worn cameras has been made, transparently in open public forum, by municipal councils rather than by unelected administrations.

The administration has further advised that a decision on whether to introduce a body worn cameras council policy would be the remit of the city council. As will be outlined below, the council should receive more complete information on the advantages and disadvantages of body worn cameras than it has been provided to date.

At the time this alternative motion was submitted, elected members had been provided with no expert, independent, third-party evidence with regard to body worn cameras' efficacy in relation to improving ranger or community safety.

In addition, questions remained over how City of Albany rangers were surveyed with regard to their views, and precisely what proportion of rangers had expressed support for the cameras' introduction. I note the administration has since prepared a response to questions I asked in that regard, and I thank officers for that. Nonetheless, important supplementary questions remain as to the results of the administration's consultation with rangers.

Questions also remain over whether footage from body worn cameras would or could be used in an attempt to punish, rather than constructively manage the performance of, rangers after suboptimal interactions with the public. This, and the appropriate management of body worn camera footage so that rangers are not unfairly treated, are important matters that elected members should consider before acquiescing to the introduction of body worn cameras and an associated policy.

The administration's report recommends that the Community and Corporate Services Committee note the introduction of body worn cameras for use and evaluation by City of Albany authorised staff. A draft body worn cameras administrative policy is appended to the report, as are draft standard operating procedures for the cameras' use.

The administration has advised that if the committee were to decide merely to note the current officer recommendation, as per the administration's recommendation, the agenda item would not be likely to proceed to the full council. In such a circumstance, the administration would likely proceed to introduce body worn cameras for its rangers and other authorised personnel. The city council would not have the opportunity to either endorse, or even note, the introduction of body worn cameras and associated policy and operating procedures.

The draft policy and operating procedures raise as many questions as they answer. If the committee were to accede to the officers' recommendation and merely note that the policy and cameras would be introduced, the committee would be acquiescing to both. No substantial committee or council debate about advantages or disadvantages of the cameras, or the policy or operating procedures would occur, against which to test and potentially modify the administration's advice.

In such a circumstance, the council would waive its responsibility to establish appropriate settings in advancing the safety of the Albany community, delegating this important task to the unelected administration.

At the ordinary council meeting on March 28, it was stated that council consideration of body worn cameras would be *ultra vires*, i.e. beyond the power of the Council to decide. No legal advice was, or has since been, furnished to validate that assertion.

Contrary to that stated opinion, Clause 2.7(2)(b) of the *Local Government Act* affirms it is the role of the council, among other things, to “determine the local government’s policies”. The council’s policy determination function is doubly important with regard to body worn cameras, because community safety and workplace health and safety are key elements of the City’s guiding and overarching corporate document, the Strategic Community Plan 2032 (see pp. 8, 12, 14, 28 and 31).

Clause 5.41(d) of the *Local Government Act* states it is a function of the CEO to “manage the day to day operations of the local government”. Unilateral implementation of body worn cameras, and an associated policy, would appear to go well beyond the day to day operations of Albany’s local government.

Decisions on policies concerning safety are a strategic, rather than operational, matter and a core function of the council. Such decisions should be the domain of elected members, with the non-elected administration responsible for implementing council decisions.

At the time of first submitting this alternative motion, after receiving a request on March 13, the administration declined to nominate more than four municipalities, among Western Australia’s 138, that have introduced the cameras. Subsequent advice since the initial submission of this alternative motion indicates that other LGAs have implemented body worn cameras.

Of the LGAs that have, or plan to, implement body worn cameras, the Town of Claremont and Shire of Esperance introduced the cameras only after their councils – as elected representatives of the people – were afforded the opportunity to vote upon, and authorise, introduction of the cameras and associated policies. That is to say that introducing body worn cameras was not considered *ultra vires* for the councils, or an administrative rather than strategic matter, in those municipalities. Further investigation may reveal more LGAs where introducing body worn cameras has been subject to council endorsement.

Acquiescing to body worn cameras, and a related draft policy, rather than insisting that a decision at least on the latter be made by the council, would run counter to the practice of the two above-mentioned municipalities and any others where the matter was subject to a council decision.

The statement at Point 5 of the officers’ report, that the *Albany Rangers OSH Risk Review Report* “recommended that body worn cameras be used as they have been proven to reduce the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community” is not correct. The *Albany Rangers OSH Risk Review Report* made no such recommendation. Further, it made no such conclusion as to the efficacy of body worn cameras.

A relevant, related, point is that the *Albany Rangers OSH Risk Review Report* recommended other initiatives to improve ranger safety, and none of these has been advanced in the original or current officer report. Considering the implementation of body worn cameras in isolation is a piecemeal approach to improving ranger and community safety.

At the March Community and Corporate Services meeting, I drew to the administration’s and elected members’ attention two recent research articles that concluded there was little-to-no evidence to suggest that police use of body worn cameras had any impact on community or police officer safety. This, and other, recent expert research on the topic of body worn cameras is readily available on the internet. Despite advising the council and administration of that, the officer report for the April Community and Corporate Services Committee meeting does not reflect any engagement with the expert literature.

Further, in an effort to validate anecdotal information provided by officers on past abuse of rangers, quantitative data from incident reports was requested and has not been provided. This is an issue of some concern.

Elected members have not received nearly enough evidence on which to make a sound decision concerning body worn cameras.

With most types of criminal offences decreasing in Albany (City of Albany, *Safer Albany Plan, 2020-2023*, p.21), introducing body worn cameras and an associated policy via administrative fiat would appear to be premature. There has been no evidence presented to the council that the necessary evidence base has not been assembled. And the Albany community has not been invited to comment.

Given that the *Albany Rangers OSH Risk Review Report* was completed five years ago, there appears to be no particular need to rush the introduction of body worn cameras. A more consultative, comprehensive and transparent approach would lead to a better decision for city rangers and the Albany community.

This alternative motion has been moved so the administration might:

1. Provide a report to the council that includes:
  - a draft council policy on body worn cameras appended for decision;
  - information on experience with the use of body worn cameras by other local governments;
  - consideration of peer-reviewed research on the efficacy of body worn cameras;
  - advice on other means of improving ranger safety nominated in the *Albany Rangers OSH Risk Review Report*;
  - feedback from the Albany community;
  - analysis of trends in ranger incident statistics; and
  - advice on whether the council or, in the alternative, the administration might be the most appropriate body to endorse, or otherwise, the introduction of body worn cameras; and
2. Consider inserting a recommendation in the above-mentioned report concerning council endorsement, or otherwise, of the introduction of body worn cameras for authorised City of Albany personnel.

**Officer Comment (Executive Director Corporate and Commercial Services):**

The administration highly values our trusted and cooperative relationship and cooperative approach with Council. It is for this reason that the administration put a report to the Corporate and Community Services Committee regarding the introduction of Body Worn Cameras. By presenting the report, it gives the awareness to the committee of the proposed introduction and gives the ability to influence the decisions of administration through the introduction of a Council Policy, statement of a position or other.

The administration will respect the governance process. Should the committee want further information before progressing, want to recommend to Council to adopt a policy position on the use of Body Worn Cameras or even develop a position that they don't want the administration to introduce Body Worn Cameras, then the administration will respect this position.

CCS516: COMMITTEE RECOMMENDATION (PROCEDURAL MOTION)

MOVED: COUNCILLOR THOMSON

SECONDED: MAYOR WELLINGTON

THAT this report be DEFERRED and be re-presented to the April 2023 round of meetings.

CARRIED 10-2

**Record of Vote**

Against the Motion: Councillors Terry and Shanahun

The amendment was not put to the vote as a Procedural Motion to defer consideration of this item was moved from the floor.

CCS516: AMENDMENT BY COUNCILLOR STOCKS

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR BROUGH

THAT the Authorising Officer Recommendation be AMENDED to read as follows:

1. THAT Council NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons (Rangers) for a 3 month trial;  
and add point 2:
2. That the evaluation of the trial period be reported to Council before BWC are adopted for ongoing use.

Councillor Stocks then moved an Amendment to the substantive motion.

CCS516: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CCS516: AUTHORISING OFFICER RECOMMENDATION

THAT Council NOTE the introduction of Body Worn Cameras (BWC) for use and evaluation by City of Albany Authorised Persons (Rangers).

**BACKGROUND**

2. The nature of complaints investigated by City of Albany Rangers (Authorised Persons), where they are required to ensure compliance with state legislation and local laws, from time to time brings them face to face with persons who may become confrontational and aggressive.
3. In acknowledging that aggression in the workplace is a serious hazard that requires management, the City of Albany engaged a consultant to undertake an assessment of risks faced by the Ranger Team in undertaking their day-to-day duties.
4. The *“Albany Rangers OSH Risk Review Report”* (the Franklyn Report) was produced in 2018.
5. The consultant recommended that body worn cameras be used as they have been proven to reduce the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community.



6. Body worn cameras may also improve the safety of community members by ensuring transparency and accountability of authorised officers in their interactions with members of the community.
7. The use of body worn cameras by local government officers is becoming increasingly prevalent, providing an independent and objective resource to capture incidents and interactions between officers and members of the community.

## DISCUSSION

8. Body worn cameras, which are attached to the front of an officer's uniform and are capable of capturing audio, video and photos, are recognised to aide in reducing the risk of verbal and physical abuse directed at Rangers and other authorised City staff undertaking their duties in the wider community.
9. Body worn cameras also ensure transparency and accountability of authorised officers in their interactions with members of the community.
10. The use of body worn cameras by local government officers is becoming increasingly prevalent, providing an independent and objective resource to capture incidents and interactions between officers and members of the community.
11. Local governments in WA that have adopted the use of body worn cameras include the City of Perth, Town of Claremont, Shire of Toodyay and Shire of Wyndham/East Kimberley.
12. Rangers and other authorised officers can record footage in certain circumstances that concern their safety, the safety of another person, in a violent incident or if the officer suspects that a violent incident will occur, or to gather evidence in relation to a breach of an Act, Legislation, Regulation or Local Law.
13. Body worn cameras are intended to capture specific incidents, minimising collateral intrusion to those not directly involved in particular situation.

### Administrative Policy (Proposed)

14. A proposed administrative policy position has been developed and a Standard Operating Procedure (SOP) has been developed to ensure that body worn cameras are used in an appropriate, effective, auditable (accountable) and legislatively compliant manner.
15. In summary the draft Policy and SOP documents set out clearly the intent, purpose, when to use, storage and retrieval of data.
16. It is proposed that the decision to start or stop recording with a body worn camera, will rest with the Authorised Officer, having due regard to all the circumstances, guiding policy and the supporting SOP.

### Privacy and Responsible Information Sharing

17. This is addressed in the Risk Identification and Mitigation and Legal Implication sections of this report.

### Evaluation

18. At the completion of an initial evaluation period, feedback received from the Ranger Team and community will be reviewed. That feedback will inform any changes to the policy and procedures governing the use of BWCs by City staff.
19. Audits will be also conducted on the audio-visual recordings and the suitability of the data storage and software used.
20. It is the intention of the City to deploy the body worn cameras on a permanent basis and to provide the opportunity to other authorised persons within the City to utilise body worn cameras whilst fulfilling their duties.

### Advantages

21. The ability to record events electronically as they occur has a range of benefits specifically relating to the safety of City officers including:
  - Moderated behaviour of people present at incidents;
  - Increased officer accountability, transparency and professionalism;
  - Increased public trust;
  - Reduction in complaints against officers;
  - Use as a training tool; and
  - Improved collection of evidence.
22. Body worn camera footage may:
  - Enable the City to efficiently process any incident reported by the community or authorised officers of the City;
  - Allow for the review of interactions with community members by authorised officers whilst undertaking their day to day duties; and
  - Provide the means and opportunity to capture evidence related to reportable incidents by recording visual and audio evidence.
23. Overall, with the use of body worn cameras, community members should feel protected, and staff feel secure in performing their duties.

### Disadvantages

24. Body worn cameras may be unsafe in certain situations, particularly when in a public place where people may be under the influence of drugs and/or alcohol.
25. Recording of footage which is not in compliance with City of Albany policies and procedures or relevant legislation is possible; however it should be noted that this would result in disciplinary action if required.

### Storage of Body Worn Camera Footage

26. The storage of body worn camera footage must be a secure system, in accordance with evidence management requirements and relevant legislation.
27. Recorded data that is required (or potentially required) as evidence must be retained in accordance with the State Records Act 2000. This is currently seven years.
28. Footage may not be edited or altered, however in very specific circumstances, for example, irrelevant footage can be removed if not required or where it has been captured in error.
29. Body worn camera footage is to be released or distributed only upon application and in accordance with relevant legislation. Access to body worn camera footage should be restricted, monitored and audited.
30. A member of the public has the right to apply for access to their personal information held by the City of Albany under the *Freedom of Information Act 1992*.
31. Any applications for access to body worn camera footage under Freedom of Information legislation will be processed in accordance with the provisions of that Act.

## STATUTORY IMPLICATIONS

32. Statutory implications are the application of the following legislation on BWC use and the subsequent audio-visual record (data):
- Surveillance Devices Act 1998*
  - State Records Act 2000*
  - Freedom of Information Act 1992*
  - Evidence Act 1906*
  - Criminal Procedures Act 2004*
33. The *Privacy Act 1988* is a federal law which does not cover local, state or territory government agencies, and therefore does not apply in this instance. However, the City of Albany does adhere to the principles of the *Privacy Act 1988*.
34. The Office of the Information Commissioner (WA) administers the *Freedom of Information Act 1992* which includes some privacy principles related to the disclosure and amendment of personal information held by Western Australian State and local government agencies.
35. The voting requirement for this item is **Simple Majority**.

## POLICY IMPLICATIONS

36. The use of body worn cameras by authorised officers will be in accordance with the *City of Albany Body Worn Camera Policy*.
37. The Policy and Procedures related to BWCs also address the Standard Operating Procedure (SOP) to ensure that body worn cameras are used in an appropriate, effective, auditable (accountable) and legislatively compliant manner.
38. The decision to start or stop recording with a BWC will rest with the Authorised Person/s, having due regard to all the circumstances including information contained within the City BWC Policy document and Standard Operating Procedures.
39. The draft Policy and Standard Operating Procedure documents set out clearly the intent, purpose, use of a body worn camera and the storage and retrieval of data.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Legal and Compliance:</b> <i>Unauthorised use of a body worn camera.</i>	<i>Rare</i>	<i>Major</i>	<i>Low</i>	<i>Policy and procedures are in place to govern the use of body worn cameras, including monitoring and auditing of footage.</i>
<b>People Health and Safety:</b> <i>Risk of verbal or physical abuse or assault on Rangers or other authorised City Officers in the course of their work.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Body worn cameras may reduce the risk of physical injury or psychological harm to City of Albany authorised officers.</i>
<b>Opportunity:</b> <i>The ability to record events electronically as they occur has a range of benefits specifically relating to the safety of City officers including:</i> <ul style="list-style-type: none"> <li><i>Moderated behaviour of people present at incidents;</i></li> <li><i>Improved officer conduct and professionalism;</i></li> <li><i>Reduction in complaints against officers; and</i></li> <li><i>Improved collection of evidence.</i></li> </ul>				

## FINANCIAL IMPLICATIONS

41. The City purchased five body worn cameras, associated hardware, software and licencing at a cost \$11,866 in 2020. The body worn cameras have not yet been used, due to delays with the establishment of the Policy and Procedure documents.
42. Whilst the Milestone CCTV server provides a digital storage and playback capacity, it is a limited platform for the management of digital evidence.
43. A Digital Evidence Management System would be the preferred method of storing and managing the digital evidence and will incur an annual subscription cost.

## LEGAL IMPLICATIONS

44. The Surveillance Devices Act 1998 regulates the use of listening devices and optical surveillance devices in respect of private activities and conversations.
45. BWC audio-visual recordings will be stored and retained in accordance with the *State Records Act 2000*.
46. Applications for access to audio-visual footage from a BWC can be made in accordance with the *Freedom of Information Act 1992*.
47. Audio-Visual recordings may be tendered as evidence in the event of a prosecution.

## CONCLUSION

48. The evaluation period will provide an opportunity to ensure that policies and procedures related to the use of body worn cameras are appropriate.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Surveillance Devices Act 1998</i></li><li>• <i>State Records Act 2000</i></li><li>• <i>Freedom of Information Act 1992</i></li><li>• <i>Evidence Act 1906</i></li><li>• <i>Criminal Procedures Act 2004</i></li></ul>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	CCS Committee 14/03/2023 Report CCS516

**CCS518: FINANCIAL ACTIVITY STATEMENT – FEBRUARY 2023**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Financial Activity Statement – February 2023
<b>Report Prepared By</b>	: Manager Finance (S van Nierop)
<b>Authorising Officer:</b>	: Executive Director Corporate & Commercial Services (M Gilfellon)

**STRATEGIC IMPLICATIONS**

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

**IN BRIEF**

- Under the Local Government Financial Management Regulations, a local government is to prepare on a monthly basis a statement of financial activity that is presented to Council.
- The City of Albany's Statement of Financial Activity for the period ending 28 February 2023 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City's Investment of Surplus Funds Policy.
- The financial information included within the financial activity statement for the period ended 28 February 2023 is preliminary and has not yet been audited.

**RECOMMENDATION**

**CCS518: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the Financial Activity Statement for the period ending 28 February 2023 be RECEIVED.**

**CARRIED 13-0**

**CCS518: COMMITTEE RECOMMENDATION**

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

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

**CARRIED 13-0**

**CCS518: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Financial Activity Statement for the period ending 28 February 2023 be RECEIVED.**

## DISCUSSION

2. 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.
3. In order to fulfil statutory reporting obligations, the Financial Activity Statement prepared provides a snapshot of the City's year to date financial performance. The report provides:
  - (a) Statement of Financial Activity by Nature or Type;
  - (b) Explanation of material variances to year to date budget;
  - (c) Net Current Funding Position;
  - (d) Investment Portfolio Snapshot;
  - (e) Receivables; and
  - (f) Capital Acquisitions.
4. 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 CCS457, Council approved that a variance between actual and budget-to-date of greater than \$100,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2022/2023.
5. The Statement of Financial Activity may be subject to year-end adjustments and has not been audited by the appointed auditor.
6. 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

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
  - 34(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for 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.
  - 34(2) 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.

- 34(3) 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.
- 34(4) 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.
- 34(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

#### **POLICY IMPLICATIONS**

8. The City's 2022/23 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 28 February 2023 has been incurred in accordance with the 2022/23 proposed budget parameters.
11. Details of any budget variation in excess of \$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 (Name of Ward)	:	FM.FIR.7 - All Wards

**CCS519: LIST OF ACCOUNTS FOR PAYMENT – MARCH 2023**

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

**STRATEGIC IMPLICATIONS**

- 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**

**CCS519: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SMITH**  
**SECONDED: COUNCILLOR TRAILL**

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 March 2023 totalling \$6,175,896.28 be RECEIVED.**

**CARRIED 13-0**

**CCS519: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SMITH**  
**SECONDED: COUNCILLOR BROUGH**

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

**CARRIED 13-0**

**CCS519: AUTHORISING OFFICER RECOMMENDATION**

**THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 March 2023 totalling \$6,175,896.28 be RECEIVED.**

**DISCUSSION**

- The table below summarises the payments drawn from the municipal fund for the period ending 15 March 2023. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$0.00
Credit Cards	\$19,564.22
Payroll	\$1,745,288.78
Cheques	\$43.70
Electronic Funds Transfer	\$4,410,999.58
<b>TOTAL</b>	<b><u>\$6,175,896.28</u></b>



3. The table below summarises the total outstanding creditors as at 15 March 2023.

Current	\$467,849.98
30 Days	\$954,477.72
60 Days	-\$1,421.32
90 Days	\$23,671.15
<b>TOTAL</b>	<b><u>\$1,444,577.53</u></b>
Cancelled Cheques	Nil

### 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 March 2023 has been incurred in accordance with the 2022/2023 budget parameters.

### FINANCIAL IMPLICATIONS

8. Expenditure for the period to 15 March 2023 has been incurred in accordance with the 2022/2023 budget parameters.

### LEGAL IMPLICATIONS

9. Nil

### ENVIRONMENTAL CONSIDERATIONS

10. Nil

### ALTERNATE OPTIONS

11. Nil

### CONCLUSION

12. That the list of accounts has been authorised for payment under delegated authority.
13. 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 (Name of Ward)	:	FM.FIR.2 – All Wards

**CCS520: DELEGATED AUTHORITY REPORTS – 16 FEBRUARY 2023 to  
15 MARCH 2023**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Executed Document and Common Seal Report
<b>Report Prepared By</b>	: PA to the ED Corporate & Commercial Services (H Bell)
<b>Authorising Officer:</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:
  - **Pillar:** Leadership.
  - **Outcome:** A well informed and engaged community.

**RECOMMENDATION**

**CCS520: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the Delegated Authority Reports 16 February 2023 to 15 March 2023 be RECEIVED.**

**CARRIED 13-0**

**CCS520: COMMITTEE RECOMMENDATION**

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

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

**CARRIED 13-0**

**CCS520: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 February 2023 to 15 March 2023 be RECEIVED.**

**BACKGROUND**

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

## **CCS521: CORPORATE SCORECARD**

**Attachments** : Attachment – ‘CS Dashboard Q3 2022-23’  
**Report Prepared By** : Business Planning and Performance Coordinator  
(A Olszewski)  
**Authorising Officer:** : Acting Manager People & Culture (D Waugh)

### **STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany’s Strategic Community Plan 2032 or Corporate Business Plan informing plans or strategies:

- **Pillar:** Leadership.
- **Outcome:** Proactive, visionary leaders who are aligned with community needs and values.

#### **In Brief:**

- The Strategic Community Plan 2032 (SCP) and Corporate Business Plan 2021-2025 (CBP) were adopted by Council in August 2021.
- The CBP outlines a comprehensive suite of actions that effectively form Council’s priority commitments to the community.
- The Corporate Scorecard (CS) Dashboard concept was developed to provide a quarterly update to Council on the status of these actions.

### **RECOMMENDATION**

**CCS521: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the Corporate Scorecard Dashboard be NOTED.**

**CARRIED 13-0**

**CCS521: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GRIMMER**  
**SECONDED: COUNCILLOR BROUGH**

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

**CARRIED 13-0**

**CCS521: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Corporate Scorecard Dashboard be NOTED.**

### **BACKGROUND**

2. The SCP establishes the results the community expects Council to achieve through the City, while the CBP describes the specific actions necessary to achieve those results.
3. These actions are monitored through Business Unit Plans, which define (on a minimum quarterly basis) associated service levels and enable assignment of a simple ‘traffic light’ status to each action.
4. The first iteration of the CS Dashboard was presented to Council at the November 2021 CCS Committee meeting for feedback, and subsequently endorsed at the December OCM.

## DISCUSSION

5. The 'CS Dashboard Q3 2022-23' (attached) provides an update on the status of CBP actions for the January to March 2023 quarter, identifying those actions potentially 'at-risk.'
6. 'At-risk' actions include those assigned with a traffic light status of either:
  - Red (a service *not meeting* its service level, or a project *not on track*), or
  - Orange (a service *under strain*, or a project that has *stalled*).
7. Commentary on any 'at-risk' actions is provided at the conclusion of the CS Dashboard.

## GOVERNMENT & PUBLIC CONSULTATION

8. N/A.

## STATUTORY IMPLICATIONS

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

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

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

**\*Absolute majority required.**

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

## POLICY IMPLICATIONS

10. N/A.

## RISK IDENTIFICATION & MITIGATION

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

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

## FINANCIAL IMPLICATIONS

12. N/A.

## LEGAL IMPLICATIONS

13. N/A.

## ENVIRONMENTAL CONSIDERATIONS

14. N/A.

## ALTERNATE OPTIONS

15. Council may choose not to review progress of commitments made in the CBP through the proposed CS Dashboard, and delegate this oversight to the City's Executive.

## CONCLUSION

16. It is recommended the CS Dashboard be noted.

Consulted References	:	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1995, s5.56</i></li> <li>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i></li> <li>• <i>IPR Framework and Guidelines 2019</i></li> </ul>
File Number (Name of Ward)	:	All Wards
Previous Reference	:	OCM 28/02/2023 - Report Item CCS511

**CCS522: REGIONAL EVENTS SPONSORSHIP ROUND 1 – 2023/2024**

**Proponent / Owner** : City of Albany  
**Report Prepared By** : Personal Assistant to Executive Director Community Services (C Crane)  
**Authorising Officer:** : Executive Director Community Services (N Watson)

**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- To seek Council endorsement of the Assessment Panel recommendations for Regional Events Sponsorship Round 1 – 2023/2024.

**RECOMMENDATION**

**CCS522: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TRAILL**  
**SECONDED: COUNCILLOR TERRY**

**THAT the Regional Event Sponsorship Assessment Panel recommendations, as outlined in Paragraph 20 – Table 1 of this report be ENDORSED.**

**CARRIED 13-0**

**CCS522: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR THOMSON**  
**SECONDED: COUNCILLOR TRAILL**

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

**CARRIED 13-0**

**CCS522: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Regional Event Sponsorship Assessment Panel recommendations, as outlined in Paragraph 20 – Table 1 of this report be ENDORSED.**

**BACKGROUND**

2. The City of Albany's Regional Events Sponsorship (RES) program is designed to attract and support the staging of events that are regional economic drivers for Albany as a destination.
3. A Regional Event is defined as possessing the capability to attract significant numbers of visitors from outside the region and is more than just a local festival; it must possess substantial drawing power.
4. Council allocates \$80,000 annually within its budget for RES. This is reflected in Council's Long Term Financial Plan and demonstrates a continued commitment to have budget capacity to support community and regional events.
5. The funding allocation is offered across two funding rounds annually, with Round 1 for events being held between 1 July and 31 December, and Round 2 for events being held between 1 January to 30 June.

6. This approach was introduced in 2022 in discussion with Elected Members (CCS430) to make the funding more accessible to event organisers.

## **DISCUSSION**

7. The funding being considered in this report is for Round 1 of 2023/2024, with 3 applications received.

### Program Overview

8. Applications for RES funded activity for events being held between 1 July 2023 to 31 December 2023 opened for applications on December 8, 2022 and closed on 13 February 2023.
9. The City received three applications for events in this round.
10. The RES program 2023 eligibility criteria include:
- Increasing visitor expenditure in the Albany region (economic impact);
  - Involves and inspires the local community (social benefits);
  - Attracts media coverage that will help raise the profile of Albany as a visitor destination (media impact);
  - Demonstrate continuity and is likely to engage the community into the future (sustainability).
11. The program is a competitive funding application process and is designed to encourage and support applicants to leverage additional funding support from other sources, such as Tourism WA RES funding.
12. Events that are funded by Council are required to enter into a Contractual Agreement with the City inclusive of post-event acquittals, project reports and milestone payments where relevant.

### Assessment

13. Applicants were encouraged to shape their proposed activities to the sponsorship criteria, and officers gave guidance to applicants who did not meet the eligibility criteria.
14. An assessment panel comprising Mayor Wellington, Councillor Thomson and Councillor Traill received guidance from City officers.
15. The process included an in-person pitch from the applicants. All applicants presented their events to the assessment panel on March 27.
16. The applications were:

#### Application 1 – Albany Mountain Bike Club, Southern Peaks 2023

- Two-day event on Saturday, September 23 and Sunday, September 24;
- Western Australia's first State Pump Track Championship at Youth Challenge Park;
- Jump Fest on Saturday night at Youth Challenge Park dirt jumps;
- XCM State Championship – cross-country event involving 50km, 37km and 17km categories;
- Expected to attract 1100 visitors (1000 intrastate & 100 interstate) to the region for an average stay of 3 nights.

Application 2 – ArtSouth WA, 2023 Southern Art & Craft Trail

- 20<sup>th</sup> anniversary year;
- 16-day art trail from Saturday, September 23 to Sunday, October 8;
- Involves up to 400 artists and 60 venues across the region, including exhibitions and workshops;
- 15,000 program booklet distributed across the Great Southern and the west-coast south of Perth;
- Includes Art Trail Tours with an Albany-based tour bus operator;
- Third year of including a 'Schools of the Art Trail', which involved 16 schools last year. Schools partner with retailers and public spaces to create displays of student artwork;
- Inclusion focus to involve indigenous, disability and migrant communities;
- Expected to attract 15,000 visitors (13,000 intrastate, 1600 interstate, 400 international) to the region and stay for up to 5 nights.

Application 3 – Albany International Folk & Shanty Festival 2023

- Established in 2018 and remains only maritime folk & shanty festival in Australia;
  - Three-day event from Friday, September 29 to Sunday, October 1.
  - Involves multiple venues, free events, family/children's event, maritime-themed talks and a new 'Shanty Hub' marquee on Albany Waterfront;
  - Program includes an international folk n' shanty group and a number of national acts
  - Involves about 20 visiting WA artists as well as large complement of local artists;
  - Expected to attract 1610 visitors (1500 intrastate, 100 interstate, 10 international) with an average stay of 3 nights.
17. Applications were evaluated by City officers using an event assessment tool developed to measure the economic value, visitor numbers and budget sustainability of each application.
18. The assessment panel supported the three applications and made its funding recommendations based on the funding criteria, information supplied and applicant presentations.
19. The panel recommended supporting all three (3) of the applications.

Panel Recommendations

20. A summary of applications recommended for funding is outlined in Table 1.

**Table 1 - Regional Events Sponsorship – Assessment Panel Recommendations**

	Applicant / Event	Event Type	Comments	Amount Requested	Panel Recommendation
1.	Albany Mountain Bike Club:	Sporting Event	Utilising the new Youth Challenge Park pump-track to hold the first Pump Track State Championship in WA with potential for growth.	\$20,000	\$15,000
2.	ArtSouth WA	Cultural Event	An established, well run regional festival that is celebrating its 20 <sup>th</sup> anniversary and attracts a substantial number of visitors from outside the region across its 16-day program.	\$20,000	\$20,000
3.	International Folk & Shanty Festival	Cultural Event	Unique event involving international acts. Program engages local businesses and venues, attracts visitors from outside the region and has potential for growth	\$20,000	\$15,000
Totals				\$60,000	\$50,000



21. The table of panel recommendations is for cash support only.

#### GOVERNMENT & PUBLIC CONSULTATION

22. Not applicable.

#### STATUTORY IMPLICATIONS

23. Nil.

#### POLICY IMPLICATIONS

24. The Regional Events Sponsorship program aligns with the City of Albany Sponsorship Policy & Guidelines.
25. Approval of RES funding recommendations is required by Council.
26. Funded applications are required to enter into a Funding Contract with the City.
27. Funded applicants are required to submit an Event Approval Application to the City no later than 3 months prior to their event, where applicable.

#### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation: Funding recommendations not endorsed may result in negative feedback from the community and/or applicants.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>A rigorous application and assessment process has been applied to ensure Council has confidence in assessment panel funding recommendations.</i>
<i>Reputation: Negative feedback from applicants declined for funding.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Communicate the justification and reasoning to unsuccessful applicants.</i>
<i>Community: Community safety is put at risk by not following appropriate procedures.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>An Event Approval Application is to be submitted to the City where applicable. Officers will communicate with event organisers about their application and conditions for running the event safely.</i>

#### FINANCIAL IMPLICATIONS

29. Management and oversight of funding and event sponsorship is undertaken using existing staff resources within the Community Relations business unit, within existing allocated budgets.
30. Council allocates \$80,000 annually within its budget for RES. This is reflected in Council's Long Term Financial Plan and demonstrates a continued commitment to have budget capacity to support community and regional events.
31. Due to the quality of the events in this round of applications, the assessment panel has recommended allocating \$50,000 to Round 1 and allocating \$30,000 to Round 2.
32. Should Round 2 attract substantial quality applications that oversubscribes the allocated funding, the assessment panel will need to take this into consideration when recommending funding amounts.

#### LEGAL IMPLICATIONS

33. Nil.

#### ENVIRONMENTAL CONSIDERATIONS

34. Nil.

### **ALTERNATE OPTIONS**

35. Council may make alternative recommendations for funding including substitute dollar amounts for recommended applicants. This is not recommended given the rigorous assessment process undertaken which has carefully considered each application on its merits.

### **CONCLUSION**

36. The process for RES Application Assessment is considered transparent and equitable.
37. It is recommended that the Authorising Officer's recommendation be endorsed.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>Local Government Act 1995</i></li><li>• City of Albany Sponsorship Policy &amp; Guidelines</li><li>• City of Albany Regional Events Sponsorship Guidelines 2023</li></ul>
<b>File Number (Name of Ward)</b>	:	CR.SPO.44 (All Wards)
<b>Previous Reference</b>	:	<ul style="list-style-type: none"><li>• Regional Events Sponsorship Round 1 2022/2023 – CCS430 (OCM: 26/04/2022)</li><li>• Regional Event Sponsorship Round 2 2022/2023 – CCS472 (OCM: 27/09/2022)</li></ul>

**CCS523: QUARTERLY REPORT – TENDERS AWARDED – JANUARY TO MARCH 2023**

<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: Quarterly Report – Tenders Awarded – January to March 2023
<b>Report Prepared by</b>	: Senior Procurement Officer (H Hutchinson)
<b>Authorising Officer</b>	: Executive Director Corporate & Commercial Services (M Gilfellon)

**STRATEGIC IMPLICATIONS**

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

**RECOMMENDATION**

**CCS523: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the Quarterly Report – Tenders Awarded – January to March 2023 be RECEIVED.**

**CARRIED 13-0**

**CCS523: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR BROUGH**

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

**CARRIED 13-0**

**CCS523: AUTHORISING OFFICER RECOMMENDATION**

**THAT the Quarterly Report – Tenders Awarded – January to March 2023 be RECEIVED.**

**CCS524: ALBANY MOTORSPORT VENUE INCORPORATED (AMV INC.)  
– COMMUNITY NOMINATION**

<b>Land</b>	: Lot 5780 Down Road South, Drome, Western Australia
<b>Attachments</b>	: Nominee Submission (Confidential)
<b>Report Prepared By</b>	: Manager Governance & Risk (S Jamieson)
<b>Authorising Officers:</b>	: Chief Executive Officer (A Sharpe) Executive Director Corporate & Commercial Services (M Gilfellon)

**CONFIDENTIAL ATTACHMENT**

*The attachment to this report was considered as confidential in accordance with 5.23 (2) (b) the personal affairs of any person; and (e) a matter that if disclosed, would reveal —(iii) information about a person (entity), other than the local government.*

**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- Note the City's received one nomination for referral to the AMV Inc. Board for consideration and the confidential report.

**RECOMMENDATION**

**CCS524: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the application for the current Community Representative AMV Inc. board director vacancy be NOTED and the nominee be referred to the AMV Inc. Board for consideration.**

**CARRIED 13-0**

**CCS524: COMMITTEE RECOMMENDATION**

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

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

**CARRIED 13-0**

**CCS524: AUTHORISING OFFICER RECOMMENDATION**

**THAT the application for the current Community Representative AMV Inc. board director vacancy be NOTED and the nominee be referred to the AMV Inc. Board for consideration.**

## BACKGROUND

2. The Albany Motorsport Venue Inc. (Albany Motorsport Park Governance Model) allows for two Community Representatives on the AMV Inc. board.
3. The City has received one application for the current Community Representative AMV Inc. board director vacancy.

### AMV Inc. – Board Governance

4. AMV Inc. was incorporated (as a not-for-profit incorporated association) on 10 March 2022, certificate of incorporation attached.
5. AMV Inc. consists of a Board of Directors (the Board).

### Make-up of the Board

6. The Albany Motorsport Park Board is made up of:
  - a. Two (2) community representatives recommended by the City of Albany for the Board's consideration.
  - b. One (1) representing Motorsport Australia;
  - c. One (1) representing Motorcycling Western Australia (MWA);
  - d. One (1) representing 4-wheel racing clubs;
  - e. One (1) representing 2-wheel racing (motorcycle road racing) clubs; and
  - f. One (1) representing motocross clubs.
7. The Chairman of the Board is elected by the Directors.
8. Appointments are to be up to a two-year term, with skills determined by the Board.
9. The Directors are ultimately responsible for ensuring:
  - a. The Board meets regularly (i.e. monthly or on more occasions if the need dictates);
  - b. Employment of an Operations Manager and any other staff deemed necessary to ensure safe and compliant operations of the Venue.
  - c. Appropriate insurance of the tracks, roads and any other permanent buildings and fixtures on the Venue.
  - d. The development of an Albany Motorsport Park Strategic Development Plan and overseeing the implementation of the strategies and supporting policies.
  - e. The development and implementation of systems to enable it to comply with its legal and policy obligations, adhering to accounting standards and ensuring the Venue assets are protected through appropriate risk management.
  - f. The Venue is appropriately managed (i.e. day to day safe operations and programming and marketing of events).

## DISCUSSION

10. Community Representative nominees were requested to submit a resume/CV, and short cover letter.
11. Only one nomination was received.
12. The nominee's submitted documentation demonstrates a financial, risk management, and general business acumen.
13. No formal interview or reference check was undertaken, as that is for the AMVI board to undertake to its own satisfaction.
14. The AMVI Chair was provided a copy of the submission and they have advised they support the nomination to be presented to the board for approval.

## **GOVERNMENT & PUBLIC CONSULTATION**

15. Expressions of interest were called for membership by way of public advertisement in early December 2022 and closed on 1 February 2023.
16. The public were engaged through the placement of the attached advertisement in the Albany Advertiser and promoted on City social media and website.

## **STATUTORY IMPLICATIONS**

17. The City has no formal governance role in the formation of the AMV Inc. board.
18. Being an independent organisation, the AMV Inc. board is not required to accept the City nominees if they feel they are not suitable for the positions.
19. The City continues to encourage the AMV Inc. board to undertake its own due diligence and review of nominee suitability regarding skills and experience for director positions.

## **FINANCIAL IMPLICATIONS**

20. There are no direct financial implications related to this report.
21. \$1,250.00 was spent on advertising, at City cost.

## **LEGAL IMPLICATIONS**

22. There are no direct legal implications relating to this item.
23. AMV Inc. is a separate legal entity and the City has no legal right or obligation to provide governance oversight.
24. AMV Inc. has the right to consider City's sourced nominations or seek their own.

## **RISK IDENTIFICATION & MITIGATION**

25. It is in the City's interest that the AMV Inc. has an effective board.
26. If the board fails to provide appropriate oversight, Venue management options will need to be considered by Council.
27. Council needs confidence in the AMV Inc. board to manage the motorsport lease area and operations when granting the lease.
28. Due diligence (i.e. Character reference checks etc.) has not been undertaken by the City as that is the remit of the AMV Inc. board. However, the City will encourage the board to:
  - a. Set up a skills matrix so that they can ensure prospective directors fill the gaps in the skills and qualities the board needs.
  - b. Reference check, call prospective directors.
  - c. Set the prospective directors up for success through the provision of board development training or a mentor to help bring them along.

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational: City unable to source a nominee.</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>The City assist the AMV Inc. approach suitable prospective directors.</i>
<i>Reputational: AMV Inc. is unable to fulfil lease obligations to City.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Council consider options to the AMV Inc to assist compliance with lease obligations.</i>
<i>Reputational: Board fails to provide appropriate oversight and fulfil lease obligations.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Council considers the provision of mentorship, assistance and/or support from organisations, such as the Australian Institute of Company Directors (AICD).</i>
<i>Opportunity: The opportunity to assist the AMV Inc. board may contribute to the successful development and future operation of the motorsport park.</i>				

## CONCLUSION

30. It is recommended that the Nominees be referred to the AMV Inc. Board for consideration.

Consulted References	:	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Associations Incorporation Act 2015</li> <li>Application for Incorporation – AMV Inc.</li> <li>Certificate of Incorporation – Albany Motorsport Venue Inc. dated 10 March 2022.</li> <li>A Guide for Incorporated Associations in Western Australia</li> <li>Incorporated Body Model Rules &amp; Guidance Notes (WA)</li> <li>Albany Motorsport Park Draft Governance Model</li> </ul>
File Number (Name of Ward)	:	<ul style="list-style-type: none"> <li>RC.PJT.2   RC.MEE.20</li> </ul>
Previous Reference	:	<ul style="list-style-type: none"> <li>OCM 26/04/2022 Resolution CCS432</li> <li>OCM 23/02/2021 Resolution DIS245</li> </ul>

**DIS342: DRAFT LOCAL PLANNING POLICY 1.9 WASTE MANAGEMENT**

<b>Land Description</b>	: City of Albany
<b>Proponent / Owner</b>	: City of Albany
<b>Business Entity Name</b>	: City of Albany
<b>Attachments</b>	: Draft LPP 1.9 Waste Management
<b>Supplementary Information &amp; Councillor Workstation</b>	: DIS313 Agenda and Minutes OCM - August 2022
<b>Report Prepared By</b>	: Planning Officer (D Ashboth)
<b>Authorising Officer:</b>	: Executive Director Infrastructure, Development & 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* (the Planning Strategy) and *Strategic Community Plan – Albany 2032*.
3. Relevant elements, objectives and strategic directions of these documents relevant to this item are outlined under the Strategic Implications section of the previous report item DIS313, presented to Council in August 2022.

**In Brief:**

- Draft *Local Planning Policy 1.9: Waste Management* (LPP1.9) was advertised for public comment in October 2022, following Council's endorsement to advertise at its meeting in August.
- No submissions were received on draft LPP1.9 during the advertising period.
- Staff recommend Council resolve to adopt final draft LPP1.9, without modification (refer Attachment 1).

**RECOMMENDATION**

**DIS342: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR TERRY**

**THAT Council ADOPT Local Planning Policy 1.9: Waste Management, pursuant to Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

**CARRIED 13-0**

**DIS342: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR SHANHUN**

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

**CARRIED 13-0**

**DIS342: AUTHORISING OFFICER RECOMMENDATION**

**THAT Council ADOPT Local Planning Policy 1.9: Waste Management, pursuant to Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**



**BACKGROUND**

4. Draft LPP 1.9 was endorsed for advertising by Council at its August 2022 Ordinary Council Meeting.
5. The draft policy was prepared to ensure onsite waste management considerations and outcomes for new proposals were being adequately captured and addressed at the development application stage.
6. The draft policy was prepared in collaboration with the City's Sustainability and Waste Strategy team and also informed by supporting materials and documentation prepared by the WA Local Government association (WALGA) to guide local governments on considering onsite waste management outcomes through the local planning framework.
7. Refer to previous report item for further information and background on the draft policy.

**DISCUSSION**

8. Draft LPP 1.9 was advertised for public comment in October 2022 via an advert in a local paper and published on the City's website. No submissions were received during advertising.
9. No changes are proposed to the draft policy following close of advertising.
10. It is recommended that Council adopt *Local Planning Policy 1.9: Waste Management* in its current form.

**GOVERNMENT & PUBLIC CONSULTATION**

11. The draft policy was advertised in accordance with Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for a period of 22 days.
12. Details of advertising as follows:

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Notice in Local Paper	11/10/2022	No submissions received	Yes
Consult	Public comment – City website	11/10/2022 to 01/11/2022		Yes

**STATUTORY IMPLICATIONS**

13. Voting requirement for this item is **Simple Majority**.
14. A periodic review of the City's local planning policy (LPP) suite is currently underway.
15. Consideration of draft new LPPs and proposed modifications to existing LPPs require resolution of Council for endorsement to advertise and final adoption following advertising, subject to modifications, in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015* (Planning Regulations).
16. Should Council resolve to adopt LPP1.9, a notice of the policy must be published in accordance with clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
17. It is noted that the policy currently references current Local Planning Scheme No. 1. Should Council resolve to adopt LPP1.9, it will form part of the City's current LPPs that are proposed to remain active following gazettal of Local Planning Scheme No. 2, with those policies referred to Council for amendment and final adoption, in accordance with the new planning scheme.

**POLICY IMPLICATIONS**

18. As referenced in the previous report, draft LPP1.9 is based on WALGA's *Model Local Planning Policy: Waste Avoidance & Resource Recovery – Development Applications*.
19. The draft policy references waste management plan templates prepared by WALGA for various types of development, for proponents to utilise when preparing a proposal.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b> <i>Policy position may make larger development applications more difficult and/or time consuming to prepare/approve.</i>	<i>Possible</i>	<i>Minor</i>	<i>Low</i>	<i>Policy provisions are consistent with the recommendations of WALGA relating to waste management in the planning system.</i>
<b>Opportunity:</b> <i>Ensure the provision of high quality, functional waste and resource recovery infrastructure and cost-effective waste collection services.</i>				

**FINANCIAL IMPLICATIONS**

21. There are no financial implications beyond what will be used for notice of adoption.

**LEGAL IMPLICATIONS**

22. There are no legal implications relating to adopting LPP1.9.

**ENVIRONMENTAL CONSIDERATIONS**

23. The implementation of WMPs will contribute to the improved targets of the State's rates of waste diversion from landfill, increase resource recovery and address the challenges associated with servicing larger developments.
24. By developing a waste management plan as part of a Construction Management Plan, proponents have an opportunity to rationalise the use of materials during construction.
25. Furthermore, preparation of waste management plans as part of a proposal will also improve a development's overall sustainability rating, and may assist informing accreditation processes such as Greenstar, NABERS and Envirodevelopment.

**ALTERNATE OPTIONS**

26. Council has the following alternate options in relation to this item, which are:

- To resolve to proceed with the policy with modifications.
- To resolve not to proceed with the policy.

**CONCLUSION**

27. Based on the discussion above, staff recommend Council resolve to adopt LPP1.9: Waste Management, without modification.
28. Upon formal adoption of LPP1.9, a notice will be published in a local newspaper and on the City of Albany website advising of the adoption of LPP1.9, in accordance with clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

<b>Consulted References</b>	:	<ol style="list-style-type: none"> <li>1. <i>Local Planning Scheme 1</i></li> <li>2. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></li> <li>3. <i>WALGA Model Local Planning Policy: Waste Avoidance &amp; Resource Recovery – Development Applications</i></li> <li>4. <i>WALGA Model Local Planning Policy: Waste Avoidance &amp; Resource Recovery – Development Applications Explanatory Notes</i></li> <li>5. <i>WALGA Commercial and Industrial Waste Management Guidelines</i></li> <li>6. <i>WALGA Multiple Dwelling Development Waste Management Plan Guidelines</i></li> </ol>
<b>File Number (Name of Ward)</b>	:	All
<b>Previous Reference</b>	:	OCM 22/08/2022 – DIS313

## DIS343: ALBANY PARKING AND WAYFINDING STRATEGY

<b>Attachments</b>	: Albany Parking and Wayfinding Strategy 2022
<b>Report Prepared By</b>	: Manager Engineering & Sustainability (R March)
<b>Authorising Officer:</b>	: Executive Director Infrastructure, Development & Environment (P Camins)

### STRATEGIC IMPLICATIONS

- 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.
  - Outcomes:** A safe, sustainable and efficient transport network.
  - Objective:** Provide sufficient and affordable access to parking for residents, workers, visitors and ACROD permit holders.

#### In Brief:

- A review of the current Council Strategy – *Albany City Centre: Parking Strategy* (the Strategy) which was adopted by Council in January 2014, has been undertaken.
- It is proposed to rename the strategy - The Albany Parking and Wayfinding Strategy.
- The purpose of the Strategy is to include proposed works for all approved parking stations in the municipality, not just the Central Business District (CBD) and Wayfinding information to ensure that future projects consider the necessary directional signage.

### RECOMMENDATION

#### DIS343: RESOLUTION

#### VOTING REQUIREMENT: SIMPLE MAJORITY

**MOVED: COUNCILLOR TERRY**

**SECONDED: COUNCILLOR TRAILL**

**THAT the City of Albany Parking and Wayfinding Strategy 2022 be ADOPTED with the inclusion of modifications as detailed in the Addendum to this report.**

**CARRIED 13-0**

## ADDENDUM

A number of strategic guiding documents informed the completion of the Albany Parking and Wayfinding Strategy. These documents were in various stages of implementation at the time of completion of this strategy and due to a level of uncertainty, not all have been used to develop the document.

It is anticipated that the Albany Parking and Wayfinding Strategy will be reviewed within the next 5 years.

The pages in the Albany Parking and Wayfinding Strategy that have ongoing unresolved strategic processes have been labelled accordingly.

A summary of the informing documents and their status is as follows:

Reference in Albany Parking and Wayfinding Strategy	Informing Document			Inclusion in Albany Parking and Wayfinding Strategy
	Name	Scope	Status	
4. The Mounts Strategy (p25)	Mounts Master Plan	To provide a comprehensive long term vision for Mt Clarence (Corndarup) and Mt Adelaide	Master Plan Community Engagement DRAFT Summary published - pending further	Incorporated into Strategy. Elements specifically raised at DIS Committee:  <i>PORT COTTAGES NODE Opportunity for a commercial</i>

		(Irregular) which respects and enhances its significant natural, cultural, social and recreational assets and its unique landscape setting	environmental approvals prior to understanding limitations on development	venture. Carpark and gateway entry point for coastal walktrail.  COASTAL PARKLAND NODE Opportunity for Coastal Parkland and Botanic garden in degraded historic sewerage depot site. Vehicle access from Marine Drive and carpark. Picnic, shelter and BBQ facilities. Upgrade of the coastal walk trail, linking sites of natural, cultural and historical significance with interpretation, seating nodes and public art.
5. Middleton Beach Strategy	Middleton Beach Activity Centre	Subdivision and Civil Works Plan has now been prepared and agreed. Construction is still to be implemented. DA for hotel has not been fully resolved.	Awaiting agreement with Development WA and implementation of DA process for remaining properties as well as the subdivision of the land	Due to a level of uncertainty this has not been included in this version of the strategy. Parking has been an ongoing discussion in development of the land at Middleton Beach. Some elements have been resolved subsequent to the completion of the Albany Parking and Wayfinding Strategy. Development of the hotel is not yet approved.
6 Emu Point Strategy (specifically 6.2 Emu Point (Active Waterfront)) (p47)	Emu Beach Foreshore Management Plan	Foreshore planning from eastern boundary of Albany Golf Course to Emu Point Café	DIS267 adopted at OCM - 24 August 2021	Incorporated into strategy (refer Appendix B Master Plan Extracts p 68-69)
6 Emu Point Strategy (specifically 6.3 Oyster Harbour) (p49)	Oyster Harbour Foreshore Management Plan	Foreshore planning from Emu Point Café to Emu Point Marina inclusive	Preliminary consultation undertaken. Additional consultation work and consideration of feedback received required	Incomplete, not endorsed and not included in this version of the strategy.

The modifications and clarifications made to the Albany Parking and Wayfinding Strategy following feedback from the Development and Infrastructure Services Committee Meeting on 12 April 2023 are:

- Page 12 Modified the Area from the incorrectly labelled Area B to Area A and relocated the item to page 10.
- Page 15 Fixed typo: "ell-orchestrated" to "well-orchestrated".
- Page 40 Added note to page "Works and development approvals associated with the Middleton Beach Activity Centre are ongoing and final parking arrangements are still being finalised."
- Page 46 Added note to page "The Oyster Harbour Foreshore Management Plan is currently being developed, and it will guide future strategic parking and wayfinding for the land between Emu Point Café and the Emu Point Marina."

**DIS343: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council ADOPT the Albany Parking and Wayfinding Strategy 2022.

**DIS343: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR BAESJOU

SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 12-1

**Record of Vote:**

Against the Motion: Councillor Terry

**DIS343: AUTHORISING OFFICER RECOMMENDATION**

THAT Council ADOPT the Albany Parking and Wayfinding Strategy 2022.

**BACKGROUND**

2. The current parking strategy - *Albany City Centre: Parking Strategy* (the Strategy) was adopted by Council in January 2014.
3. The Strategy is due for review and update.

**DISCUSSION**

4. In March 2021 the City formed the Parking and Wayfinding Strategy Working Group.
5. The purpose of this Working Group was to review and update the existing Council Strategy – *Albany City Centre: Parking Strategy* which was adopted by Council in January 2014.
6. The scope of work was as follows:
  - to review and update the existing *Albany City Centre Parking Strategy*
  - *Albany City Centre Parking Strategy* to be expanded to include parking stations throughout the municipality in key areas and not just the City Centre.
  - Strategy to be renamed appropriately to reflect the change in scope.
  - Strategy to include Wayfinding to key strategic areas within the City Boundary as agreed by the Working Group.
  - Wayfinding signage, as appropriate, to direct users to key infrastructure and car parks.
  - Parking Strategy must include the Waterfront area, particularly the new hotel and future hotel developments and any Wayfinding signage that will help to activate the promenade area.
7. The Working Group included representatives from Major Projects, Planning, Ranger Services and Engineering.
8. Local consultant, GHD were employed to develop the Strategy in conjunction with the Working Group. A key requirement was to make the document more user friendly with a clearer understanding of the work required and to be less wordy.

**GOVERNMENT & PUBLIC CONSULTATION**

9. No government consultation is required for this item.
10. An internal Parking and Wayfinding Strategy Working Group was formed to engage relevant staff within the City.
11. The Draft Albany Parking and Wayfinding Strategy 2022 was presented to Elected Members at the Strategic Workshop on the 21 February 2023.

12. There has been no specific community consultation in relation to this item, although consideration has been given to outcomes of consultation for the City of Albany Community Strategic Plan 2030.

**STATUTORY IMPLICATIONS**

13. Nil.

**POLICY IMPLICATIONS**

14. This item relates to the City of Albany – *Albany City Centre: Parking Strategy*.

**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>Community:</b> There is a risk that community expectations raised by the Albany Parking and Wayfinding Strategy 2022 are not met.	Possible	Moderate	Medium	If adopted, Council allocates resources to accommodate actions identified in the Strategies in a timely manner.
<b>Operations:</b> There is a risk of additional costs and not achieving projects set out in the Albany Parking and Wayfinding Strategy 2022 if there is no clear direction.	Likely	High	High	Adopt the Strategy and communicate progress regularly to Council and stakeholders.

**FINANCIAL IMPLICATIONS**

16. None. Any future projects will need to be included as part of the Long-Term Financial Plan.

**LEGAL IMPLICATIONS**

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

**ENVIRONMENTAL CONSIDERATIONS**

18. Principle Nine of the Strategy outlines the expectation that the projects should improve environmental amenity, where practicable.

**ALTERNATE OPTIONS**

19. Council may elect to request amendments to the proposed *Parking and Wayfinding Strategy 2022*.
20. Council may elect to not adopt the proposed *Parking and Wayfinding Strategy 2022* in which case we would use the outdated strategy.

**CONCLUSION**

21. It is recommended that Council adopt the proposed *Parking and Wayfinding Strategy 2022*.

<b>Consulted References</b>	:	<i>Albany City Centre: Parking Strategy</i>
<b>File Number (Name of Ward)</b>	:	Yakamia, Frederickstown, Breaksea and Kalgan Wards
<b>Previous Reference</b>	:	Nil

## **DIS344: RURAL WASTE SERVICES AMENDMENTS**

<b>Attachments</b>	: Letter to Rural Residents
<b>Report Prepared By</b>	: Coordinator Sustainability and Waste Strategy (J Passmore)
<b>Authorising Officer:</b>	: Executive Director Infrastructure, Development and Environment (P Camins)

### **STRATEGIC IMPLICATIONS**

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

#### **In Brief:**

- A review of waste services provided to rural and urban residents has been conducted.
- As a result of the review it is proposed to modify the current service to rural residents in tandem with provision of increased education.

### **RECOMMENDATION**

#### **DIS344: RESOLUTION VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR GRIMMER**

#### **THAT Council:**

- 1) **APPROVE** the reduction of Rural Residents Waste Pass tokens from 52 to 40 in 2023-24.
- 2) **NOTE** that there will be increased education to rural residents to improve resource recovery and reduce waste to landfill; and
- 3) **NOTE** emerging issues for Rural Transfer Stations.

**CARRIED 13-0**

#### **DIS344: AMENDMENT BY COUNCILLOR BROUGH VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BROUGH  
SECONDED: COUNCILLOR GRIMMER**

THAT the Authorising Officer Recommendation be **AMENDED** to remove point 2 and read as follows:

1. **APPROVE** the reduction of Rural Residents Waste Pass tokens from 52 to 40 in 2023-24
2. **NOTE** that there will be increased education to rural residents to improve source recovery and reduce waste to landfill; and
3. **NOTE** emerging issues for Rural Transfer Stations

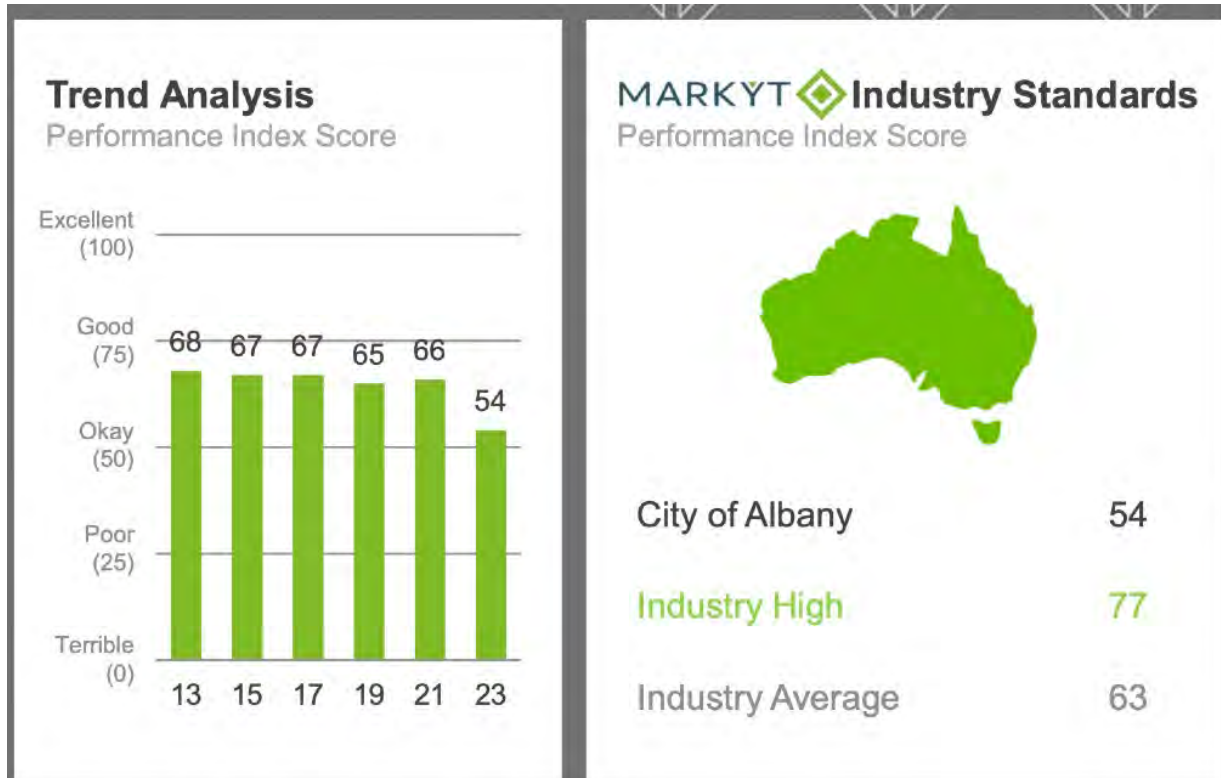
**CARRIED 13-0**

**Councillor Reason:**

- 1) Rural residents have a strong desire to be good citizens with respect to waste disposal.
- 2) There are bad applies in any community regardless of geography, and should a visual audit of urban waste disposal be conducted, it too would undoubtedly identify that there are urban residents who inappropriately dump unsorted rubbish in their urban bins, as occurs in rural waste transfer stations.
- 3) Rural residents support alignment of waste disposal services for general waste with that of urban residents i.e. equal general waste disposal services.
- 4) It is fair and just that a price mechanism exists whereby rural residents who exceed their allocated rubbish disposal budget can pay to responsibly dispose of rubbish at nearby waste transfer stations.
- 5) It is neither fair nor just that rural residents be prevents for paying for a pre-existing service which enables responsible disposal of rubbish at a proximate waste transfer station.
- 6) The negative consequences of removing the ability for rural residents to purchase additional waste transfer station tokens are manifold.
  - Reduced incentivization for environmentally responsible waste disposal behaviour.
  - Increased incentivization for environmentally harmful and illegal dumping of waste.
  - Reduced resident amenity due to the need for travelling unnecessary distance to dispose of excess waste at the Hanrahan Road waste facility. For example: a rural resident homestead in Gnowellen would require a 24 minute round trip to dispose of excess waste at the Wellstead Bouer Street waste facility. The Authorising Officer Recommendation would require a 2 hour 28 minute round trip to dispose of the same rubbish.
  - Increased greenhouse gas emissions due to the need for rural residents to undertake unnecessary travel, bypassing perfectly good waste transfer stations in order to dump at the Hanrahan Road waste facility. Assuming a 2016 Toyota Hilux with diesel at \$2.00 per litre, preventing the same Gnowellen resident from using the Wellstead waste transfer facility and instead forcing them to haul to Hanrahan Road will result in an additional:
    - \$39.00 unnecessary spend on fuel;
    - 2 hours and 4 minutes unnecessary travel time; and
    - 41.5kg unnecessary CO2 emissions.
- 7) City officers have expressed an intent to keep waste transfer stations free of payment facilities, therefore to mitigate against the aforementioned consequences which disincentivize responsible behaviour and incentivize alternate means of rubbish disposal, the ability to purchase additional tokens should remain in place.
- 8) As previously reported, only 42 additional pass purchases were made over 2021-22. It should not be an inconvenience to the City of Albany to continue this services.
- 9) Should the City wish to do away with tokens in future, an opportunity exists to enable point-of-service payment facilities at the City's respective waste transfer stations.
- 10) It is a moot point that the reduction in rural waste management services be justified by stating that urban residents pay for the service provided to rural residents.
- 11) Numerous communications and comments from residents have been received regarding this matter, which I have included in a separate confidential attachment such that it may be perused by elected members and staff without further dissemination into the public realm. Steps have been taken to de-identify parties were appropriate.



- 12) The Markyt 2023 survey demonstrates a reduction in community satisfaction with regard to waste collection services (page 71 of the report). It shows a 12% absolute reduction in performance score compared with 2021, and a 23 point difference between Albany and the industry high point. This amendment seeks to retain/improve our performance in this domain.



**Officer Comment:**

Officers respect Council's decision to either approve all Officer recommendations or to support the Proposed Councillor Amendment.

DIS344 recommendations were made in consultation with elected members on the Waste Management Working Group and are consistent with the City's Community Waste Resource Strategy 2019-26 and State Waste Avoidance and Resource Recovery Strategy 2030 targets to reduce waste generation, increase material recovery and manage waste responsibly.

The recommendations followed the request for a rural review of available data from the broader group of Councillors, which found a higher household average of waste per week from rural households than urban households and potential for improved waste sorting and other opportunities for waste minimisation.

The City provides a household waste service via the kerbside collection service in urban areas and the provision of waste passes in rural areas.

Rural waste passes are intended to meet household waste needs and are only provided to properties where there is a residence.

In both urban and rural areas it is expected that when waste resulting from a home-based business exceeds the residential service then private arrangements must be made to deal with the commercial waste.

The transition to decreased general waste collection kerbside FOGO system has been an adjustment for urban residents, and it is accepted that changes to waste arrangements for rural residents would require a similar adjustment and education.

In response to Item 10 of the Proposed Councillor Amendment, it is noted that waste-related operating expenditure is funded by the Urban Residential Waste Charge, waste facility fees and charges, and other associated income. The Urban Residential Waste Charge is subject to approval by Council as part of the Annual Fees and Charges process.

Potential cashless payment options at rural transfer stations could be investigated if requested by Council.

*Councillor Brough then moved an amendment to the Committee Recommendation.*

DIS344: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR TRAILL

THAT Council:

- 1) APPROVE the reduction of Rural Residents Waste Pass tokens from 52 to 40 in 2023-24.
- 2) APPROVE the removal of the option for rural residents to purchase additional passes from 2023-24.
- 3) NOTE that there will be increased education to rural residents to improve resource recovery and reduce waste to landfill; and
- 4) NOTE emerging issues for Rural Transfer Stations.

DIS344: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS  
SECONDED: COUNCILLOR TERRY

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 10-3

**Record of Vote:**

Against the Motion: Councillors Grimmer, Baesjou, Brough

DIS344: AUTHORISING OFFICER RECOMMENDATION

THAT Council:

1. APPROVE the reduction of Rural Residents Waste Pass tokens from 52 to 40 in 2023-24.
2. APPROVE the removal of the option for rural residents to purchase additional passes from 2023-24.
3. NOTE that there will be increased education to rural residents to improve resource recovery and reduce waste to landfill; and
4. NOTE emerging issues for Rural Transfer Stations.

**BACKGROUND**

2. Due to the large area of the City of Albany, kerbside waste collections are not available to all residences. Residents living outside the kerbside collection area ("rural residents") are required to self-haul their waste to one of the City's rural transfer stations or waste facilities.
3. Rural Waste Facilities Passes for rural residential ratepayers were introduced in 2011/12 to improve record keeping and control of rural transfer station usage. Prior to this, it was difficult to limit the number of times rural residents could deposit waste and restrict usage of rural transfer stations site by urban residents or those from other shires.

4. Prior to 2011/12, a Rural Waste Services Charge was applied to rural residences, however this was deemed to be an ineligible application of the *Waste Avoidance and Resource Recovery Act 2007 (WARR Act)*. The Rural Waste Services Charge was not included in the City's fees and charges from 2011/12 onwards.
5. In 2011/12 a Waste Reserve Levy was raised, however this was replaced with the Waste Facilities Maintenance Rate in 2012/13 under Section 66(1) of the WARR Act, which was considered a more appropriate application of the Act.

#### Waste Facilities Maintenance Rate

6. The Waste Facilities Maintenance Rate is charged under Section 66(1) of the WARR Act on all properties, including residential, vacant, commercial and rural properties. The Rate's purpose is to provide funding for waste management into the coming decades, in particular the rehabilitation of current sites following closure and establishment of future waste sites. It does not fund current operations of waste facilities or transfer stations.
7. The Waste Facilities Maintenance Rate increased from \$56 (2021-22) to \$58 (2022-23).

#### Rural Waste Services

8. Rural residential ratepayers are not charged for waste services within the rates system.
9. Complimentary Rural Residents Waste Passes are mailed annually to rural ratepayers. These entitle rural residents to drop off self-hauled waste at no cost to any of the City's five rural waste transfer stations or two waste facilities.
10. Complimentary passes are not provided to rural ratepayers without a residence on their property.
11. Table 1 lists the services available to rural residents at the City's waste facilities and rural transfer stations.

Rural Transfer Stations	Services
<ul style="list-style-type: none"> <li>Redmond – Monday, Wednesday, Saturday (half days)</li> <li>Manypeaks – Tuesday, Thursday, Sunday (half days)</li> <li>South Stirling – Thursday, Saturday (half days)</li> <li>Wellstead – Monday, Wednesday (half days)</li> </ul>	Drop-off facilities for: <ul style="list-style-type: none"> <li>municipal general waste</li> <li>commingled recyclables</li> <li>engine oil recycling</li> <li>scrap steel</li> <li>DrumMuster</li> </ul>
<ul style="list-style-type: none"> <li>Kronkup – Wednesday (full day); Friday, Saturday, Sunday (half days)</li> </ul>	As above, plus: <ul style="list-style-type: none"> <li>e-waste</li> <li>cardboard</li> <li>informal swap-shop</li> </ul>
Waste Facilities	Services
Bakers Junction – Tuesday (half day), Saturday (full day) (Also available to urban residents and commercial – POS system in place, card only)	Drop-off facilities for: <ul style="list-style-type: none"> <li>general waste</li> <li>commingled recyclables</li> <li>scrap steel</li> </ul>
Hanrahan Road – 7 days (Also available to urban residents and commercial – POS system in place)	Full range of drop-off options

12. The cost to operate and service the rural transfer stations in 2021-22 was \$418,413.24.
13. The Residential - Urban Waste Services Charge, paid by residents with a kerbside waste collection service (refer point 24) is used to fund the operations of the rural transfer station service.

14. The Rural Residents Waste Pass includes 52 tokens to dispose of general waste to the equivalent of a 140L mobile garbage bin (up to 40kg each). The Ute/Trailer Pass is for one ute or 6x4 trailer load (up to 300kg) of general waste.

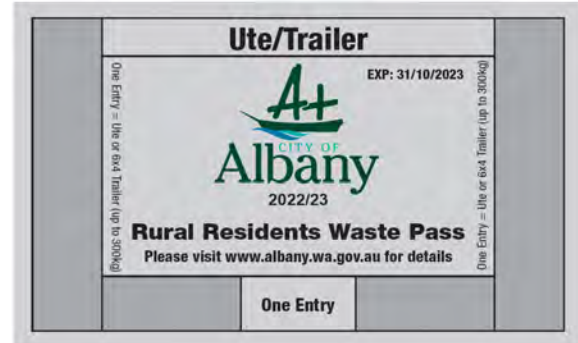


Figure 1. Rural Residents Waste Pass – 52 tokens for 140L bin (up to 40kg each)

Figure 2. Ute/Trailer Pass – For ute or 6x4 trailer (up to 300kg each)

15. There has been no change in the number of tokens provided since commencement of the system. The Ute/Trailer pass has been included since 2012/13.
16. Rural residents can purchase additional passes if required from the City's North Road administration office. In 2022-23 the price of additional passes was increased to \$100 for a 26-token Rural Residents Waste Pass, \$60 for a 2-token Ute/Trailer Pass, \$150 for a 5-token Ute/Trailer Pass and \$300 for a 10-token Ute/Trailer Pass.
17. Additional passes purchased in 2020-21: 21 x 26 token passes; 7 x 52 token passes; 2 x 2 ute passes. Additional passes purchased in 2021-22: 20 x 26 token passes; 15 x 52 token passes; 7 x 2 ute passes; 1 x 5 ute pass.
18. Rural residents can drop off unlimited household recyclables at no cost. Tokens are not required. This option is also available to urban residents.
19. Cleanaway operates the City's rural waste transfer stations under contract, while the City operates waste facilities.
20. Each rural waste transfer station and Bakers Junction Waste Facility has only one attendant.
21. The attendant at the transfer station or waste facility clicks the applicable number of tokens on the resident's pass. Waste is weighed on the weighbridge at waste facilities, while the attendant at transfer stations makes a visual estimate.
22. Rural residents place waste into hooklift bins at transfer stations, which are then transported to the Hanrahan Road Waste Facility by City staff. Loads are weighed before being placed into landfill.
23. Visual audits of waste from transfer stations identified significant amounts of commingled recyclables sent to landfill.
24. Items that should not be put in any bin such as paint and aerosol cans were also observed. It is difficult for the solo attendant at transfer stations and Bakers Junction to ensure separation of recyclables and other materials.





Figure 3. Hooklift bin from Manypeaks delivered to Hanrahan Road 11/5/22: 1.04 tonnes



Figure 4. Hooklift bin from Kronkup delivered to Hanrahan Road 13/5/22: 3.56 tonne



Figure 5. Recyclables in load from Kronkup 13/5/22



Figure 6. Recyclables in load from Manypeaks 11/5/22

25. Residential rural ratepayers do not receive collections or drop off vouchers for green waste, though green waste may be dropped at Soil Solutions for a fee.
26. It is understood that many rural ratepayers burn unwanted green waste or compost at home.
27. Anecdotally, most rural households manage their food waste onsite with chooks or home composting, however staff have not conducted any research to confirm this. Visual audits of waste from transfer stations have found some food scraps and garden prunings.



Figure 7. Food waste in bag from Kronkup 13/5/22



Figure 8. Garden organics in bag Kronkup 13/5/22

28.

29. Visual audits have also identified significant quantities of commercial waste from transfer stations.



Figure 9. Commercial waste in Kronkup load 13/5/22



Figure 10. Commercial waste in Manypeaks load 11/5/22

30. Records show a small drop in general waste from rural residents since 2017-18 (Figure 11). Recycling statistics are not available as the recycling bins at Hanrahan Road Waste Facility and Bakers Junction Waste Facility are available to both urban and rural residents.

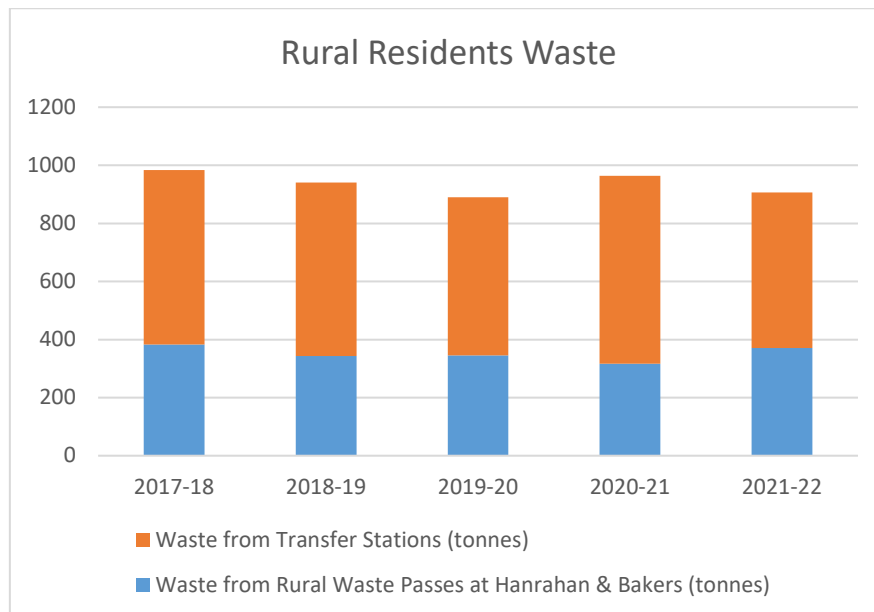


Figure 11. Rural Residents Waste 2017-18 to 2021-22

31. Residential - Urban Waste Services Charge An annual Residential - Urban Waste Services Charge is levied on urban residential properties (i.e., residences within the kerbside collection area), in addition to the Waste Facilities Maintenance Rate. The charge finances a number of services and operations, including:
- residential kerbside waste collection;
  - refuse site maintenance and operations;
  - operation of rural transfer stations;
  - processing of recyclable material collected kerbside and at transfer stations;
  - street litter and bin collection;
  - public education on waste and landfill diversion programs;
  - processing of green waste and FOGO; and
  - street sweeping.

32. The Residential - Urban Waste Services Charge increased from \$361 (2021-22) to \$379 (2022-23).
33. Figure 12 shows the annual operating cost for the City's waste facilities and transfer stations.



Figure 12. Waste Facility and Transfer Station 2022-23 Operating Costs

Rural and Urban Service and Waste Comparisons

34. Figure 13 provides a comparison of 2022-23 waste charges for urban and rural residences.

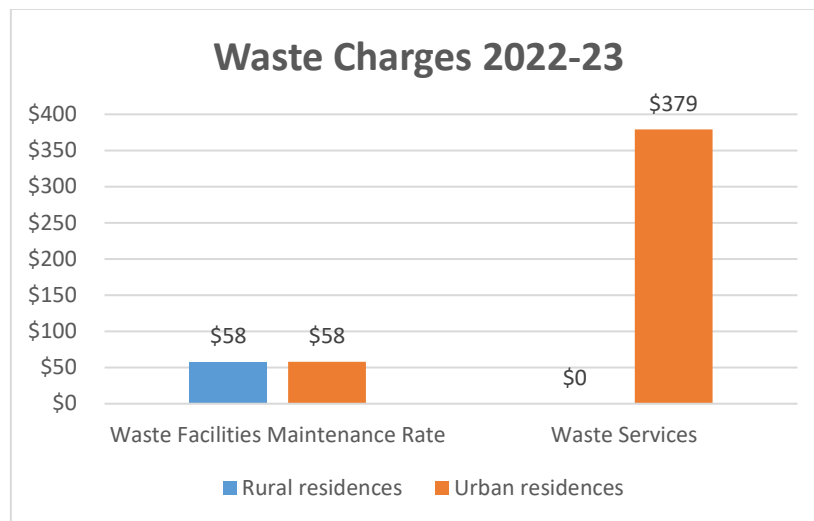


Figure 13. Waste Charges 2022-23



35. Table 2 provides a comparison between services provided to urban and rural residents.

Urban Residential Ratepayers	Rural Residential Ratepayers
Waste Facilities Maintenance Rate Minimum \$58 (2022-23)	Waste Facilities Maintenance Rate Minimum \$58 (2022-23)
<p><b>Urban Residential Waste Charge*: \$379 (22-23)</b></p> <p><u>Residential Kerbside Service</u></p> <p><i>Kerbside Collections</i></p> <ul style="list-style-type: none"> <li>• 140L General Waste Bin – 26 per year</li> <li>• 240L FOGO Bin – 30 per year</li> <li>• 240L Recycling Bin – 26 per year</li> <li>• Bulk Green Waste Collection – annually</li> <li>• Bulk Hard Waste Collection – biennially</li> <li>• Option to pay for collection of additional bins (up to 2): <ul style="list-style-type: none"> <li>1 x 140L general waste - \$100pa</li> <li>1 x 240L recycling - \$60pa</li> <li>1 x 240L FOGO - \$60</li> </ul> </li> </ul> <p><i>Passes</i></p> <ul style="list-style-type: none"> <li>• Green Waste Pass – one annually, to 300kg</li> <li>• Hard Waste Pass – one in years of Bulk Hard Waste Collection, two in years of no Collection, up to 300kg.</li> </ul> <p>*Charge also finances maintenance and operation of waste facilities, operation of rural transfer stations, public place bins, street sweeping etc.</p>	<p><b>Rural Residential Waste Charge: N/A</b></p> <p><u>Rural Waste Service</u></p> <ul style="list-style-type: none"> <li>• Rural Residents Waste Passes <ul style="list-style-type: none"> <li>• 52 tokens annually, each redeemable for equivalent of 140L bin (max 40kg)</li> <li>• Ute/Trailer Pass = one annually, up to 300kg domestic waste.</li> </ul> </li> <li>• Option to purchase Rural Refuse Card Pass (22-23 cost): <ul style="list-style-type: none"> <li>• 26 token card - \$100</li> <li>• 2 token ute/trailer - \$60</li> <li>• 5 token ute/trailer - \$150</li> <li>• 10 token ute/trailer - \$300</li> </ul> </li> </ul>

Table 2. Comparison of urban residential and rural residential services

36. In 2021-22 households with a kerbside collection service generated an average of 6.39kg of general waste per week (kerbside and drop-off with passes), while rural households dropped off an average of 10.98kg of general waste per week.
37. It should be noted that there is no drop off option for separated food waste from rural residences, while urban residents have food and organics collected separately.
38. Table 3 summarises the general waste collected and dropped off from urban residential and rural residential sources for 2020-21 (pre-FOGO) and 2021-22 (including FOGO since 26 July 2021).
39. This does not include waste deposited by urban ratepayers for a fee, but does include waste from additional vouchers paid for by rural ratepayers.



Urban Residential Ratepayers	Rural Residential Ratepayers
July 20 – June 21 (pre-FOGO)	July 20 – June 21
15,497 full waste services (to July 21) Kerbside bins – 6,838.56T Drop off with waste pass – 676.89T Bulk collection – 742.28T <b>Total: 8,257.7T*</b> Average: 10.25kg/household/week *Does not include green waste or recycling.	1,589 rural waste services (to July 21) Drop off with passes: Transfer stations – 636.36T Waste Facilities – 316.84T <b>Total: 953.20T*</b> Average: 11.53kg/household/week *Does not include recycling. Includes waste from additional rural passes purchased.
Jul 21 – Jun 22 (FOGO)	Jul 21 – Jun 22
15,672 full waste services (to Jun 22) Kerbside general waste – 4313.22T Drop off with waste pass – 897.96T Bulk collection – N/A <b>Total: 5,211.18T*</b> Average 6.39kg/household/wk *Does not include FOGO or recycling; no bulk collection in 2021-22.	1,586 rural waste services (to Jun 22) Drop off with passes: Transfer stations – 776.45T Waste Facilities – 535.78T <b>Total: 906.27T*</b> Average: 10.98kg/household/wk *Does not include recycling. Includes waste from additional rural passes purchased.

Table 3. Rural service facilities (source Cleanaway and Mandalay reports)

40. Figures 14 and 15 show the percentage of urban and residential households and the percentage of total general waste from each source (for urban residences this includes general waste collected from kerbside bins and dropped off with waste passes; for rural residences this includes general waste dropped at transfer stations and waste facilities with waste passes).

Households 2021-22

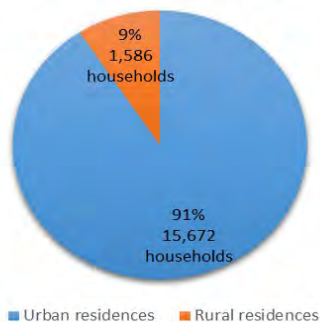


Figure 14. Number of residences 2021-22

General Waste Source 2021-22

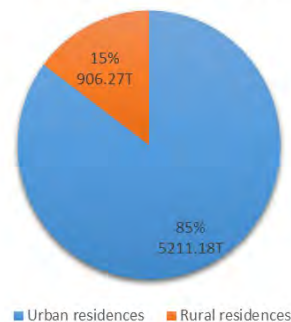


Figure 15. Waste from Albany residences

### Rural Waste Education

41. To date there has been minimal education provided to rural residents and the ongoing provision of 52 tokens has not provided an incentive to reduce waste.
42. It is difficult for attendants to monitor whether recyclables have been separated, particularly at the transfer stations and Bakers Junction Waste Facility, which are staffed by a solo attendant.
43. Visual audits of waste from transfer stations have found there is significant room for improvement in the separation of recyclables from general waste.



Figure 16. Sample Bag #1 Manypeaks 11/5/22 including recyclables, soft plastics and food waste



Figure 17. Sample Bag #2 Manypeaks 11/5/22 including recyclables and soft plastics

44. The letter accompanying the 2022-23 complimentary passes sent to rural residents included tips to reduce waste and a reminder that recyclables must be separated before placing waste into hooklift bins.
45. An education campaign and increased engagement with rural residents focused on recycling and waste separation could reduce recyclable products going to landfill.

## DISCUSSION

46. While urban residents have been prompted to reduce waste generation through the reduction of general waste collections with the implementation of the FOGO system in July 2021, there has been no change to the amount of waste that can be deposited free by rural ratepayers since introduction of Rural Waste Passes.
47. There may be a perceived inequity that rural residents are still entitled to deposit the equivalent of one 140L general waste bin per week, particularly when this service is financed by the Residential Waste Charge.
48. There may be also be a perceived inequity that rural residents can dispose of commercial waste at no cost, while rural properties without a residence must pay to dispose of waste.
49. Any changes to services provided to rural residents would need to consider how to mitigate the potential for illegal and/or environmentally harmful waste disposal.
50. In August the Waste Management Working Group agreed the objectives for amending rural waste services would be increased recovery of recyclables, reduced waste to landfill and correct disposal of waste and that strategies to mitigate potential illegal disposal be considered along with any plans to reduce the waste allowance for rural residents.
51. The Waste Management Working Group agreed on the following recommendations:
  - a) Continue to provide passes at no cost to rural residents.
  - b) Remove option to purchase additional passes from 2023-24. Rural residents to “pay-as-they-go” after passes are used.
  - c) Decrease number of tokens in a staged approach, first reducing from 52 to 40 tokens in 2023-24
  - d) Increase education to increase recovery and recyclables, reduce waste generation and encourage appropriate waste disposal. Provide statistics and feedback and ensure rural residents understand the service is provided at no cost to them.
52. The Department of Water and Environmental Regulation (DWER) will soon require applications for licences for all transfer stations.

53. This will require a review of services offered at Rural Transfer Stations and may result in removal of some services due to DWER regulations, costs and equity issues (e.g., purchase of retractable tarpaulins for hooklift bins may be required, and provision of cardboard, scrap steel, oil, e-waste, informal swap shop at Kronkup may need to be reviewed).
54. Requirements of the licences and subsequent impacts may necessitate a review of the viability of providing the five transfer stations across the City.
55. Alternatives to staffing Rural Transfer Stations may include:
- a) automated access to holders of a swipe card, similar to transfer stations in Augusta-Margaret River. This has potential to decrease costs while increasing flexibility for users, but may provide challenges in capturing usage data, and
  - b) extending the kerbside service further into rural areas.

## GOVERNMENT & PUBLIC CONSULTATION

56. The City of Albany Waste Management Working Group including representative elected members considered a range of options in August 2022.
57. A comparison of rural residential waste services in neighbouring local governments was considered.

## STATUTORY IMPLICATIONS

58. Under the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act) a local government may impose of rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.

## POLICY IMPLICATIONS

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

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation:</b> There is a risk that by decreasing the number of free passes, rural ratepayers may raise concerns about level of services.	Possible	Minor	Medium	Provide clear education and communication to encourage best practice by rural residents and promote the positive impacts of waste reduction.
<b>Environment:</b> There is a risk that by decreasing the number of free passes, some rural residents may dispose of waste inappropriately (e.g., burning, burying or dumping)	Possible	Moderate	Medium	Provide clear education to emphasise importance of safe waste disposal. Work with relevant departments to investigate any breaches of environmental standards.
<b>Reputation:</b> There is a risk that urban ratepayers will raise concerns that rural ratepayers continue have a greater entitlement to dispose of general waste at no cost.	Possible	Minor	Medium	Consider future decreases in rural waste tokens to bring services in line with urban general waste disposal allowances.
<b>Opportunity:</b> To offer consistent expectations for best practices waste management by both rural and urban residents, and increase education and engagement with rural residents around waste matters.				

**FINANCIAL IMPLICATIONS**

61. The cost to operate and service the rural transfer stations in 2021-22 was \$418,413.24.
62. There are no short-term budget implications, although there may be future budget considerations for the ongoing provision of rural transfer stations.

**LEGAL IMPLICATIONS**

63. Nil

**ENVIRONMENTAL CONSIDERATIONS**

64. Reducing the number of tokens provided to rural residents has potential to increase resource recovery, reduce waste to landfill and, therefore, greenhouse gas and leachate emissions.
65. Reducing tokens provided could discourage rural residents from appropriately disposing of waste.

**ALTERNATE OPTIONS**

66. Council may:
- a) Adopt the recommendations; or
  - b) Adopt the recommendations with alterations (as specified by Council); or
  - c) Reject the recommendations.

**CONCLUSION**

67. That the Authorising Officer Recommendation be adopted.

<b>Consulted References</b>	:	<i>Waste Avoidance and Resource Recovery Act 2007</i> ; Adopted Budget 2022/2023; Mandalay waste software reporting; City of Albany records
<b>File Number (Name of Ward)</b>	:	Breaksea, Kalgan, Vancouver, West, Yakamia
<b>Previous Reference</b>	:	N/A

**DIS345: COMMUNITY WASTE RESOURCE STRATEGY PROGRESS  
REPORT UPDATE – QUARTER 1 AND 2 2022-2023**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Community Waste Resource Strategy 2019-2026 Progress Report (Quarter 1 and 2 – July 2022 to December 2022)
<b>Report Prepared By</b>	: Manager Engineering & Sustainability (R March)
<b>Authorising Officer:</b>	: Executive Director Development, Infrastructure and Environment (P Camins)

**RECOMMENDATION**

**DIS345: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR GRIMMER**

**THAT the Community Waste Resource Strategy 2019-2026 Progress Report (Quarter 1 and 2 – July to December 2022) be NOTED.**

**CARRIED 13-0**

**DIS346: PLANNING AND BUILDING REPORTS MARCH 2023**

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

**RECOMMENDATION**

**DIS346: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the Planning and Building Reports for March 2023 be NOTED.**

**CARRIED 13-0**

**DIS347: LAND DISPOSAL - PORTION LOTS 76 AND 202 FOR ALBANY  
RING ROAD**

<b>Land Description</b>	: Portions Lot 76 and Lot 202 Hanrahan Road
<b>Proponent / Owner</b>	: Main Roads WA
<b>Report Prepared By</b>	: Lands Officer (A Veld)
<b>Authorising Officer:</b>	: Executive Director Infrastructure, Development and Environment (P Camins)

**In Brief:**

- Council is requested to consider disposing of two portions of City of Albany owned land for dedication as public roads to enable construction of a section of the Albany Ring Road project.

**RECOMMENDATION**

**DIS347: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT Council RESOLVE to dispose of the following portions of City of Albany owned land to allow for dedication as Road Reserves for the Main Roads WA, Albany Ring Road Project:**

- Lot 76 (4,543 m<sup>2</sup>); and
- Lot 202 (1,284m<sup>2</sup>).

**as depicted on Main Roads Land Dealings Drawings d2060-068 and d2060-046-1 for the sum detailed in the Confidential version of this report.**

**CARRIED 13-0**

Consulted References	: <i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
File Number (Name of Ward)	: RD.ACQ.1
Previous Reference	: OCM 27/11/2018 Resolution DIS131 (Confidential Report) DIS Committee 07/11/2018 Report DIS131 (Confidential Report)

**LEMC032: RECEIVE THE MINUTES OF THE LOCAL EMERGENCY  
MANAGEMENT COMMITTEE – 8 DECEMBER 2022**

<b>Attachments</b>	: Confirmed Minutes of the LEMC Meeting held 08/12/2022
<b>Report Prepared By</b>	: Personal Assistant to the ED Corporate & Commercial Services (H Bell)
<b>Authorising Officer:</b>	: Executive Director Corporate and Commercial Services (M Gilfellon)

**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- Receive the minutes of the Local Emergency Management Committee meeting held on 8 December 2022.

**RECOMMENDATION**

**LEMC032: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT the confirmed minutes of the Local Emergency Management Committee meeting held on 8 December 2022 be RECEIVED.**

**CARRIED 13-0**



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

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

**15.1: RESOLUTION (NOTICE OF MOTION BY COUNCILLOR THOMSON)  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR BROUGH**

**THAT Council instruct the CEO to:**

- purchase a Ukrainian flag;
- fly the flag at Anzac Peace Park from Sunday, August 20, 2023 to Thursday, August 24, 2023 in support of the sacrifice the Ukrainian people are making for their freedom, and for the freedom of other nations, in the face of an authoritarian aggressor;
- engage with Albany's Ukrainian, and wider, community toward inviting them to a ceremony to raise the flag at the peace park at an appropriate time between August 20 and August 24;
- invite the Canberra-based Ambassador of Ukraine to visit Albany on a date when the flag is flying, and to potentially raise the flag at the above-mentioned ceremony;
- draft a letter, for signature by an appropriate representative of the City, to Ukrainian President Volodymyr Zelenskyy informing him of the City's gesture of support for the people of his nation.

**CARRIED 10-3**

**Record of Vote**

Against the Motion: Mayor Wellington, Councillors Traill and Shanahun

**Councillor Reason:**

Since Russia's invasion of Ukraine in February, 2022, landmarks around the world have been illuminated in the colours of the Ukrainian flag in support of the war-torn nation.

These landmarks include the London Eye, Eiffel Tower, Sydney Opera House, Australian Parliament House, the City of Perth's administration building and Matagarup pedestrian bridge that spans the Swan River.

While the City of Albany does not usually involve itself in broader political matters, a recent precedent exists; in March, Albany Town Hall was lit with the colours of the rainbow in conjunction with the pride festival. Although the lighting was not a City initiative, it was on the City's most prominent building, and was a brilliant display of solidarity with the LGBTQIA+ community.

The local contractor who provided that lighting is unavailable to provide the same service for the City, and the cost of engaging a similar service from elsewhere is prohibitive (i.e. greater than \$6000). In addition, there are limitations to illuminating the town hall and surrounding civic precinct at certain times due to existing bookings to use the building and technical limitations of the City's existing lighting.

A powerful alternative to illuminating the town hall would be to raise, and fly, the Ukrainian flag at Albany's Anzac Peace Park, leveraging the park's message of peace to help promote peace in Ukraine.

An appropriate time to fly the flag would be in the days during the week leading up to and including Ukraine Independence Day, which this year occurs on Thursday, August 24.

Australian government authorities that have flown the Ukrainian flag include the Parliament of Victoria, and City of Sydney, Blacktown City Council, Woolahra Municipal Council, and Orange City Council in New South Wales.

Support for Ukraine is consistent with unanimous agreement by delegates of the National Assembly of Local Government, in Canberra in June 2022, that they "stand in solidarity with the people of Ukraine and its legitimate elected democratic governments in seeking peace, security and stability within the State of Ukraine".

Australia's support for Ukraine is not contentious. Ukraine has received bipartisan support from our nation. This includes the former Coalition Government sending Australian-made Bushmaster 4WD vehicles, and the current Labor Government authorising the training of Ukrainian volunteers by Australian soldiers.

Ukraine's Ambassador to Australia, Vasyl Myroshnychenko, spoke at the WA Local Government Association convention in Perth in October last year. He lauded the actions of the Mayor of Nedlands and City of Stirling in support of his nation.

In 2021, 62 Albany people had Ukrainian ancestry (<https://profile.id.com.au/albany/ancestry>). The Anzac Peace Park is a City asset, and decisions over its use rest with the City. Nonetheless, the RSL Albany Sub-Branch has forwarded a letter of support, as attached, for the above proposal.

A 1800mm x 900mm (large) Ukrainian flag, made in Australia, costs \$100.

The City administration has advised it has the ability to raise a flag pole at the peace park.

**Officer Comment (Executive Director Community Services):**

The City of Albany has flag-pole infrastructure within Albany Peace Park which is mobilised for the RSL Albany sub-branch's annual Anzac Day memorial service, and other special occasions.

The proposed use of a flag-pole in the peace park to show support for Ukraine is preferred over lighting the Town Hall due to cost and technical limitations.

There are no other known barriers to officers implementing the actions listed within the Notice of Motion should this be supported by the Council.

**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 **8.20pm.**

*(Unconfirmed Minutes)*

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Dennis W Wellington  
**MAYOR**

TABLED DOCUMENT FROM MR CRAIG HAMILTON

230426 opportunity for council to de entrap their most vulnerable community

26Apr23

City of Albany Council

Opening Goode Beach to the west

Dear Councillor,

Thank you for your time reading this. We will attend tonight's council meeting to answer any questions.

We believe our suggestion provides a real opportunity for Council to make an immediate difference to the lives of the many on the Torndirrup peninsula system, particularly in summer bushfire season.

My wife and I own two parcels of land at Goode Beach. We believe they may assist you solve one of the problems you face:

***"How do we de-entrap the most bushfire vulnerable community\* in Great Southern?"***

To assist, we are prepared to offer the necessary easements-in-gross, as well as our proposed subdivision road for this common good. We want to see if you are interested.

The usual way to leave Goode Beach for Albany is via Vancouver Rd. But if it, or if FBR south of the village closes for any reason, the only way to (and from) Albany is via an unfit emergency access way to Quaranup Rd. It is why a congestion of vehicles backed up in the dark when attempting escape from bushfire the night of 18May18. It is why an ambulance was unable to reach an elderly lady in distress the night of 2Feb23.

Sadly, ours is a dead-ended hillside village, with only one "emergency access route" for everyone to get to the solitary unfit McBrideEAW, that links via Quaranup to FBR. A key component is Austin Rd; it is steep, difficult to reach, non-guide posted and runs a ridge beside a bushy national park. There is no other formal way to reach Quaranup Rd. In time of bushfire, DFES advise is "Leave if safe". But in the above scenario, if Austin blocks, we and all visitors and staff on the peninsula are trapped. They cannot Leave, even if staying is less safe. In 179 pre-AS3959 (94% of 190) homes\* in BAL-FZ.

Regardless, attack from NE E SE requires half the village to head towards the bushfire they attempt to escape. Better they stay low to head west. To achieve this, **BRIGS Report 2020 recommends a public road (else EAW) from La Perouse to Hayn**. City either heads this access across Council Reserve 49672 or collaborates with private landowners. For our part, we are hereby offering such collaboration.

**It is clear that our private land must play a crucial role if you are to achieve any of three BRIGS access recommendations.** The only way you can link whatever route you decide to McBrideEAW, is via our proposed subdivision Hayn Rd. Now three years since *BRIGS*, it seems your preference is over private land. Unsurprisingly, it is not the preference of owners of any of the potential private linking land. But someone has to do something.

Certainly, underpinning anything that happens, is that our subdivision Hayn Rd needs to be gazetted. With concern for the safety of our community, we emerged from retirement to bring forward subdivision of land we were leaving to our children. In absence of your *BRIGS* La Perouse-Hayn access, we found we also needed to purchase a house and land at No 82 La Perouse Rd for second access.

We now have WAPC subdivision approval to create Hayn Rd, for easements-in-gross connecting La Perouse to Hayn for emergency access to our eight Lots, and four years in which to do it.

Given your need is larger and your time frame more pressing,

**We are hereby offering Council the opportunity of 4,915m<sup>2</sup> of easements-in-gross on our land, over which you can install access ways suited to public, village and fire services use.**

If you reach agreement, we'll proceed with subdivision now, to ensure that together all is in readiness for the next bushfire season. The easements are already clear of vegetation. The village will finally begin opening to the west: per *BRIGS*, La Perouse will run to Hayn, Karakatta running to La Perouse will become viable. Emergency services will be able to come and go more safely and efficiently. And down the track should you decided, you will be able to install EAR Hayn to Quararup.

(Was unfit McBrideEAW upgraded and keys shared with local leaders, it could be used open slather reducing distance to Albany by one-third. Subdivision will deliver 8 new AS3959 candidate safer place houses).

Of course, budgets are always constrained. City are likely to gain State funding approval having sought minimal available funds so fair if mounting the argument: *"We wish to de-entrap the most vulnerable community in the Great Southern"*.

Now is the time for action.

**Merits of this proposal for Council include:**

- **de-entrapment of your most vulnerable village**
- **availability of necessary scarce easements-in-gross**
- **subdivision public road ready to link existing EAR to future EAR**
- **all difficult work has been done, funds are available, just need to say yes**
- **indefensible risk to ratepayers and public fixed before next bushfire season**

Thank you for considering our suggestion. It would be appreciated if we could receive some sort of initial response over the next 7 days please.

Yours sincerely, - Craig Hamilton and Myra de la Rue  
*Ratepayers, 82 La Perouse Rd and Lot 9000 Hayn Rd, City of Albany*

**\*BRIGS Report 202:** expert authors concluded: “As a general overview, the Goode Beach precinct was considered to be the precinct exposed to the highest level of risk”. Of the eight Great Southern residential precincts selected for study, it was awarded a risk score of 24. For comparison, nearby Little Grove scored 9.5 and Bayonet Head and Ocean Beach 6 apiece. Risk ranking criteria were: landscape, locality, building and evacuation. For evacuation, it included recommending EAWs to open (i) Karakatta to La Perouse (ii) La Perouse to Hayn, plus EAR to link (iii) Hayn to Quaranup (iv) Austin to Quaranup.

**Now is the time to decide.**

We’ve managed to survive three bushfire seasons since *BRIGS* told everyone what needs doing. Common sense tells us what need doing. Climate Change is enabling bushfire. During the three months of this warmer-than-average summer, Albany received a measly 17.6mm of rain.

At midnight during the 27Jan23 arson lit bushfire, 860m away over tinder-dry vegetation from where our village lay sleeping, lock-gated from escape away from the fire; I found myself helping guide members of the public away from the bushfire and the Brigade.

(Had the arsonist chosen to mount that attack one week prior, maybe no one would have been returning at 11pm from a restaurant dinner to call 000. With more time to build up horsepower driven by the 37kph wind roaring directly towards the sleeping entrapped village, who knows that the outcome would have been? And next year?.

**We hope honorable Councillors will rise to the occasion, so that on-one ever again has cause to have to say something as disgraceful as this:**

*“All drivers, can I have your attention please. This is not an entertainment; this is a bushfire emergency. For yours and the Firies safety, you need to leave this area immediately. You should make it to Albany. Do not go to Historic Albany Whaling Station; it’s not been declared or prepared as a Safer Place. If you decide to flee into Goode Beach village, don’t go along the unfit emergency access route, as it is locked shut and you will be trapped. And don’t go all the way along the main village La Perouse Rd, you will end up in a forested cul-de-sac and you will be trapped. As there is no declared Safer Place for you; the safest place locally, is likely to be the Goode Beach dunny carpark. There are no signs, so take the first on the right, then third on the right”. Please leave immediately. Thankyou.”*

In marginally different circumstances, those could very well have been the words of the Manager the nearby Historic Albany Whaling Station, announced over the PA to her hundreds of guests.