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# MINUTES

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**Ordinary Meeting of Council**

**Tuesday 26 March 2019**

6.00pm

City of Albany Council Chambers

**CITY OF ALBANY  
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**



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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 both past and present".*

**3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE**

Mayor

D Wellington

**Councillors:**

Breaksea Ward

R Hammond

Breaksea Ward

P Terry

Frederickstown Ward

G Stocks (Deputy Mayor)

Frederickstown Ward

R Stephens

Kalgan Ward

E Doughty

Kalgan Ward

B Hollingworth

Vancouver Ward

J Shanhun

Vancouver Ward

T Sleeman

West Ward

S Smith

West Ward

A Goode JP

Yakamia Ward

A Moir

Yakamia Ward

R Sutton

**Staff:**

Chief Executive Officer

A Sharpe

Executive Director Corporate Services

M Cole

Executive Director Development

Services

P Camins

Acting Executive Director Infrastructure  
& Environment

M Richardson

Executive Director Community Services

S Kay

Meeting Secretary

J Williamson

**Apologies:** Nil.

Two members of the media and approximately 15 members of the public were in attendance.

#### 4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest
Councillor Terry	CCS134	<b>Impartiality.</b> The nature of the interest being that Councillor Terry is a member of the Albany Cycling Club Inc. Councillor Terry remained in the Chamber and participated in the discussion and vote.

#### 5. REPORTS OF MEMBERS

##### 6.02PM Councillor Sutton

##### Summary of key points

- Complimented Infrastructure and Environment staff for the high quality work undertaken on Albany Highway, including the kerbing and landscaping.

##### 6.03pm Councillor Shanhun

##### Summary of key points:

- Stated that the re-roofing of ALAC had greatly improved the usability of the facility with improved lighting.
- Encouraged Councillors to attend the Little Grove Fun Day this Saturday as part of Neighbour Day celebrations.
- Stated that the upgrade to Lake Weelara and surrounds is wonderful with new toilets and BBQ area. Stage 2 of the upgrade will be a new pathway and playground.

##### 6.05pm Councillor Doughty

##### Summary of key points:

- Gave an Annual Update of the Albany Community Foundation. Over the past twelve months the ACF has provided support to families in need to send children on school excursions, established a homelessness fund in conjunction with four key service providers in Albany who able to provide crisis accommodation and support. In 2018, the ACF received 112 applications for support and distributed funding of \$130,000.

##### 6.09pm Councillor Stocks

##### Summary of key points:

- Attended the recent Study tour which encompassed the City of Cockburn, City of Wanneroo and City of Fremantle.

##### 6.12pm Councillor Terry

##### Summary of key points:

- Attended the Growing Spencer Park Workshop.
- The opening of the City's fitness nodes would take place this Saturday.
- Attended the Cruise Ready Workshop.
- Informed Council of the recent death of Mr Jack Baxter.

##### 6.16pm Mayor Wellington

##### Summary of key points:

- Thanked City staff for the high standard of grounds maintenance.

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

At the Ordinary Council Meeting held on 26 February 2019, Mr Brendan Farrell addressed Council during Public Question Time regarding draft exploration plans by Equinor in the Great Australian Bight. Mr Farrell asked if the City would be commenting on the draft exploration plan.

In response, a letter from the Mayor (Ref: LT19181409) has been sent to the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) expressing the City's grave concerns in relation to the exploration drilling program, and advising that the City does not support the venture.

## **7. PUBLIC QUESTION TIME**

**6.18pm Mr Tim Edwards, 37 Rowley Street, Albany on behalf of Railways Cricket Club**

**Summary of key points:**

- Mr Edwards spoke in support of the funding request (CCS136: Community Sporting and Recreation Facilities Fund 2018-19 Small Grant Round Applications) for new cricket nets and synthetic centre wickets for Centennial Park Central Precinct and Collingwood Park Sporting Precinct.

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**6.20pm Mr Nathan Dovey, 13 Clint Terrace Albany, on behalf of Albany Cricket Club**

**Summary of key points:**

- Mr Dovey spoke in support of the funding request (CCS136: Community Sporting and Recreation Facilities Fund 2018-19 Small Grant Round Applications) for new cricket nets and synthetic centre wickets for Centennial Park Central Precinct and Collingwood Park Sporting Precinct.

**6.21pm Mr Brendan Oakley, 42 Ridley Road, Kalgan**

**Summary of key points:**

- Mr Oakley spoke in support of the Committee Recommendation for DIS152: Local Planning Scheme Amendment No. 15-Lot 422 Affleck Road, Kalgan, which does not support the amendment.

**6.24pm:** There being no further speakers the Mayor declared Public Question Time closed.

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

**8.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SMITH**

**SECONDED: COUNCILLOR STEPHENS**

**THAT:**

- 1. Councillor Sleeman be GRANTED Leave of Absence for the period 10 May 2019 to 10 June 2019 inclusive; and**
- 2. Councillor Smith be GRANTED Leave of Absence for the Ordinary Council Meeting to be held on 23 April 2019.**

**CARRIED 13-0**

## **9. PETITIONS AND DEPUTATIONS Nil**

**10. CONFIRMATION OF MINUTES**

**RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SLEEMAN**

**SECONDED: COUNCILLOR SUTTON**

**THAT the minutes of the Ordinary Council Meeting held on 26 February 2019, 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**

## CCS131: FINANCIAL ACTIVITY STATEMENT – JANUARY 2019

**Proponent** : City of Albany  
**Report Prepared by** : Manager Finance (D Olde)  
**Responsible Officer** : Executive Director Corporate Services (M Cole)

### RECOMMENDATION

**CCS131: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR MOIR**  
**SECONDED: COUNCILLOR SMITH**

**THAT the Financial Activity Statement for the period ending 31 January 2019 be RECEIVED.**

**CARRIED 13-0**

**CCS131: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR STEPHENS**  
**SECONDED: COUNCILLOR SMITH**

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

**CARRIED 11-0**

**CCS131: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the Financial Activity Statement for the period ending 31 January 2019 be RECEIVED.**

### BACKGROUND

1. The Statement of Financial Activity for the period ending 31 January 2019 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

### DISCUSSION

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



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

## STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, 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);
    - b. budget estimates to the end of the month to which the statement relates;
    - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
    - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e. the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
    - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c. such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a. according to nature and type classification;
    - b. by program; or
    - c. by business unit.
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
    - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - b. recorded in the minutes of the meeting at which it is presented.

## POLICY IMPLICATIONS

8. The City's 2018/19 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

## FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 31 January 2019 has been incurred in accordance with the 2018/19 proposed budget parameters.
11. Details of any budget variation in excess of \$100,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

File Number (Name of Ward)	FM.FIR.7 - All Wards
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## CCS132: LIST OF ACCOUNTS FOR PAYMENT – FEBRUARY 2019

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

### RECOMMENDATION

**CCS132: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY**  
**SECONDED: COUNCILLOR SUTTON**

**That Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 February 2019 totalling \$6,528,897.16.**  
**CARRIED 13-0**

CCS132: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR MOIR  
 SECONDED: COUNCILLOR SMITH

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 11-0**

CCS132: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 February 2019 totalling \$6,528,897.16.

### BACKGROUND

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

### DISCUSSION

2. The table below summarises the payments drawn from the municipal fund for the period ending 15 February 2019. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$63,087.08
Credit Cards	\$6,945.52
Payroll	\$2,365,349.50
Cheques	\$113,293.32
Electronic Funds Transfer	\$3,980,221.74
<b>TOTAL</b>	<b>\$6,528,897.16</b>

As at 15 February 2019, the total outstanding creditors stands at \$518,116 and is made up as follows:-

Current	\$403,365.25
30 Days	\$118,224.22
60 Days	\$(1,388.53)
90 Days	\$(2,085.29)
<b>TOTAL</b>	<b>\$518,115.65</b>
<b>Cancelled Cheques</b>	<b>Nil</b>

### STATUTORY IMPLICATIONS

3. 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.
4. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
5. 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

6. Expenditure for the period to 15 February 2019 has been incurred in accordance with the 2018/2019 budget parameters.

### FINANCIAL IMPLICATIONS

7. Expenditure for the period to 15 February 2019 has been incurred in accordance with the 2018/2019 budget parameters.

### CONCLUSION

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

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CCS133: DELEGATED AUTHORITY REPORTS – JANUARY TO  
FEBRUARY 2019**

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

**RECOMMENDATION**

**CCS133: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR STEPHENS  
SECONDED: COUNCILLOR DOUGHTY**

**THAT the Delegated Authority Reports 16 January 2019 to 15 February 2019 be RECEIVED.**

**CARRIED 13-0**

**CCS133: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR SHANHUN**

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

**CARRIED 11-0**

**CCS133: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the Delegated Authority Reports 16 January 2019 to 15 February 2019 be RECEIVED.**

## CS134: PROPOSED NEW COMMUNITY LICENCE AGREEMENTS – ALBANY CYCLING CLUB INC. AND ALBANY TRIATHLON CLUB INC. – CENTENNIAL PARK EASTERN PRECINCT

<b>Land Description</b>	: Lot 32 on Deposited Plan 43670 as detailed in Certificate of Title Volume 1370 Folio 154, being 49-55 North Road Mira Mar
<b>Proponents</b>	: Albany Cycling Club Inc. and Albany Triathlon Club Inc.
<b>Owner</b>	: City of Albany
<b>Report Prepared By</b>	: Team Leader Property and Leasing (T Catherall)
<b>Responsible Officers:</b>	: Executive Director Corporate Services (M Cole)

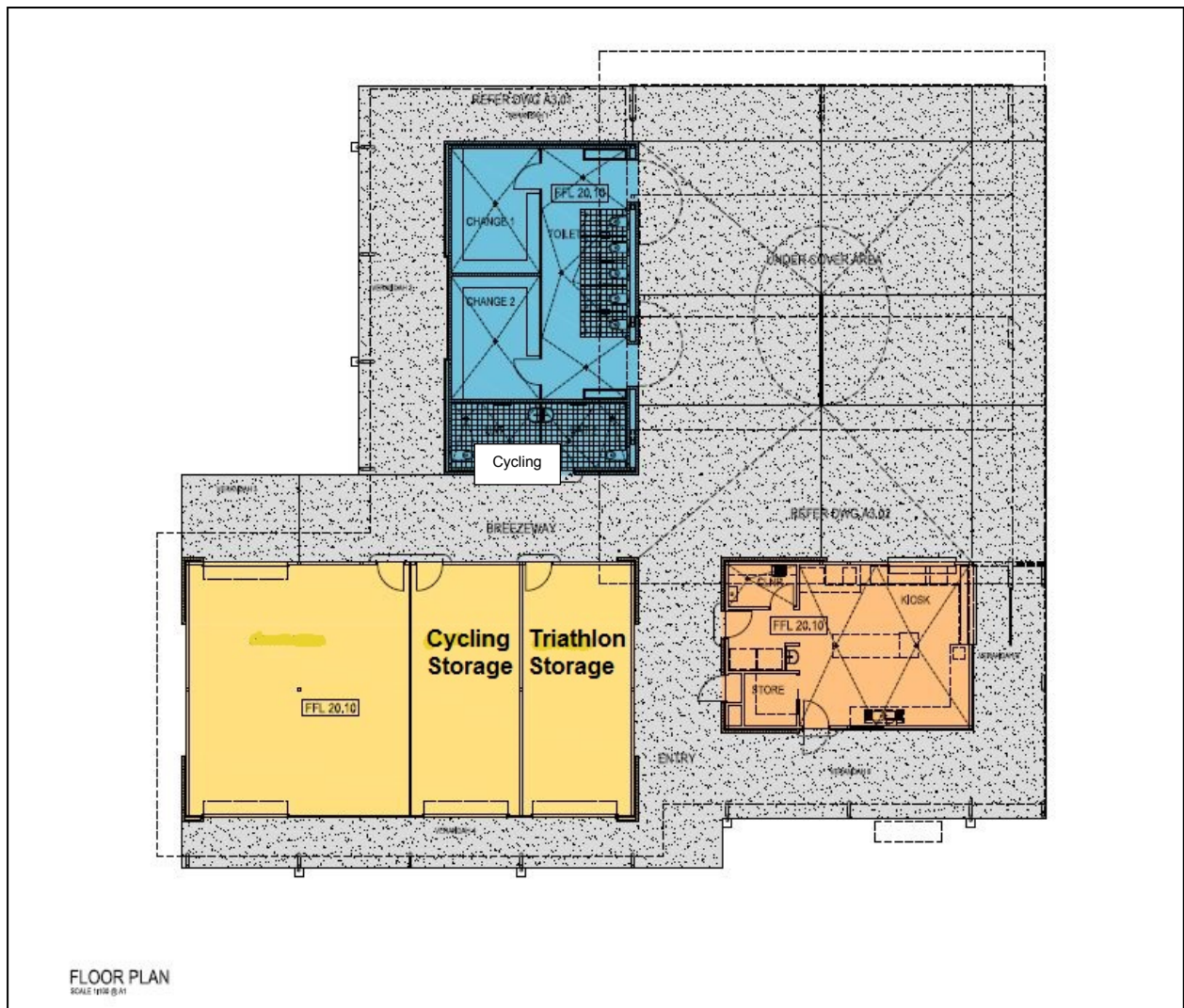
**Councillor Terry declared an Impartiality Interest in this item. Councillor Terry remained in the Chamber and participated in the discussion and vote.**

### STRATEGIC IMPLICATIONS

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

### Maps and Diagrams:





**In Brief:**

- Council is requested to consider two new community licences over portion of purpose built multi-use facility currently being constructed within the Centennial Park Eastern Precinct to:
  - a. Albany Cycling Club Inc.
  - b. Albany Triathlon Club Inc.
- The licence terms being up to 10 years for the purpose of club storage of sporting equipment.
- To satisfy the City's agreed commitments to the Cycling and Triathlon Clubs, it is recommended that Council approve the two new licences.

**RECOMMENDATION**

**CCS134: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR STOCKS  
SECONDED: COUNCILLOR SMITH**

**THAT Council APPROVE community licences on portion of 49-55 North Road, Mira Mar within the Centennial Park Eastern Precinct, to:**

- 1. Albany Cycling Club Inc.**
- 2. Albany Triathlon Club Inc.**

**Subject to:**

- a) Licence purpose being “storage facility for sporting equipment”.**
- b) Licence area being approximately 36m<sup>2</sup> each within the designated areas located within the multi-use facility building.**
- c) Licence commencement date being as soon as practicable following completion of construction of the facility.**
- d) Licence rent being \$510.50 plus GST pa based on 50% of the minimum rate determined by Council each year.**
- e) Licence term being:**
  - Albany Cycling Club Inc.-2 years, with 4 further 2 year terms, to a maximum of 10 years.**
  - Albany Triathlon Club Inc.-1 year, with 9 further 1 year terms, to a maximum of 10 years.**
- f) Licence provision to document that the clubs agree to comply with the Centennial Park Sporting Precinct Management Framework and the City of Albany Sporting Precincts Grounds user Guide.**
- g) All costs associated with the ongoing operations of the licence property being payable by the licensee.**
- h) All costs associated with the preparation, execution and completion of the licence documentation being payable by the licensee.**
- i) Licence being consistent with City Policy – Property Management (Leases and Licences).**

**CARRIED 13-0**

**CCS134: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SLEEMAN  
SECONDED: COUNCILLOR HAMMOND**

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

**CARRIED 11-0**

**CCS134: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council APPROVE community licences on portion of 49-55 North Road, Mira Mar within the Centennial Park Eastern Precinct, to:**

- 1. Albany Cycling Club Inc.**
- 2. Albany Triathlon Club Inc.**

**Subject to:**

- a) Licence purpose being “storage facility for sporting equipment”.**
- b) Licence area being approximately 36m<sup>2</sup> each within the designated areas located within the multi-use facility building.**
- c) Licence commencement date being as soon as practicable following completion of construction of the facility.**
- d) Licence rent being \$510.50 plus GST pa based on 50% of the minimum rate determined by Council each year.**



- e) Licence term being:
  - Albany Cycling Club Inc.-2 years, with 4 further 2 year terms, to a maximum of 10 years.
  - Albany Triathlon Club Inc.-1 year, with 9 further 1 year terms, to a maximum of 10 years.
- f) Licence provision to document that the clubs agree to comply with the Centennial Park Sporting Precinct Management Framework and the City of Albany Sporting Precincts Grounds user Guide.
- g) All costs associated with the ongoing operations of the licence property being payable by the licensee.
- h) All costs associated with the preparation, execution and completion of the licence documentation being payable by the licensee.
- i) Licence being consistent with City Policy – Property Management (Leases and Licences).

## **BACKGROUND**

2. Council at its meeting on 25 February 2014 adopted the Centennial Park Sporting Precinct Master Plan and Concept Designs. Since this date significant works have been completed including the Stadium in the Eastern Precinct and the Pavilion in the Western Precinct.
3. Council at its meeting on 23 October 2018 awarded the tender for the construction of a multi-use facility within the Centennial Park Eastern Precinct on City owned land.
4. Construction of the facility commenced 7 February 2019 and it is anticipated will be completed by early June 2019.
5. The community facility is a key element to the overall Centennial Park Precinct and will provide an important game day facility for a range of sports including AFL, Cycling and Triathlon Clubs activities and events.
6. In addition the facility will be an important resource and social hub for hosting community and economic development events such as the Convoy for Kids, WA Association of Caravan Clubs Inc, the Caravan and Camping Show and the Great Southern Street Machine Show.
7. The City has been working with the three sporting groups who have been actively engaged in the development of the design for the facility, which includes the following components:
  - a. Community canteen
  - b. Storage areas
  - c. Toilets and Change space
  - d. Undercover area
8. The toilets and change space will remain under City management and will be available for hire as part of the seasonal sporting permit process.
9. The City is currently in negotiations with the Southern District Junior Football Association regarding their community licence to ensure we meet their sporting and seasonal arrangements.

## **DISCUSSION**

10. The Albany Cycling and Triathlon Clubs have requested a licence for the designated areas of 36m<sup>2</sup> each within the new facility for the purpose of storing their sporting equipment.
11. Both clubs have approached the City seeking a reduction of the proposed annual rent of \$1021 + GST (based on minimum rate determined by Council each year) in line with the City's Property Management (Leases and Licences) Policy.
12. This matter has been considered by the Executive team who support a reduction of rent based on 50% of minimum rate being \$510.50 + GST per annum, subject to Council approval, given the small size of the storage space and that the clubs operate on members fees and fundraising.



13. The table below summarises the essential terms of the proposed licences:

ITEM	DETAILS
Licensee	Albany Cycling Club Inc. Albany Triathlon Club Inc.
Land/Licence Area	Portion of Lot 32 on Plan 43670 as detailed in Certificate of Title Volume 1370 Folio 154, Mira Mar. Licence areas approximately 36m <sup>2</sup> each.
Land and Building Ownership	City of Albany
Permitted Use	Storage facility for sporting equipment
Term of Licence	<u>Cycling Club</u> 2 years with 4 further 2 year terms to a maximum of 10 years <u>Triathlon Club</u> 1 year with 9 further 1 year terms to a maximum of 10 years Licences to commence as soon as practicable upon building completion
Initial Rent	\$510.50 plus GST pa being the equivalent of 50% of minimum rate set by Council each year and reviewed annually
Outgoings	Licensee responsible for all outgoings, including insurance
Utilities	Licensee responsible for all utilities
Maintenance	City responsible for structural maintenance, electrical wiring, planned and programmed maintenance and annual services of the City's asset. Clubs responsible for cleaning, preventative maintenance and consumables.

14. The clubs have agreed with the above position with the remaining terms of the licence in line with standard terms for community licences and Council Policy – Property Management (Leases and Licences).

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

15. Section 3.58 of the *Local Government Act 1995* allows for the City to dispose of land. For the purposes of this section, a licence of property is considered a disposal.
16. Regulation 30(2)(b) of the *Local Government (Functions & General) Regulations 1996* describes the disposition as exempt when the land is disposed of to an organisation or body whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting other like nature.
17. The Sporting Clubs are exempt from the advertising requirements of Section 3.58 of the *Local Government Act 1995*.

#### **STATUTORY IMPLICATIONS**

18. Section 3.58 of the *Local Government Act 1995* allows for the disposal of property including leased/licensed land and buildings.

**POLICY IMPLICATIONS**

19. Council adopted a revised Property Management (Leases and Licences) Policy in July 2017.
20. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
21. The Policy provides that community leases and licences rent in City owned buildings be determined by minimum rate as determined by Council each year.
22. The clubs have requested a reduction of the proposed rent on the basis that the licence areas are small (36m<sup>2</sup>) and the clubs operate on member fees and fundraising.
23. The remaining terms of the licence agreements will align with the Policy.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputation: licences not approved.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction. The City's standard licence will be the formal document</i>
<i>Reputation: licences not approved – facility will remain vacant until new occupants sought</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction</i>
<i>Opportunity: To provide functional facilities for sporting clubs in line with the Centennial Park Sporting Precinct Masterplan plan.</i>				
<i>Opportunity: To demonstrate the City's ongoing commitment to support sporting clubs and facilities by providing a facility to store their equipment within the Centennial Park Sporting Precinct.</i>				

**FINANCIAL IMPLICATIONS**

25. All costs associated with the development, execution and completion of the licence documentation will be met by the clubs.
26. The annual licence rents will be directed to Income – Other Leases.

**LEGAL IMPLICATIONS**

27. The Deeds will be prepared by City's lawyers with enforceable terms and conditions to protect all parties.

**ENVIRONMENTAL CONSIDERATIONS**

28. As the land is already cleared, there are no environmental implications relevant to this item.

**ALTERNATE OPTIONS**

29. Given the existing commitments made with the Cycling and Triathlon Clubs it is not considered that there is an alternate option. The proposed licences will formalise the intention for the multi-use facility.
30. Council may however decline the request for rental reduction as proposed, being 50% of minimum rate, although it is understood this may then provide financial concerns for the clubs.

**CONCLUSION**

31. The community multi-use facility within the Centennial Park Eastern Precinct is scheduled to reach practical completion in June this year.

32. Albany Cycling Club Inc. and Albany Triathlon Club Inc. have requested licence agreements to secure designated areas within the facility located along North Road for the purpose of storage facilities for sporting equipment.
33. To satisfy the City's agreed commitments to the clubs, it is recommended that the proposed new licences be supported.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• Council Policy – Property Management (Leases and Licences)</li><li>• <i>Local Government Act 1995</i></li><li>• <i>Land Administration Act 1997</i></li></ul>
<b>File Number (Name of Ward)</b>	:	PRO443 & PRO444, A96087 (Frederickstown Ward)
<b>Previous Reference</b>	:	OCM 23/10/2018 Item DIS130

## CCS135: PROPOSED FINANCIAL ASSISTANCE AGREEMENT - ALBANY MOTOR SPORTS PARK

<b>Land Description</b>	: Lot 5780, 54 Down Road South, Drome
<b>Proponent</b>	: City of Albany
<b>Attachments</b>	: A Confidential Attachment is distributed under separate cover
<b>Report Prepared By</b>	: A/Executive Director Infrastructure & Environment (M Richardson)
<b>Responsible Officers:</b>	: Executive Director Corporate Services (M Cole)

### CONFIDENTIAL REPORT

*This Report was considered behind closed doors in accordance with section 5.23 (2) (c) & (e) of the Local Government Act 1995, is a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and would reveal information that has information about the business, professional, commercial or financial affairs of a person.*

6.51PM

**CCS135: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DOUGHTY**  
**SECONDED: COUNCILLOR HOLLINGWORTH**

**THAT the meeting go behind closed doors to discuss confidential item CCS135: Proposed Financial Assistance Agreement-Albany Motor Sports Park.**

**CARRIED 13-0**

6.56PM

**CCS135: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DOUGHTY**  
**SECONDED: COUNCILLOR HOLLINGWORTH**

**THAT the meeting be re-opened to the public.**

**CARRIED 13-0**

**CCS135: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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

**THAT Council ENDORSE the Financial Assistance Agreement between the Department of the Local Government Sports and Cultural Industries and the City of Albany for the development of the Motor Sports Park at Lot 5780 Down Road South.**

**CARRIED 13-0**

**CCS135: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR SLEEMAN

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

**CCS135: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council ENDORSE the Financial Assistance Agreement between the Department of the Local Government Sports and Cultural Industries and the City of Albany for the development of the Motor Sports Park at Lot 5780 Down Road South.

**CCS136: COMMUNITY SPORTING AND RECREATION FACILITIES  
FUND 2018/2019 SMALL GRANT ROUND APPLICATIONS**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: City Sporting Precincts - Cricket – Correspondence, Cricket Condition Photographs and Project Assessment Sheet
<b>Report Prepared By</b>	: Manager Recreation Services (S Stevens)
<b>Responsible Officers:</b>	: Executive Director Community Services (S Kay)

**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:** Community Health & Participation
  - **Objective:** To develop and support a healthy, inclusive and accessible community
  - **Community Priority:** Develop a range of activities and facilities that connect people, promote a healthy community and are appropriate for all ages.

**In Brief:**

- To seek Council endorsement of the priority ranking for the submitted Community Sport and Recreation Facility Fund (CSRFF) Small Grant funding round.
- To seek Council support to provide funding assistance in line with the Council Policy of the Community Sports & Recreation Facilities to the project.

**RECOMMENDATION**

**CCS136: RESOLUTION (COMMITTEE RECOMMENDATION 1)**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY**

**SECONDED: COUNCILLOR STOCKS**

**THAT Council RANK the CSRFF Small Grant application in the following order for the CSRFF March 2019 Funding Round:**

1. City of Albany Sporting Precincts – Replace and upgrade the synthetic centre wickets and cricket nets at the City of Albany's (CoA) major regional sporting precincts (Centennial Park and Collingwood Park Sporting Precincts) - Small Grant (ranked one of one).

**CARRIED 13-0**

**CCS136: RESOLUTION (ALTERNATE MOTION BY COUNCILLOR SLEEMAN -COMMITTEE RECOMMENDATION 2)**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SLEEMAN**

**SECONDED: COUNCILLOR STEPHENS**

**THAT:**

1. Council **APPROVE** a total of \$86,816.00 (exc. GST) made up of \$32,000 from the Centennial Park Sporting Precinct redevelopment funding, and \$54,816 from general revenue, for the City of Albany's Centennial Park Central Precinct and Collingwood Park Sporting Precinct synthetic centre wickets and cricket nets (total cost \$175,224.00).
2. The funding amount is not to exceed a total of \$86,816.00 (exc. GST).
3. Should the CSRFF and/or the Cricket Australia application/s not be successful, the City's Capital Seed Funding (\$75,000 annually) will not be used to fund this project in 2019-20.
4. Should any additional funding applications be successful, the City's contribution will be reduced by that amount.

**CARRIED 12-1**

**Record of Vote**

Against the Motion: Councillor Shanhun

**Councillor Reason:**

Should the CSRFF application be unsuccessful further funding opportunities should be explored.

The City of Albany should not be obligated to provide further funding should the CSRFF application be unsuccessful.

The amount of \$54,816.00 (exc. GST) forms part of the proposed 2019-20 budget, which has not yet been adopted by Council.

CCS136: COMMITTEE RECOMMENDATION 2  
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council APPROVE a total of \$86,816.00 (exc. GST) from the 2019/2020 budget for the City of Albany's (Centennial Park Central Precinct and Collingwood Park Sporting Precinct) - synthetic centre wickets and cricket nets (\$175,224.00).

The funding amount does not exceed a total of \$86,816.00 (exc. GST).

CCS136: COMMITTEE RECOMMENDATION 1

MOVED: COUNCILLOR MOIR

SECONDED: COUNCILLOR SUTTON

THAT Responsible Officer Recommendation 1 be ADOPTED.

CARRIED 8-2

**Record of Vote**

Against the Motion: Councillors Goode and Sleeman

CCS136: RESPONSIBLE OFFICER RECOMMENDATION 1

That Council RANK the CSRFF Small Grant application in the following order for the CSRFF March 2019 Funding Round:

1. City of Albany Sporting Precincts – Replace and upgrade the synthetic centre wickets and cricket nets at the City of Albany's (CoA) major regional sporting precincts (Centennial Park and Collingwood Park Sporting Precincts) - Small Grant (ranked one of one).

CCS136: COMMITTEE RECOMMENDATION 2

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR DOUGHTY

THAT Responsible Officer Recommendation 2 be ADOPTED.

CARRIED 7-3

**Record of Vote**

Against the Motion: Councillors Goode, Sleeman and Stephens

CCS136: RESPONSIBLE OFFICER RECOMMENDATION 2

THAT Council APPROVE a total of \$86,816.00 (exc. GST) from the 2019/2020 budget for:

- City of Albany's (Centennial Park Central Precinct and Collingwood Park Sporting Precinct) - synthetic centre wickets and cricket nets (\$175,224.00).

- The funding amount does not exceed a total of \$86,816.00 (exc. GST).

## **BACKGROUND**

2. The Community Sport and Recreation Facilities Fund (CSRFF) administered by the Department of Local Government, Sport and Cultural Industries has three rounds of available funds including:
  - Small Grant Funding Round (Winter)
  - Annual And Forward Planning Funding Round
  - Small Grant Funding Round (Summer)
3. The CSRFF program is a \$12 million program. All three rounds are often oversubscribed and organisations may need to reapply on a number of occasions to be successful.
4. The Small Grants Round targets community sport projects where the financial value of the total project is up to \$200,000 and is delivered within a 12 month period.
5. Applicants must be either a local government authority or a not-for-profit sport or community organisation incorporated under the WA Associations Incorporation Act 1987.
6. Clubs and local government authority must demonstrate equitable access to the public on a short term and casual basis.
7. The land on which the facility is to be developed must be one of the following:
  - Crown reserve
  - Land owned by a public authority
  - Municipal property
  - Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.
8. The Local Government has an opportunity to assess all relevant applications and to rank applications in priority order for the municipality.
9. Whilst there is no obligation for Local Government to contribute to the community sporting projects local government is viewed as a key funding partner in supporting improved community sporting amenities.
10. The Department of Local Government, Sport and Cultural Industries – Sport and Recreation application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
11. An element of the assessment process involves Council consideration and priority ranking of applications received. The applications are then submitted to the Department of Local Government, Sport and Cultural Industries – Sport and Recreation on behalf of the applicants prior to March 28 2019.
12. Once the assessment process from Local Government Authorities are complete, all applications received from Western Australian organisations are assessed by the relevant State Sporting Association and the Department of Local Government, Sport and Cultural Industries – Sport and Recreation CSRFF Committee against a number of criteria, with the final decision on funding being at the discretion of the Minister for Sport and Recreation.



## DISCUSSION

13. The grant guidelines require Council to provide a ranking for the projects.
14. The Department of Local Government, Sport and Cultural Industries – Sport and Recreation provides guidance for Local Government Authorities to assess each submission. This assessment uses the following criteria and a project rating of satisfactory/unsatisfactory or not relevant:
  - Project justification
  - Planned approach
  - Community input
  - Management planning
  - Access and opportunity
  - Design
  - Financial viability
  - Coordination
  - Potential to increase physical activity
  - Sustainability
15. With overall project rating, being:
  - Well planned and needed by municipality
  - Well planned and needed by applicant
  - Needed by municipality, more planning required
  - Needed by applicant, more planning required
  - Idea has merit, more planning work needed
  - Not recommended
16. Projects are ranked on the strength of the application, participation numbers, and ability to increase physical activity and potential impact as well as consultation with the Department of Local Government, Sport and Cultural Industries – Sport and Recreation and the applicant.
17. The City of Albany has one (1) Small Grant Applications this round. The following additional information is provided about the project and funding application:

### **City of Albany's (Centennial Park Central Precinct and Collingwood Park Sporting Precinct) - synthetic centre wickets and cricket nets**

18. The funding application is a Small Grant Application to replace and upgrade the synthetic centre wickets and cricket nets at both precincts.
19. This will complete and complement the upgrade to fields and construction of a new clubhouse for cricket (senior and junior) in the Great Southern, as part of the wider Centennial Park Master Plan and CoA objectives to enhance sporting and recreation facilities to increase participation in physical activity, attract premier sporting events, and provide support, infrastructure and training that will enable future generations of athletes to compete at regional, state, national and/or international levels.
20. The Centennial Park Sporting Precinct (CPSP) is the premier sporting precinct in the Great Southern catering for a wide range of indoor and outdoor sports facilities. It is one of the largest recreational reserves in Western Australia and is centrally located near the Albany CBD. Specific enhancements to cricket facilities through this project at Centennial Park Central Precinct will include three (3) cricket nets and one (1) centre wicket.
21. Collingwood Park is also an important recreational hub that extends and complements Centennial Park activity within the suburb of Collingwood Park in Albany. It is home to North Albany Football Club and a number of other senior and junior sports including cricket and touch rugby. Specific upgrades at Collingwood Park through the project include two (2) cricket nets and one (1) centre wicket.

22. The current facilities at both Centennial and Collinwood Parks have reached the end of their life and are unsafe to use for the cricket players and the public. Significant wear is evident on all associated infrastructure, as identifiable in the supporting condition photographs (Albany Cricket Facilities Condition). The proposed upgrades will greatly enhance and refresh this ageing infrastructure to support existing high volume junior and senior cricket participation at all levels in Albany and the Great Southern region, as well as encouraging club growth and boosted participation from the wider regional community.
23. Department of Local Government, Sport and Cultural Industries – Sport and Recreation Great Southern Regional Manager assessed the project as having a high priority.
24. The City of Albany has carried out a risk assessment and the project is rated as medium – high (People’s Health and Safety).

#### GOVERNMENT & PUBLIC CONSULTATION

25. The Department of Local Government, Sport and Cultural Industries – Sport and Recreation Regional Manager for the Great Southern has consulted with the City of Albany.
26. The City of Albany has conducted site visits (2018) and consulted with the clubs benefiting from this Community Sporting project.

#### STATUTORY IMPLICATIONS

27. There is no statutory requirement.
28. Council Officers assess each project and make a recommendation for the ranking of projects based on the Department of Local Government, Sport and Cultural Industries criteria, safety risk and strategic overview.
29. Council has the opportunity to provide a recommendation that ranks applications in priority order for the City of Albany.
30. It should be noted that the Department of Local Government, Sport and Cultural Industries – Sport and Recreation will make the final decision on funding allocation.

#### POLICY IMPLICATIONS

31. The Recreation Planning Strategy adopted in 2008 has been applied in ranking this submission.
32. The Community Sports and Recreation Facilities Small Grant Funding Policy has been applied in the assessment and recommendations.

#### RISK IDENTIFICATION & MITIGATION

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>People Health &amp; Safety</b> <i>Failure to secure required funding may result in the condition of the amenities deteriorating to an unsafe condition</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Council may choose to support the funding application, or work with City officers to source other funding streams.</i>
<b>Reputation &amp; Financial</b> <i>Failure to upgrade facilities may result in community missed economic and social opportunities.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Support the funding application, or work with City officers and club to source other funding streams.</i>
<b>Reputation &amp; Financial</b> <i>Failure to distribute Council’s Financial Support in an equitable and sustainable manner may result in community dissatisfaction or</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Support the officer’s recommendation, or work with City officers to deliver an equitable allocation of funding.</i>

projects not going ahead.				
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**FINANCIAL IMPLICATIONS**

34. The projected total cost for both projects is \$175,224.00.
35. The City of Albany has an application lodged with Cricket Australia for \$30,000 - Cricket Infrastructure Round. This is the maximum amount an organisation can apply for and the project is dependent upon a successful return of the application. The funding is viewed as the clubs financial contribution to the project.
36. The City of Albany cash contribution is budgeted in the 2019/2020 budget workshop documents for budget deliberation.
37. This is the final CSRFF small grants round for 2018/2019 financial year.
38. The following table provides the budget detail and requests for financial support from the funding bodies:

<b>Albany Cricket Facilities – Centennial Park Central Precinct and Collingwood Park</b>				
	<b>Expenses</b>	<b>Cricket Australia</b>	<b>DLGSCI</b>	<b>City of Albany Cash</b>
<b>Central Precinct</b>				
3 x Cricket Nets	\$82,375.00	\$15,000.00	\$29,204.00	\$38,171.00
Centre Wicket	\$13,335.00			\$13,335.00
<b>Subtotal</b>	<b>\$ 95,710.00</b>			
<b>Collingwood Park</b>				
2 x Cricket Nets	\$66,579.00	\$15,000.00	\$ 29,204.00	\$22,375.00
Centre Wicket	\$12,935.00			\$12,935.00
<b>Subtotal</b>	<b>\$79,514.00</b>			
<b>Budget</b>	<b>\$175,224.00</b>	<b>\$30,000.00</b>	<b>\$58,408.00</b>	<b>\$86,816.00</b>

**LEGAL IMPLICATIONS**

39. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

40. There are no environmental impacts associated with the project.

**ALTERNATE OPTIONS**

41. Council may choose not to provide funding assistance for the project.
42. Council may choose to provide more or less funding assistance to the project.

**CONCLUSION**

43. The Department of Local Government, Sport and Cultural Industries – Sport and Recreation provides local government with an opportunity to assess received applications and to rank applications in priority order for the municipality.
44. The project meets the criteria provided by the Department. They are considered well planned and needed by the applicant and district. Council is required to endorse the officers ranking. City officers have ranked the application in the following order:

- City of Albany's (Centennial Park Central Precinct and Collingwood Park Sporting Precinct) - synthetic centre wickets and cricket nets (one of one)
45. Council is not obliged to fund any of the projects.
46. Council may consider capping its financial contribution or sourcing alternate means to meet budget allocations.
47. The Department of Local Government, Sport and Cultural Industries – Sport and Recreation requires a response from the City of Albany on the priority ranking order by 29 March 2019.

<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	CCS076 – 28/08/2018 OCM

## CCS137: ELECTION CARETAKER PERIOD POLICY

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Election Caretaker Period Policy
<b>Report Prepared By</b>	: Senior Team Leader/Council Liaison (J Williamson)
<b>Responsible Officers:</b>	: Chief Executive Officer (A Sharpe)

### STRATEGIC IMPLICATIONS

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

#### In Brief:

- Adopt the Election Caretaker Period Policy.

### RECOMMENDATION

**CCS137: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HAMMOND**  
**SECONDED: COUNCILLOR TERRY**

**THAT the Election Caretaker Period Policy be ADOPTED.**

**CARRIED 13-0**

### BACKGROUND

2. The Election Caretaker Period Policy established protocols for the purpose of preventing actual and perceived advantage to a candidate in a local government election, through the use of public resources or decisions made by Council or administration on behalf of the City of Albany during the period immediately prior to an election.
3. Restrictions may be placed on the types of decisions and activities that may be undertaken by a Local Government in the period immediately before an election.
4. Caretaker conventions exist at the State and Federal level of government, and some West Australian local governments have also adopted Caretaker Period Policies.
5. The Caretaker Period will commence from the close of nominations, 37 days prior to an election day.

### DISCUSSION

6. Objective of the Policy
  - a. Avoid Council making major decisions (as defined in the policy) prior to an election which may bind an incoming Council;
  - b. Prevent use of public resources in ways that are seen as advantageous to, or promoting, the current elected members who may be seeking re-election; and
  - c. Ensure that staff act impartially in relation to all candidates.

7. The Election Caretaker Period Policy will enable Council to assume a caretaker role during an election period to ensure that decisions are not made which would bind an incoming Council and limit its freedom of action.
8. This policy only applies to actual decisions made during a Caretaker Period.
9. This policy applies during a Caretaker Period to cover:
  - a. Decisions made by Council;
  - b. Materials published by the City;
  - c. Attendance and participation at events and functions;
  - d. Use of the City's resources; and
  - e. Access to City information.

#### GOVERNMENT & PUBLIC CONSULTATION

10. Other similar policy positions were reviewed from across the local government sector.
11. The policy was reviewed by Council at an Elected Member Focus Group.
12. The policy was reviewed by the Executive Management Team.
13. No public consultation is required.

#### STATUTORY IMPLICATIONS

14. *Local Government Act 1995*, Part 2 – Constitution of Local Government, Division 2 - Local governments and councils of local governments, and Part 4 Elections and other polls.
15. *Local Government (Elections) Regulations 1997*.

#### POLICY IMPLICATIONS

16. *Local Government Act 1995*. Section 2.7(2)(b)-Council determines local government policies.

#### RISK IDENTIFICATION & MITIGATION

17. 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>  <b>Risk:</b> Perception that serving elected members standing for re-election have an advantage.	Unlikely	Moderate	Medium	Consider adoption of proposed policy position or alternate. The CEO/Administration limits major policy decisions during the caretaker period.

#### FINANCIAL IMPLICATIONS

18. There are no direct financial implications associated with this report.

#### LEGAL IMPLICATIONS

19. There are no direct legal implications associated with this report.

#### ENVIRONMENTAL CONSIDERATIONS

20. Nil.

**ALTERNATE OPTIONS**

21. Council may choose to either adopt the proposed policy, adopt with modification or refer the policy back to the Executive for further development.

**CONCLUSION**

22. It is recommended that this proposed policy decision be adopted.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Election) Regulations 1997</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	N/A

## **CCS138: ELECTED MEMBER PROFESSIONAL DEVELOPMENT POLICY**

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Elected Member Professional Development Policy
<b>Report Prepared By</b>	: Senior Team Leader/Council Liaison (J Williamson)
<b>Responsible Officers:</b>	: Chief Executive Officer (A Sharpe)

### **STRATEGIC IMPLICATIONS**

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

#### **In Brief:**

- Adopt the Elected Member Professional Development Policy.

### **RECOMMENDATION**

**CCS138: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR DOUGHTY**  
**SECONDED: COUNCILLOR SMITH**

**THAT the Elected Member Professional Development Policy be ADOPTED.**

**CARRIED 13-0**  
**ABSOLUTE MAJORITY**

### **BACKGROUND**

2. The Elected Member Professional Development Policy will ensure equity and accessibility to individual training and professional development opportunities in addition to group training sessions offered by the City of Albany.

### **DISCUSSION**

3. This policy defines Elected Member entitlements to individual training opportunities relevant to their role.
4. The annual allowance referred to in the policy is for a twelve month period commencing 1 July each year.
5. The amount will be set annually as part of the Budget Adoption Process. For planning purposes an amount of \$4000 will be allocated to each member annually.
6. Unspent funds for individual elected members from each year will carry over for a maximum of two years, after which time any unspent funds may be returned to the general training budget.
7. Provision of an allowance for individual training opportunities, in addition to the group training offered by the City, will allow elected members to access professional development opportunities such as a Diploma in Local Government, or other qualifications relevant to their role.



8. Approval from Council will be required:

- For training after 30 June in the year an elected members term of office ends;
- Where two or more elected members have requested to attend the same training; or
- Where the elected member does not have sufficient funds available in their Professional Development allocation to meet all training associated costs.

## GOVERNMENT & PUBLIC CONSULTATION

9. Other similar policy positions were reviewed from across the local government sector.
10. The policy was reviewed by Council at an Elected Member Focus Group.
11. The policy was reviewed by the Executive Management Team.
12. No public consultation is required.

## STATUTORY IMPLICATIONS

13. The voting requirement for this item is **Absolute Majority**, as the policy contains a delegation to the Chief Executive Officer (paragraph 10 of the policy).

## POLICY IMPLICATIONS

14. *Local Government Act 1995*. Section 2.7(2)(b)-Council determines local government policies.

## 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
<i><b>Risk:</b> Policy is not adopted.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Council may further review the policy and request amendments. Professional Development opportunities will continue to be provided by the City to ensure adequate training for Councillors to fulfil their role.</i>

## FINANCIAL IMPLICATIONS

16. The amount will be set annually as part of the budget adoption process. For planning purposes an amount of \$4,000 will be allocated to each elected member annually.
17. Unspent funds for individual elected members from each year will carry over for a maximum of two years, after which time any unspent funds may be returned to the general training budget.

## LEGAL IMPLICATIONS

18. There are no direct legal implications associated with this report.

## ENVIRONMENTAL CONSIDERATIONS

19. Nil.

## ALTERNATE OPTIONS

20. Council may choose to either adopt the proposed policy, adopt with modification or refer the policy back to the Executive for further development.

**CONCLUSION**

21. It is recommended that this proposed policy decision be adopted.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Election) Regulations 1997</i>
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	N/A

## DIS149: VANCOUVER ART CENTRE ROOF RE-CLADDING

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Vancouver Art Centre Roof Options
<b>Report Prepared By</b>	: Team Leader Asset Management (B Aris)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### 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:** 3. Clean, Green & Sustainable
  - **Objective:** 3.2 To build, maintain and renew city assets sustainably
  - **Community Priority:** 3.2.1 Deliver environmentally & financial sustainable long term planning for infrastructure via a forward capital works program that meets the needs of our community

#### In Brief:

- Council approval is sought to replace the existing sheoak roof shingles on the limestone Cottage Hospital building at the Vancouver Art Centre with a flat grey clay tile, as used on the University of Western Australia leased building (former Albany Post Office).
- To advise the Heritage Council of the decision to use a flat grey tile as the most prudent and feasible alternative to sheoak shingles.

### RECOMMENDATION

#### DIS149: RESOLUTION

#### VOTING REQUIREMENT: SIMPLE MAJORITY

#### MOVED: COUNCILLOR SMITH

#### SECONDED: COUNCILLOR HAMMOND

#### THAT Council:

- a) **ADVISE the Heritage Council of the decision to use a flat grey tile on the roof of the original limestone Cottage Hospital building at the Vancouver Art Centre as the most prudent and feasible alternative to sheoak shingles.**
- b) **That a further report be presented to Council on the condition of the roof and the required timing program for the roof re-cladding, together with reporting on external grant funding opportunities to reduce the direct cost to the City.**

**CARRIED 13-0**

#### DIS149: COMMITTEE RECOMMENDATION (ALTERNATE MOTION BY COUNCILLOR SMITH)

#### MOVED: COUNCILLOR SMITH

#### SECONDED: COUNCILLOR STOCKS

#### That Council:

- a) **ADVISE the Heritage Council of the decision to use a flat grey tile on the roof of the original limestone Cottage Hospital building at the Vancouver Art Centre as the most prudent and feasible alternative to sheoak shingles.**
- b) **That a further report be presented to Council on the condition of the roof and the required timing program for the roof re-cladding, together with reporting on external grant funding opportunities to reduce the direct cost to the City.**

**CARRIED 12-0**

**DIS149: RESPONSIBLE OFFICER RECOMMENDATION**

That Council RECOMMEND re-cladding the roof on the original limestone Cottage Hospital building at the Vancouver Art Centre with flat grey tiles at a cost of \$240,000 ex-GST.

**BACKGROUND**

2. The City submitted a Development Application P2160515 10 October 2016 to replace the shingle roof with like-for-like which was approved.
3. On calling for tenders for the works by a reputable shingle contractor, the costs escalated to \$640,000. This amount was considered too much of a burden for Albany ratepayers given the roof would only likely last another 20 – 30 years with a 2-yearly maintenance program of oiling and significant reactive maintenance in later years with slippage.
4. The City engaged a heritage consultant to prepare a Heritage Impact Statement to investigate alternative materials that may be considered by the Heritage Council for this site. This statement was received in January 2017 and proposed the plain tile as an alternative with merit.
5. A letter was sent to the Heritage Council on 6 July 2017 requesting the Heritage Council consider the alternate options of plain flat grey tile and corrugated galvanised sheeting. This request was not supported by the Heritage Council via correspondence dated 1 August 2017.
6. After some correspondence between the Heritage Council and the City Officers, a briefing note was sent to the Minister for Local Government; Heritage; Culture and the Arts in August 2017 detailing all of the concerns as to why it was considered untenable to replace the failing roof with like-for-like.
7. The Minister forwarded the briefing note to the next Heritage Council meeting for consideration.
8. Manager City Engineering and Executive Director Infrastructure & Environment attended a 'Shingles Workshop' on 14 December 2017 at the request of the Heritage Council.
9. The Heritage Impact Statement V3 was submitted to the Heritage Council on 11 October 2018 for re-consideration.
10. Advice was provided by the Heritage Council on 3 January 2019 as follows:-  
*"The Development Committee wishes to advise that its preference is that the Albany Cottage Hospital building is roofed in split timber shingles; however, if the City of Albany determines that there is no prudent and feasible alternative, the use of corrugated galvanised roofing would be acceptable given the exposed location and saline environment, and subject to the following conditions: 1. The original Roof form of the building shall not be altered; 2. The original roof structure, including items such as sarking boards, sheathing or battens shall be conserved and retained in order to provide physical evidence of the shingle roof; 3. A standard archival record is prepared prior to the removal of the tiles. The archival record should include important and unique details of the construction of the shingle roof.*
11. The Heritage Impact Statement V3 notes the recent approval to use a grey coloured clay 'plain' tile on the Albany Post Office and proposes the use of the same tile used for this project, as a prudent and feasible alternative for the Vancouver Art Centre roof.

**DISCUSSION**

12. Nil

**GOVERNMENT & PUBLIC CONSULTATION**

13. Development Application, correspondence and Heritage Impact Statement.

## STATUTORY IMPLICATIONS

14. Heritage of Western Australia Act 1990 s11(3)(c).

## POLICY IMPLICATIONS

15. Heritage Protection Policy.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Finance</b> <i>Cost of original roofing material unaffordable, with high lifecycle costs.</i>	<i>Possible</i>	<i>Severe</i>	<i>High</i>	<i>Use the recommended alternative material.</i>
<b>Property</b> <i>Roof failure causing property damage.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Avoid further postponement of this project.</i>
<b>Opportunity:</b> <i>Consistency in roofing materials on two major heritage buildings with a long life, low maintenance and attractive. Improved financial sustainability.</i>				

## FINANCIAL IMPLICATIONS

17. Cost analysis of material options:

Roof Material	Total Cost	Lifespan	Renewal Cost per year
<i>Shingles</i>	<i>\$640,000</i>	<i>25</i>	<i>\$25,600</i>
<i>Plain Tiles</i>	<i>\$240,000</i>	<i>50</i>	<i>\$ 4,800</i>
<i>Corrugated Galvanised</i>	<i>\$158,000</i>	<i>30</i>	<i>\$ 5,267</i>

## LEGAL IMPLICATIONS

18. Nil

## ENVIRONMENTAL CONSIDERATIONS

19. Nil

## ALTERNATE OPTIONS

20. Using sheoak shingles or corrugated galvanised sheeting.

## CONCLUSION

21. The heritage values of the Vancouver Arts Centre are extremely high and therefore every endeavour to retain its conservation value has been exhausted. Due to the large portfolio of heritage buildings the City is responsible for, a financially sustainable approach also needs to be taken. The recommendation to replace the sheoak shingles with a flat grey tile has been well considered over the last few years and is thought to be the most viable way forward.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>Local Government (Functions and General) Regulations 1995</li> <li>Council Policy – Heritage Protection</li> <li>Strategic Asset Management Plan</li> </ul>
<b>File Number (Name of Ward)</b>	:	CP.MAI.7 (Frederickstown)
<b>Previous Reference</b>	:	Nil

## **DIS150: NATURAL RESERVES STRATEGY UPDATE**

<b>Land Description</b>	: City of Albany Managed Natural Reserves
<b>Proponent / Owner</b>	: City of Albany (Land vested in the care and control of the City of Albany).
<b>Attachments</b>	: Natural Reserves Strategy Progress Report – Quarter 2.
<b>Report Prepared By</b>	: Manager City Reserves (J Freeman)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### **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: 3** Clean Green and Sustainable
  - **Objective: 3.1** To protect and enhance our natural environment in a changing climate
  - **Community Priority: 3.1.1** Deliver effective practices that reduce risk to property, infrastructure and the natural environment and improve community awareness and resilience.

#### **In Brief:**

- The Natural Reserves Strategy and Action Plan was adopted by Council at the Ordinary Council Meeting in March 2017.
- The high priority actions are considered to be of significance to the Councillors and the community and to be addressed in a timely manner.

### **RECOMMENDATION**

**DIS150: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR STEPHENS**

**THAT Council NOTE the Natural Reserves Strategy Progress Report for 2<sup>nd</sup> Quarter (October to December 2018).**

**CARRIED 13-0**

**DIS150: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR STEPHENS**  
**SECONDED: COUNCILLOR SLEEMAN**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED 12-0**

**DIS150: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council NOTE the Natural Reserves Strategy Progress Report for 2<sup>nd</sup> Quarter (October to December 2018).**

## BACKGROUND

1. The Natural Reserve Strategy and Action Plan was adopted by Council in March 2017 (OCM DIS 013). A quarterly progress report is attached for reference.
2. The Strategy contains 83 actions of which 14 have been identified as of high priority. The majority of the remaining actions are on-going as part reserves daily management with 22 a medium priority and 2 a low priority.

## DISCUSSION

2. Four of the 14 high priority action are complete with seven (7) on track, one (1) being monitored and one (1) yet to commence.
3. All these priority actions will be completed by the end of June 2019.

## GOVERNMENT & PUBLIC CONSULTATION

4. N/A

## STATUTORY IMPLICATIONS

5. N/A

## POLICY IMPLICATIONS

6. N/A

## RISK IDENTIFICATION & MITIGATION

7. 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>Actions from the NRSAP underwent considerable consultation with the community. Failure to deliver will have negative impacts on the City's reputation.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>All high priority actions are being resourced and will be delivered in a timely manner.</i>
<b>Opportunity:</b> <i>Short term high priority actions are achieved in a timely manner.</i>				

## FINANCIAL IMPLICATIONS

8. All works to be completed are budgeted for as part of the capital works program.

## LEGAL IMPLICATIONS

9. N/A

## ENVIRONMENTAL CONSIDERATIONS

10. Any works implemented on ground will go through the required environmental approvals.

## ALTERNATE OPTIONS

11. Nil

## CONCLUSION

12. The high priority actions under the Natural Reserves Strategy are on track for completion by the end of June 2019.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	CR.COC.44 (All Wards)
<b>Previous Reference</b>	:	DIS013 – OCM – March 2017

## DIS151: ENVIRONMENTAL WEED MANAGEMENT PLAN

<b>Land Description</b>	: All City of Albany managed lands
<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Environmental Weed Management Plan
<b>Report Prepared By</b>	: Reserves Officer (S Maciejewski)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan:
  - **Theme:** Clean, Green & Sustainable.
  - **Objective:** To protect and enhance our natural environment.
  - **Community Priority:** Sustainably protect and enhance our iconic coastline and reserves.
2. This item relates to the following elements of the Natural Reserves Strategy and Action Plan 2017-2021:
  - **Strategic Goal 1.3:** To reduce the impact of invasive species on the natural environment.

#### In Brief:

- The Environmental Weed Management Plan is a revised version of the Environmental Weeds Strategy for City of Albany Reserves that was first adopted by Council in 2001, and then again in 2005.
- The Environmental Weed Management Plan is designed to provide a framework for the management of environmental weeds on City-managed lands.
- The Plan is an integral part of the City's Natural Reserves Strategy and Action Plan and is important for guiding the City's Natural Reserves Team operations.

### RECOMMENDATION

**DIS151: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY**  
**SECONDED: COUNCILLOR SMITH**

**THAT Council ADOPT the Environmental Weed Management Plan.**

**CARRIED 13-0**

DIS151: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR SLEEMAN

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 12-0**

DIS151: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the Environmental Weed Management Plan



## **BACKGROUND**

3. In 2001, the City adopted its first Environmental Weeds Strategy.
4. In 2004, a second version of this plan was adopted by Council. This document provided strategic implementation direction for the City's Bushcare Coordinator and two (2) part-time Bushcare Assistants.
5. Since 2004, City resources for managing environmental weeds have increased to include the equivalent of five (5) full time positions.
6. The review of the 2004 plan is identified as a high priority in the Natural Reserves Strategy and Action Plan, hence the development of this updated document.

## **DISCUSSION**

7. There are no major changes in the strategic framework for environmental weed control between the 2004 documents and the current updated plan. Minor changes are outlined below.
8. The document name has changed from a 'Strategy' to a 'Management Plan' as it now sits under the afore-mentioned Natural Reserves Strategy and Action Plan.
9. Reference to relevant legislation, plans and information has been updated.
10. Changes to priority areas include (refer to Table 4, Page 15 of Attachment for justification of priority reserves):-
  - Mount Martin has been removed as it is now managed by Department of Biodiversity Conservation and Attractions.
  - Mount Melville has advanced to priority 2, as the importance of this reserve to the community is now recognised by the City. Weed control in this reserve is also more achievable given its location in the landscape.
  - Reserves in the Bon Accord Road area have been added, as the environmental value of these reserves have now been recognised by the City.
11. The Objectives and Strategies have been updated to reflect lessons learnt by staff since 2004 and to include additional operational areas that are now also incorporating the control of environmental weeds in works.
12. The plan now includes the development of an Annual Action Plan to be implemented primarily by the City's Reserves Team. An Action Plan for the first 12 months can be found in Appendix 1.
13. Appendix 2 lists and provides information on the weed control techniques that the City currently uses.
14. Appendix 3 lists and provides information on the weed control techniques that the City does not currently use.
15. Appendix 4 lists and provides some information on the herbicides used by the City.

## **GOVERNMENT & PUBLIC CONSULTATION**

16. Given this is a revised version of an existing adopted document, with no major changes, external consultation was not considered to be required.

## **STATUTORY IMPLICATIONS**

17. None.

## **POLICY IMPLICATIONS**

18. None.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b> <b>Risk:</b> There is a risk that by not adopting this revised Plan, there could be criticism by the community on the Council having out-of-date documents and work practices.	Likely	Moderate	High	If adopted, the Plan will be up-to-date with current best practice techniques and legislation included.  If not adopted, the document will be out-of-date and not accurate.
<b>Environmental</b> <b>Risk:</b> There is a risk that by not updating this Plan that environmental weed control works on City land will not be as effective as they could be, resulting in low environmental benefit.	Likely	Moderate	High	Council adoption of this Plan will ensure City work practices are strategic and up-to-date.
<b>Opportunity:</b> Strategic and up-to-date weed control works with high environmental outcomes.				

## FINANCIAL IMPLICATIONS

20. There will be no new financial implications as the City of Albany already has an annual budget item for the maintenance of natural reserves which is currently used to implement the City's Environmental Weed Strategy.

## LEGAL IMPLICATIONS

21. None.

## ENVIRONMENTAL CONSIDERATIONS

22. The adoption of this Plan will ensure that City staff continue to manage environmental weeds on City-managed land using best practice techniques, while targeting priority areas and priority species.
23. State Acts that are relevant to this Plan include:
- a. *Biosecurity and Agriculture Management Act 2007.*
24. National and State Strategies that are relevant to this Plan include:
- a. *Australian Weeds Strategy 2017 to 2027;* and
  - b. *Environmental Weed Strategy for Western Australia (CALM 1999).*
  - c. *Weeds of National Significance List.*
  - d. *National Environmental Alert Weeds List.*

## ALTERNATE OPTIONS

25. None.

## CONCLUSION

26. The adoption of this revised plan will ensure that the City will continue to manage environmental weeds on City-managed land in the most environmentally effective way.

<b>Consulted References</b>	:	Environmental Weed Strategy Documents named in Point 24 above
<b>File Number (Name of Ward)</b>	:	EM.PLA.1 (All Wards)
<b>Previous Reference</b>	:	Nil

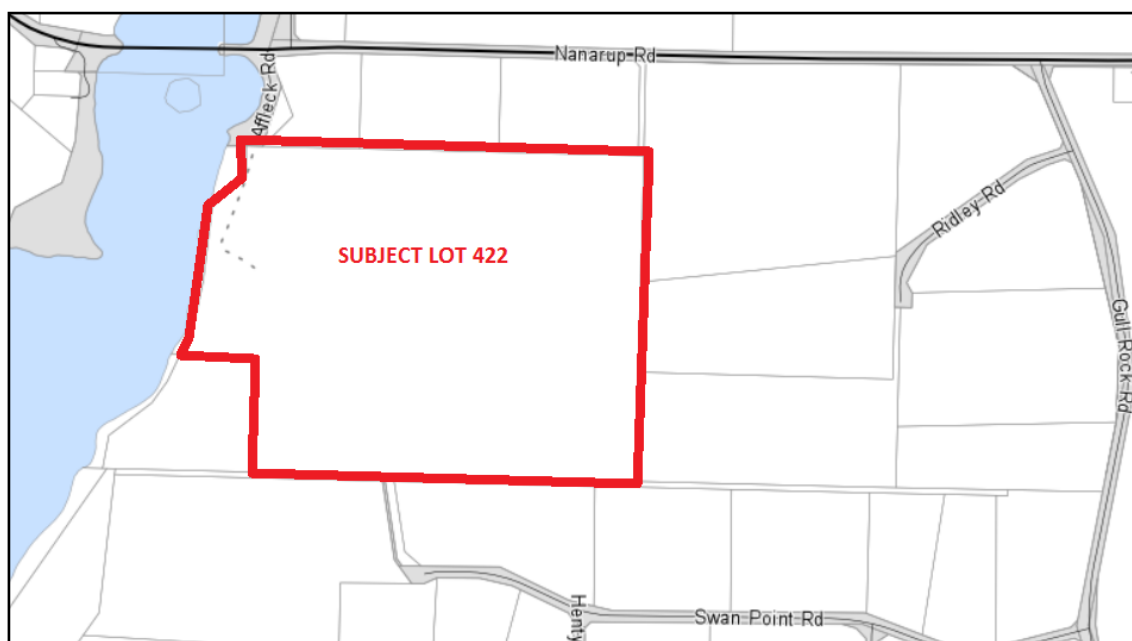
## DIS152: LOCAL PLANNING SCHEME AMENDMENT NO 15 – LOT 422 AFFLECK ROAD, KALGAN

<b>Land Description</b>	: Lot 422 Affleck Road, Kalgan
<b>Proponent</b>	: Harley Dykstra
<b>Owner</b>	: Archipelago Nominees Pty Ltd ( Leisa Ann Paunic)
<b>Business Entity Name</b>	: Achillies Pty Ltd; Shuttleworth & Associates; Great Southern Sands; Spinifex Crushing & Screening Pty Ltd
<b>Attachments</b>	: 1. Scheme Amendment Document 2. Schedule of Submissions 3. Letter from Department of Planning, Lands and Heritage
<b>Report Prepared by</b>	: Senior Planning Officer – Strategic planning (A Nicoll)
<b>Responsible Officer</b>	: Executive Director Development Services (P Camins)

### STRATEGIC IMPLICATIONS

1. Council is required to exercise its quasi-judicial function in this matter.
2. The application for consideration involves a scheme amendment to rezone Lot 422 Affleck Road, Kalgan from the 'General Agriculture' zone to the 'Rural Residential No. 45' zone.
3. When exercising its discretion in relation to planning matters, the pertinent strategic document is the *Albany Local Planning Strategy 2010*.
4. This proposal is consistent with the strategic direction set in the *Albany Local Planning Strategy 2010*. The *Albany Local Planning Strategy 2010* identifies the land as being suitable for rural lifestyle lots, consistent with surrounding established lots comprising of 1-2 hectares.

### Maps and Diagrams



**In Brief:**

- Local Planning Scheme Amendment No.15 was initiated at the June 2016 Ordinary Council Meeting and was advertised accordingly.
- As part of the advertising process, responses were received which recommended that additional work be undertaken to comply with;
  - *State Planning Policy 2.6 – State Coastal Planning*; and
  - Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- In 2017 the City of Albany requested that the proponent undertake additional work to address requirements of the State Planning Policy 2.6 and Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- The information which was requested has not been provided to the City of Albany by the proponent.
- In January 2019, the Department of Planning, Lands and Heritage required that the City pass a resolution, to support or not support the amendment by the 16 April, 2019.
- The applicant advised the City of Albany that they are unwilling to undertake the required additional studies as requested.
- On this basis it is recommended that the Council refuse the amendment application.

**RECOMMENDATION**

**DIS152: COMMITTEE RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**STOCKS/DOUGHTY**

1. **THAT Council, pursuant to regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves NOT TO SUPPORT the Amendment No. 15, which proposes to:**
  - a) **Rezone Lot 422 Affleck Road, Kalgan from the ‘General Agriculture’ zone to the ‘Rural Residential’ zone; and**
  - b) **Amend the Scheme Maps accordingly.**
2. **Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning refuse the amendment for the following reason:**
  - a) **Information to determine a foreshore reserve has not been provided.**
  - b) **and a structure plan has not been submitted.**

**Note:**

- The landowner advised the City of an unwillingness to provide additional information as requested by agencies.
- A structure plan is required in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Section 77 of the *Planning and Development Act 2005* requires local governments, when preparing or amending a local planning scheme, to have due regard to this State Coastal Planning Policy where it affects its district.
- The SPP 2.6 states:
  - *Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures.*
- The Environmental Protection Authority advised that:

- ***...a foreshore reserve will need to be established prior to the finalisation of the amendment...The foreshore reserve should be consistent with the requirements of State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6).***

**3. Advise the applicant/owner and those who lodged a submission of the Council decision accordingly.**

**Note that the Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:**

- a) **The amendment is consistent with the *Albany Local Planning Strategy*, which identifies the site as 'Special Residential' and 'Rural Residential' and sets a strategic objective to ensure that future rural living areas are planned and developed in an efficient and co-ordinated manner by being located adjacent to Albany as designated on the ALPS maps;**
- b) **The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- c) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

**CARRIED 13-0**

**DIS152: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON**

**SECONDED: COUNCILLOR SLEEMAN**

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

**CARRIED 12-0**

**DIS152: RESPONSIBLE OFFICER RECOMMENDATION**

1. **THAT Council, pursuant to regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves NOT TO SUPPORT the Amendment No. 15, which proposes to:**
  - a) **Rezone Lot 422 Affleck Road, Kalgan from the 'General Agriculture' zone to the 'Rural Residential' zone; and**
  - b) **Amend the Scheme Maps accordingly.**
2. **Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning refuse the amendment for the following reason:**
  - a) **Information to determine a foreshore reserve has not been provided.**
  - b) **and a structure plan has not been submitted.**

**Note:**

- **The landowner advised the City of an unwillingness to provide additional information as requested by agencies.**
- **A structure plan is required in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- **Section 77 of the *Planning and Development Act 2005* requires local governments, when preparing or amending a local planning scheme, to have due regard to this State Coastal Planning Policy where it affects its district.**
- **The SPP 2.6 states:**
  - ***Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning***

*strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures.*

- The Environmental Protection Authority advised that:
  - *...a foreshore reserve will need to be established prior to the finalisation of the amendment...The foreshore reserve should be consistent with the requirements of State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6).*
- 3. Advise the applicant/owner and those who lodged a submission of the Council decision accordingly.  
Note that the Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
  - a) The amendment is consistent with the *Albany Local Planning Strategy*, which identifies the site as 'Special Residential' and 'Rural Residential' and sets a strategic objective to ensure that future rural living areas are planned and developed in an efficient and co-ordinated manner by being located adjacent to Albany as designated on the ALPS maps;
  - b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
  - c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

## BACKGROUND

- 5. *Local Planning Scheme No. 1* was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones.
- 6. Council resolved to advertise Amendment No.15 at the June 2016 Ordinary Council meeting.
- 7. Prior to advertising, the amendment was referred to the Environmental Protection Authority (EPA), where it was determined that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act). However, the EPA did however provide the following specific advice:  
*...a foreshore reserve will need to be established prior to the finalisation of the amendment...The foreshore reserve should be consistent with the requirements of State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6).*
- 8. Following notice from the EPA, the amendment was advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 9. Following advertising, the proponent was requested (March 2017) ;
  - a) to undertake additional studies, including: Determination of a Foreshore reserve, undertaken in accordance with the State Planning Policy 2.6 – State Coastal Planning; and
  - b) To prepare a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 10. The above-mentioned additional documents have not been provided. Subsequently, the Department of Planning, Lands and Heritage has formally required that the City of Albany pass a resolution, to support or not support the amendment by the 16 April 2019.

## **DISCUSSION**

11. Amendment No.15 is proposing to rezone Lot 422 Affleck Road from the 'General Agriculture' zone to the 'Rural Residential No.45' zone.
12. The amendment introduces provisions within the proposed zone, to govern land use, subdivision and development.
13. The City was notified via the advertising process, that additional information is required to address requirements of the:
  - a) *State Planning Policy 2.6 – Coastal Planning*; and
  - b) Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### State Planning Policy 2.6 – Coastal Planning

14. The EPA recommended that a foreshore reserve be determined prior to the finalisation of the amendment, consistent with *State Planning Policy 2.6*.
15. Likewise, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions, recommended dedication of a foreshore reserve, to protect values of the Oyster Harbour.

### Structure Planning

16. The Department of Planning, Lands and Heritage requested the processing of a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
17. The preparation of a Structure Plan determines key attributes and constraints, any major land uses, zoning or reserves proposed by the plan and the extent to which the plan provides for the coordination of infrastructure.

### Finalisation

18. The City of Albany has made numerous requests to the proponent for information to address the *State Planning Policy 2.6* and to address Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
19. The Information requested has not been provided. The proponent has indicated that they are unwilling to undertake the additional work as requested.
20. The Department of Planning, Lands and Heritage has now required that the City of Albany pass a resolution, to support or not support the amendment by the 16 April, 2019.
21. The proponent has been advised that unless additional information is provided, staff propose to recommend that Council recommend to refuse the amendment.

## **GOVERNMENT & PUBLIC CONSULTATION**

22. The local planning scheme amendment was advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
23. Eleven submissions were received from agencies and members of the public. Submissions are considered in a schedule available as an attachment to this report.

## **STATUTORY IMPLICATIONS**

24. Scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.
25. Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.
26. Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows Council to refuse a standard amendment.

27. Section 77 of the *Planning and Development Act 2005* requires local governments, when preparing or amending a local planning scheme, to have due regard to this State Coastal Planning Policy where it affects its district.
28. Voting requirement for this item is **SIMPLE MAJORITY**

### POLICY IMPLICATIONS

29. The *State Planning Policy 2.6 – Coastal Planning* (SPP2.6), applies to the coast throughout Western Australia, including:
- a) Sandy coasts, rocky coasts, mixed sandy and rocky coasts, coastal lowlands, and tidal reaches of inland waters;
  - b) Near shore marine waters, state waters;
  - c) All islands within the state lying seawards of the mainland; and
  - d) Land use and development within the coastal zone.
30. The purpose of the SPP2.6 is to provide guidance for decision-making within the coastal zone including managing development and land use change; establishment of foreshore reserves; and to protect, conserve and enhance coastal values.
31. The SPP 2.6 states:
- Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures.*

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisational Operations and Reputation</b> <i>The proposal may be accepted by the Western Australian Planning Commission or the Minister for Planning.</i>	Possible	Minor	Medium	<i>If supported by the WAPC or Minister, the City will advise the proponent as such.</i>
<b>Community, Organisational Operations and Reputation</b> <i>A decision of refusal may invoke a negative response from the landholder.</i>	Possible	Minor	Medium	<i>Submissions have been considered and will be forwarded to the WAPC for further deliberation.</i>  <i>The proponent has on repeated occasions, been requested to provide additional information prior to the amendment being supported.</i>
<b>Opportunity:</b> <i>To leave the foreshore area unaltered until such a time a suitable study undertaken and foreshore area is identified.</i>				

### FINANCIAL IMPLICATIONS

33. There are no financial implications directly relating to this item.

### LEGAL IMPLICATIONS

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



**ENVIRONMENTAL CONSIDERATIONS**

35. As per Section 48(A) of the *Environmental Protection Act 1986*, the proposal was referred to the Environmental Protection Authority and environmental assessment was not deemed necessary.

**ALTERNATE OPTIONS**

36. Council may consider an alternate option in relation to this item, such as resolving to support the scheme amendment with or without modification.

**SUMMARY CONCLUSION**

37. Advertising of the Scheme Amendment No.15 determined the need to;
- a) Establish a Foreshore reserve, undertaken in accordance with the *State Planning Policy 2.6 – State Coastal Planning*; and
  - b) Prepare a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
38. Staff requested the proponent provide additional information to address requirements of the *State Planning Policy 2.6* and Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
39. Additional information pertaining to above-mentioned matters has not been provided.
40. The Department of Planning, Lands and Heritage required that the City pass a resolution, to support or not support the amendment by the 16 April, 2019.
41. Council is requested to consider submissions received and to agree to refuse the amendment.

<b>Consulted References</b>	:	1. <i>Local Planning Scheme No. 1</i> 2. <i>Albany Local Planning Strategy 2010</i> 3. Western Australian Planning Commission <i>State Planning Policy 2.6 – Coastal Planning</i>
<b>File Number (Name of Ward)</b>	:	LAMD15 (Kalgan Ward)
<b>Previous Reference</b>	:	OCM 16/06/2009 – Item 11.2.1 OCM 15/09/2009 – Item 15.5.2 OCM 15/06/2010 – Item 13.2.8 OCM 16/11/2010 – Item 1.4 OCM 19/07/2011 – Item 2.3 OCM - PD132 - 28/6/2016

## **DIS153: WASTE MANAGEMENT UPDATE**

<b>Attachments</b>	:	Waste Management Update Waste Management Presentation FOGO Trial – Overview and Analysis Garage Sale Trail – WA Impact Report 2018
<b>Report Prepared By</b>	:	Waste Sustainability Officer (J Passmore)
<b>Responsible Officers:</b>	:	Acting Executive Director Infrastructure & Environment (M Richardson)

### **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:**

- This report provides a summary of the context and progress of activities in relation to the City of Albany's waste management.

### **RECOMMENDATION**

**DIS153: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR TERRY**  
**SECONDED: COUNCILLOR SLEEMAN**

**THAT Council NOTE the context and progress of current waste management activities.**

**CARRIED 13-0**

**DIS153: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GOODE**  
**SECONDED: COUNCILLOR HOLLINGWORTH**

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

**CARRIED 12-0**

**DIS153: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council NOTE the context and progress of current waste management activities.**

## **BACKGROUND**

2. The Regional Waste Alliance is a sub-group of the South Coast Alliance comprising representatives from the City of Albany, Shire of Denmark and Shire of Plantagenet. The Alliance is currently working to update the Regional Waste Strategic Plan.
3. The City of Albany's waste management has been guided during the past 6 years by the Strategic Waste Management Plan 2013-18. A new Strategic Waste Management Plan is currently being developed.
4. With a projected life expectancy of less than 8 years at the Hanrahan Road Waste Facility Landfill, the City contracted a consultant who has used multi-criteria analysis to focus on potential new landfill sites.
5. Implementation of kerbside food scrap collection was identified for action in the City of Albany Strategic Waste Management Plan 2014-18.
6. In 2018, the City successfully applied for funding for a combined Behaviour Change Tools Development Project and Food Waste Diversion Trial through the Waste Authority Community & Industry Engagement Program.
7. An 8-week trial was Food Organics and Garden Organics (FOGO) collection trial was conducted in five streets in October and November 2018.
8. Promotion of waste reduction and awareness to the community is an ongoing priority. Waste sustainability activities undertaken are guided by the Strategic Waste Management Plan and relate to the Community Strategic Plan objective to be Clean, Green & Sustainable with the aim of increasing community awareness in reuse and recycling.

## **DISCUSSION**

### **Regional Waste Strategic Plan**

9. The Regional Waste Alliance, comprising City of Albany, Shire of Denmark and Shire of Plantagenet representatives, will finalise a draft Sustainable Waste Strategic Vision for consideration by the South Coast Alliance on Thursday 21 March 2019.

### **City Strategic Waste Management Plan**

10. A draft Strategic Waste Management Plan has been distributed to the Waste Management Working Group and will be released for internal comment ahead of presentation for consideration by Council in April 2019.

### **New Landfill Site Selection**

11. Following multi-criteria analysis by Talis Consultants, City staff are currently exploring freehold site options. A report outlining the site selection alternatives will be presented to Council once investigations are complete.

### **Hanrahan Landfill Post-Closure Plan**

12. The City of Albany has contracted GHD to prepare a draft post-closure plan for Hanrahan Road Landfill.

### **Behaviour Change Tools Development and Food Waste Diversion**

13. Following a successful Food Organics and Garden Organics (FOGO) collection trial in October-November 2018 a business case presenting options for food waste collection in the City of Albany's kerbside service will be prepared for consideration by Council by the end of March 2019.
14. A consultant's report will be considered following the conclusion of the Behaviour Change Tools Development Project which considers residential and commercial challenges and opportunities related to waste and recycling and is intended to inform future communication strategies.

### **Waste Sustainability**

15. More than 1400 attended the third annual Green Fair on the Square in November 2018. The event featured Albany's first Festival of Forgotten Skills to promote skills associated with waste reduction including sewing, knitting and crochet, book binding, edible weeds, rope making and how to check water and power meters.
16. Five community groups received funding through the City's inaugural Waste & Sustainability Grant scheme for initiatives to promote waste reduction in the community.
17. More than 250 residents have purchased a discounted compost bin through the City's Compost Revolution membership.
18. Waste Services assisted Communications staff with the production of the 2019 Community Calendar which features local "sustainable heroes" and highlights simple tips to help residents reduce waste.
19. The Sustainable Heroes theme is continued in the current Your City video campaign on social media which is sponsored by Cleanaway.
20. Recycling and waste reduction tips shared regularly on The City of Albany Facebook page receive significant engagement from residents. Initiatives promoted through social media and local news outlets also include Clean Up Australia Day and Keep Australia Beautiful's Adopt-A-Spot program.
21. Thirteen recycle and waste bin stations were installed between Middleton Beach and Emu Point and recycle bins were placed throughout the Albany Leisure and Aquatic Centre.
22. A recycle station was recently installed as part of the Albany Public Library upgrade to provide a central collection point for recyclable items including household batteries and spectacles. Library staff program and promote regular waste reduction and recycling activities.
23. The City hosted the WALGA Container Deposit Scheme Pilot at the Australia Day Middleton Beach Festival which received great interest from the community and collected more than 12,000 containers in one day.
24. Fossicker's Community Workshops provide residents with hands-on skills for waste reduction. Five workshops have been held including a popular introductory composting session attended by 50 residents. Other topics have included worm farming, backyard chook keeping for beginners, pallet upcycling and book binding using recycled materials.
25. A new shed has been constructed at Fossicker's Tip Shop to host future waste reduction workshops and volunteer groups.
26. City staff continue to work closely with Cleanaway's Education Officer to promote recycling and waste reduction to residents, including school and community groups. More than 1000 residents have participated in tours of the Material Recovery Facility in the past twelve months.
27. Together with the Shires of Denmark and Plantagenet, the City successfully applied to participate in the WALGA Bin Tagging Program. The program will provide feedback to residents to assist in reduced contamination of recyclables as well as the diversion of resources from landfill. The program will build on bin audits currently conducted by Cleanaway.
28. Staff will make provision for Garage Sale Trail membership and associated expenses in Council's 2019/20 and 2020/21 budgets.
29. Garage Sale Trail is a membership program for councils which promotes reuse, waste education and reduction, and community engagement, culminating in a weekend of garage sales in October.
30. Garage Sale Trail resources will complement other City of Albany communications advising the community of alternative disposal and redistribution options during 2019 when no bulk hard waste collection will be provided.

## GOVERNMENT & PUBLIC CONSULTATION

31. No government consultation is required for this item.
32. Surveys and focus groups were conducted in conjunction with the Behaviour Change Tools Development & Food Waste Diversion trial.
33. Future government consultation will be conducted in relation to the landfill site selection, post-closure plan and FOGO collection.
34. Future public engagement will be conducted in relation to the landfill site selection, post-closure process, FOGO trial and behaviour change programs and Garage Sale Trail.

## STATUTORY IMPLICATIONS

35. There are no statutory implications related to this item.

## POLICY IMPLICATIONS

36. There are no policy implications related to this item.

## RISK IDENTIFICATION & MITIGATION

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

***Opportunity:** To improve councillor and staff awareness of current waste management activities.*

## FINANCIAL IMPLICATIONS

38. There are no direct financial implications related to this report.
39. Proposed activities that have financial implications will be presented for Council review and decision separately.

## LEGAL IMPLICATIONS

40. There are no legal implications related to this report.

## ENVIRONMENTAL CONSIDERATIONS

41. The City of Albany values a clean, green and sustainable environment and works to deliver a sustainable and efficient waste management service. Current operations and future planning aim to reduce waste to landfill and improve community waste and recycling habits.

## ALTERNATE OPTIONS

42. Information report only.

## CONCLUSION

43. It is recommended that Council note the context and progress of current waste management activities.

<b>Consulted References</b>	:	<i>City of Albany Strategic Waste Management Plan 2014-18 Regional Waste Strategic Plan State Waste Avoidance &amp; Resource Recovery Strategy</i>
<b>File Number (Name of Ward)</b>	:	CM.STD.6 (All Wards)
<b>Previous Reference</b>	:	Nil

**DIS154: PLANNING AND BUILDING REPORTS FEBRUARY 2019**

**Proponent / Owner** : City of Albany.  
**Attachments** : Planning and Building Reports February 2019  
**Report Prepared By** : Administration Officer – Planning (J Ferrell)  
Administration Officer – Development Services (Z Sewell)  
**Responsible Officers:** : Executive Director Development Services (P Camins)

**RECOMMENDATION**

**DIS154: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR HOLLINGWORTH**

**THAT Council NOTE the Planning and Building Reports for February 2019.**

**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 Nil.**

**16. REPORTS OF CITY OFFICERS Nil**

**17. MEETING CLOSED TO PUBLIC**

CCS135: PROPOSED FINANCIAL ASSISTANCE AGREEMENT-ALBANY MOTOR SPORTS PARK

**18. CLOSURE**

There being no further business the Mayor declared the meeting closed at **7.00PM**



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Dennis W Wellington  
**MAYOR**