



ORDINARY MEETING OF COUNCIL
MINUTES

26 MARCH 2024

TABLE OF CONTENTS

1	DECLARATION OF OPENING.....	3
2	ACKNOWLEDGEMENT OF COUNTRY	3
3	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	3
4	DISCLOSURE OF INTERESTS.....	4
5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
6	PUBLIC QUESTION TIME	4
7	APPLICATIONS FOR LEAVE OF ABSENCE	6
8	PETITIONS, DEPUTATIONS	7
9	CONFIRMATION OF MINUTES	7
10	ANNOUNCEMENTS BY THE CHAIR AND PRESENTATIONS	8
	10.1 PRESENTATION TO MAYOR OF AWARDS.....	10
11	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - NIL	11
12	REPORTS OF COMMITTEES AND OFFICERS.....	12
	12.1 REPORTS OF DEVELOPMENT SERVICES	12
	<i>DS030 SURRENDER AND NEW LEASE – GERALDTON CLAY TARGET CLUB</i>	<i>12</i>
	<i>DS031 COMMERCIAL LEASE – 204 LESTER AVENUE, GERALDTON.....</i>	<i>18</i>
	12.2 REPORTS OF COMMUNITY AND CULTURE	23
	<i>CC010 INNOVATE RECONCILIATION ACTION PLAN 2024 - 2026.....</i>	<i>23</i>
	<i>CC011 COUNCIL POLICY 1.1 COMMUNITY PARTNERSHIPS.....</i>	<i>29</i>
	<i>CC012 COUNCIL POLICY 1.9 COMMEMORATIVE PLAQUES.....</i>	<i>34</i>
	12.3 REPORTS OF CORPORATE SERVICES	38
	<i>CS108 COUNCIL POLICY 4.8 LEGAL REPRESENTATION FOR COUNCIL MEMBERS</i>	
	<i>AND EMPLOYEES</i>	<i>38</i>
	<i>CS109 COUNCIL POLICY 4.21 RELATED PARTY DISCLOSURES.....</i>	<i>41</i>
	<i>CS110 MID-YEAR BUDGET REVIEW 2023-24.....</i>	<i>45</i>
	<i>CS111 STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL</i>	
	<i>POSITION FOR THE PERIOD ENDED 29 FEBRUARY 2024.....</i>	<i>56</i>
	12.4 REPORTS OF INFRASTRUCTURE SERVICES.....	60
	<i>IS300 COUNCIL POLICY - 3.3 FRACKING</i>	<i>60</i>
	12.5 REPORTS OF OFFICE THE CEO - NIL.....	64
	12.6 REPORTS TO BE RECEIVED	65
	<i>RR57 REPORTS TO BE RECEIVED - MARCH.....</i>	<i>65</i>
13	MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	69
	<i>NM35 NEW YEAR'S EVE CELEBRATIONS</i>	<i>69</i>
	<i>NM36 REQUEST FOR A MEMORIAL PLAQUE</i>	<i>72</i>
14	QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	75
15	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	75
16	MEETING CLOSED TO PUBLIC	76
	<i>CS115 RFT 2324 20 MOWING, SLASHING & MULCHING SERVICES.....</i>	<i>76</i>
	<i>CS116 RFT 2324 21 FIREBREAK SERVICES</i>	<i>81</i>

17 CLOSURE85

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED86

CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 26 MARCH 2024 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

The Presiding Member advises that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's Meeting Procedures Local Laws establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The City of Greater Geraldton expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

I would like to respectfully acknowledge the Yamatji people who are the Traditional Owners and First People of the land on which we meet/stand. I would like to pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Yamatji people.

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance by Electronic Means

In accordance with the Local Government (Administration) Regulations 1996 regulation 14C (2)(iii), Cr J Critch was authorised by the Mayor to attend this meeting by electronic means.

Present:

Mayor J Clune
Cr N Colliver
Cr S Cooper
Cr J Critch (by electronic means)
Cr J Denton
Cr P Fiorenza
Cr A Horsman
Cr S Keemink
Cr K Parker
Cr V Tanti

Officers:

R McKim, Chief Executive Officer
 R Hall, Director of Development Services
 F Norling, Director of Community and Culture
 P Radalj, Director of Corporate Services
 C Lee, Director of Infrastructure Services
 S Moulds, PA to the Chief Executive Officer
 M Wilson, PA to the Director of Development Services
 L Pegler, Executive Support Secretary
 N Jane, Chief Financial Officer
 B Pearce, Manager Corporate Compliance and Safety
 T Cornish, Manager Libraries, Heritage & Gallery
 P Treharne, Manager Community & Cultural Development
 C Edwards, Manager Project Delivery & Engineering
 M Dufour, Manager Climate, Environment & Waste
 J Felix, Coordinator Waste
 J Kopplhuber, Communications Officer
 T Kingdon, ICT Support Officer

Others:

Members of Public: 18
 Members of Press: 3

Apologies:

Nil

Leave of Absence:

Cr M Librizzi

4 DISCLOSURE OF INTERESTS

Cr N Colliver declared an Impartiality interest in Item No. DS030 Surrender and New Lease – Geraldton Clay Target Club as her husband is a member of the Geraldton Clay Target Club.

Cr A Horsman declared a Proximity interest in Item No. DS031 Commercial Lease – 204 Lester Avenue, Geraldton as he lives at 213 Lester Ave, directly opposite the premises proposed to lease. It is directly across a thoroughfare from the property.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

6 PUBLIC QUESTION TIME

Questions provided in writing prior to the meeting or at the meeting will receive a formal response. Please note that you cannot make statements in Public Question Time and such statements will not be recorded in the Minutes.

Our Local Laws and the Local Government Act require questions to be put to the presiding member and answered by the Council. No questions can be put to individual Councillors.

Public question commenced at 5.01pm

Sean Hickey, 21 Eastcott Way, Tarcoola Beach

Question

Are Landholders either side of Upton Way presently benefited in any way with the current railing, landscaping and reticulation of the area either side of the railed pathway? Do Council support this in any way?

Response

We note that a similar question was submitted by you for the meeting of 25 November 2014 at which time the following response was provided.

Council at its meeting on 23 November 2010 considered the encroachment issue in the Glendinning Rd/ Eastcott Way area when it adopted the Point Moore to Tarcoola Beach Foreshore Master Plan with amendments. The supporting notation to the item was as follows:

“Reason For Variation To The Executive Recommendation: Council was of the view that they did not want to prioritise budget allocation to that particular pathway. Further, Council did not want to disturb the structures and works that were on public land at this time.

Council stressed that the land is public land and accessible by public as public open space.”

It should however be noted that when City officers become aware of new/ additional encroachments in the area notices have been issued requiring reinstatement / rehabilitation of the reserve area concerned.

Please be advised that there has been no change in Council position since 2014 regarding this matter.

Vicki Armstrong, 217 Lester Ave, Geraldton

Question:

Considering you mention Torres Strait Islander as part of the vernacular of referring to Aboriginal and Torres Strait Island peoples in your Acknowledgement of country and your Reconciliation Action plan why do you not fly and display the flag in Chambers?

Response

This question was taken on notice.

Question:

Can the CEO provide information in regards to the proposed lease to Jim’s Carpet cleaning at ... Lester Avenue? that intends to operate as a

commercial laundry as to noise, operating hours and emissions that would be associated with that type of business knowing that it would be operating under an offensive licence? What contingencies would council be putting in place to mitigate the issues of noise, emissions, operational hours, parking and traffic?

Response

This question was taken on notice.

Questions taken on notice are published in the next Ordinary Meeting of Council Agenda/Minutes and a response will be provided to Ms Armstrong.

Public question time concluded at 5.10pm.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr M Librizzi	15 March 2024	1 April 2024	31/10/2023
Cr K Parker	28 April 2024	5 May 2024	30/01/2024

**Note: If Elected Members' application for leave of absence is for the meeting that the request is submitted, they will be noted as an apology until Council consider the request. The granting of the leave, or refusal to grant the leave and reasons for that refusal, will be recorded in the minutes of the meeting.*

If an Elected Member on Approved Leave subsequently attends the meeting, this will be noted in the Minutes at 'Record of Attendance'.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
 - a. Cr P Fiorenza for the period 31 March to 13 April 2024.

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR COLLIVER

That Council by Simple Majority pursuant to Section 2.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
 - a. Cr P Fiorenza for the period 31 March to 13 April 2024.

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 February 2024, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR COOPER

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 February 2024, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

10 ANNOUNCEMENTS BY THE CHAIR AND PRESENTATIONS*Events attended by the Mayor or designated representative*

DATE	FUNCTION	REPRESENTATIVE
28 February 2024	Meeting with Local Resident	Mayor Jerry Clune
28 February 2024	I-MED Radiology Geraldton - Launch of New 3T MRI Services	Deputy Mayor Cr Natasha Colliver
3 March 2024	WA Country Water Polo Championship	Cr Peter Fiorenza
5 March 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
5 March 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
5 March 2024	Citizenship Ceremony	Mayor Jerry Clune
5 March 2024	Pre-Meeting – Regional Development Assessments Panels (RDAP) - Lot 206 (No. 25) Horwood Road, Woorree	Mayor Jerry Clune
5 March 2024	Filming for Council Update Video - Coffee with a Councillor – Cr Jennifer Critch	Mayor Jerry Clune
5 March 2024	Concept Forum	Mayor Jerry Clune
6 March 2024	Meeting with Josh Kennedy – JK Foundation Mentoring Program	Mayor Jerry Clune
6 March 2024	Invisible Boys - Set Visit with the Hon. David Templeman, Minister for Culture and Arts	Mayor Jerry Clune
6 March 2024	Meeting with National Trust WA CEO Julian Donaldson – Local Heritage	Mayor Jerry Clune
7 March 2024	Rotary WA Driver Education (RWADE) - Day One Opening	Mayor Jerry Clune
7 March 2024	RDAP Meeting - Lot 206 (No. 25) Horwood Road, Woorree	Mayor Jerry Clune
7 March 2024	Rotary WA Driver Education (RWADE) - Day Two Opening	Mayor Jerry Clune
7 March 2024	Rotary WA Driver Education (RWADE) - Day Two Closing	Mayor Jerry Clune
7 March 2024	Radio Mama – Local Matters	Mayor Jerry Clune
10 March 2024	Women on Wheels Geraldton	Deputy Mayor Cr Natasha Colliver
11 March 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
11 March 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
11 March 2024	Geraldton Universities Centre (GUC) Meeting - Funding to Create Online Courses	Mayor Jerry Clune
11 March 2024	Country Women's Association of WA - 100 Year Anniversary "Women of Spirit" Book Launch and High Tea	Mayor Jerry Clune
11 March 2024	Opening of Wandina Specialist Disability Accommodation	Deputy Mayor Cr Natasha Colliver
11 March 2024	Heritage Advisory Committee Meeting	Mayor Jerry Clune
11 March 2024	Doug Hougue Medal Count & the Men and Women's Awards Night	Mayor Jerry Clune
12 March 2024	Meeting with Commodore John Gummery (Geraldton Yacht Club)	Mayor Jerry Clune
12 March 2024	Triple M Interview - Rocks Laneway to temporarily close to address antisocial behaviour	Deputy Mayor Cr Natasha Colliver
12 March 2024	Regional Capitals Australia (RCA) Board Meeting – via electronic means	Mayor Jerry Clune

13 March 2024	Presentation to Bluff Point Primary School of AMC Park Artwork Badges	Mayor Jerry Clune
13 March 2024	Triple M Interview – Invisible Boys	
13 March 2024	Meeting with Fishing Boat Harbour Users Group – Dust from Port	Mayor Jerry Clune
14 March 2024	Rio Tinto Stakeholder Interview	Mayor Jerry Clune
14 March 2024	Central Regional TAFE WA 2024 Graduation Event	Mayor Jerry Clune
15 March 2024	Western Australian Alliance to End Homelessness (WAAEH) Meeting	Mayor Jerry Clune
15 March 2024	Meeting with Custodians of the Memorabilia Display 1887 to 1966 for the Victoria District Hospital [Ex Victoria District Hospital Staff Association Inc]	Mayor Jerry Clune
16 March 2024	Harmony Festival	Mayor Jerry Clune
18 March 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
18 March 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
18 March 2024	NBN Introduction and Briefing	Mayor Jerry Clune
19 March 2024	Monthly Mullewa Councillor – Mayor Catch Up	Mayor Jerry Clune
19 March 2024	Agenda Forum Mullewa	Mayor Jerry Clune
19 March 2024	Photo Opportunity - Mullewa Youth Centre – Department of Communities Funding Extension	Mayor Jerry Clune
20 March 2024	Meeting with BP – Introduction and Local Projects	Mayor Jerry Clune
20 March 2024	Main Roads Briefing on the Dongara-Geraldton-Northampton By-Pass	Mayor Jerry Clune
20 March 2024	ABC Radio Interview – Foreshore Youth Precinct	Mayor Jerry Clune
20 March 2024	Foreshore Youth Precinct Discussion	Mayor Jerry Clune
21 - 22 March 2024	Mid West Development Commission (MWDC) Meetings in Irwin	Mayor Jerry Clune
22 March 2024	Regional Telecommunications Review Breakfast	Cr Jennifer Critch
22 March 2024	Regional Telecommunications Independent Review Committee - WA Public Hearing	Cr Jennifer Critch
23 March 2024	Geraldton Surf Lifesaving Club Nipper, Youth, Senior Awards Wind-up	Mayor Jerry Clune
23 March 2024	Frothin' Fools Gero Grom Fest	Deputy Mayor Cr Natasha Colliver
25 March 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
25 March 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
25 March 2024	Regular Meeting - City of Greater Geraldton with Local Member Lara Dalton MLA, Member for Geraldton	Mayor Jerry Clune
25 March 2024	Meeting with Cooperative Bulk Handling (CBH) - Introduction	Mayor Jerry Clune
26 March 2024	Behaviour Complaints Committee Meeting	Mayor Jerry Clune
26 March 2024	Ordinary Meeting of Council	Mayor Jerry Clune

Note: Whilst it is noted that Council Members may have also been in attendance at the above events, this is a record of attendance by the Mayor, or where a Council Member has been asked to represent the Mayor.

10.1 Presentation to Mayor of Awards

The Mayor was presented with the Awards received at the 2024 Institute of Public Works Engineering Australasia (IPWEA) WA Excellence Awards – 8 March 2024.

Railway Street Safe Active Street Project

Sarkis Petrossian Award for Innovative Practice in Traffic Safety Management and Best Public Works Project Regional under \$2million.

The project transformed Railway Street to a low-speed shared space that welcomes all road users including riders, walkers and drivers by providing an active transport route from areas where people live to nearby parks, schools, businesses and is a vital link in the City's northern active transport network.

Spalding Revitalisation Project Stage Part Two

Excellence in Innovation Award Regional and Highly Commended for Best Public Works Project Greater than \$5 million Award Regional.

The project developed and delivered a plan to improve community sustainability by rejuvenating the heart of the Spalding community, creating a safe, inclusive, accessible, well connected and sustainable central hub where the community can come together to learn, recreate and celebrate in a beautiful parkland setting.

CBD Education Precinct Roundabouts

Excellence in Road Safety Projects Award.

The project reconstructed three major roundabouts in the CBD identified as Blackspots, to improve pedestrian and cyclist safety and connectivity, improve vehicle flow, slow vehicle speeds and reduce congestion. The Cathedral Avenue/Sanford Street and Durlacher/Maitland Street intersections were changed to roundabouts and the Cathedral Avenue/Maitland Street roundabout was upgraded.

Sunset Beach Coastal Resilience Program

Best Public Works Project \$2 million - \$5 million Award Regional.

The program coordinated a series of coastal resilience projects at one of WA's coastal erosion hotspots and included data collection and monitoring, construction of Geotextile Sand Container structures, dune rehabilitation works and the managed retreat of coastal nodes.

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - NIL

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

DS030	SURRENDER AND NEW LEASE – GERALDTON CLAY TARGET CLUB
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AGENDA REFERENCE:	D-24-029441
AUTHOR:	S Pratt-King, Property Officer
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	6 March 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to surrender the current lease agreement and enter a new lease agreement with Geraldton Clay Target Club Incorporated, for an increased portion of Reserve 24569, Lot 360 (30) and Lot 651 (24) Flores Road, UtaKarra.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. AGREE to surrender the current registered lease number N399619;
2. ENTER a new lease agreement for an increased portion of Reserve 24569, Lot 360 (30) and Lot 651 (24) Flores Road, UtaKarra with the Geraldton Clay Target Club Incorporated;
3. SET the conditions as follows:
 - a. Term to be 21 years commencing on the date of execution;
 - b. Lease fee to be in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
4. MAKE the determination subject to the Department of Planning, Lands and Heritage:
 - a. Cancelling Crown reserve 52945, and revoking Management Order N615611;
 - b. Amending Reserve 24569 to include Lot 651 (24) Flores Road, UtaKarra;
 - c. Providing consent from the Minister for Lands; and
5. ADVISE the lessee that they are responsible for meeting all costs associated with the preparation, execution and registration of the deed of surrender and new lease.

PROPONENT:

The proponent is Geraldton Clay Target Club Incorporated.

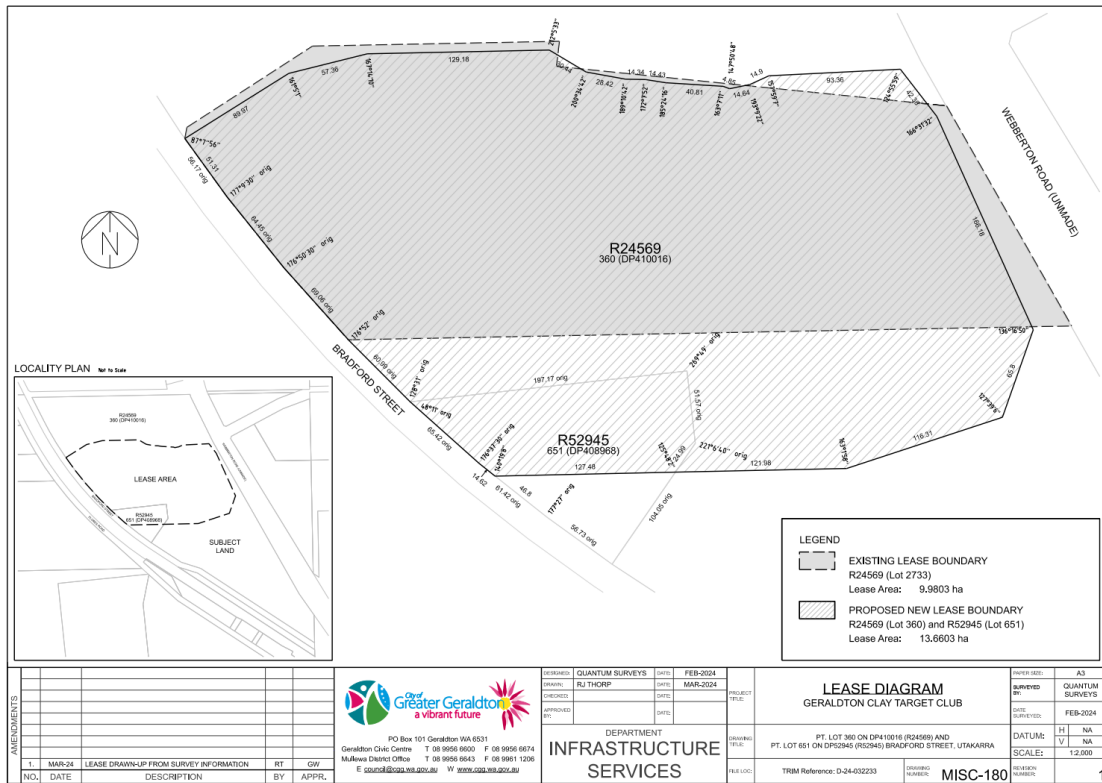
BACKGROUND:

The Geraldton Clay Target Club Incorporated (the Club) has leased a portion (9.9803 ha) of Reserve 24569, Lot 360 (30) Flores Road, UtaKarra since 1957. The current lease expires on 30 June 2037.

In January 2023 the Club received advice from the Western Australian Police Licensing Services Department (WAPLS) confirming their Firearm Range Approval was under review. The Club was required to demonstrate that the lease area provided sufficient distance for safe firing clearances, specifically a 205 metre distance from the front of all seven (7) trap houses to the western boundary.

The Club approached the City of Greater Geraldton (the City) in December 2023, after their Firearm Range Approval was formally suspended, seeking support to increase the lease area to meet the safe firing clearances.

The below survey plan identifies the proposed increased lease area of 13.6603 hectares, which is required to meet the safe firing clearance guidelines.



The proposed increased lease area includes a portion of:

- Lot 360 (30) Flores Road, Utakarra; and
- Lot 651 (24) Flores Road, Utakarra.

Lot 360 (30) Flores Road, Utakarra is Crown reserve 24569 under the care, control and management of the City, by way of a management order for the purpose of recreation, including the power to lease for up to 21 years.

Lot 651 (24) Flores Road, Utakarra is Crown reserve 52945 under the care, control, and management of the City, by way of a management order for the purpose of animal management facility. Since the registration of the management order in 2017 the City has constructed a purpose-built animal management facility at Davies Road, Utakarra and Crown reserve 52945 is no longer required for this purpose.

To facilitate the increased lease area the Department of Planning, Lands & Heritage (DPLH) proposed the following amendments to reserves 24569 and 52945:

“Redescribe Reserve 24569 to include Lot 651 (24) Flores Road, Utakarra, cancel Reserve 52945 and revoke Management Order N615611.”

With the City’s approval, DPLH commenced this process in February 2024, at no cost to the Club or the City.

As an interim measure WAPLS provided restricted firing rights to the Club in February 2024, permitting use of two (2) of the seven (7) trap houses with a reduced firing range which has allowed the Club to recommence weekend events for members. Should the restricted firing rights still apply in September 2024 it is likely the annual regional Crayfish Carnival would be cancelled.

The club has met the range approval requirements to date, which include a fenced perimeter with clearly visible, range boundary warning signs, displayed and readable, from a distance of at least 10 metres. Should the lease be approved, the club will relocate these fences at their cost to reflect the perimeter variation for the increased lease area.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Supporting the increased lease area will allow the Club to continue to offer a variety of shooting disciplines and attract participation from a broader selection of the community.

Economy:

Sports clubs are an integral part of our economic and social fabric. They have a role in working with the City and community to encourage and host sporting activities and events that contribute to the economic benefits of the City and broader region.

Environment:

The increased lease area will encroach onto a portion of the old landfill site that has been closed for more than 25 years. The land is subject to a memorial issued in November 2010 by the former Department of Environment and Conservation, now the Department of Water and Environmental Regulation, and classifies the site as ‘possibly contaminated – investigation required’.

Leadership:

Active management of sporting community and lease matters demonstrates good governance and reinforces accountable leadership.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

On 19 December 2023 Council Item No. DS023 resolved to surrender the existing lease with Rover Football Club and enter a new lease for an increased area, to support the redevelopment of the Rover Football Club facilities.

COMMUNITY/COUNCILLOR CONSULTATION:

Geraldton Clay Target Club Incorporated representatives consulted with Councillors and the local member of the Legislative Assembly to advocate for a new lease.

City Officers consulted with the Department of Planning, Lands and Heritage to identify a solution to enable the use of Lot 651 on Deposited Plan 408968 for the purpose of recreation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the *Local Government Act 1995* details the process for "disposing" (in this case the leasing) of property.

Regulation 30 of the *Local Government Functions and General Regulations* describe dispositions of property excluded from Section 3.58 of the *Local Government Act 1995* for recreational, sporting and other like natured organisations.

FINANCIAL AND RESOURCE IMPLICATIONS:

Lease fees will be in accordance with the City of Greater Geraldton Schedule of Fees and Charges for Sporting and Community Groups, reviewed annually.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.8	Active living and recreation is encouraged.
Outcome 1.9	A strong sports culture exists through well-planned facilities.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit

REGIONAL OUTCOMES:

Extending the lease area will achieve compliance with Western Australian Police Licensing requirements and support the continuation of the Club's annual Crayfish Carnival, which has been attracting visitors and participants to the region since 1981.

RISK MANAGEMENT:

A portion of the proposed increased lease area would encroach onto the former landfill site classified as 'possibly contaminated – investigation required'. There is a risk of the reserve amalgamation being delayed while the Department of Planning, Lands and Heritage complete their internal review and consultation.

The terms of the lease indemnify the City of any liability and includes the requirement to obtain, keep current and provide copies of all relevant insurances.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

1. NOT SUPPORT the proposed new lease agreement. This option is not recommended as it would restrict the Club's firing rights and capacity to deliver the Crayfish Carnival; and
2. ENTER a second lease for the additional lease area. This option is not recommended as it would result in two separate leases with the Club, adding complexity to the management and administration of the lease and creating potential issues in the future.

Cr N Colliver declared an Impartiality interest in Item No. DS030 Surrender and New Lease – Geraldton Clay Target Club as her husband is a member of the Geraldton Clay Target Club and remained in Council Chambers during the debate.

COUNCIL DECISION

MOVED CR COOPER, SECONDED CR KEEMINK

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. **AGREE to surrender the current registered lease number N399619;**
2. **ENTER a new lease agreement for an increased portion of Reserve 24569, Lot 360 (30) and Lot 651 (24) Flores Road, Utakarra with the Geraldton Clay Target Club Incorporated;**
3. **SET the conditions as follows:**
 - a. **Term to be 21 years commencing on the date of execution;**
 - b. **Lease fee to be in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;**
4. **MAKE the determination subject to the Department of Planning, Lands and Heritage:**
 - a. **Cancelling Crown reserve 52945, and revoking Management Order N615611;**
 - b. **Amending Reserve 24569 to include Lot 651 (24) Flores Road, Utakarra;**
 - c. **Providing consent from the Minister for Lands; and**
5. **ADVISE the lessee that they are responsible for meeting all costs associated with the preparation, execution and registration of the deed of surrender and new lease.**

CARRIED 10/0

Time: 5:18 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

DS031 COMMERCIAL LEASE – 204 LESTER AVENUE, GERALDTON

AGENDA REFERENCE:	D-24-029607
AUTHOR:	S Pratt-King, Property Officer
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	6 March 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to lease Lot 100 (204) Lester Avenue, Geraldton to Midwest Trade Hub Pty Ltd operating under the business name Jim's Carpet Cleaning Geraldton.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. ENTER a commercial lease agreement with Midwest Trade Hub Pty Ltd for Lot 100 (204) Lester Avenue, Geraldton;
2. SET the conditions as follows:
 - a. Endorse a five (5) year lease agreement, with a further term option of five (5) years by mutual agreement, commencing on the date of execution;
 - b. Commence the lease fee at \$66,000 (including GST) per annum;
 - c. Approve a rent free period of two (2) months from the commencement date;
 - d. Adjust the lease fee biennially based on:
 - i. Perth Consumer Price Index (CPI), beginning 2025;
 - ii. Market rent review, beginning 2026;
3. MAKE the determination subject to:
 - a. All regulatory approvals being obtained, including but not limited to, development approval and an offensive trade licence;
 - b. Advertising notice period of 14 days inviting public submissions.
4. AUTHORISE and APPROVE the transfer of all annual lease revenue received to the Parking Land Reserve; and
5. REFER the item back to Council should any objecting submissions be received.

PROPONENT:

The proponent is Midwest Trade Hub Pty Ltd.

BACKGROUND:

In May 2022, Council approved, in principle, the purchase of Lot 100 (204) Lester Avenue, Geraldton for future car parking. The timing of the requirement for the development of the land for car parking is recommended to occur when sufficient demand is demonstrated. This is expected to occur following the construction and occupancy of significant commercial development projects in the City Centre.



Lot 100 (204) Lester Avenue, Geraldton

Expressions of interest to commercially lease the property were advertised in February 2024 and the building is offered on an 'as is' basis and any upgrades or refurbishment required to support business activities will be at the cost of the lessee.

An offer to lease was received from Midwest Trade Hub Pty Ltd operating under the business name Jim's Carpet Cleaning Geraldton. Jim's Carpet Cleaning Geraldton is a local business supplying commercial and residential carpet cleaning services to the region. The proponent is seeking to grow the business and expand operations to include commercial laundry services which will require the proponent to apply for and obtain an offensive trades licence. The proposed commercial laundry business is not intended to be a domestic dry-cleaning service.

The property is currently zoned Regional Centre and City officers have investigated the requirements of the intended land use. Under Local Planning Scheme No. 1, 'Dry Cleaning Premises/Laundromat' is defined as 'a premises used for the commercial cleaning of clothes and laundry either in a self-service or serviced manner'. The 'Dry Cleaning Premises/Laundromat' land use is a discretionary land use in the 'Regional Centre' zone and a Development Application is required to be lodged with the local government for the proposed land use.

Should the lease be supported, the agreement will be conditional upon the lessee obtaining all necessary regulatory approvals. Public comment will be invited for a 14-day advertising period, with any objecting submissions referred to Council for consideration.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Income generated from the proposed disposal of property (lease) contributes to the City's general revenue base which supports the provision of community services.

Economy:

Supporting local small business contributes to an improved economy by increasing consumer activity.

Environment:

The proposed commercial laundry activity will require an offensive trades licence as per the *Health Act 1911* and *Health Local Law 2014*.

Leadership:

Active management of commercial leases demonstrates good governance and reinforces accountable leadership to support local business growth.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

On 27 July 2021 Council Item DCS496 resolved to enter a lease agreement with Bilbe Enterprises Pty Ltd to enable the expansion of their Highway Autobarn business.

COMMUNITY/COUNCILLOR CONSULTATION:

Expressions of interest for the commercial lease of 204 Lester Avenue, Geraldton was advertised to the community by Active West Real Estate.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the *Local Government Act 1995* details the process for "disposing" (in this case the leasing) of property.

FINANCIAL AND RESOURCE IMPLICATIONS:

An independent rent assessment conducted in October 2023, confirmed an estimated rental return of \$60,500 (including GST) per annum. The lease fee will be adjusted annually, with the first rent review undertaken on the lease anniversary date in 2025 and determined by the Perth Consumer Price Index and every alternate year thereafter. The second rent review will be undertaken on the lease anniversary date in 2026 and will be determined by a market rent review in 2026. The rent review method will continue to alternate biennially until the end of the lease.

As the land was acquired for the future provision of car parking within the CBD, it is deemed applicable that any revenue generated from this site be transferred into the Parking Land Reserve for that related purpose.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Leaving the property untenanted increases the risk of vandalism and general degradation of the building and contributes to reduced activation of the area by adding an empty shopfront in the CBD.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

1. REJECT the offer to lease and continue to advertise expressions of interest. Officers do not support this option as the proponent has provided a competitive offer and is the only suitable application received to date; and
2. NOT APPROVE the rent free period of two (2) months. Officers do not support this option as the property is being offered on an 'as is' basis and considerable investment will be required by the proponent for the building to be modified to an acceptable standard.

Cr A Horsman declared a Proximity interest in Item No. DS031 Commercial Lease – 204 Lester Avenue, Geraldton as he lives at 213 Lester Ave, directly opposite the premises proposed to lease. It is directly across a thoroughfare from the property and left Council Chambers at 5.18pm.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR TANTI****EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. ENTER a commercial lease agreement with Midwest Trade Hub Pty Ltd for Lot 100 (204) Lester Avenue, Geraldton;
2. SET the conditions as follows:
 - a. Endorse a five (5) year lease agreement, with a further term option of five (5) years by mutual agreement, commencing on the date of execution;
 - b. Commence the lease fee at \$66,000 (including GST) per annum;
 - c. Approve a rent free period of two (2) months from the commencement date;
 - d. Adjust the lease fee biennially based on:
 - i. Perth Consumer Price Index (CPI), beginning 2025;
 - ii. Market rent review, beginning 2026;
3. MAKE the determination subject to:
 - a. All regulatory approvals being obtained, including but not limited to, development approval and an offensive trade licence;
 - b. Advertising notice period of 14 days inviting public submissions.
4. AUTHORISE and APPROVE the transfer of all annual lease revenue received to the Parking Land Reserve; and
5. REFER the item back to Council should any objecting submissions be received.

CARRIED 9/0

Time: 5:20 PM

Not Voted: 2

No Votes: 0

Yes Votes: 9

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	NOT PRESENT
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

Cr A Horsman returned to Council Chambers at 5.20pm.

12.2 REPORTS OF COMMUNITY AND CULTURE

CC010 INNOVATE RECONCILIATION ACTION PLAN 2024 - 2026	
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AGENDA REFERENCE:	D-24-029205
AUTHOR:	P Treharne, Manager Community and Cultural Development
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	26 March 2024
FILE REFERENCE:	RC/13/0011-003
ATTACHMENTS:	Yes (x1) Draft Innovate Reconciliation Plan

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of the Innovate Reconciliation Action Plan 2024 – 2026 (the Plan). The Plan will act as an operational guide for the City of Greater Geraldton (the City) and if adopted, will be the fourth Reconciliation Action Plan undertaken by the City. The Plan outlines programs and projects that the City will undertake while advancing reconciliation with the Aboriginal and Torres Strait Islander community.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. ADOPT the Innovate Reconciliation Action Plan 2024 – 2026.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

This Plan is the culmination of an extensive process involving community consultation and close collaboration with the national peak body Reconciliation Australia who are responsible for facilitating best-practice reconciliation processes and the development of best-practice Reconciliation Action Plans across Australia. The City also carried out significant community engagement, facilitating three (3) community workshops for Aboriginal Peak Body groups and non-Aboriginal Peak Body members, as well as a workshop with the broader community. The workshops enabled organisations and the broader community to express their opinions and contribute to the outcomes within the Plan.

An internal Working Group also contributed to the development of the Plan and provided advice and direction to the process culminating in the current draft. The internal Working Group comprised representatives from various City teams.

Achievement of conditional endorsement of the City's Plan by Reconciliation Australia means that it can now be presented to Council for formal endorsement. The conditional endorsement received from Reconciliation Australia requires the endorsed exact content to be reflected in the City's official version.

Whilst the new Reconciliation Action Plan (RAP) has been in development, the City's Community and Cultural team has continued to place high importance on improving the City's relationship with the local Indigenous community. Some recent actions undertaken include:

- Working closely with the City's Engineering team on the Spalding Revitalisation Project by being the conduit to the local community throughout the engagement process;
- Holding Reconciliation Action Plan workshops with local Indigenous Elders;
- Working with Elders and Traditional Owners in organising and delivering Welcome to Country formalities and culture as a key element of civic events;
- Planning and delivery of the inaugural Iwarra Wilungga, a festival of Aboriginal art and culture;
- Building and developing sustainable and positive relationships by staying in touch with the local Indigenous community; and
- Actively seeking input on correct protocols regarding Indigenous matters.

The Innovate Reconciliation Plan focuses on the following key areas.

Relationships:

Strengthening the relationship between Aboriginal and Torres Strait Islander peoples and the City is important because it is the foundation of our leadership in reconciliation. It underpins effective working relationships and leads to better policy outcomes.

Actions based on Community Feedback

- Engage with local Aboriginal and Torres Strait Islander groups to reach agreement and consensus regarding the identification of the Traditional Owner Groups within the CGG's boundary, ensuring appropriate recognition and acknowledgment in our future initiatives and communications.
- Build direct relationships between the Civic leaders and Aboriginal and Torres Strait Islander leaders in the community to facilitate dialogue on issues and concerns of the local Aboriginal and Torres Strait Islander communities in culturally appropriate places.

Focus area: Building relationships to ensure growth by connecting people, sharing experiences, governance, communication, engagement, and partnerships.

Respect:

The City demonstrates respect for Aboriginal and Torres Strait Islander cultures and communities by embracing diversity, celebrating, and supporting NAIDOC Week, incorporating cultural heritage values into its operations, and being open to collaboration.

Actions based on Community Feedback

- Engage with Yamatji Southern Regional Corporation and Irra Wangga Language Group to identify appropriate dual naming of sites.
- Engage with Traditional Owners to investigate opportunities for potential dual naming of City facilities or public open spaces.

Focus area: Respecting the connection to land and sea, pride in cultures and histories, understanding, appreciation, acknowledgement, learning, success, achievements, and celebration by the Traditional Owners of the region.

Opportunities:

Co-creating opportunities with Aboriginal and Torres Strait Islander peoples is important to our Council. It is a practical way to demonstrate our commitment to closing the gaps in employment and economic development.

Actions based on Community Feedback

- Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention, and professional development strategy.
- Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace.
- Identify positions that can be classified as 50(d) of the Equal Opportunity Act 1984 (WA) and advertise all job vacancies, accordingly, ensuring that they effectively reach Aboriginal and Torres Strait Islander stakeholders.

Focus area: The City will focus on being a leader to Aboriginal and Torres Strait Islander residents by sharing our knowledge in the community through participation, employment, education, arts, and tourism.

Governance:

Responsible leadership, following best practices to ensure sustainable transparency and trust through:

- Accountability;
- Fairness; and
- Responsibility.

Action based on Community Feedback

- Engage City's senior leaders and other staff in the delivery of RAP commitments.

Focus area:

Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:**Community:**

The Plan aims to improve social outcomes for the Aboriginal and Torres Strait Islander (ATSI) community by advocating for improved services and improving access and inclusion to City facilitated services. It also focusses on further strengthening the links the City has with the ATSI community and plays an important role in assisting reconciliation within the broader community through education, awareness and promotional initiatives.

Economy:

The Plan aims to improve economic outcomes for the ATSI community. These include the development, implementation, promotion and review of economic opportunities with business and community, as well as improved employment and procurement outcomes for the ATSI community and ATSI owned businesses.

Environment:

There are no adverse environmental impacts.

Leadership:

Through adoption of a plan, the City demonstrates its continued commitment to reconciliation and leadership in fostering reconciliation outcomes.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The former City of Geraldton-Greenough adopted the inaugural Reconciliation Action Plan in 2010.

The City of Greater Geraldton adopted the second Reconciliation Action Plan at an Ordinary Meeting of Council held on 27 September 2016.

The City of Greater Geraldton adopted the third Reconciliation Action Plan at an Ordinary Meeting of Council 27 February 2018, Item No. DCS361 Adoption of Stretch RAP 2017.

COMMUNITY/COUNCILLOR CONSULTATION:

The Plan was reviewed extensively by the City's Working Group. Local Elders and Traditional Owners were also kept informed throughout the development process and invited to provide feedback on Plan. The draft document has been reviewed and conditionally endorsed by Reconciliation Australia. RAP has been conditionally endorsed based on the understanding that the exact content will be reflected in your official version.

The Plan was previously presented at a Council Concept Forum in November 2022.

LEGISLATIVE/POLICY IMPLICATIONS:

Aligns with the outcomes of the City's Strategic Community Plan

FINANCIAL AND RESOURCE IMPLICATIONS:

Actions listed within the Plan can be achieved within current resourcing levels.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Reconciliation between Indigenous and non-indigenous communities is supported.
Outcome 1.4	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.
Outcome 4.4	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

Regional outcomes include enhanced recognition of culture and heritage.

RISK MANAGEMENT:

The attached Plan has conditional endorsement from Reconciliation Australia. If Council determines to modify the wording, Officers would need to provide the amended Plan to Reconciliation Australia for their consideration, delaying the approval and possibly result in the Plan not being endorsed.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No other options were considered. The Plan was developed at the replacement of a previous iteration endorsed by Council that had reached its conclusion. The Plan will promote and facilitate respect, trust and positive relationships between the Greater Geraldton Community and Aboriginal and Torres Strait Islander peoples.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR COOPER**

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. **ADOPT the Innovate Reconciliation Action Plan 2024 – 2026.**

CARRIED 10/0

Time: 5:23 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CC011 COUNCIL POLICY 1.1 COMMUNITY PARTNERSHIPS

AGENDA REFERENCE:	D-24-030105
AUTHOR:	P Treharne, Manager Community and Cultural Development
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	26 March 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Draft Council Policy 1.1 Community Partnerships (v1)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 1.1 Community Partnerships, version one, which has been developed to address in-kind support partnership arrangements with the City for activities by local community specific-interest groups.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Council Policy 1.1 Community Partnerships, version one.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 1.1 Community Partnerships was developed in response to the separation of in-kind support arrangements from financial sponsorship and donations through the biennial review to produce the revised Council Policy Corporate Partnerships 4.19, version four, endorsed by Council in October 2023. The review of the City's Corporate Partnerships Policy focused on clarification regarding the intent and application of that policy in addressing sponsorship, donations and financial contributions by local businesses or the corporate sector to specific City-run events or programs. This resulted in the need to develop a new policy to address the various in-kind support arrangements in place with local community groups and organisations that deliver services for the benefit of the broader community.

Council Policy 1.1 Community Partnerships removes any reference to financial support and focuses on a simplified agreement between the City and partner organisations that deliver a range of in-kind services, programs and activities. The policy would apply to partnership agreements between the City and local community groups and non-profit organisations in relation to community-led initiatives and services that are considered to deliver broad community benefit.

The objectives of the Community Partnerships Policy aims to:

- Assist and encourage community groups and organisations providing services that are of benefit to the broader community;
- Strengthen the community by supporting a diverse range of community led activities that are responsive to community needs;
- Build capacity of community groups and local organisations to create community networks and connection whilst delivering their identified activities;
- Achieve community generated outcomes that are consistent with Council's Strategic Community Plan and adopted strategies; and
- Establish a framework for managing community partnerships that is clear, equitable and transparent.

Examples of arrangements that will be better managed by the City through this new policy include agreements with Friends of Geraldton Gardens (FROGGS), Friends of Geraldton Library (FOGL), Geraldton and Districts Seniors Action Group Inc. and Beachlands Community Inc.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The in-kind nature of arrangements between the City and local community groups and organisations are better clarified in the new proposed policy. The associated in-kind support agreement has been simplified by removal of any reference to financial support, focussing instead on the specific in-kind nature of service and support to be delivered. The new policy provides a clearer framework to manage in-kind support arrangements, including Work Health and Safety (WHS) compliance and risk management, recognition of partnerships and roles of the parties.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts. Partnership arrangements already exist with some local community groups delivering programs supporting environmental sustainability, which will continue through the new policy and agreement when due for renewal.

Leadership:

The City has demonstrated its leadership role in acknowledging and formalising arrangements with local community groups and organisations delivering services and programs for the benefit of the broader community. As a result of identifying potential confusion for the community in having both in-kind support arrangements and financial support previously captured in the same policy, the separation into stand-alone policies specific to the types of support arrangements ensures that the City works with the local community through a clear and simple framework.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council adopted Council Policy 4.19 Corporate Partnerships version 4, 31 October 2023.

COMMUNITY/COUNCILLOR CONSULTATION:

As part of the biennial review and adoption of the new Council Policy 4.19 Corporate Partnerships, version 4, Council was informed in September 2023 of the intention by Officers to review in-kind support arrangements with local community groups and organisations to develop a simpler agreement. There has been no formal community consultation process undertaken, however as agreements become due for renewal, Officers will consult with relevant community groups.

The draft Council Policy 1.1 Community Partnerships document was circulated to Councillors on 29 February 2024 for a two-week period with no feedback received.

LEGISLATIVE/POLICY IMPLICATIONS:

This report proposes that a new Council policy be endorsed, being Council Policy 1.1 Community Partnerships.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications for the City as the partnership agreement formalises the in-kind support role by local community groups and organisations.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is commonplace.
Outcome 1.6	Community capacity, innovation and leadership is encouraged.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.

Outcome 4.7	Council understands its roles and responsibilities and leads by example.
Outcome 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes, as these arrangements are at a local level.

RISK MANAGEMENT:

The proposed Council Policy 1.1 Community Partnerships and associated agreement were developed to specifically address the nature of in-kind support arrangements with local community groups and organisations. Volunteers with community groups and organisations partnering with the City through a Community Partnerships agreement are not volunteers of the City, therefore clarity regarding the responsibility of those groups with respect to aspects such as WHS compliance, risk management and Child Safety requirements is considered helpful for all parties.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No other options were considered as the intention to develop a new policy to address in-kind arrangements was proposed to Council during the process of biennial review of the previous version of the Council Policy Corporate Partnerships, when the revision saw the separation of sponsorship, donations and financial contributions from in-kind support in the revised policy subsequently endorsed by Council. The lack of any policy relating to in-kind community partnership arrangements is considered by Officers to be detrimental to delivering effective leadership and support for to local community groups and organisations.

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR DENTON

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

- 1. APPROVE Council Policy 1.1 Community Partnerships, version one.**

CARRIED 10/0

Time: 5:26 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES

Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CC012 COUNCIL POLICY 1.9 COMMEMORATIVE PLAQUES

AGENDA REFERENCE:	D-24-030199
AUTHOR:	T Cornish, Manager Libraries, Heritage and Gallery
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	26 March 2024
FILE REFERENCE:	GO/14/0008
ATTACHMENTS:	Yes (x2)
	A. Draft Council Policy 1.9 Commemorative Plaques (v4)
	B. Comparison Table for Review of Council Policy 1.9 Commemorative Plaques

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 1.9 Commemorative Plaques, version four (4), as amended.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE Council Policy 1.9 Commemorative Plaques, version 4.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 1.9 Commemorative Plaques was first approved by Council on 24 January 2017. This policy provides guidance on the eligibility, format and approval of commemorative plaques on all-encompassing structures in the Greater Geraldton region, aside from those in the grounds of the HMAS *Sydney* II Memorial Site on Mount Scott. This policy has undergone its cyclical biennial review and was presented to the Executive Management Team Meeting for consideration on 23 October 2023. It was presented to the Concept Forum on 05 March 2024.

The review resulted in changes which reflect a name change of the department and updated workplace information references.

In addition, the Objective was updated to clarify that this policy does not relate to the naming of venues, such as a sporting ground, or the signage associated with this. Commemorative plaques are typically small historical markers, not building signage.

Additional reference was added in the Policy Details regarding unmarked graves and memorial walls within the City's non-active historical Pioneer Cemeteries, noting these are compassionate and excluded from the one plaque per object criterion. The maintenance period was changed from a period of not less than 10 years, to 7 years.

Nominations for commemorative plaques are accepted at the discretion of the CEO/Director. The Policy Details have been updated to further state that in the event of receiving a nomination which is non-compliant with CP1.9 Commemorative Plaques, or requests for the plaque to be located in a prominent location such as the Foreshore, the nomination may be referred for further consideration by Council.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Plaques and memorials provide recognition and are important in celebrating significant historical events and persons or organisations closely associated with the leadership, cultural and social development of the City.

Economy:

Plaques and memorials have the ability to create a connection between the person viewing them and the place in which they are located. Increasingly, Cities use them in innovative ways to enrich the experience of visitors.

Environment:

Any decision regarding the installation of a plaque needs to consider the balance between the desire to commemorate events or individuals, respectful use of the intended site and the ongoing enjoyment of uncluttered public space.

Leadership:

The Local Government Act 1995 requires that Councils establish good governance principles through the introduction of policies and guidelines.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council reviews Council Policies from time to time as required. Item No. DCS508 - Council Policy 1.9 Commemorative Plaques, was last approved by Council on 23 November 2021 as part of the biennial review process for the Council Policy Manual.

COMMUNITY/COUNCILLOR CONSULTATION:

This policy has undergone its cyclical biennial review and was presented to the Executive Management Team Meeting for consideration on 23 October 2023. It was presented to the Concept Forum on 05 March 2024.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to section 2.7 of the Local Government Act 1995 the role of Council includes determination of Council Policies:

2.7. Role of council

- (1) *The council —*
- (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
- (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

In accordance with the Policy, applicants will meet all costs associated with the plaque. The City will provide in-kind administrative support to seek quotes and installation.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is commonplace.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.4	A desirable and sustainable built and natural environment responsive to community aspirations.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in good governance of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

An alternative option would be to not have a policy and require all plaque requests to be presented to Council. This is not recommended as the majority of request can be processed at Officer level.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR KEEMINK**

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE Council Policy 1.9 Commemorative Plaques, version 4.

CARRIED 10/0

Time: 5:29 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

12.3 REPORTS OF CORPORATE SERVICES

CS108	COUNCIL POLICY 4.8 LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES
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AGENDA REFERENCE:	D-24-024623
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	27 February 2024
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x1) Draft Council Policy 4.8 Legal Representation Council Members and Employees (v5)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.8 Legal Representation for Council Members and Employees, version 5.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE Council Policy 4.8 Legal Representation for Council Members and Employees, version 5.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 4.8 Legal Representation for Council Members and Employees was reviewed and endorsed by Council on 26 July 2022, Item No. CCS706. The policy is due for biennial review prior to July 2024.

The objective of the policy is to provide a framework and guidance in the protection of Council Members and employees involved in legal proceedings, as a result of their office or employment.

City Officers have reviewed the policy, and a minor change has been made to the title of the Director, formerly Corporate and Commercial Services, now Director Corporate Services.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The City determines the level of support for both Council Members and City employees where legal proceedings may arise, and the circumstances in which the City expends funds is of general interest for the community. It also sets the standard for which the City is seen to protect and support Council Members and City employees.

Economy:

This policy provides guidance on the circumstances where the assessment of expending City funds on legal representation is required, as such the City may determine and potentially reduce excessive legal costs where not required and justify expenditure where required.

Environment:

There are no adverse environmental impacts.

Leadership:

The *Local Government Act 1995* requires that Councils establish good governance principles through the introduction of policies and guidelines.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council policies are reviewed and endorsed by Council on a regular basis. Council Policy 4.8 was reviewed and approved by Council on 26 July 2022 (Item No. CCS706).

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to section 2.7 of the *Local Government Act 1995* the role of Council includes determination of council policies:

2.7. Role of council***(1) The council —***

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources;*
- and*
- (b) determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Ensuring that the Council Policy Register is current and comprehensive supports the role of the Council in the good government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR COLLIVER**

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. **APPROVE Council Policy 4.8 Legal Representation for Council Members and Employees, version 5.**

CARRIED 10/0

Time: 5:31 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CS109 COUNCIL POLICY 4.21 RELATED PARTY DISCLOSURES

AGENDA REFERENCE:	D-24-029573
AUTHOR:	N Jane, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	8 March 2024
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x3)
	A. Draft Council Policy 4.21 Related Party Disclosures (v4)
	B. Comparison Table – CP 4.21 Related Party Disclosures
	C. Guideline for compliance with Australian Accounting Standard AASB 124 by Local Governments

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.21 Related Party Disclosures, version 4.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE Council Policy 4.21 Related Party Disclosures, version 4.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 4.21 Related Party Disclosures was last reviewed by Council on 26 October 2021 and is due for review. The policy has been amended and version 4 is presented for Council approval.

The objective of this policy is to ensure that the City's financial report contains the disclosures necessary to help ascertain whether its financial position and financial performance may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties in line with the requirements of AASB 124 – Related Party Disclosures. This includes ensuring that Key Management Personnel (KMP) are aware of their responsibilities to identify and disclose related entities and transactions.

In November 2023, the Department of Local Government, Sport and Cultural Industries issued a Guideline for compliance with Australian Accounting Standard AASB 124 by Local Governments (Attachment No. CS109C).

City Officers have reviewed the policy and suggest updates in line with the guideline. These changes are outlined in the Comparison Table (Attachment No. CS109B).

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:**Community:**

The policy supports transparency of the City's operations in relation to how related party relationships and transactions may affect assessment by users of financial statements. Providing transparency assists to maintain and build trust and confidence in the City.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

Australian Accounting Standard AASB 124 Related Party Disclosures requires that all local governments disclose in their Financial Reports, related party relationships, transactions, and outstanding balances. The objective of the standard is to ensure that an entity's financial reports contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions. The purpose of Council Policy 4.21 is to provide guidance in the preparation of financial reports to ensure the disclosure requirements of this standard are met.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council Policy 4.21 Related Party Disclosures was initially adopted on 24 January 2017, and reviewed by Council on 25 June 2019 (Item No. CCS424) and 26 October 2021 (Item No. CCS643).

COMMUNITY/COUNCILLOR CONSULTATION:

Council was consulted by Briefing Note on 22 February 2024 for a consultation period ending on 8 March 2024. There were no requests for amendment received.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government (Financial Management) Regulations 1996* provide that local governments must comply with the Australian Accounting Standards Board (AASB) standards.

In order to comply with AASB 124 Related Party Disclosures (AASB 124), local governments must disclose certain related party relationships and related party transactions, as well as relevant information associated with those transactions, in the annual financial report.

The requirement applies to the Mayor, elected members of the Council, as well as the Chief Executive Officer and Directors.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.3	Accountable leadership supported by a skilled and professional workforce.
Outcome 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

This policy provides guidance to Key Management Personnel (KMP) on their responsibilities and preparation of financial statements to ensure disclosure requirements of the Accounting Standards are met. Without this policy, there is an increased risk of non-disclosure and therefore noncompliance.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The option to not make any changes to version 3 of the policy was considered, however the Department of Local Government, Sport and Cultural Industries issued a Guideline for compliance with Australian Accounting Standard AASB 124 by Local Governments in November 2023, and the changes proposed in version 4 incorporate the guidance provided.

COUNCIL DECISION**MOVED CR TANTI, SECONDED CR COLLIVER**

That Council by Simple Majority pursuant to Section 2.7 of the *Local Government Act 1995* RESOLVES to:

- APPROVE Council Policy 4.21 Related Party Disclosures, version 4.**

CARRIED 10/0

Time: 5:32 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES

Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CS110 MID-YEAR BUDGET REVIEW 2023-24

AGENDA REFERENCE:	D-24-032615
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	29 February 2024
FILE REFERENCE:	FM/6/0029
ATTACHMENTS:	Yes (x1) Mid-Year Budget Review 2023-24 – Financial Statements

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of proposed budget amendments following the Mid-Year Budget Review 2023-24.

The Mid-Year Review figures (effectively presenting a proposed revised budget) incorporate all budget amendments (current budget) previously authorised by Council since the original budget adoption, up to the period of the budget review.

The Mid-Year amendments result (excluding profit and loss on disposal of assets) is a \$2,076,708 improvement from an operating deficit of \$888,402 to an operating surplus of \$1,188,306 per Statement of Comprehensive Income.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 6.8 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE the proposed budget amendments, as detailed by nature in Attachment No. CS110 – Mid-Year Budget Review 2023-24 – Financial Statements and AUTHORISE any unauthorised expenditure and revenue detailed in the Financial Statements; and
2. APPROVE and AUTHORISE the revised transfers to/from Cash Reserves as detailed in Attachment No. CS110 – Mid-Year Budget Review 2023-24 – Financial Statements.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

The following provides a summary of the significant movements from the current budget after completion of the Mid-Year Review. As part of the review, the City's performance for the period 1 July 2023 to 29 February 2024 and financial position as at 29 February 2024 is considered, alongside the tracking of forecast outcomes against budget for the remainder of the financial year. During the 2023-24 financial year Council has endorsed a number of budget amendments resulting in the current budget. These amendments are listed below:

- Item No. CS060 – Budget Amendments 2023-24 (29 August 2023);

- Item No. DS020 – Future Industrial Land Development (26 September 2023).

The following provides a summary of the significant movements from the current endorsed budget after completion of the Mid-Year Review.

Statement of Financial Activity (refer Attachment No. CS110 – Mid Year Review 2023-24 Financial Statements)

For terminology purposes a 'positive movement' means any change that increases the City's cash position and decreases are represented by a 'negative movement' (excluding profit/loss on sale and depreciation movements).

Operating Income:

Total operating income forecast for this financial year has increased by \$2,461,086 compared to the current endorsed budget. The movements by per nature include:

Income by Nature	Increase (Positive Movement)	Decrease (Negative Movement)
Rates	Nil	
Operating Grants & Subsidies	\$284,666	
Contributions, Reimbursements & Donations	\$291,097	
Fees & Charges	\$426,173	
Interest Earnings	\$1,465,750	
Other		\$6,600
Profit on Disposal of Assets	Nil	
Net Movement	\$2,461,086	

Operating Income (material movements)

Operating Grants (\$285,000 increase)

- \$412,000 Regional Airport Screening Infrastructure (RASI) grant program extended until 30 November 2023. Minimal net gain due to associated reduction in airport security screening fees and charges.
- \$50,000 Operating portion of DFES Cyclone Seroja Resilience Funding. This offsets expenditure for the Community Builders Program.
- \$67,000 Increase in Main Roads Direct Grant
- (\$201,000) DFES funding for mitigation activity for firebreaks lower than budgeted. Minimal overall impact due to an associated reduction in mitigation activity funded by the program.

Contributions (\$291,000 increase)

- \$143,000 Proceeds from deceased estate bequeathed to the City.
- \$131,000 Insurance claim for the Aquarena outdoor pool higher than projected.

Fees & Charges (\$426,000 increase)

- \$200,000 Increase in airport income including lease income, parking, RPT passenger service income, weight landing fees and airport diversion fees.
- (\$360,000) Reduction in airport security screening income associated with the extension of the RASI grant program.
- \$447,000 Higher Meru fees and charges including contaminated soil, septage and free tipping. Partly offset by lower general and construction and demolition waste disposal. Increase in free tipping is associated with an equivalent increase in other expenditure.
- \$92,000 Increase in town planning fees.

Interest Earnings (\$1,466,000 increase)

- \$1,466,000 Higher interest yield due to sustained increase in interest rates.

Operating Expenditure:

Total operating expenditure forecast for this financial year has increased by \$409,378 compared to the current endorsed budget. The movements by nature include:

Income by Nature	Increase (Negative Movement)	Decrease (Positive Movement)
Employee Costs	\$211,773	
Material & Contractors	\$123,416	
Utilities	\$261,126	
Insurances	Nil	
Interest/Borrowing Costs		\$18,750
Other Expenses	\$402,000	
Depreciation		\$932,300
Contributions, Donations & Grants	\$337,113	
Loss on Disposal of Assets	\$25,000	
Net Movement	\$409,378	

Operating Expenditure (material movements)**Employment Expenses (increase \$212,000)**

- \$212,000 Increase in employment expenses resulting from adjusting Enterprise Bargaining Agreement wage indexation from budgeted 4% to actual 6%. Partly and further offset by vacancies due to sustained job market pressures.

Materials & Contractors (increase \$123,000)

- \$870,000 Net overall increase in contractor expenses including:
 - Meru landfill contract annual rise and fall and increases in scope as a result of the new Transfer Station, increased costs associated with the bulk waste free amnesty including tyre and mattress disposal and increased illegal dumping costs;
 - Building maintenance and operating costs including monthly cleaning and security costs;
 - Parks verge maintenance costs;
 - Airport security screening costs and the need to contract vacant positions;
 - Fire clearing and prevention associated with Council properties;
 - Legal fees and advertising associated with bush fire infringements; and
 - Audit costs.
- \$50,000 Community Builders Program funded by the DFES Cyclone Seroja Resilience Fund.
- \$77,000 Reclassification of harvest route repairs from capital to operating
- \$177,000 Reclassification of coastal and natural areas maintenance expenditure from capital to operating.
- (\$600,000) Verge pickup delayed due to issues securing contractor. Funds utilised to fund increased costs associated with the bulk waste free amnesty and additional landfill maintenance contract costs.
- (\$330,000) Reclassification of Nexus monthly contribution as Contributions. Associated increase in Contributions expenditure.
- (\$198,000) Reduction in fire clearing and prevention associated with lower DFES Mitigation Activity Funding.

Utilities (increase \$287,000)

- \$287,000 Increased water consumption primarily due to a drier winter & hotter summer necessitating additional watering requirements. The draining and refilling of the new Aquarena outdoor pool and water leakages also contributed to the increased usage.

Other Expenses (increase \$402,000)

- \$397,000 Increase internal costings for Meru free tipping. Note associated increase in Meru fees and charges income for free tipping.

Depreciation (decrease \$932,000)

- \$932,000 decrease in depreciation as a result of fair value assessments applied for the 2022-23 Infrastructure asset revaluation.

Contributions (increase \$337,000)

- \$330,000 Reclassification of monthly payment to Nexus from Contractor Expense to Contributions Expenditure.

Capital Revenue (Including Net Reserve Transfers):

The budget allocation associated with this revenue stream has been decreased by \$1,628,233, of which \$726,000 relates to an increase in transfers to reserves.

Type of Revenue	Increase (Positive Movement)	Decrease (Negative Movement)
Capital Grants		\$330,702
Transfers to Reserves		\$726,000
Transfers from Reserves	Nil	
Proceeds from New Loans (Self-Supporting)		\$550,000
Principal income from Self Supporting Loans		\$21,531
Net Movement		\$1,628,233

Capital Grants (material movements)

- Reduction in recognition of capital grant funding due to deferral of capital projects:
 - Main Roads Black Spot Funding for Chapman Rd/Bosley St/Chapman Valley roundabout improvement (\$265,000).
- Other reductions in capital grant funding:
 - Department of Transport WA Bike Network Funding for new Brand Highway path (\$118,000). Project now to be delivered by Main Roads.
 - Department of Transport WA Bike Network Funding for Chapman Road shared path (\$150,000). Funding variation no longer required to move funding to Brand Highway path project.
 - Department of Transport Hotspot Coastal Adaptation and Protection (HCAP) Funding for the Sunset Beach Groynes (\$135,000). Funding approved for \$615,000 rather than \$750,000. Associated reduction in the cost of this project.
- Additional grant funding:
 - DFES – Cyclone Seroja Resilience Fund (Capital Portion of Projects to be delivered in 2023-24) \$395,000.

Transfers to Reserves (material movements)

Increases in transfers to reserves:

- Transfer to Parking Land Reserve \$576,000 as per Council Decision DS029. This was funded by additional interest earnings in the current year.
- Transfer to Public Art Reserve \$150,000 due to the deferral of new public art acquisitions.

Proceeds from New Loans (material movements)

Decreases in proceeds from new loans:

- The Geraldton Amateur Basketball Association (GABA) has confirmed that the self supporting loan is no longer required (\$550,000).

Capital Expenditure

The overall reduction in capital expenditure of \$3,262,050 is impacted by the following movements in asset categories:

Type of Capital Expenditure	Increase (Negative Movement)	Decrease (Positive Movement)
Land		\$250,000
Buildings	\$45,330	
Plant & Equipment		\$153,619
Furniture & Equipment		\$2,091
Roads		\$1,118,970
Waste Management Infrastructure	\$654,618	
Parks		\$563,583
Airports		\$78,169
Other Infrastructure (Footpaths, Parking)		\$1,224,035
Self Supporting Loans Paid Out		\$550,000
Repayment of Loans		21,531
Net Movement		\$3,262,050

Capital Expenditure

Material Increases

- \$467,000 Meru Transfer Station – additional costs incurred due to DFES fire engineering requirements being more extensive than designed and additional drainage and rock excavation requirements.
- \$142,000 Meru Weighbridge – Variation to be requested to reallocate LRCIP Phase 4 funds from underspend on Nubberoo Rd major culvert project.
- \$158,000 African Reef path widening and realignment – Variation to be requested to reallocate LRCIP Phase 4 funds from underspend on Nubberoo Rd major culvert project.
- \$148,000 – Thames Drive, Cape Burney new path – Associated with proceeds from deceased estate bequeathed to the City.
- \$200,000 – Cost escalations for gravel resheet and rural road renewal projects.
- \$137,000 – Cost escalations for sealed road resurfacing projects.
- \$146,000 – Eadon Clarke storm water harvesting – tender significantly higher, additional drilling costs.
- \$80,000 – IT network redesign change to cash outflow timing year 1. Two-year project with no change to tendered cost.
- \$75,000 – Stow Gardens (Foreshore) playground masterplan.
- \$50,000 – Francis Street Boat Ramp Renewal.
- \$58,000 – Mullewa staff housing – 7 Padbury St.

Decreases Associated with Deferral of Projects to 2024-25

- \$565,000 – Chapman Rd Bosley St Chapman Valley Rd roundabout improvement – Design component only delivered in 2023-24. Construction to be carried over along with \$265,000 associated Main Roads Black Spot Funding.
- \$135,000 – Moonyoonooka-Narngulu Rd (Asphalt intersection Arthur Rd).
- \$250,000 – Willcock Drive caravan park detailed design and cost estimate.
- \$50,000 – Goulds Road asphalt.
- \$500,000 – Allanooka Springs Rd widening.
- \$150,000 – New public art. Unspent funds to be transferred to the Public Art Reserve to be used in future years.
- \$140,000 – GPS upgrades.
- \$140,000 – Aquarena concourse tile renewal.
- \$95,000 – Doc Doherty Pool Mullewa pool shell renewal.
- \$70,000 – Aquarena creche play system.
- \$50,000 – Greenough Terminal short term carpark kerb renewal.
- \$59,000 – Geraldton airport traffic circulation upgrades (stage 2).
- \$55,000 – Mullewa Town Hall Kitchen Renewal (Associated with delay in recognition of DFES Cyclone Seroja Resilience Funding).
- \$10,000 – HMAS Sydney Memorial limestone block renewal.

It should be noted that there are other major projects (i.e. Airport Microgrid) that will not be fully expended in this financial year and will require rolling over of funds into the 2024-25 financial year, however the budgets have been retained to enable procurement processes to be in compliance for the current year. These projects will be captured as carryovers in the August 2024 budget amendment.

Other Material Decreases

- \$126,460 – Recreation Ground sporting light towers – Associated adjustment to DLGSC Club Night Lights funding (outcome pending).
- \$300,000 – Nubberoo Rd Major Culvert – Tender prices lower. Variation to be sought to reallocate portion of associated LRCIP Phase 4 funds to African Reef Footpath (\$158,000) and Meru Weighbridge (\$142,000).
- \$180,000 – Broome St new path.
- \$181,000 – Brand Highway shared path – Project to be delivered by Main Roads. Associated reduction in WA Bike Network grant funding.
- \$150,000 – Chapman Road shared path. Reduction in associated WA Bike Network Funding. Variation previously planned to reallocate funds to the Brand Highway shared path project.
- \$250,000 – Kempton St stormwater drainage relocation – Design costs indicate project requires further funds. Project currently on hold pending further investigation.
- \$176,000 – Sydney St new path – project deferred beyond 2024-25.
- \$81,000 – Durlacher St new path.
- \$95,000 – Whitworth Dr new path.

- \$150,000 – Road pavement testing program – full budget not required for the current year.
- \$167,000 – South Boundary to Pages Beach renewal of bollards, access and fencing – full budget not required for the current year.
- \$100,000 – Aquarena outdoor pool completed under budget.
- \$100,000 – Contingency previously provided for additional Aboriginal Heritage cost requirements.
- \$85,000 – Sunset Beach GSC groynes – associated with reduction in Department of Transport HCAP funding.
- \$77,000 – Reclassification of harvest route repairs from capital to operating.
- \$177,000 – Reclassification of coastal and natural areas maintenance expenditure from capital to operating.
- \$550,000 – The Geraldton Amateur Basketball Association (GABA) has confirmed that the self supporting loan is no longer required. The reduction in the self supporting loans paid out is offset by an equivalent reduction in loan proceeds.

Transfers from Reserves (material movements)

Item No. CS060 – Budget Amendments 2023-24 (29 August 2023) additional movement of \$11,390,766 relating to carryover projects from 2022-23.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

Carrying out the Mid-Year Review analysis allows the City to assess what has been achieved year to date, to highlight the current financial position and set the scene leading into the next year's Budget and the Long-Term Financial Plan.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Each year Council undertakes a mid-year budget review in line with the requirements of legislation. The mid-year budget review last year was considered at the 31 January 2023 Ordinary Meeting of Council – Item No. CS014, Mid-Year Budget Review 2022-23.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were presented with an overview of the Mid-year Budget Review results at the Concept Forum on 5 March 2024.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.8 of the *Local Government Act 1995* requires any expenditure not included in the annual budget to be authorised by Absolute Majority.

Local Government (Financial Management) Regulations 1996 regulation 33A requires that Council between 1 January and the last day of February in each Financial year, carry out a review of its annual budget for that year.

33A. Review of budget

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget; and*
 - (e) *include the following –*
 - (i) *the annual budget adopted by the local government;*
 - ii) *an update of each of the estimates included in the annual budget; and*
 - iii) *the actual amounts of expenditure, revenue and income as at the date of the review; and*
 - iv) *adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.*
- (2) *The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*
- (4) *Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

FINANCIAL AND RESOURCE IMPLICATIONS:

As per the Statement of Comprehensive Income (Attachment No. CS110), there has been an increase in the net result of \$1,721,006 from \$16,182,879 to \$17,903,885 in the Mid-Year Review (MYR).

As Shown in the Statement of Financial Activity there has been a favourable change in the operating position from an operating deficit of \$1,233,740 to an operating surplus of \$817,968 in this review. The most significant proposed adjustments are outlined above.

The most significant proposed adjustments are to interest earnings based on the sustained high interest rate returns. There has also been a significant increase to materials and contractors, primarily due to Meru landfill contract annual rise and fall and increases in scope as a result of the new Transfer Station, increased costs associated with the bulk waste free amnesty including tyre and mattress disposal and increased illegal dumping costs. These additional costs are offset by a proposed reduction in the verge pickup. The City has continued to experience a significant increase in its supply contracts across all areas of its operations due to the current inflationary environment. There has also been a considerable drop in depreciation resulting from the 2022-23 Infrastructure Revaluation, however it should be noted that this is non-cash expenditure which does not impact on the City's estimated closing net current asset position.

The City's end of year unrestricted cash position (see Cash Flow Statement) is expected to decrease from the original budget forecast of \$13,538,658 to revised forecast of \$12,407,284. Note that movements in cash flow between original budget and mid-year budget review have been aligned with forecast actual spend on major capital projects rather than expected commitments included in the budget. The lower than projected opening cash position is largely due to a significant transfer of cash reserves in the prior year.

INTEGRATED PLANNING LINKS:

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.3	Accountable leadership supported by a skilled and professional workforce.
Outcome 4.4	Healthy financial sustainability that provides capacity to respond to change in economic conditions and community priorities.
Outcome 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

Delivery of programs and projects continue to deliver benefits for the region through capital expenditure, business support, employment opportunities and encouraging tourism.

RISK MANAGEMENT:

Undertaking this budget review meets the regulatory requirement to do so and thereby mitigates the risk of non-compliance. This review enables Council opportunity to formulate actions in response to identified budget impacts, thereby reducing the risk of an increase in the forecast deficit position.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Alternative options for adjustments to budget forecasts were considered by Directors and Managers across all areas of the operations and wherever possible have offset expenditure allocations within the same function areas of the budget.

Alternative Option:

1. APPROVE the proposed budget amendments and AUTHORISE any unauthorised expenditure and revenue detailed in the attached Statement of Financial Activity but with the following changes:
 - a. To be determined by Council; and
2. MAKE the determination based on the following reason/s:
 - a. To be determined by Council.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR COLLIVER**

That Council by Absolute Majority pursuant to Section 6.8 of the *Local Government Act 1995* RESOLVES to:

1. APPROVE the proposed budget amendments, as detailed by nature in Attachment No. CS110 – Mid-Year Budget Review 2023-24 – Financial Statements and AUTHORISE any unauthorised expenditure and revenue detailed in the Financial Statements; and
2. APPROVE and AUTHORISE the revised transfers to/from Cash Reserves as detailed in Attachment No. CS110 – Mid-Year Budget Review 2023-24 – Financial Statements.

CARRIED BY ABSOLUTE MAJORITY 10/0

Time: 5:35 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CS111	STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 29 FEBRUARY 2024
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AGENDA REFERENCE:	D-24-031778
AUTHOR:	N Jane, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	12 March 2023
FILE REFERENCE:	FM/17/0013
ATTACHMENTS:	Yes (x1)
	Monthly Management Report for period ended 29 February 2024

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 29 February 2024.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the monthly Statement of Financial activity for the period ended 29 February 2024, as attached; and
2. RECEIVE the monthly Statement of Financial Position as at 29 February 2024, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

The financial performance and position at the end of February 2024 is detailed in the attached report. Summarised below are the variances between Year-to-Date (YTD) budgets and actuals:

Operating Income	\$	1,948,337	2.5%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	478,659	0.8%	under YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	2,426,997	14.6%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	8,980,895	26.0%	under YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	222,606	2.6%	under YTD Budget	<input checked="" type="checkbox"/>

Cash at Bank – Municipal	\$16,051,089
Cash at Bank – Reserve	\$ 6,000,000
Current Investments	\$45,755,828

Current Rates Collected to February 2024	83.08%
Current Rates Collected to February 2023	83.56%

Rates Arrears Collected to February 2024	37.85%
Rates Arrears Collected to February 2023	31.46%

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the budget. The financial performance presented in the February financials show a YTD positive variance of \$2,426,997 in the net operating surplus/(deficit) result.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Financial Management Regulations require presentation each month of a statement of financial activity accompanied by other supporting information that is considered relevant and a statement of financial position. In addition to the compliance requirements, the purpose of regularly reporting on the financial activities of the City is to enable Council Members to monitor and review the allocation of financial and other resources against the budget. Reporting on a regular basis evidences the ongoing financial management and performance of the accounting systems. The monthly report provides a summary of the organisation's liquidity and going concern status.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require the local government to prepare a statement of financial activity, reporting on the revenue and expenditure as set out in the adopted annual budget.

Regulation 35 of the *Local Government (Financial Management) Regulations 1996* also requires the local government to prepare a statement of financial position as at the last day of the previous month.

A statement of financial activity, statement of financial position and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statements relate.

FINANCIAL AND RESOURCE IMPLICATIONS:

As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.3	Accountable leadership supported by a skilled and professional workforce.
Outcome 4.4	Healthy financial sustainability that provides capacity to respond to change in economic conditions and community priorities.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The provision of monthly financial reports to Council fulfils the relevant statutory requirements and is consistent with good financial governance.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR COLLIVER

That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* **RESOLVES** to:

- RECEIVE** the monthly Statement of Financial activity for the period ended 29 February 2024, as attached; and
- RECEIVE** the monthly Statement of Financial Position as at 29 February 2024, as attached.

CARRIED 10/0

Time: 5:36 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES

Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

12.4 REPORTS OF INFRASTRUCTURE SERVICES

IS300	COUNCIL POLICY - 3.3 FRACKING
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AGENDA REFERENCE:	D-24-024257
AUTHOR:	M Dufour, Manager Climate, Environment and Waste
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	5 March 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1)
	Draft Council Policy – 3.3 Fracking (v3)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 3.3 Fracking, version 3.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Council Policy 3.3 Fracking, version 3.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

This Council Policy was initially endorsed as Council Policy 4.16 Fracking through a Notice of Motion on 26 November 2019 – Item No. NM11, Onshore Gas Field Development (Fracking). Version 2 of the policy was endorsed on 21 December 2021 – Item No. CCS661, Council Policy 4.16 Fracking, with the only changes being administrative changes to the Strategic Community Plan pillar and the Directorate under which the policy sits.

The policy acknowledges that fracking activities are primarily held under legislation administered by state government agencies. The policy's intent demonstrates Council's commitment to environmental and natural resources protection, which fracking activities could impact.

No amendments to the policy have been identified other than a change to the policy number (Council Policy 3.3 – Fracking) which reflects the Strategic Community Plan pillar (Environment) under which the policy sits. Therefore, it is recommended that the version 3 of the policy is approved.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:**Community:**

This policy advocates for the protection of the community's health and wellbeing from potential harm caused by onshore gas field development.

Economy:

There are no adverse economic impacts associated with this policy.

Environment:

This Policy advocates for the protection of the natural environment. Previous engagement within the community has demonstrated broad support for the ongoing protection of the natural environment.

Leadership:

The application of this policy demonstrates the Council's leadership concerning the ongoing sustainable management of the environment.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council previously endorsed version 2 of this policy on 21 December 2021 through Item No. CCS661, Council Policy 4.16 Fracking.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

All applications for onshore exploration and production proposals involving hydraulic fracturing are required to be referred to the Environmental Protection Authority (EPA) under the Environmental Protection Regulations 1987.

The application of this policy supports the City's position concerning the impacts of climate change as identified in Council Policy 3.1 Climate Change.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well-being.
Outcome 3.2	Regional leader in adapting to climate change.
Outcome 3.6	The natural environment is valued, protected and celebrated.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.

Outcome 4.7	Council understands its roles and responsibilities and leads by example.
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REGIONAL OUTCOMES:

This policy advocates for the protection of the natural environment, and community health and wellbeing across the Region.

RISK MANAGEMENT:

Adopting Council Policy 3.3 Fracking will ensure that the City maintains a contemporary position to addressing the impacts of onshore exploration and production proposals involving hydraulic fracturing. By not adopting this policy, the City may not be able to demonstrate its obligation to section 3.1 of the *Local Government Act 1995*.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Consideration was given to retiring the policy. The advocacy matters relating to the health, wellbeing and environment policy details now form part of a statutory EPA referral process. This requires all onshore exploration and production proposals involving hydraulic fracturing to provide information on:

- Cumulative impacts from hydraulic fracture stimulation exploration and production on public ecosystem fragmentation;
- Peer-reviewed, site-specific human health, air quality and noise risk assessments;
- Baseline and routine surveillance groundwater quality monitoring, including methane concentrations;
- Baseline and ongoing air quality monitoring conditions over the lifecycle of the wells;
- Social impact analysis, documenting potential impacts to social surroundings;
- Cumulative impacts of noise from hydraulic fracture stimulation and associated activities on places within proximity to people and domestic animals; and
- Cumulative impacts by volatile organic compounds and dust from hydraulic fracture stimulation.

However, retaining the policy is considered appropriate since it demonstrates to the Community that the City is committed to protecting our natural environment and the health and wellbeing of its residents.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR KEEMINK**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Council Policy 3.3 Fracking, version 3.

CARRIED 10/0

Time: 5:39 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

12.5 REPORTS OF OFFICE THE CEO - NIL

Nil.

12.6 REPORTS TO BE RECEIVED**RR57 REPORTS TO BE RECEIVED - MARCH**

AGENDA REFERENCE:	D-24-032585
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	15 March 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x4)
	A. DSDD017 - Delegated Determinations and Subdivision Applications for Planning Approval; and
	B. CS112 - Geraldton Sailors and Soldiers Memorial Institute AGM Minutes - 8 February 2024 - including Financial Statements.
	C. CS113 – List of Accounts Paid Under Delegation – February 2024
	D. CS114 - List of Payments by Employees via Purchasing Cards – February 2024

EXECUTIVE SUMMARY:

The purpose of this report is to receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD017 - Delegated Determinations and Subdivision Applications for Planning Approval; and
 - b. Reports – Corporate Services:
 - i. CS112 - Geraldton Sailors and Soldiers Memorial Institute AGM Minutes - 8 February 2024 - including Financial Statements.

PART B

That Council by Simple Majority, pursuant to Regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS113 – List of Accounts Paid Under Delegation – February 2024; and

- ii. CS114 - List of Payments by Employees via Purchasing Cards – February 2024.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Information and items for noting or receiving (i.e. periodic reports, minutes of other meetings) are to be included in an appendix attached to the Council agenda.

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Reports to be received by Council at each Ordinary Meeting of Council.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Leadership	Direction:	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.3		Accountable leadership supported by a skilled and professional workforce

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR COOPER****PART A**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD017 - Delegated Determinations and Subdivision Applications for Planning Approval; and
 - b. Reports – Corporate Services:
 - i. CS112 - Geraldton Sailors and Soldiers Memorial Institute AGM Minutes - 8 February 2024 - including Financial Statements.

PART B

That Council by Simple Majority, pursuant to Regulation 13 and 13A of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS113 – List of Accounts Paid Under Delegation – February 2024; and
 - ii. CS114 - List of Payments by Employees via Purchasing Cards – February 2024.

CARRIED 10/0

Time: 5:41 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NM35 NEW YEAR’S EVE CELEBRATIONS

AGENDA REFERENCE:	D-24-032277
AUTHOR:	Deputy Mayor Cr N Colliver
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 March 2023
FILE REFERENCE:	GO/6/0008
APPLICANT / PROPONENT:	Council
ATTACHMENTS:	No

COUNCIL MEMBER COMMENT:

The purpose of this motion is to seek Council support for the City of Greater Geraldton (the City) to provide the local community with a celebration event on New Year’s Eve in Geraldton.

Every year there is confusion in the community as to whether the City is providing New Year Celebrations, especially with respect to fireworks.

I am seeking Council support, subject to external sponsorship of the fireworks display, for the City to hold a family friendly New Year’s Eve event which would include a concert at Stow Gardens (an extension really of Sundays by the Sea) featuring local artists and an invitation to local food and beverage mobile van vendors to participate in the event.

The event would cater to families with the fireworks display taking place prior to 9pm to allow families with younger children to experience the fireworks display. The fireworks display would conclude the event.

It is not my expectation that the event be of the scale of Australia Day celebrations.

It is my understanding that a previous council determined not celebrate the New Year with an event for budgetary reasons and that any fireworks display required a sponsor to fund it.

Now that the City is in a slightly stronger financial position, I would like Council to consider providing funds to hold a New Year’s Eve celebration.

EXECUTIVE COMMENT:

City Officers have undertaken some very preliminary research and suggest the cost to put on a New Year’s concert and fireworks display at a similar level to the Australia Day evening celebrations is as follows:

Concert Costs	
Welcome to Country	\$ 1,000
Audio Equipment hire and operation	\$10,000
Local bands	\$ 5,000

Master of Ceremonies (MC)	\$ 1,000
Logistics:	
First Aid, toilets, security, generators, chairs, water, children's activities	\$30,000
Fireworks:	
Prior to 9pm only	\$15,000
Event Organiser and staff costs:	\$15,000

A rough estimate for the event would be \$77,000. A fireworks company would need to be locked in by 1 September as there are a limited number of contractors in Western Australia and on New Year's Eve, they will be in demand.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is commonplace.
Outcome 1.8	Active living and recreation is encouraged.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.

COUNCIL MEMBER MOTION:

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. APPROVE a New Year's Eve celebration in Geraldton with a budget of \$80,000 provided in the 2024/25 Financial Year; and
2. MAKES the determination on the following grounds:
 - a. An additional event on New Year's Eve is an appropriate expectation for a regional city.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR DENTON**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. **APPROVE** a New Year's Eve celebration in Geraldton with a budget of \$80,000 provided in the 2024/25 Financial Year; and
2. **MAKES** the determination on the following grounds:
 - a. An additional event on New Year's Eve is an appropriate expectation for a regional city.

LOST BY CASTING VOTE 5/6

Time: 5:55 PM

Not Voted: 1

No Votes: 5***Yes Votes: 5***

**As the vote was equally divided, the Mayor exercised his casting vote and declared the item Lost.*

Name	Vote
Mayor Clune	NO / Casted a second vote*
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	NO
Cr. Keemink	NO
Cr. Librizzi	NOT PRESENT
Cr. Parker	NO
Cr. Tanti	NO

**As Per Section 5.21(3) of the Local Government Act 1995: If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*

NM36	REQUEST FOR A MEMORIAL PLAQUE
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AGENDA REFERENCE:	D-24-032339
AUTHOR:	Deputy Mayor Cr N Colliver
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 March 2024
FILE REFERENCE:	GO/6/0008
APPLICANT / PROPONENT:	Council
ATTACHMENTS:	Yes (x1) Photographs of Stow Garden's Stage Area

COUNCIL MEMBER COMMENT:

Tom Mwangi Maina was a much loved and well-respected member of the Geraldton Community. Sadly, Mr Mwangi Maina passed away in April 2023.

A dear friend of Mr Mwangi Maina, Hari Kumar has asked that I seek Council approval for a small rectangular plaque at the side of the stow garden stage pillar in recognition of Tom Mwangi Maina. The plaque would have Mr Mwangi Maina's name, DOB-DOD and a sentence on his commitment to community.

Mr Mwangi Maina's tireless efforts have left an indelible mark through his active participation in numerous community groups including Rotary, the Kenyan Community WA, Midwest African Association, Organisation of African Communities, and the Midwest Multicultural Society. Through his leadership and collaborative spirit Mr Mwangi Maina helped bridge cultural divides, nurturing understanding, empathy and a shared sense of belonging among residents of all backgrounds in Geraldton. His contribution exemplified the power of unity in creating a stronger, more inclusive community for all.

EXECUTIVE COMMENT:

In making this decision, Council Policy 1.9 Commemorative Plaques, requires Council to consider if Mr Mwangi Maina's made a highly significant contribution to the cultural, political, economic, industrial, or social development of the Greater Geraldton region.

Normally these plaques would be attached to seating within parks and gardens or fixed objects/structures in the Greater Geraldton Region, in accordance with Council Policy 1.9 Commemorative Plaques, at the discretion of the Director/CEO. However, in this case as the request is for the plaque to be installed in a location on the Geraldton Foreshore, the nomination has been referred for further consideration by Council, citing Council Policy CP1.5 Foreshore Use and Development as a guiding document to assist in the decision-making process.

PROPONENT:

The proponent is Mr Hari Kumar.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.

COUNCIL MEMBER MOTION:

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. APPROVE the request for a commemorative plaque to be located at the side of the stow garden stage pillar in honor of Mr Tom Mwangi Maina;
2. ADVISE the proponent that the plaque must be in accordance with section 1.21 of the City’s Commemorative Plaque Policy 1.9 and that they are responsible for all costs associated with the project; and
3. MAKES the determination on the following grounds:
 - a. Mr Tom Mwangi Maina’s tireless efforts have left an indelible mark on Geraldton through his active participation in numerous community groups.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR FIORENZA

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. APPROVE the request for a commemorative plaque to be located at the side of the stow garden stage pillar in honor of Mr Tom Mwangi Maina;
2. ADVISE the proponent that the plaque must be in accordance with section 1.21 of the City’s Commemorative Plaque Policy 1.9 and that they are responsible for all costs associated with the project; and
3. MAKES the determination on the following grounds:
 - a. Mr Tom Mwangi Maina’s tireless efforts have left an indelible mark on Geraldton through his active participation in numerous community groups.

CARRIED 9/1

Time: 6:02 PM

Not Voted: 1

No Votes: 1

Yes Votes: 9

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES

Cr. Horsman	NO
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

16 MEETING CLOSED TO PUBLIC

Pursuant to Section 5.2 of the Meeting Procedures Local Law 2011, please note this part of the meeting *may* need to be closed to the public, *if* confidential discussion is required.

No confidential was required.

CS115	RFT 2324 20 MOWING, SLASHING & MULCHING SERVICES
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AGENDA REFERENCE:	D-24-030098
AUTHOR:	C Bryant, Coordinator Procurement, B Pearce, Manager Corporate Compliance and Safety
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	1 March 2024
FILE REFERENCE:	FM/25/0310
ATTACHMENTS:	Yes (x1) Confidential Confidential – RFT 2324 20 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2324 20 Mowing, Slashing & Mulching Services separable portions to the recommended tenderers.

The contracts are to run for a period of two years for the delivery of budgeted mowing, slashing & mulching services works.

The initial contract will be in place from 9 April 2024 to 8 April 2026 with the option for a one-year extension exercisable at the discretion of the Principal.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. AWARD the contract RFT 2324 20 Mowing, Slashing & Mulching Services separable portions to the recommended tenderers; and
2. RECORD the estimated annual contract values in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Tender RFT 2324 20 Mowing, Slashing & Mulching Services (RFT) was advertised in the West Australian on 27 January 2024, in the Geraldton Guardian on 26 January 2024, and the City's TenderLink e-Tendering Portal. The RFT closed on 16 February 2024.

Twelve interested parties registered to receive copies of the tender and four submissions were received. The tender assessment was undertaken by a panel of five officers with three voting and two non-voting.

The RFT has a two-year duration commencing from 9 April 2024 and has a one-year extension option at the absolute discretion of the City. The City has adopted a two-year supply contract period for a variety of goods and services used in the maintenance programs.

There has previously been a two-year contract for Mowing, Slashing, Mulching & Firebreak Services RFT 2021 26 (Item No. CCS577).

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Well maintained parks, reserves and verges reduces the likelihood of accidents or injury caused to members of the public and property.

Economy:

Awarding this tender will result in City funds flowing into the local economy through the employment of local community members such as labourers, truck drivers, traffic controllers, and supporting local businesses.

A two-year supply contract also allows the City to carry out mowing, slashing & mulching services works from proven suppliers with planned costs.

Environment:

All proposed mowing, slashing & mulching services will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual maintenance programs. Tenderers were asked to provide evidence of environmentally sustainable practices in their tender submission.

Leadership:

Successful tenderers are required to provide a comprehensive Safety Management Plan with works monitored by the City through Key Performance Indicator (KPI) checklists and safety management audits.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council awarded a two-year supply contract RFT 2021 26 Mowing, Slashing, Mulching & Firebreak Services with separable portions on 23 February 2021, Item No. CCS577. The initial contract was in place from 9 April 2021 to 8 April 2023, with an extension to contract approved until 8 April 2024.

Council also awarded a two-year services contract RFT 04 1617 Slashing/Mowing & Firebreak Services with separable portions on 28 March 2017, Item No. IS142. The initial contract was in place from 9 April 2018 to 8

April 2020, with an extension to two of the four portions contracts approved until 8 April 2021.

COMMUNITY/COUNCILLOR CONSULTATION:

Community and Councillor consultation does not occur with the award of the two-year supply contracts for essential services. Consultation relating to these activities takes place when Council confirms the annual budget for such essential services.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government Act 1995* and Council Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

FINANCIAL AND RESOURCE IMPLICATIONS:

The approximate expenditure on the mowing, slashing & mulching services is \$1,465,563 (excluding GST) per annum (including traffic management). Assuming all extension periods are exercised, the estimated total contract value over three years is \$4,396,689 (excluding GST). These funds are sourced primarily from the Maintenance Operations budget and any cost movement will be accounted for, and adjustments will be made in both Annual Budgets and the Long-Term Financial Plan (LTFFP).

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Outcome 1.8	Active living and recreation is encouraged.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being.

REGIONAL OUTCOMES:

Awarding this tender will facilitate well maintained parks, reserves and verges throughout the City of Greater Geraldton which enhances the comfort and safety of the community.

RISK MANAGEMENT:

The works carried out under this contract will allow the parks, reserves and verges throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to members of the public and property. In addition, the successful tenderer is required to have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

This RFT was called to ensure compliance with the legislative procurement requirements of the *Local Government Act 1995*. The following alternatives were considered in the procurement planning phase prior to calling this tender:

1. Call for individual quotations and tenders for specific mowing, slashing and mulching services works. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Use the WALGA Preferred Suppliers Panel. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR DENTON**

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **AWARD** the contract RFT 2324 20 Mowing, Slashing & Mulching Services separable portions to the recommended tenderers
 - a. Separable Portion 1 – Mowing / Slashing / Brush Cutting – Parks & Reserves to the preferred tenderer being Midwest Mulching Mowing;
 - b. Separable Portion 2 – Mowing / Slashing / Brush Cutting – Urban Verges to the preferred tenderer being Western Mulga Pty Ltd;
 - c. Separable Portion 3 – Mowing / Slashing / Brush Cutting – Rural Verges to the preferred tenderer being Western Mulga Pty Ltd;
2. **RECORD** the estimated annual contract values in the minutes being:
 - a. Separable Portion 1 - \$207,805 excluding GST;
 - b. Separable Portion 2 - \$601,646.50 excluding GST; and
 - c. Separable Portion 3 - \$656,111.50 excluding GST.

CARRIED 10/0

Time: 6:05 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

CS116 RFT 2324 21 FIREBREAK SERVICES

AGENDA REFERENCE:	D-24-028863
AUTHOR:	C Bryant, Coordinator Procurement, B Pearce, Manager Corporate Compliance and Safety
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	1 March 2024
FILE REFERENCE:	FM/25/0311
ATTACHMENTS:	Yes (x1) Confidential Confidential – RFT 2324 21 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2324 21 Firebreak Services separable portions to the recommended tenderer.

The contract is to run for a period of two years for the delivery of budgeted firebreak services works.

The initial contract will be in place from 9 April 2024 to 8 April 2026 with the option for a one-year extension exercisable at the discretion of the Principal.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. AWARD the contract RFT 2324 21 Firebreak Services separable portions to the preferred tenderer; and
2. RECORD the estimated annual contract values in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Tender RFT 2324 21 Firebreak Services (RFT) was advertised in the West Australian on 27 January 2024, in the Geraldton Guardian on 26 January 2024, and the City's TenderLink e-Tendering Portal. The RFT closed on 12 February 2024.

Fourteen interested parties registered to receive copies of the tender and two tender submissions were received. The tender assessment was undertaken by a panel of five officers with three voting and two non-voting.

The RFT has a two-year duration commencing from 9 April 2024 and has a one-year extension option at the absolute discretion of the City. The City has adopted a two-year supply contract period for a variety of goods and services used in the maintenance programs.

There has previously been a two-year contract for RFT 2021 26 Mowing, Slashing, Mulching & Firebreak Services (Item No. CCS577).

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:**Community:**

Well maintained firebreak hazard mitigation works reduces the likelihood of accidents or injury caused to members of the public and property.

Economy:

Awarding this tender will result in City funds flowing into the local economy through the employment of local community members such as labourers, truck drivers, traffic controllers, and supporting local businesses.

A two-year supply contract also allows the City to carry out firebreak services works from proven suppliers with planned costs.

Environment:

All proposed firebreak services will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual maintenance programs. Tenderers were asked to provide evidence of environmentally sustainable practices in their tender submission.

Leadership:

Successful tenderers are required to provide a comprehensive Safety Management Plan with works monitored by the City through Key Performance Indicator (KPI) checklists and safety management audits.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council awarded a two-year supply contract RFT 2021 26 Mowing, Slashing, Mulching & Firebreak Services with separable portions on 23 February 2021, Item No. CCS577. The initial contract was in place from 9 April 2021 to 8 April 2023, with an extension to contract approved until 8 April 2024.

Council also awarded a two-year services contract RFT 04 1617 Slashing/Mowing & Firebreak Services with separable portions on 28 March 2017, Item No. IS142. The initial contract was in place from 9 April 2018 to 8 April 2020, with an extension to two of the four portions contracts approved until 8 April 2021.

COMMUNITY/COUNCILLOR CONSULTATION:

Community and Councillor consultation does not occur with the award of the two-year supply contracts for essential services. Consultation relating to these activities takes place when Council confirms the annual budget for such essential services.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government Act 1995* and Council Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

FINANCIAL AND RESOURCE IMPLICATIONS:

The approximate expenditure on the firebreak services is \$279,336 (excluding GST) per annum (including traffic management). Assuming all extension periods are exercised, the estimated total contract value over three years is \$838,008 (excluding GST). These funds are sourced primarily from the Emergency Management and Maintenance Operations budgets and any cost movement will be accounted for, and adjustments will be made in both Annual Budgets and the Long-Term Financial Plan (LTFP).

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Outcome 1.8	Active living and recreation is encouraged.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being.

REGIONAL OUTCOMES:

Awarding this tender will facilitate well maintained firebreak hazard mitigation works throughout the City of Greater Geraldton which enhances the comfort and safety of the community.

RISK MANAGEMENT:

The works carried out under this contract will allow the firebreak hazard mitigation works throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to members of the public and property. In addition, the successful tenderer is required to have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

This RFT was called to ensure compliance with the legislative procurement requirements of the *Local Government Act 1995*. The following alternatives were considered in the procurement planning phase prior to calling this tender:

1. Call for individual quotations and tenders for specific firebreak services works. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Use the WALGA Preferred Suppliers Panel. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR DENTON

That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **AWARD** the contract RFT 2324 21 Firebreak Services separable portions to:
 - a. Separable Portion 1 – Mowing / Slashing / Mulching / Ploughing / Grading / Hand Tools – Rural Lots over 5ha to the preferred tenderer being Midwest Mulching Mowing;
 - b. Separable Portion 2 – Mowing / Slashing / Mulching / Ploughing / Grading / Hand Tools – Medium Lots 4000m² – 5ha to the preferred tenderer being Midwest Mulching Mowing;
 - c. Separable Portion 3 – Mowing / Slashing / Mulching / Ploughing / Grading / Hand tools – Small Lots under 4000m² to the preferred tenderer being Midwest Mulching Mowing;
2. **RECORD** the estimated annual contract values in the minutes being:
 - a. Separable Portion 1 - \$117,504 excluding GST;
 - b. Separable Portion 2 - \$103,704 excluding GST; and
 - c. Separable Portion 3 - \$58,128 excluding GST.

CARRIED 10/0

Time: 6:06 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Tanti	YES

17 CLOSURE

There being no further business the Presiding Member closed the Council meeting at 6.06pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

Attachments and Reports to be Received are available on the City of Greater Geraldton website at: <https://www.cgq.wa.gov.au/council-meetings/>