



ORDINARY MEETING OF COUNCIL  
MINUTES

17 DECEMBER 2019

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**HELD ON TUESDAY, 17 DECEMBER 2019 AT 5.00PM**  
**CHAMBERS, CATHEDRAL AVENUE**

**MINUTES**

**DISCLAIMER:**

The Chairman 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**

Present:

Mayor S Van Styn

Cr J Clune

Cr N Colliver

Cr J Critch [By Phone]

Cr S Douglas

Cr S Elphick

Cr P Fiorenza

Cr R D Hall

Cr S Keemink

Cr K Parker

Cr V Tanti

Cr T Thomas

Officers:

R McKim, Chief Executive Officer  
P Melling, Director of Development & Community Services  
P Radalj, Director of Corporate and Commercial Services  
C Lee, Director of Infrastructure Services  
R Doughty, Chief Financial Officer  
S Moulds, PA to the Chief Executive Officer  
E Enright, PA to the Director of Infrastructure Services  
P Kingdon, Coordinator Communications  
V Oliveri, Cadet ICT Officer

Others:

Members of Public: 4  
Members of Press: 1

Apologies:

Cr D Caudwell\* *until leave was approved*

Leave of Absence:

Cr D Caudwell\*

**4 DISCLOSURE OF INTERESTS**

Cr P Fiorenza declared an Impartiality Interest in Item CCS457 Expression of Interest - Cropping Lease – Geraldton Airport, as he is a Board Member of Rovers Football Club.

**5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Response to question Taken on Notice at the Ordinary Meeting of Council of 26 November 2019.

**Mr Sean Hickey, PO Box 2966, Geraldton WA 6531**

Summary of verbal question provided at the meeting

Does that explain the final report from the EPA that says that in the southern section in particular there are still toxins and that they will find their way into groundwater?

Response

The City is not familiar with an 'EPA' report relating to Olive Street. You may be referring to the Olive Street Remediation Action Plan that indicates groundwater flows in a westerly direction beneath the site towards Port Grey, approximately 0.2 km from the Olive St site. The stormwater infiltration basin does not form part of the southern section of the Olive Street site.

*Mr Hickey has been sent this response.*

**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 time commenced at 5.04pm*

**Mr Sean Hickey, PO Box 2966, Geraldton WA 6531**

Council engaged GDH to report back on the Olive Street precinct - now considered a 'wetland' and POS.

Constrained and expensive remediation for POS use, has been the outcome. Memorials are placed on the site which was divided into two sections for general planning purposes - memorials prohibiting the extraction of ground water. As stated the reason being a concern for public health and the environment

An overview of the hydrology comment section suggests that interconnection between under surface land sections and the water tables is more than likely through filtration (natural). Contamination to the site has been recorded at various locations, restrictions placed on the extraction of groundwater. Yet in an age of known world/Australian water shortages and somewhat dire projections of limited water for the future here we have a multi- million dollar project to use this site to dispose of significant volumes of water. (project presently being undertaken )

Recycling it would seem is not a high priority for us here in the Mid West- this incoming stormwater will enter a known toxic site, a highly saline site at that. Separation of storm and existing ground water will not be viable.

Question

Where has the consideration of water sustainability been enacted with this project ?

Response

The City is committed to addressing environmental and water sustainability concerns and planning for the Olive Street remediation project confirmed that groundwater in the area is highly saline and not currently suitable for use in irrigation.

Accordingly a key component of the project was the construction of a weir structure to divert stormwater, which previously discharged untreated directly into the ocean via the South Pipe stormwater ocean

outfall, into the Olive Street reserve to create an ephemeral wetland. In addition, a Gross Pollutant Trap was installed as a filtration system designed specifically to filter pollutants conveyed in stormwater conduits by capturing various contaminants prior to discharging into the site.

The above solutions provide two positive outcomes in terms of considering water sustainability being that:

1. Discharge into the wetland will hopefully improve the quality of the local groundwater and, over time, the City hopes that the salinity levels in the groundwater may reduce providing an opportunity to use the groundwater for reticulation purposes and;
2. Subsequent stormwater discharging to the south pipe outfall is reduced and will be of an increased quality due to filtration by the Gross Pollutant Trap.

Summary of verbal question provided at the meeting

Mr Hickey said he didn't hear all of the response from his first question and asked again about ground water at Olive Street.

Response

The infiltration basin is at the southern end of the wetland. The City will be commencing a round of ground water testing early in the New Year. It is hoped that this will demonstrate at some point that the salinity levels are reducing. The City will also be able to monitor the quality of that ground water moving forward. The results will determine further decisions on how that ground water and the site is treated.

*Public Question time concluded at 5.11pm*

## 7 APPLICATIONS FOR LEAVE OF ABSENCE

### Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr J Critch	24 December 2019	13 January 2020	24/09/2019
Cr K Parker*	<del>9 December 2019</del>	<del>20 December 2019</del>	<del>26/11/2019*</del> Cancelled 3/12/19
<i>*Cr K Parker advised he is no longer taking the above approved leave.</i>			
Cr S Keemink	22 December 2019	27 January 2020	26/11/2019
Cr P Fiorenza	10 January 2020	27 January 2020	26/11/2019
Cr R Hall	7 February 2020	1 March 2020	26/11/2019

*\*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.*

### COUNCIL DECISION

#### MOVED CR THOMAS, SECONDED CR CLUNE

Cr K Parker request for leave of absence for the period 21 January 2020 to 21 January 2020 be approved.

Cr D Caudwell\* request for leave of absence for the period 17 December 2019 to 31 January 2020 be approved.

Cr V Tanti request for leave of absence for the period 19 January 2020 to 25 January 2020 be approved.

### CARRIED 12/0

*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 26 November 2019, as previously circulated, be adopted as a true and correct record of proceedings.

**COUNCIL DECISION****MOVED CR HALL, SECONDED CR TANTI****RECOMMENDED** that the minutes of the Ordinary Meeting of Council held on 26 November 2019, as previously circulated, be adopted as a true and correct record of proceedings.**CARRIED 12/0***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 his representative*

27 November 2019	Spirit Radio Interview - Outcomes of Council Meeting	Mayor Shane Van Styn
27 November 2019	Mayor/CEO catch up with Cr K Parker - Council Matters	Mayor Shane Van Styn
28 November 2019	Western Australian Regional Capitals Alliance (WARCA) Meeting - Perth	Mayor Shane Van Styn
29 November 2019	Airport Development and Export opportunities	Mayor Shane Van Styn
29 November 2019	Geraldton Regional Art Gallery (GRAG) Exhibition - Trevor Richards Retrospective / GENESIS - Opening Night	Deputy Mayor Cr Tarleah Thomas
29 November 2019	Dedication Ceremony of the Geraldton Bells – St Francis Xavier Cathedral	Deputy Mayor Cr Tarleah Thomas
2 December 2019	Audit Committee Meeting	Cr Natasha Colliver
3–5 December 2019	Regional Capitals Australia (RCA)	Mayor Shane Van Styn
3 December 2019	Geraldton Disability Support Awards 2019	Deputy Mayor Cr Tarleah Thomas
3 December 2019	Thank a Volunteer Day	Deputy Mayor Cr Tarleah Thomas
3 December 2019	Concept Forum	Deputy Mayor Cr Tarleah Thomas
6 December 2019	Developments in Regenerative Agriculture and Food Opportunities - Yanget Farm	Mayor Shane Van Styn
7 December 2019	Waggrakine Hall History - Book Launch Morning Tea	Mayor Shane Van Styn
9 December 2019	Our Lady of Mount Carmel Primary School - End of Year Celebrations - 2019	Deputy Mayor Cr T Thomas
9 December 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
9 December 2019	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
9 December 2019	Regular Meeting with Ian Blayney MLA, Member for Geraldton – Matters in Common	Mayor Shane Van Styn
9 December 2019	Mayors Christmas Lights Tour with Juniper Hillcrest Residents	Mayor Shane Van Styn
10 December 2019	Midwest Ports – Matters in Common	Mayor Shane Van Styn
10 December 2019	Fusion Geraldton Research Project	Mayor Shane Van Styn
10 December 2019	Seniors Action Group Geraldton Christmas Lunch	Cr Robert Hall and Cr Sally Elphick
10 December 2019	Tardun Agricultural College	Mayor Shane Van Styn
10 December 2019	Australian Vanadium – Update	Mayor Shane Van Styn
10 December 2019	Christmas Appeal for The Parkerville Homes	Cr Sally Elphick and Cr Robert Hall

10 December 2019	Agenda Forum	Mayor Shane Van Styn
11 December 2019	Media Photos with 5 Star Food Safety Award winners	Mayor Shane Van Styn
11 December 2019	Progress of the jetty planning project – with Mid West Development Commission	Mayor Shane Van Styn
11 December 2019	Welcome Dinner with Zhoushan Delegation, Zhejiang Province	Mayor Shane Van Styn
12 December 2019	Interview with GWN – Immigration	Mayor Shane Van Styn
12 December 2019	Opening in new Location of Ivy Vibe Boutique	Mayor Shane Van Styn
12 December 2019	Radio Interview with Red FM to promote Christmas on the Terrace	Mayor Shane Van Styn
12 December 2019	Christmas on the Terrace	Mayor Shane Van Styn
13 December 2019	Mid West Development Commission Board Meeting	Mayor Shane Van Styn
15 December 2019	Carols by Candlelight, Maitland Park	Cr Sally Elphick
16 December 2019	Regular Catch up with Marketing & Media Team, City of Greater Geraldton	Mayor Shane Van Styn
16 December 2019	Regular Catch up with the CEO, City of Greater Geraldton	Mayor Shane Van Styn
16 December 2019	Sailor & Soldiers AGM	Mayor Shane Van Styn
16 December 2019	Mid West Chamber of Commerce & Industry – Business After Hours	Mayor Shane Van Styn
16 December 2019	Shine Graduation and 10 Year Anniversary Celebration	Deputy Mayor Cr Tarleah Thomas
17 December 2019	Batavia Local Emergency Management Committee Meeting	Mayor Shane Van Styn
17 December 2019	QEII Seniors Volunteer Morning Tea <i>In attendance:</i> Cr Steve Douglas Cr Robert Hall Cr Tarleah Thomas	Mayor Shane Van Styn
17 December 2019	Ordinary Meeting of Council	Mayor Shane Van Styn

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

## 12 REPORTS OF COMMITTEES AND OFFICERS

### 12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS432 MID WEST PORTS – DRAFT PORT MASTER PLAN	
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<b>AGENDA REFERENCE:</b>	<b>D-19-104152</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban and Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development and Community Services</b>
<b>DATE OF REPORT:</b>	<b>2 December 2019</b>
<b>FILE REFERENCE:</b>	<b>GR/10/0004</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b> <b>A.Draft Port Master Plan</b> <b>B.Submission</b>

#### **EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council endorsement to provide a submission on the Mid West Ports draft Port Master Plan and also to adopt a formal position on the Oakajee Industrial Estate and associated deepwater port.

#### **EXECUTIVE RECOMMENDATION:**

##### **Part A:**

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

1. ENDORSE the submission as attached to this report; and
2. ADVISE the Mid West Ports Authority accordingly.

##### **Part B:**

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

1. ADOPT a position that, whilst the City of Greater Geraldton fully supports the notion of Port maximisation, it does not support any development or expansion (Port related or otherwise) that could potentially undermine or jeopardise the values the Geraldton community places on liveability, wellness and environmental stewardship.

#### **PROPONENT:**

The proponent is the City of Greater Geraldton and the draft Port Master Plan has been prepared by the Mid West Ports Authority.

#### **BACKGROUND:**

Mid West Ports Authority (MWPA) has undertaken the development of a draft Port Master Plan (Master Plan) for the Port of Geraldton. The Master Plan provides a high-level analysis of potential trade growth and required infrastructure to accommodate this growth over a 30-year planning timeframe.

It further considers how development can be staged in the short to medium term (i.e. over the next 15 years) to maximise the throughput and efficiency of the existing Port, prior to considering longer term expansion options, at either Geraldton or the Oakajee Port.

The Master Plan is not intended to be a statutory planning document, rather it is a strategic document that outlines one way of providing facilities and infrastructure to accommodate the trade demand predicted in a high-growth scenario. Whilst the Master Plan will be used to guide planning and investment decisions it will not replace the need to undertake detailed feasibility, environmental and design studies for individual projects.

The overarching Master Plan Strategy is intended to provide high-level guidance as to how the Port of Geraldton can develop over time to accommodate increased trade and support economic growth in the Mid West. The Master Plan strategy comprises five principle focus areas:

1. Maximisation of the existing main harbour and Fishing Boat Harbour;
2. Development and integration of land south of Marine Terrace;
3. Protection and growth of transport and infrastructure corridors;
4. Creation of an inland Port at Narngulu, including storage and inter-modal transfer; and
5. Long term Port Expansion.

The process and methodology for the Master Plan involves 3 stages.

Stage 1 involved a series of background investigations which helped define the baseline state of the Port of Geraldton.

Stage 2 involved the preparation of various development concepts which were subjected to a multi-criteria analysis to assess their strengths and weaknesses.

Stage 3 is currently in progress and includes the development of a draft Master Plan and a review process, including a period of public consultation about key components of the draft document.

When the public feedback period has concluded, MWPA will review all feedback received and will determine whether any changes need to be made to the draft Master Plan. The final Master Plan will then be presented to the MWPA Board and the Minister for Ports for endorsement.

The draft Port Master Plan is included as Attachment No. DCS432A.

## **COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**

### **Community:**

The Port in itself is a large direct employer; and indirectly supports job creation through engaging local contractors and supporting local businesses

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and industries. Many opportunities identified in the draft Master Plan are focussed on improving operations and efficiency within the existing Port footprint.

**Environment:**

MWPA operates in accordance with an Environmental Licence from the Department of Water and Environmental Regulation (DWER). Any additional cargo types or increase in export volumes will require an amendment to the current Environmental Licence, which will go through a rigorous assessment process by DWER. Similarly, any new developments with potential off-site environmental impacts will need to be assessed and approved by DWER and potentially the Environmental Protection Authority.

**Economy:**

The Port plays a key role in the Mid West economy by providing critical supply chain infrastructure for the mining, agriculture and fishing sectors.

**Governance:**

The City and MWPA entered into a Memorandum of Understanding in March 2003 with the intent of both organisations to preserve and protect the shoreline and beaches of Geraldton and to minimise any adverse impacts that may occur as a result of major works within Geraldton waters. Following the establishment of the MOU the Port Liaison Committee was formed with the principle function to oversee the implementation of the MOU and a Deed of Agreement was signed in September 2007.

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

The author is not aware of any other relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

When the Master Plan project commenced, the MWPA sought feedback from the community via an online survey about what matters it considered to be most important. 230 responses were received to the survey and throughout the planning process several one on one meetings with stakeholders, including existing and potential customers, lease holders, local businesses and government agencies were held.

Public submissions are currently being accepted until 3 December 2019, however the MWPA has agreed to an extension for the City to provide a submission until after the December 2019 Council meeting.

The MWPA presented the draft Master Plan to Councillors at the Concept Forum meeting held on 5 August 2019.

The City's proposed submission to the draft Port Master Plan is included as Attachment No. DCS432B. The City's submission covers multiple aspects of the Port Masterplan document and whilst being generally supportive of the

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Ports “maximisation” in the shorter timeframe i.e. 0-5 years, there are some aspects where the City requires more details and clarification. For example Included in this time period is the proposed “common user and materials corridor” that potentially could impact on accessibility to Marine Terrace/ Point Moore and pedestrian access to the Greys Beach area.

In the 5-10 years + timeframes there are aspects that could have significant impact(s) on the Port environs and interface areas and these have been identified in the submission. The defining and enlargement of the Geraldton to Narngulu Infrastructure Corridor (GNIC) also needs more detail supplied for Council to properly consider this aspect, for example it is not known if the widening and intensification of use of the corridor would be acceptable to the Geraldton community.

The ‘Options for Expansion’ details on Pages 52 and 53 of the Masterplan document includes an option for expanding of the Port footprint, a new outer basin together with infrastructure corridor development and subsequent materials handling upgrades. This expanded Port proposal is raised as an option to the alternative development of Oakajee Port.

The City has concerns that the significant investment envisaged in later stages of the “Port Maximisation” plan could lock the community into development options that are not acceptable, instead investing those funds on a relatively unconstrained Oakajee option (that could cater for even larger tonnages and diversity of cargo types) could lead to not only better community outcomes but be of a greater economic benefit to the Midwest region.

#### **LEGISLATIVE/POLICY IMPLICATIONS:**

The Port Masterplan itself is not seen at this higher level as having significant legislative/policy implications. However, if aspects of the Masterplan are implemented there are legislative and policy implications, for example environmental assessment processes and approvals thereto.

#### **FINANCIAL AND RESOURCE IMPLICATIONS:**

Although there are no direct financial and resource implications with providing a submission on the Master Plan, the actual implementation of the Master Plan may have financial and resource implications for land based City infrastructure and facilities.

#### **INTEGRATED PLANNING LINKS:**

<b>Title: Community</b>	<b>1.5 Recognise, value and support everyone</b>
Strategy 1.5.5	Enhance relationships and services between rural and urban areas.
<b>Title: Environment</b>	<b>2.3 Built Environment</b>
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
<b>Title: Economy</b>	<b>3.1 Growth</b>
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.

Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
<b>Title: Governance</b>	<b>4.2 Planning and Policy</b>
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.
	<b>4.3 Advocacy and Partnerships</b>
Strategy 4.3.1	Active participation in regional, state and national alliances.

## REGIONAL OUTCOMES:

### Local Planning Strategy:

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The Strategy recognises the important role of the Port to the economy of the City and the Mid West region. There is existing industrial land adjacent to the Port which also has an important support role. The limited industrial land available adjacent to the Port makes it important that it is used for purposes directly associated with the operation of the port and not for uses which can be accommodated in other industrial areas.

The Strategy recognises the need to protect transport corridors into the Port to ensure that it continues to operate in the long-term. Interface issues with adjoining land uses will continue to be important considerations. The Strategy acknowledges that while capacity at the Port has been significantly increased, there is insufficient land available to cater for the anticipated ultimate needs of the iron ore industry.

The Strategy acknowledges the future role of the Oakajee Industrial Area to accommodate major proponents and heavy/noxious industry not appropriate in Narngulu.

The Strategy contains a number of strategies and actions that are most relevant to the Master Plan. Those that are considered consistent with the Master Plan are:

<b>5.5 Industry</b>	
Strategies	Actions
5. Recognise the important role of the Geraldton Port to the economy of the City and the Mid West region.	5. Include provisions within a Special Use (Port Industry) zone to address potential impacts of development on the amenity of adjacent residential and tourist areas and ensure that development supports the operation and activities of the Port.
6. Ensure that essential infrastructure (and their associated corridors) servicing the industrial areas is protected.	



	6. Maintain freight accessibility to Narngulu and the Port, with suitable road and railway reservations in the Scheme.
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There are strategies and actions that the Master Plan cover that are somewhat inconsistent with (as detailed in the proposed submission) as follows:

<b>4.11 Coast</b>	
Strategies	Actions
1. Consider access, infrastructure requirements and management of coastal recreation activities to enable environmental conservation and protection of natural heritage values of coastal reserves.	2. Ensure land use decision making is based on the best available science regarding coastal processes and the need for adequate setbacks.
<b>5.5 Industry</b>	
Strategies	Actions
1. Recognise the future role of Oakajee and the need for Narngulu, Webberton and the Geraldton Port to provide complimentary (and interim) industrial development.	1. Ensure that any industrial development does not jeopardise the future development of Oakajee and is consistent with achieving the objectives of the <i>Oakajee Industrial Estate Structure Plan</i> .

#### **RISK MANAGEMENT:**

It is considered necessary to review the document and provide comment on the draft Port Master Plan to ensure the information is relevant and consistent with the City's future growth and long term planning considerations and that it does not pose a risk to those City aspirations.

Although there are a large number of risks with components of the plan, many can be mitigated but others could come at a cost environmentally and/ or socially to the Geraldton community.

#### **ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The Master Plan provides a high-level analysis of potential trade growth and required infrastructure to accommodate this growth over a 30-year planning timeframe and further considers how development can be staged in the short to medium term.

If Council fails to provide a submission it could be viewed that the City is fully supportive of the draft Master Plan and therefore the option to not make a submission is not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter and in any event the Mid West Ports Authority has only granted an extension to the City to consider the matter at the December 2019 Council meeting.

Council also has the option to modify the submission in any way it sees as appropriate.

**COUNCIL DECISION****MOVED CR TANTI, SECONDED CR COLLIVER****Part A:**

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

1. ENDORSE the submission as attached to this report; and
2. ADVISE the Mid West Ports Authority accordingly.

**Part B:**

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

2. ADOPT a position that, whilst the City of Greater Geraldton fully supports the notion of Port maximisation, it does not support any development or expansion (Port related or otherwise) that could potentially undermine or jeopardise the values the Geraldton community places on liveability, wellness and environmental stewardship.

**CARRIED 12/0**

Time: 5:37 PM

Not Voted: 1

No Votes: 0

Yes Votes: 12

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Clune</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Elphick</b>	<b>YES</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Thomas</b>	<b>YES</b>
<b>Mayor Van Styn</b>	<b>YES</b>

DCS433 PROPOSED LOCAL PLANNING SCHEME AMENDMENT – OMNIBUS AMENDMENT
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<b>AGENDA REFERENCE:</b>	<b>D-19-102066</b>
<b>AUTHOR:</b>	<b>K Elder, Coordinator Strategic Planning</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development and Community Services</b>
<b>DATE OF REPORT:</b>	<b>25 November 2019</b>
<b>FILE REFERENCE:</b>	<b>LP/14/0012</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Scheme Amendment Report</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to initiate a Local Planning Scheme Amendment ('amendment') in order to update and clarify various clauses within the Scheme and to determine that the amendment is a 'standard' amendment.

**EXECUTIVE RECOMMENDATION:****Part A:**

That Council by Simple Majority pursuant to Part 5, Section 75 of the *Planning and Development Act 2005* RESOLVES to:

1. AMEND Local Planning Scheme No. 1 as per Local Planning Scheme Amendment No. 12.

**Part B:**

That Council by Simple Majority, pursuant to Part 5, Division 1, Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES to:

1. DETERMINE that the amendment is a 'standard' amendment;
2. MAKE the determination on the following grounds:
  - a. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
  - b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

An 'omnibus' scheme amendment is a planning term used that encompasses a number of minor textural and administrative changes to a Local Planning Scheme.

Local Planning Scheme No. 1 ('the Scheme') was gazetted on 11 December 2015. This amendment proposes a number of minor modifications to update and to clarify clauses within the scheme.

The reasons for and background to the various modifications included in the amendment are outlined as follows:

**Repeal of Town Planning Scheme No. 1A (Greenough River Resort)**

In March 2019 the Minister for Planning approved the revocation of Town Planning Scheme No. 1A (Greenough River Resort) and the concurrent transfer of the subject area and its zoning over to the Scheme.

However, a number of references to Town Planning Scheme No. 1A still exist within the Scheme and are required to be updated. Therefore, the amendment proposes to:

- Insert a note following Clause 1.3 as follows:  
*Clause 1.3(a) – the remaining portion of the Shire of Greenough Town Planning Scheme No. 1A was revoked on 5 March 2019 (gazetted date).*
- Replace Clause 1.11 so that it reads as follows:  
*There are no other local planning schemes of the City of Greater Geraldton which apply to the Scheme area.*

**Community Strategic Plan 2017-2027**

The *Strategic Community Plan 2017-2027* is a blueprint for the future direction of the City and its community members. It represents a shared community vision and sets out long term strategies designed to strengthen and build on Greater Geraldton's unique assets across four major areas, being community, environment, economy and governance.

The local planning scheme is an effective tool to assist in the implementation of these key community aspirations through the planning and development framework and therefore it is important for the two documents to align.

As the Scheme was gazetted in 2015, the current aims within Clause 1.9 reflect the previous *Community Strategic Plan 2012-2022*. It is now opportune to amend Clause 1.9 of the Scheme to align with the updated *Community Strategic Plan 2017-2027*.

The following table demonstrates how the aims of the Scheme have been created to reflect the major goals of the *Community Strategic Plan 2017-2027*.

<b>Community Strategic Plan 2017 – 2027:</b>	
<b>“Major Goals”</b>	<b>Proposed Aims of the Scheme</b>
COMMUNITY – While growing towards a regional city with the capacity to sustain a population of 80,000 – 100,000 we value our sense of community, our small town feel and the lifestyle opportunities of our coastal location and bushland. We value our cultural heritage and our creative community.	a) Encourage growing towards a regional city with the capacity to sustain a population of 80,000 – 100,000. b) Facilitate our sense of community, our small town feel and the lifestyle opportunities of our coastal location and bushland. c) Provide for our cultural heritage and our creative community.
ENVIRONMENT – We value our natural and built environment and live sustainably; in balance with nature.	d) Promote our natural and built environment and live sustainably; in balance with nature.
ECONOMY – We value a healthy thriving economy that provides diverse employment opportunities while protecting the environment and enhancing social and cultural outcomes.	e) Foster a healthy thriving economy that provides diverse employment opportunities while protecting the environment and enhancing social and cultural outcomes.
GOVERNANCE – We value an open and trusting relationship between the community, Local Government and other decision makers.	f) Support an open and trusting relationship between the community, Local Government and other decision makers.

The amendment proposes to replace Clause 1.9 so that it reads as follows:

- a) *Encourage growing towards a regional city with the capacity to sustain a population of 80,000 – 100,000.*
- b) *Facilitate our sense of community, our small town feel and the lifestyle opportunities of our coastal location and bushland.*
- c) *Provide for our cultural heritage and our creative community.*
- d) *Promote our natural and built environment and live sustainably; in balance with nature.*
- e) *Foster a healthy thriving economy that provides diverse employment opportunities while protecting the environment and enhancing social and cultural outcomes.*
- f) *Support an open and trusting relationship between the community, Local Government and other decision makers.*

### **Clause 3.10.2.5**

In November 2013, the City adopted the Local Biodiversity Strategy (LBS). The LBS was developed on the basis of detailed spatial and technical information contained within the *Geraldton Regional Flora and Vegetation Survey* and the *Geraldton Regional Conservation Report*, together with significant community consultation and agency input. The LBS provides a prioritised list of natural areas for conservation action and highlights the need for innovative planning outcomes, greater private land owner conservation and increased community involvement.

The Scheme has the specific objective for the Rural Residential zone to improve environmental and biodiversity outcomes through the protection and enhancement of remnant vegetation. It also has specific clauses requiring revegetation in the Rural Residential zone.

Clause 3.10.2.5 of the Scheme outlines the site and development requirements for the rural residential zone which includes the provision for applying a condition for revegetation, as follows:

*At development stage, and subject to completion of a local development plan in accordance with clause 3.10.2.4, the local government may apply a condition of development approval requiring revegetation in accordance with an approved local development plan.*

The inclusion of the statement “and subject to completion of a local development plan in accordance with clause 3.10.2.4” prevents the City from applying a condition for revegetation where a prior subdivision has not occurred. However, there are instances where revegetation of the site in association with the development of land would be considered appropriate.

For example, the City may receive an application for development approval for a proposed ‘Winery’ on a lot within the *Waggrakine Rural Residential Structure Plan* area which is also located within a strategic biodiversity link specified in the LBS. In this instance, it would be considered advantageous to apply a condition requiring revegetation given that land management plans and works in association with the development would already be required.

The scheme amendment proposes to amend Clause 3.10.2.5 by deleting ‘and subject to completion of a local development plan in accordance with clause 3.10.2.4’ so that clause 3.10.2.5 reads as follows:

*At development stage, the local government may apply a condition of development approval requiring revegetation in accordance with an approved local development plan.*

The modification to the wording of Clause 3.10.2.5 would allow the City to exercise discretion with regard to requesting revegetation conditions as part of applications for development approval where revegetation of the site is considered strategically important in accordance with the LBS.

A copy of the scheme amendment report is included as Attachment No. DCS433.

## **COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**

### **Community:**

The amendment will ensure that the community vision is appropriately reflected within the Scheme by aligning the aims with the updated *Strategic Community Plan 2017-2027*.

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**Environment:**

As part of the amendment process the Environmental Protection Authority is required to assess the amendment under Part IV of the *Environmental Protection Act 1986*.

**Economy:**

There are no adverse economic impacts.

**Governance:**

The amendment will ensure that the City's statutory planning framework is correct and up-to-date which is essential in order to guide the City in its decision-making process.

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Should Council initiate the amendment it is required to be publicly advertised for a period of not less than 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There has been no Councillor consultation however, at the conclusion of public advertising period the matter must be presented back to Council which will include a schedule of submissions if any are received. A resolution must then be passed to either support the amendment (with or without modification) or not support the amendment.

**LEGISLATIVE/POLICY IMPLICATIONS:****Planning and Development Act 2005:**

Part 5, Section 75 of the *Planning and Development Act 2005* provides for a local government to amend a local planning scheme.

**Planning and Development (Local Planning Schemes) Regulations 2015:**

Part 5, Division 1, Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that the local government resolution must specify whether, in the opinion of the local government the amendment is a basic, standard or complex amendment.

In essence a 'basic' amendment is one that corrects an administrative error in the scheme or rectifies a zoning anomaly.

A 'standard' amendment is one that is consistent with a local planning strategy, would have minimal impact on land in the area and does not result in any significant impacts on the land.

A 'complex' amendment is one that is not consistent with a local planning strategy and is of a scale that will have an impact that is significant relative to the development in the locality.

This amendment is considered to be a 'standard' amendment.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Governance</b>	<b>Planning and Policy</b>
Strategy: 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

By not initiating this amendment the City's statutory planning framework will not be correct and up-to-date which is essential in order to guide the City in its decision-making process.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

It is considered that the proposed amendment is consistent with the local planning framework. The amendment will ensure that the Scheme is updated to: reflect the repeal of Town Planning Scheme No. 1A (Greenough River Resort) and the updated *Community Strategic Plan 2017-2027*, and to clarify Clause 3.10.2.5. The option to not support the initiation of the amendment is therefore not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter.

**COUNCIL DECISION**

**MOVED CR COLLIVER, SECONDED CR TANTI**

**Part A:**

**That Council by Simple Majority pursuant to Part 5, Section 75 of the *Planning and Development Act 2005* RESOLVES to:**

- 1. AMEND Local Planning Scheme No. 1 as per Local Planning Scheme Amendment No. 12.**

**Part B:**

**That Council by Simple Majority, pursuant to Part 5, Division 1, Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES to:**

- 1. DETERMINE that the amendment is a 'standard' amendment;**
- 2. MAKE the determination on the following grounds:**



- a. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and**
- b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

**CARRIED 12/0**

*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.*

**12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES****CCS458 COUNCIL POLICY 2.2 ESTABLISHING INTERNATIONAL RELATIONS**

<b>AGENDA REFERENCE:</b>	<b>D-19-102902</b>
<b>AUTHOR:</b>	<b>Han Jie Davis, Economic Development Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>28 November 2019</b>
<b>FILE REFERENCE:</b>	<b>G/19/0008</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b> <b>A. Council Policy 2.2 Establishing International Relations (v3)</b> <b>B. Comparison Table</b>

**EXECUTIVE SUMMARY:**

The purpose of this agenda item is to seek Council consideration and approval of Draft Council Policy 2.2 Establishing International Relations, version 3.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE draft Council Policy 2.2 Establishing International Relations, version 3.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Current Sister City and Strategic Partnerships:

Sister City: A Sister City agreement was established between Kosai, (Shizuoka of JAPAN) and Geraldton-Greenough Council in 1998.

The key driver of this relationship was the Geraldton-Greenough Japan-Australia Society (GGJAS). This organisation facilitated the exchange of students between Geraldton and Kosai City for many years.

The GGJAS was well supported in Geraldton in the late nineties, but the membership eventually declined from around 50 to between 4 and 6 in 2016. There has been no further exchange activities between Geraldton and Kosai since 2016.

Sister City: A Sister City agreement was established between Geraldton and Zhanjiang (Guangdong Province of CHINA) in 2013.

Strategic Partner City: A Strategic Partner City agreement was established between Geraldton and Zhoushan (Zhejiang Province of CHINA) in 2014.

Strategic Partner City: A Strategic Partnership was established between Geraldton and Linfen, (Shanxi Province of CHINA) in 2015.

Council Policy 2.2 Establishing International Relations was last reviewed by Council on 23 May 2017. Within the biennial review process for the Council Policy Manual the policy is due for review in 2019.

City Officers reviewed and prepared a draft policy for Council consideration – Attachment No. CCS458A. Amendments to the policy are detailed in the comparison table – Attachment No. CCS458B.

### **COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**

#### **Community:**

Development of relationships between our community and communities in other countries, presents opportunities for promoting the diversity and sustainability of our culture.

#### **Environment:**

There are no adverse environmental impacts.

#### **Economy:**

Forming a Sister City relationship or Strategic Partnership will provide strong motivation and great opportunities for tourism, trade and investment in Geraldton and the Midwest Region.

#### **Governance:**

This policy will provide a guideline for the development of the City's international relations.

#### *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. This policy was last reviewed by Council on 23 May 2017 (CCS256).

### **COMMUNITY/COUNCILLOR CONSULTATION:**

According to the policy review process, City Officers consulted with the Mayor and Councillors via a Briefing Note on 1 November 2019 and developed the proposed draft policy that reflects the recommendations by Councillors.

**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:**

This is a policy review process that does not require any further resource allocation.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.3 Advocacy and Partnerships</b>
Strategy 4.3.2	Partnering with key international communities through Strategic Alliances.

**REGIONAL OUTCOMES:**

The City in the establishment of sister city and strategic partnership relationships has realised increasing benefits for the region. With the development of people-to-people relationships and related strategies, and active promotion of local tourism industry, the region's profile has been boosted by generating a significant increase especially in Chinese tourists and flow-on effects in investment.

**RISK MANAGEMENT:**

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Reject and provide comments/advice on the proposed draft policy.

*Cr Douglas moved an amendment to update the Selection Criteria on Council Policy 2.2 to read that 'A new Relationship needs to be based on agreed projects / programs for which Council has endorsed a resource allocation'.*

*During the debate the Mayor foreshadowed the Executive Recommendation should the motion be lost.*

### **COUNCIL DECISION**

#### **MOVED CR DOUGLAS, SECONDED CR KEEMINK**

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

- 1. AMEND Council Policy 2.2 to add a new selection criteria that A new Relationship needs to be based on agreed projects / programs for which Council has endorsed a resource allocation; and**
- 2. APPROVE draft Council Policy 2.2 Establishing International Relations, version 3, as amended.**

#### **CARRIED 7/5**

Time: 5:55 PM

Not Voted: 1

No Votes: 5

Yes Votes: 7

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>NO</b>
<b>Cr. Clune</b>	<b>NO</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Elphick</b>	<b>YES</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>NO</b>
<b>Cr. Thomas</b>	<b>NO</b>
<b>Mayor Van Styn</b>	<b>NO</b>

#### **REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:**

**That Council only enter a relationship where there are agreed specific projects / programs and a budget developed PRIOR to a relationship being entered into.**

**CCS459 AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL**

<b>AGENDA REFERENCE:</b>	<b>D-19-099430</b>
<b>AUTHOR:</b>	<b>M Adam, Coordinator Governance</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>3 December 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/11/0020</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for the Council to review a summary of Audit Committee activities for the period 1 July 2018 to 30 June 2019 - the Audit Committee Annual Report.

**EXECUTIVE RECOMMENDATION:**

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

1. RECEIVE the Audit Committee Annual Report for the period 1 July 2018 to 30 June 2019.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In accordance with the *Local Government Act 1995* section 7.1A (1):

*A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.*

Clause 5.2 of the City of Greater Geraldton Audit Committee charter requires:

*5.2 The Committee shall report annually to the Council summarising its activities during the previous financial year.*

At the Audit Committee meeting held on 2 December 2019 the Audit Committee resolved to:

1. *ENDORSE the summary of Audit Committee activities for the period 1 July 2018 to 30 June 2019.*
2. *SUBMIT the summary of Audit Committee activities for the period 1 July 2018 to 30 June 2019 to Council as the Audit Committee annual report of activities.*

Below is a summary of the activities of the Audit Committee for the period 1 July 2018 to 30 June 2019 for the purposes of providing the above mentioned report to the Council:

### Audit Committee Meeting – 23 October 2018

Report Number	Title	Decision
AC067	Audit Report 2017/2018	ADOPT the Audit Report for the financial period ending 30 June 2018; NOTE that for the annual financial report for the year ended 30 June 2018 the Auditor has provided an unqualified audit opinion.
AC068	Review of Audit Committee Charter	ENDORSE amendments to the Audit Committee Charter v1 .6
AC069	Business Continuity Management Program	NOTE the development of the City of Greater Geraldton Business Continuity Management Program; and  REQUIRE the CEO to provide a report back to the Audit Committee immediately following each BCM exercise, in November 2018 and January 2019.  TABLE the BCM reports for detailed discussion at the next Audit Committee Meeting.
AC070	Procurement Audit	ACKNOWLEDGE receipt of the Auditor General's report  ACCEPT the City's procurement action plan;  a. Require the CEO to report back to the Committee on the status of the action plan at the next Audit Committee meeting.
AC071	Risk and Compliance Management	NOTE the status of the Risk Management Framework and associated Council Policies CP4.7 Risk Management, CP4.24 Risk Appetite and Tolerance and CP4.26 Compliance Management.  NOTE the status of the Compliance Management Plan.
AC072	Audit Committee Annual Report to Council	ENDORSE the summary of Audit Committee activities for the period 1 July 2017 to 30 June 2018.  SUBMIT the summary of Audit Committee activities for the period 1 July 2017 to 30 June 2018 to Council as the Audit Committee annual report of activities.
AC073	Management Actions on Internal Audit Report 2018	NOTE the Report on the management actions on the AMD Financial Systems Review, Regulation 17 Review, and Fleet Management Review 2018 as recorded in the attached worksheets – Attachment AC073(A-C).  REQUIRE the CEO to implement a review process for ongoing actions resulting from the auditor's findings, and record the

		details of the review process on the schedule of management actions.
AC074	Review of After-Hours Services	NOTE the outcome of the review of the after-hours processes and emergency response procedures.

### Audit Committee Meeting – 12 March 2019

Report Number	Title	Decision
AC075	Financial Management Systems Review Part 2	ADOPT the Financial Management Systems Review (Part 2); 2.  ENDORSE actions taken or proposed to be taken by staff to resolve any items identified in the report; and  ADD any active action to the existing schedule to be reviewed at the next Audit Committee meeting.  REQUIRE the CEO to provide a report: back to Council by 30 June 2019 on Cash Transfer Management Processes.
AC076	Office of the Auditor General – Audit Agreement	NOTE the responsibilities under the arrangements by the Office of the Auditor General for the annual audit of the City's annual financial statements.
AC077	Business Continuity Management Program	NOTE the development of the City of Greater Geraldton's Business Continuity Management Program;  NOTE that reports were supplied to council after each BCM exercise was conducted, as previously requested by the Audit committee; and  REQUIRE the CEO to report back to the Audit Committee the ongoing status of the Program.
AC078	Management Actions on Internal Audits	RECEIVE the Progress Report on the current status of management actions related to Internal Audits.
AC079	Procurement Audit – Action Plan	ACKNOWLEDGE the City has met the requirements under Section 7.12A (4) & (5) in addressing matters raised in the Office of Auditors General Procurement Audit Report (September 2018).
AC080	Compliance Audit Return 2018	ENDORSE the results of the Compliance Audit Return 2018; and  REPORT to Council the results of the Audit Committee review of the Compliance Audit Return 2018, at the Ordinary Meeting of Council on 26 March 2019.



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

There are no adverse community impacts.

**Environment:**

There are no adverse environmental impacts.

**Economy:**

There are no adverse economic impacts.

**Governance:**

Providing the annual Audit Committee report to the council meets the governance provisions of clause 5.2 of the Audit Committee Charter.

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

The Audit Committee Charter requires the Committee to report annually to the council summarising the activities of the previous financial year. The Audit Committee Annual Report to the council was last reviewed by the Committee 23 October 2018, Item number AC072, and reviewed by Council 27 November 2018, Item CCS374.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The Audit Committee at the Meeting on 2 December 2019 endorsed the summary of Audit Committee activities for the period 1 July 2018 to 30 June 2019 (AC085), and recommended that the summary be submitted to the Council as the Audit Committee Annual Report.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

The provision of an annual report to the council on the activities of the Audit Committee ensures that the Committee meets compliance requirements of the *Audit Committee Charter s.5.2* and reporting recommendations of the Department of Local Government and Communities *Audit in Local Government Operational Guideline number 09-2013*.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternatives have been considered.

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

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

1. RECEIVE the Audit Committee Annual Report for the period 1 July 2018 to 30 June 2019.

**CARRIED 12/0**

Time: 5:58 PM

Not Voted: 1

No Votes: 0

Yes Votes: 12

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Clune</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Elphick</b>	<b>YES</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Thomas</b>	<b>YES</b>
<b>Mayor Van Styn</b>	<b>YES</b>

<b>CCS460 APPOINTMENT OF DELEGATES TO MULLEWA COMMUNITY TRUST COMMITTEE</b>
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<b>AGENDA REFERENCE:</b>	<b>D-19-103812</b>
<b>AUTHOR:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>2 December 2019</b>
<b>FILE REFERENCE:</b>	<b>RC/4/0027</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2) 1 x Confidential</b> <b>A. Minutes of Mullewa Community Group Inc. Meeting 24 November 2019</b> <b>B. Confidential - Deed of Trust</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to reduce City of Greater Geraldton elected member representation on the Mullewa Community Trust Committee and appoint elected members to the Committee until their representation expires at the next Ordinary Election day being 16 October 2021 or as directed by the governing body.

**EXECUTIVE RECOMMENDATION:****Part A:**

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

1. APPROVE a change to the elected member representation on the Mullewa Community Trust Committee to:
  - a. One member of the Council;
  - b. One member of the Council (proxy); and
2. AUTHORISE the CEO to amend the Deed of Trust with Mullewa Community Group Inc. accordingly.

**Part B:**

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

1. RE-ESTABLISH representation on the Mullewa Community Trust Committee:
2. APPOINT the following elected members to the Mullewa Community Trust Committee:
  - a. Cr J Critch;
  - b. Cr T Thomas (proxy);
3. ADVISE the external Committee of Council's Representatives; and
4. AMEND the Committee book accordingly.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In order to ensure that Council's position on different aspects of its business is understood, Council appoints delegates to Committees external to Council. These delegates are to represent Council's views on relevant topics and to report back to Council on the outcomes of meetings held.

The membership of the Mullewa Community Trust Committee (as a sub-committee of the Mullewa Community Group Inc.) currently includes two members of the Council. This membership has been formalised in the Deed of Trust between the City and the Mullewa Community Group Inc.

The Mullewa Community Group Inc., at their Annual General Meeting on 24 November 2019, passed a resolution regarding Councillor representation on the Mullewa Community Trust Committee:

*Other Business:*

*"Councillor representation on the Mullewa Community Trust Committee: – due to changes with CGG Councillors and the removal of the Ward System, and the fact this Group has strong community support with members having a sound knowledge of business and governance it was suggested Councillor representation be reduced to one Councillor with a Proxy and increase the Community Member representation to two. "*

*Moved: Jen Critch*

*Seconded: Andrew Messina*

**AGREED 9/9**

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

Mullewa Community Trust's annual grant rounds contribute to the social enrichment of the community.

**Environment:**

There are no adverse environmental impacts.

**Economy:**

Investment into farming in the Mullewa area with the farm's profits being reinvested into the community.

**Governance:**

The re-establishment of representation on the Trust Committee per the terms of the Deed of Trust

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

Council item CS221 (25 August 2015) - Establishment of Mullewa Community Farm and the appointment of two Councillors to the Mullewa Community Trust Committee.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The matter of representation on the Committee was resolved at the Mullewa Community Group Inc. Annual General Meeting of 24 November 2019. The change in elected member representation is supported by Deputy Mayor Thomas and Cr Critch who are currently appointed to the Trust Committee.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative requirements on representation to external committees.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no recurrent financial implications apart from the cost to have the existing deed amended to reflect the proposed change.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.1 Community Engagement</b>
Strategy 4.1.1	Continuing to engage broadly and proactively with the community.
<b>Title: Governance</b>	<b>4.3 Advocacy and Partnerships.</b>
Strategy 4.3.1	Active participation in regional, state and national alliances.

**REGIONAL OUTCOMES:**

Mullewa Community Farm model provides continual benefits to the broader Mullewa community.

**RISK MANAGEMENT:**

Following due process to ensure necessary approvals are in place to legally amend the existing deed of trust.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered.

**COUNCIL DECISION  
MOVED CR HALL, SECONDED CR CLUNE**

**Part A:**

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

- 1. APPROVE a change to the elected member representation on the Mullewa Community Trust Committee to:
  - a. One member of the Council;
  - b. One member of the Council (proxy); and**
- 2. AUTHORISE the CEO to amend the Deed of Trust with Mullewa Community Group Inc. accordingly.**

**Part B:**

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

- 1. RE-ESTABLISH representation on the Mullewa Community Trust Committee:**
- 2. APPOINT the following elected members to the Mullewa Community Trust Committee:
  - a. Cr J Critch;
  - b. Cr T Thomas (proxy);**
- 3. ADVISE the external Committee of Council's Representatives; and**
- 4. AMEND the Committee book accordingly.**

**CARRIED 12/0**

*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.*

CCS461 2018-19 ANNUAL REPORT FOR THE CITY OF GREATER GERALDTON
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<b>AGENDA REFERENCE:</b>	<b>D-19-104809</b>
<b>AUTHOR:</b>	<b>R Doughty, Chief Financial Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>27 November 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/3/0002</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b> <b>2018-19 Annual Report for City of Greater Geraldton</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of the 2018-19 Annual Report for the City of Greater Geraldton.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2019; and
2. REQUIRE the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 28 January 2020 pursuant to section 5.27(2) of the Act.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The 2018-19 Annual Report (attached) has been prepared in accordance with Section 5.53 of the Local Government Act 1995 and includes the Audited Annual General Purpose Financial Statements.

The Annual Report highlights the City of Greater Geraldton's significant achievements in 2018-19 in relation to each Directorate and major goal areas contained within the City's Strategic Community Plan, and related actions contained within the City's Corporate Business Plan.

The City continues to focus on being fiscally responsible in progressing towards and maintaining annual budgeted operating surpluses each year. These initiatives have resulted in significant improvement to the financial health and sustainability of the City in recent years, evident in the 2018-19 operating surplus of \$550,758.

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

Annual reports provide the community with information on how the City has been performing over a financial year period in relation to financial performance and in the provision of services and infrastructure.

**Environment:**

There are no adverse environmental impacts.

**Economy:**

There are no adverse economic impacts.

**Governance:**

The Annual Report is part of good governance, ensuring that reporting aligns with legislative requirements and best practice.

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

The acceptance of the Annual Report is a standard statutory requirement.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Audit Committee has reviewed and recommended the adoption of the Audited Annual General Purpose Financial Statements at its meeting held on 2 December 2019. On adoption of the Annual Report by Council, the CEO will give local public notice of its availability to the public and will call an Annual Electors Meeting.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 5.53 of the Local Government requires the preparation of an Annual Report and details what has to be contained within.

Section 5.54 requires that the Annual Report for a financial year be accepted no later than 31 December after that financial year or within 2 months of receiving the auditor's report. Council is required to hold an Annual Electors Meeting within 56 days of acceptance of the Annual Report. Pending adoption of the Annual Report, the Annual Electors Meeting will be scheduled for 28 January 2020.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.



**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

The related risk is associated with complying with the timelines identified within Section 5.54 of the Local Government Act 1995.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options considered.

**COUNCIL DECISION****MOVED MAYOR, SECONDED CR THOMAS**

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. **ADOPT** the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2019; and
2. **REQUIRE** the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 28 January 2020 pursuant to section 5.27(2) of the Act.

**CARRIED BY ABSOLUTE MAJORITY 12/0**

Time: 6:04 PM

Not Voted: 1

No Votes: 0

Yes Votes: 12

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Clune</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>YES</b>
<b>Cr. Elphick</b>	<b>YES</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Thomas</b>	<b>YES</b>
<b>Mayor Van Styn</b>	<b>YES</b>

**CCS462 STATEMENT OF FINANCIAL ACTIVITY TO 30 NOVEMBER 2019**

<b>AGENDA REFERENCE:</b>	<b>D-19-106583</b>
<b>AUTHOR:</b>	<b>C Cabugas, Acting Senior Treasury Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>5 December 2019</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Monthly Management Report for period ended 30 November 2019</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 30 November 2019.

The statements in this report include no matters of variance considered to be of concern for the current budgeted end of year position.

**EXECUTIVE RECOMMENDATION:**

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

1. RECEIVE the monthly financial statements of activity dated 30 November 2019, as attached.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The financial position at the end of November 2019 is detailed in the attached report and summarised as follows, are the variances between Year-to-Date (YTD) budgeted forecasts and actuals (including commitments):

Operating Income	\$ 433,439	0.67%	over YTD Budget <input checked="" type="checkbox"/>
Operating Expenditure	\$ 76,765	0.2%	under YTD Budget <input checked="" type="checkbox"/>
Net Operating	\$ 510,205	2.1%	over YTD Surplus <input checked="" type="checkbox"/>
Capital Expenditure	\$ 532,696	2.9%	over YTD Budget <input checked="" type="checkbox"/>
Capital Revenue	\$2,009,563	202.24%	over YTD Budget <input checked="" type="checkbox"/>
Cash at Bank – Municipal	\$ 30,671,544		
Cash at Bank – Reserve	\$ 22,046,122		
Total Funds Invested	\$ 52,505,310		
Net Rates Collected		77.12%	
Net Rates Collected in November 2018		77.61%	

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 position represented in the November financials shows a YTD positive variance of \$510,205 in the net operating surplus result (this takes into account commitments).

## **COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**

### **Community:**

There are no adverse community impacts.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

There are no adverse economic impacts.

### **Governance:**

The Financial Management Regulations require presentation each month of a Statement of Financial Activity accompanied by other supporting information that is considered relevant. In addition to the compliance requirements, the purpose of regularly reporting on the financial activities of the City is to enable Elected Members to monitor and review the allocation of financial and other resources against the budget. Reporting on a regular basis evidences ongoing financial management and the 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 that as a minimum Council is to receive a Statement of Financial Activity.

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.4 Financial Sustainability and Performance</b>
Strategy 4.4.1	Preparing and implementing short to long term financial plans.
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.
<b>Title: Governance</b>	<b>4.5 Good Governance and Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

There are no risks to be considered.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

There are no alternative options to consider.

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

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

- 1. RECEIVE the monthly financial statements of activity dated 30 November 2019, as attached.**

**CARRIED 12/0**

*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.*

### **12.3 REPORTS OF INFRASTRUCTURE SERVICES**

Nil.

**12.4 REPORTS OF OFFICE OF THE CEO**

Nil.

**12.5 REPORTS TO BE RECEIVED****RR11 REPORTS TO BE RECEIVED - DECEMBER**

<b>AGENDA REFERENCE:</b>	<b>D-19-106421</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>06/12/2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-06</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3) 1 x Confidential</b>
	<b>A. DCSDD153 - Delegated Determinations and Subdivision Applications for Planning Approval</b>
	<b>B. CCS463 – Audit Committee Minutes – 2 December 2019.</b>
	<b>C. CCS464 – Confidential Report – List of Accounts Paid Under Delegation – November 2019</b>

**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 5.22 of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
  - a. Reports – Development and Community Services:
    - i. DCSDD153 – Delegated Determinations and Subdivision Applications for Planning Approval; and
  - b. Reports – Corporate and Commercial Services:
    - i. CCS463 – Audit Committee Minutes – 2 December 2019.

**PART B**

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the following appended reports:
  - a. Reports – Corporate and Commercial Services:
    - i. CCS464 – Confidential Report – List of Accounts Paid Under Delegation – November 2019.

**PROPONENT:**

The proponent is the City of Greater Geraldton

**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, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:****Community:**

There are no adverse community impacts.

**Environment:**

There are no adverse environmental impacts.

**Economy:**

There are no adverse economic impacts.

**Governance:**

There are no adverse governance 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:**

<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

**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 THOMAS, SECONDED CR COLLIVER****PART A**

**That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to**

- 1. RECEIVE the following appended reports:**
  - a. Reports – Development and Community Services:**
    - i. DCSD153 – Delegated Determinations and Subdivision Applications for Planning Approval; and**
  - b. Reports – Corporate and Commercial Services:**
    - i. CCS463 – Audit Committee Minutes – 2 December 2019.**

**PART B**

**That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:**

- 1. RECEIVE the following appended reports:**
  - a. Reports – Corporate and Commercial Services:**
    - i. CCS464 – Confidential Report – List of Accounts Paid Under Delegation – November 2019.**

**CARRIED 12/0**

*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.*

**13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**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 (i) of the Meeting Procedures Local Law February 2011, please note this part of the meeting *may* need to be closed to the public, *if* confidential discussion is required.

*Cr P Fiorenza declared an Impartiality Interest in Item CCS457 Expression Of Interest - Cropping Lease – Geraldton Airport, as he is a Board Member of Rovers Football Club and left Chambers at 6.06pm.*

*The Public Gallery left Chambers at 6.06pm*

**PROCEDURAL MOTION****MOVED CR HALL, SECONDED CR DOUGLAS**

**That Council by Simple Majority RESOLVES to MOVE behind Closed doors in accordance with section 5.23(2) of the Local Government Act 1995 and section 5.2(1) of Meeting Procedures Local Law, that the attachments to the following reports are confidential as they contain information relating to a contract entered into, or may be entered into by the local government and which relates to a matter to be discussed at the meeting.**

**CARRIED 11/0**

*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.*

CCS457 EXPRESSION OF INTEREST - CROPPING LEASE - GERALDTON AIRPORT
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<b>AGENDA REFERENCE:</b>	<b>D-19-097605</b>
<b>AUTHOR:</b>	<b>L Richards, Airport Coordinator</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>14 November 2019</b>
<b>FILE REFERENCE:</b>	<b>PM/6/0006-02</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential Confidential - Evaluation Report – Expression of Interest - Geraldton Airport Cropping Lease</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to enter into a cropping lease agreement at Geraldton Airport with the recommended submission.

**EXECUTIVE RECOMMENDATION:**

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

1. ENTER into a lease agreement with the recommended submission for cropping at Geraldton Airport;
2. SET the conditions to enter into a three (3) year lease agreement with two (2) three (3) year further term options;
3. MAKE the determination subject to advertising notice period of not less than 14 days inviting public submissions;
4. REFER the matter back to Council for final consideration if any objecting submissions are received; and
5. RECORD the annual lease agreement amount in the minutes.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City of Greater Geraldton issued an Expression of Interest for a cropping lease at Geraldton Airport.

In exchange for the use of the land for agricultural and farming purposes, respondents were required to provide a per hectare rate based on approximately 316 hectares of land with the total amount payable to the City of Greater Geraldton in two instalments per annum.

The indicative land area of approximately 316 hectares is highlighted in the following diagram.



The expression of interest scope, specific requirements detailed in exchange for the use of the land for agricultural and farming purposes the following terms and conditions apply, at no cost to the City of Greater Geraldton:

- a) replacement and maintenance of existing fencing to ensure grazing sheep are securely contained;

- b) noxious weed control;
- c) fire break management;
- d) maintenance of existing windmills and dams;
- e) professional agricultural and farmland management;
- f) crop rotation which includes sand liming the land when appropriate;
- g) grazing the land with sheep during the non-growing season as part of the land management practice;
- h) must not undertake or schedule activities that would cause disturbance, inconvenience or create safety risks to regular public transport (RPT) or charter flight services or to other stakeholders of the airport;
- i) ability to obtain and retain an Aviation Security Identification Card (ASIC); and
- j) hold the necessary insurances related to indemnity, public liability and workers compensation.

The expression of interest was advertised on the City of Greater Geraldton website and in the Geraldton Guardian on Friday 18 October 2019, with a closing date of 2.00 pm Monday 2 November 2019. Two submissions were received.

An evaluation panel assessed each expression of interest submission with each panel member reviewing to verify that the submission met the requirements specified in the Expression of Interest document.

## **COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**

### **Community:**

Income generated from the proposed disposal of land (lease) forms part and contributes to the City's general revenue base which is applied to providing whole of community services.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

The preferred submission meets Geraldton Airport budgeted revenue forecasts.

### **Governance:**

Expression of interest process applied for the purpose of transparency and the equitable disposal of property.

### *Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

The new lease supersedes the existing cropping licence which is due to expire on 28 February 2020. Previously, a cropping licence was used not a lease, because of the temporary basis of land as the licensed user of the land needed to be prepared to cease using all or any portion of the land on short notice. In the foreseeable future there is no identified need to resume land within this designated area for airport airside or landside purposes.

**COMMUNITY/COUNCILLOR CONSULTATION:**

A confidential Briefing Note was circulated to Councillors on 6 September 2019.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58 of the Local Government Act 1995 – Disposing of Property

*3.58. Disposing of property*

(1) *In this section —*

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

*(i) describing the property concerned; and*

*(ii) giving details of the proposed disposition; and*

*(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The preferred submission meets the budget revenue forecasts for this income stream of the Airport operations.

**INTEGRATED PLANNING LINKS:**

<b>Title: Environment</b>	<b>2.3 Built Environment</b>
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.
<b>Title: Governance</b>	<b>4.4 Financial Sustainability and Performance</b>
Strategy 4.4.1	Preparing and implementing short to long term financial plans.
Strategy 4.4.2	Ensuring the City's long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

Increased Airport operational costs and loss of potential income.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No other options were considered by City Officers.

*Cr Clune moved a motion different from the Executive Recommendation*

*During the debate the Mayor foreshadowed the Executive Recommendation should the motion be lost.*

**COUNCIL DECISION****MOVED CR CLUNE, SECONDED CR PARKER**

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

1. **NOT** enter into the proposed lease agreement with the recommended submission for cropping at Geraldton Airport;
2. **DIRECT** the CEO to re-issue an amended EOI with the following changes:
  - a. The term of the lease is to be three (3) years with one possible extension of a further three (3) years;
  - b. Detailed specifications for application of lime, fencing requirements, grazing and cropping rotations are to be determined and included in the EOI (e.g. 100 T lime/yr, 500 mtrs fence /yr, 400 HD sheep/grazing limit, at least 1 legume 1 canola crop in a 5 year cycle);
  - c. Undertake the required cropping area investigation and include this figure in the amended document; and
3. **DIRECT** the CEO to obtain a valuation of the farming value of the cropping area to ensure the city is getting fair value.

**LOST 5/6**

Time: 6:25 PM

Not Voted: 2

No Votes: 6

Yes Votes: 5

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>NO</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>NO</b>
<b>Cr. Clune</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Fiorenza</b>	<b>NOT PRESENT</b>
<b>Cr. Elphick</b>	<b>NO</b>
<b>Cr. Hall</b>	<b>YES</b>



<b>Cr. Keemink</b>	<b>NO</b>
<b>Cr. Tanti</b>	<b>NO</b>
<b>Cr. Thomas</b>	<b>YES</b>
<b>Mayor Van Styn</b>	<b>NO</b>

*Proposed REASON FOR VARIATION TO EXECUTIVE RECOMMENDATION: The original Expression of Interest document did not provided potential applicants with sufficient detail to apply with confidence.*

*As the alternative motion was lost the foreshadowed motion became the substantive motion.*

*During the debate Cr Clune asked if the mover would consider a change to the term of the lease agreement to up to 9 years.*

*The mover declined the amendment because it would be a substantive change and would change the terms of the original expression of interest.*

### **COUNCIL DECISION**

#### **MOVED MAYOR, SECONDED CR COLLIVER**

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

- 1. ENTER into a lease agreement with the recommended submission for cropping at Geraldton Airport;**
- 2. SET the conditions to enter into a three (3) year lease agreement with two (2) three (3) year further term options;**
- 3. MAKE the determination subject to advertising notice period of not less than 14 days inviting public submissions;**
- 4. REFER the matter back to Council for final consideration if any objecting submissions are received; and**
- 5. RECORD the annual lease agreement amount in the minutes being \$55,300.00 (@ \$175.00 per hectare) including GST per annum awarded to Corringe Farms.**

#### **CARRIED 10/1**

Time: 6:30 PM

Not Voted: 2

No Votes: 1

Yes Votes: 10

<b>Name</b>	<b>Vote</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Parker</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>NOT PRESENT</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Clune</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>NO</b>
<b>Cr. Fiorenza</b>	<b>NOT PRESENT</b>
<b>Cr. Elphick</b>	<b>YES</b>

<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Thomas</b>	<b>YES</b>
<b>Mayor Van Styn</b>	<b>YES</b>

*This item was considered and determined by Council behind closed doors and is now available for the public record.*

**PROCEDURAL MOTION**

**MOVED CR KEEMINK, SECONDED CR DOUGLAS**

**That Council by Simple Majority RESOLVES to MOVE from behind closed doors at 6.30pm**

**CARRIED 11/0**

*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.*

*Cr Fiorenza returned to the meeting at 6.30pm. The meeting was reopened to the Public.*

**17 CLOSURE**

There being no further business the Presiding Member closed the Council meeting at 6.30pm.

## **APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED**

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