



ORDINARY MEETING OF COUNCIL
MINUTES

19 DECEMBER 2023

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 19 DECEMBER 2023 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

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

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Mayor J Clune
Cr N Colliver
Cr S Cooper
Cr J Critch
Cr J Denton
Cr P Fiorenza
Cr A Horsman
Cr M Librizzi
Cr S Keemink
Cr K Parker
Cr V Tanti

Officers:

R McKim, Chief Executive Officer
R Hall, Director of Development Services

F Norling, Director of Community and Culture
P Radalj, Director of Corporate Services
C Lee, Director of Infrastructure Services
S Moulds, PA to the Chief Executive Officer
N Jane, Chief Financial Officer
C Edwards, Manager Project Delivery & Engineering
P Kingdon, Coordinator Communication and Tourism
J Kopplhuber, Communications Officer - Engagement
M Kiviberg, Senior ICT Support Officer
D Melling, Systems Administrator

Others:

Members of Public: 17
Members of Press: 2

Apologies:

Nil

Leave of Absence:

Nil.

4 DISCLOSURE OF INTERESTS

Cr A Horsman declared a Closely Associated Persons Interest in Item No. DS025 Forehorse Licences – Fusions Gelato and Ultimate Water Sports Pty Ltd. Cr Horsman knows Mr Lindsay Cannon the owner of Ultimate Watersports personally and has done some casual employment with him.

Cr A Horsman declared an Impartiality Interest in Item No. IS297 Geraldton Jetty, as he is an active participant on their Facebook page, Jetty for Geraldton.

Cr J Critch declared an Impartiality Interest in Item No. DS025 Forehorse Licences – Fusions Gelato and Ultimate Water Sports Pty Ltd, as the owner of Fusions Gelato is a former employee on her farm business.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

6 PUBLIC QUESTION TIME

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

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

No public questions were received.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr S Keemink	26 December 2023	23 January 2024	28/11/2023
Cr J Critch	5 January 2024	21 January 2024	26/09/2023
Cr P Fiorenza	12 January 2024	22 January 2024	28/11/2023
Cr J Critch	26 January 2024	1 February 2024	26/09/2023
Cr M Librizzi	15 March 2024	1 April 2024	31/10/2023

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

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

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Leave of Absence for:
 - a. Cr V Tant for the period 14 January 2024 to 20 January 2024; and
 - b. Cr A Horsman for the period 19 January 2024 to 24 January 2024.

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR CRITCH

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

1. APPROVE Leave of Absence for:
 - a. Cr V Tant for the period 14 January 2024 to 20 January 2024; and
 - b. Cr A Horsman for the period 19 January 2024 to 24 January 2024.

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.

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 28 November 2023, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

MOVED CR LIBRIZZI, SECONDED CR COLLIVER

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 28 November 2023, as previously circulated, be adopted as a true and correct record of proceedings.

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.

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

DATE	FUNCTION	REPRESENTATIVE
29 November 2023	Triple M Radio Interview – Outcomes from Council Meeting	Mayor Jerry Clune
29 November 2023	Filming of Council Update Video – Outcomes from Council Meeting	Mayor Jerry Clune
29 November 2023	Geraldton Senior High School Students – Role of Council and Local Government	Mayor Jerry Clune
30 November 2023	Geraldton Senior High School APEX Year 7 Class - "Ancient Adventure through Time and Space" - Exhibit and Awards	Mayor Jerry Clune
1 December 2023	MWCCI Business Leaders Lunch	Mayor Jerry Clune
1 December 2023	Geraldton Scout Group - Awards Presentation	Mayor Jerry Clune
2 December 2023	Saturday Social Sewing Morning Tea - CWA of WA Geraldton-Greenough	Mayor Jerry Clune
2 December 2023	Geraldton Little Athletics Centre - Long & Triple Jump Runway Facility Opening.	Mayor Jerry Clune
2 December 2023	Woorree Scout Group - Awards Presentation	Mayor Jerry Clune
3 December 2023	Champion Bay Surf Carnival	Mayor Jerry Clune
4 December 2023	Mayor / CEO Regular catch up	Mayor Jerry Clune
4 December 2023	Marketing & Media Regular catch up	Mayor Jerry Clune
5 December 2023	Concept Forum	Mayor Jerry Clune
6 December 2023	Regional Capitals Alliance WA – Induction	Mayor Jerry Clune
6 December 2023	Triple M Radio Interview – Christmas on the Terrace	Mayor Jerry Clune
6 December 2023	Geraldton Volunteer Tour Guides – Annual Christmas Dinner	Mayor Jerry Clune
6 December 2023	Channel 7 Interview – Proposed Alcohol Ban in Mullewa	Mayor Jerry Clune
7 December 2023	Walkaway Primary School End of Year Concert and Graduation	Mayor Jerry Clune
7 December 2023	Midwest Community Living Association - Project Update	Mayor Jerry Clune
7 December 2023	St Francis Xavier Primary School Christmas Concert	Cr Aaron Horsman
7 December 2023	Christmas on the Terrace	Mayor Jerry Clune
7 December 2023	Photo with CWA of WA to acknowledge funding - 2022-23 Community Project Support Program	Mayor Jerry Clune
8 December 2023	Mid West Development Commission – Board Meeting	Mayor Jerry Clune
9 December 2023	Midwest At Prize 2023 – Opening Night	Mayor Jerry Clune
10 December 2023	Radio Mamma Interview – Christmas on the Terrace / GRAG Mural / Midwest Art Prize	Mayor Jerry Clune
10 December 2023	Carols by Candlelight – Mayor's address	Mayor Jerry Clune
11 December 2023	WALGA Training – Meeting Procedures	Mayor Jerry Clune
11 December 2023	Mayor / CEO Regular catch up	Mayor Jerry Clune
12 December 2023	Tour of Geraldton Cemetery with the Board	Mayor Jerry Clune
12 December 2023	City of Greater Geraldton Audit Committee Meeting	Mayor Jerry Clune
12 December 2023	Agenda Forum	Mayor Jerry Clune
13 December 2023	ABC Radio – Glen Barndon 25 Years Service	Mayor Jerry Clune

13 December 2023	Triple M Radio Interview - Year in review and upcoming meeting.	Mayor Jerry Clune
13 December 2023	Bushfire in Chapman Valley – Debrief, Howatharra	Mayor Jerry Clune
14 December 2023	500 Card Group – Lunch at QEII Seniors and Community Centre	Mayor Jerry Clune
14 December 2023	Hon Melissa Price MP, Federal Member for Durack – matters in common	Mayor Jerry Clune
14 December 2023	Kids Hub Naturescape, Chapman Road – Grand Opening	Mayor Jerry Clune
15 December 2023	Regional Capitals Alliance WA – AGM and General Meeting (via Zoom)	Mayor Jerry Clune
18 December 2023	Mayor / CEO Regular catch up	Mayor Jerry Clune
18 December 2023	Marketing & Media Regular catch up	Mayor Jerry Clune
18 December 2023	QEII Seniors Centre Thank you Volunteers	Mayor Jerry Clune
18 December 2023	Mayor Video of AMC Park and the Mitchell Street Community Centre	Mayor Jerry Clune
18 December 2023	Soft Opening AMC Park and the Mitchell Street Community Centre	Mayor Jerry Clune
19 December 2023	DAP Meeting: Proposed Mixed Use Development - Marine Terrace, Fitzgerald Street & Lester Ave, Geraldton	Mayor Jerry Clune
19 December 2023	Ordinary Meeting of Council	Mayor Jerry Clune

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

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

DS023 LEASE – ROVER FOOTBALL CLUB INCORPORATED

AGENDA REFERENCE:	D-23-156770
AUTHOR:	G Wilkinson, Coordinator Land and Leasing
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	26 November 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x3)
	A. Proposed Area of Change Room Extension / Redevelopment
	B. Existing Lease Area
	C. Proposed New Lease Area

EXECUTIVE SUMMARY:

The purpose of this report is for Council to consider the surrender of the current land lease with Rover Football Club Incorporated (the Club), transfer ownership of the changeroom building asset and enter in a new lease with an expanded area.

EXECUTIVE RECOMMENDATION:

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

1. SURRENDER the existing land lease agreement with Rover Football Club Incorporated at Lot 107 (DP77054) – 11 Edward Road, Utakarra – known as Greenough Oval;
2. TRANSFER the building asset containing the change rooms, public ablutions and canteen to Rover Football Club Incorporated;
3. ENTER a new land lease agreement with Rover Football Club Incorporated for an increased area of approximately 3,125m² at Lot 107 (DP77054) – 11 Edward Road, Utakarra – known as Greenough Oval;
4. SET the conditions as follows:
 - a. Endorse a twenty (20) year lease agreement commencing on the date of endorsement;
 - b. Commence the lease fee in line with the City of Greater Geraldton's Schedule of Fees and Charges reviewed annually;
5. ADVISE the lessee they are responsible for separately paying:
 - a. Building, public liability and other relevant insurances;
 - b. All applicable rates, taxes, and other utilities;
 - c. Legal, administration and survey expenses associated with the preparation, and execution of the lease documentation; and
6. DIRECT the CEO to commence an investigation into the provision of suitable public ablutions at the Greenough Oval.

PROPONENT:

The proponent is Rover Football Club Incorporated.

BACKGROUND:

Lot 107 Edward Road, Utakarra – known as Greenough Oval – is owned in fee simple (freehold) by the City of Greater Geraldton (the City). The Rover Football Club Incorporated (the Club) has been established for over 100 years, and in 1976 built their Club rooms on the Greenough Oval. In recent years the prevalence of women's football has increased and the current change rooms are no longer fit for purpose. On 27 September 2022 via Council Item No. IS266, Council resolved to support the redevelopment of the building with a financial contribution equal to one third of the total project cost and a self-supporting loan to subsidise the Club's contribution of one third. The City's financial contribution was subject to a successful Community Sporting and Recreation Facilities Fund (CSRFF) application for the remaining third, which was approved by the State Government in February 2023.

Change Rooms

The change rooms were built in 1975 and include the canteen and public ablutions. The building is outdated and the configuration neither meets the needs of a modern football community nor contributes to inclusivity. The proposed redevelopment intends to provide the following upgrades as identified in Council Item No. IS266:

RFC is seeking financial support for contribution for the following:

- *Demolition of some internal walls of existing building;*
- *Redevelopment of existing building to include:*
 - *Change rooms x 2;*
 - *Change and treatment room;*
 - *Shower rooms:*
 - *Shower room 1: 3 x WC, 2 x hand basin, 6 x shower;*
 - *Shower room 2: 2 x WC, 1 x hand basin, 3 x shower.*
 - *Umpires shower/change room;*
 - *1 x WC, 1 x hand basin, 1 x shower.*
- *Construction of change room addition – 9.680m x 13.310m;*
- *Construction of store and trainers room addition: 2.850m x 9.680m;*
- *Upgrade of canteen/kitchen facilities to comply with contemporary standards; and*
- *Installation of solar panels.*

Redevelopment of the change rooms will meet the requirements of a vibrant football community and encourage participation of all genders, ages, and cultural beliefs. The inclusive and proactive approach to providing facilities for a diverse population offers scope for future growth and the age of the building provides significant justification for supporting the timely proposal of this redevelopment.

In September 2022 the City agreed (in principle) to transfer ownership of the change rooms to the Club subject to the successful outcome of the CSRFF application. Attachment No. DS023A shows the intended footprint of the building.

In May 2023 the original design concept was altered by the Club to address concerns regarding long-term growth needs. The new design increased the scope of works and expenditure for the project. To ensure the Club could adequately cover these additional costs, an updated CSRFF project funding breakdown was reviewed and approved by Department of Local Government, Sport and Cultural Industries (DLGSC) prior to signing the grant agreement.

Lease

The Club entered a twenty (20) year land lease agreement, for a portion of Greenough Oval on 6 July 2016. The existing land lease is approximately 866m² and includes the Club rooms and outdoor spectator seating area as identified in Attachment No. DS023B. The proposed new lease area is approximately 3,125m² as identified in Attachment No. DS023C and includes the Club rooms, spectator seating area, change rooms and enough area to accommodate the septic infrastructure.

Public Ablutions

The public ablutions referred to in this report are the public amenities located in the same building as the change rooms and canteen. Transfer of the change rooms to the Club's ownership would result in no public ablutions on-site.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Redevelopment of the change rooms delivers a positive initiative by the Club to promote and attract participation from a broader selection of the community.

Economy:

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

Environment:

There are no adverse environmental impacts.

Leadership:

Redevelopment of the change rooms will create a benchmark for other sport clubs to aspire to in the pursuit of appropriate facilities for all players, regardless of gender, age or culture. Support from the City to embrace the proactive vision of this project contributes to a strong sporting culture and the advancement of contemporary facilities in our region.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

On 28 June 2016 Council Item No. DCS288. resolved to transfer the ownership of the former Geraldton Sportsman Club building, located on Wonthella Oval, to the Towns Football Club and the Geraldton Squash Rackets Association. The purpose was to establish a land lease with both the Clubs that aligns with other sporting groups and to support 'ownership' of their facility.

COMMUNITY/COUNCILLOR CONSULTATION:

Club representatives have liaised with City officers and the DLGSC Midwest Regional Manager to discuss the redevelopment concept.

Consultation was undertaken by the Club with the community and Councillors prior to submitting the grant application. The process took the form of internal and external surveys with the Club, other Great Northern Football League Clubs, umpires and by approaching Councillors for feedback via email. There was also feedback received from the Clubs social media platforms.

Updates have been provided by the City to Council via briefing notes and Council Item No. IS266 since September 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

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

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* describes dispositions of property excluded from Section 3.58 of the *Local Government Act 1995* for recreation, sporting, and other similar natured organisations.

Pursuant to Section 136 of the *Planning and Development Act 2005*, a portion of a freehold lot can be leased up to a period of twenty (20) years.

FINANCIAL AND RESOURCE IMPLICATIONS:

Lease fees will be in accordance with the City of Greater Geraldton Schedule of Fees and Charges for Sporting and Community Groups reviewed annually. In the current financial year, the lease fee for community groups is \$464, including GST, per annum.

As determined by Council Item No. IS266 provision of the City's financial contributions and self-supporting loans have been included in the 2023-24 budget. The Club has been advised that any shortfall in funding is the Club's responsibility to source.

The provision of suitable public ablutions at the Greenough Oval is estimated to cost approximately \$300,000, subject to investigation and detailed design. This has not been budgeted and would need to be considered in next year's capital works program and on-going consequential operating costs including maintenance and depreciation.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion
Outcome 1.8	Active living and recreation is encouraged.
Outcome 1.9	A strong sports culture exists through well-planned facilities.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit

REGIONAL OUTCOMES:

Extending the lease area to accommodate an upgraded change room will support increased participation of the broader population and provide the advancement of improved facilities in our region.

RISK MANAGEMENT:

A requirement of the CSRFF grant funding by the State Government is that the Club publishes a tender for the redevelopment project and undertakes regular progress meetings between the Club, the City and DLGSC.

The Club will award the successful tenderer a contract for the project and the City will ensure that the construction meets all minimum WHS standards.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

1. Not support the proposed new land lease agreement. This option is not recommended as it would affect the Club's ability to undertake the proposed redevelopment; or
2. Enter a secondary lease for the change room area. This option is not recommended as it would result in two separate leases with the Club adding complexity to the management and administration of the lease and creating potential issues in the future.

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

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

1. **SURRENDER** the existing land lease agreement with Rover Football Club Incorporated at Lot 107 (DP77054) – 11 Edward Road, Utkarra – known as Greenough Oval;
2. **TRANSFER** the building asset containing the change rooms, public ablutions and canteen to Rover Football Club Incorporated;
3. **ENTER** a new land lease agreement with Rover Football Club Incorporated for an increased area of approximately 3,125m² at Lot 107 (DP77054) – 11 Edward Road, Utkarra – known as Greenough Oval;
4. **SET** the conditions as follows:
 - a. Endorse a twenty (20) year lease agreement commencing on the date of endorsement;
 - b. Commence the lease fee in line with the City of Greater Geraldton’s Schedule of Fees and Charges reviewed annually;
5. **ADVISE** the lessee they are responsible for separately paying:
 - a. Building, public liability and other relevant insurances;
 - b. All applicable rates, taxes, and other utilities;
 - c. Legal, administration and survey expenses associated with the preparation, and execution of the lease documentation; and
6. **DIRECT** the CEO to commence an investigation into the provision of suitable public ablutions at the Greenough Oval.

CARRIED 11/0

Time: 5:05 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

DS024 LEASE – BUNDIYARRA ABORIGINAL COMMUNITY ABORIGINAL CORPORATION
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AGENDA REFERENCE:	D-23-162466
AUTHOR:	R Hall, Director Development Services
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	28 November 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Lease Diagram

EXECUTIVE SUMMARY:

The purpose of this report is for Council to consider a lease for portion of 208 Eighth Street, Wonthella to Bundiyarra Aboriginal Community Aboriginal Corporation (BACAC).

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a new lease agreement with Bundiyarra Aboriginal Community Aboriginal Corporation (BACAC) for portion of Reserve 31364, 208 Eighth Street, Wonthella;
2. MAKE the determination subject to consent from the Minister for Lands;
3. SET the proposed conditions as:
 - a. Term of five (5) years with a further five (5) year option;
 - b. Commence the lease fee in line with the City of Greater Geraldton's Schedule of Fees and Charges reviewed annually; and
 - c. All connection fees, rates and taxes, insurances, outgoings and maintenance of the portion of leased building being at the cost of the lessee including lease documentation and any survey costs.

PROPONENT:

The proponent is the Bundiyarra Aboriginal Community Aboriginal Corporation (BACAC).

BACKGROUND:

This property, being portion of Crown Reserve 31364, shown as Lot 3088 in D93486 Crown Land Title 3110/239 was formerly known as the Allendale Pre-Primary School. After the preschool ceased operation, the reserve came under the control of the City who then leased the building to Theatre 8 Geraldton, with a portion made available to Geraldton Community Toy Library Incorporated.

Subsequently the main residence became a child care centre under lease to Ngala Community Services (Ngala). Ngala surrendered their lease in July 2023, Item No. DS014, and have undertaken minor repairs in the interim as part of the hand back arrangements. The Geraldton Toy Library will remain in the leased portion shown in Attachment No. DS024 – Lease Diagram.

In September 2023 BACAC approached the City with a business plan to lease this property as an Indigenous Youth Connection to Culture (IYCC) centre to

provide cultural and on country experiences for Aboriginal young people aged 10 to 25 years. This program provides social and emotional wellbeing, suicide prevention, healing, connection to country and allows young people the cultural environment and competency to navigate their cultural identity and role in the community.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The proposed lease to BACAC will assist in facilitating the delivery of vital youth services for the community.

Economy:

The provision of a lease to facilitate youth services supports a growing economy through greater participation in the workforce.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

On 26 April 2023 Council Item No. DS014 resolved to enter into a new lease agreement with Wanslea Limited for portion Reserve 32569, 34 Paringa Street, Mount Tarcoola.

COMMUNITY/COUNCILLOR CONSULTATION:

BACAC approached the City directly with their proposal and attended the 7 November 2023 Concept Forum to present their proposal to Council.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the *Local Government Act 1995* (the Act) – Disposing of Property states:

(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.

It is also noted that under Clause 30 of the *Local Government (Functions and General) Regulations 1996* 'charitable' organisations are excluded from Section 3.58 of the Act.

FINANCIAL AND RESOURCE IMPLICATIONS:

In the current financial year, the lease fee for community groups is \$464, including GST, per annum.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.4	Healthy financial sustainability that provides capacity to respond to change in economic conditions and community priorities.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The building is in an average condition and structurally sound. BACAC have informed City Officers they intend to seek grant funding to refurbish the building to suit their needs. There is inherent risk in establishing the lease without a funding source being secured for the required works, however there is a high likelihood of a successful grant application outcome.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers but were not recommended as suitable:

1. Go to open Expression of Interest.
2. Not lease the property.
3. Apply a commercial rent fee of \$5,000 plus GST in line with the independent valuation.

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

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

1. ENTER into a new lease agreement with Bundiyarra Aboriginal Community Aboriginal Corporation (BACAC) for portion of Reserve 31364, 208 Eighth Street, Wonthella;
2. MAKE the determination subject to consent from the Minister for Lands;
3. SET the proposed conditions as:
 - a. Term of five (5) years with a further five (5) year option;
 - b. Commence the lease fee in line with the City of Greater Geraldton's Schedule of Fees and Charges reviewed annually; and
 - c. All connection fees, rates and taxes, insurances, outgoings and maintenance of the portion of leased building being at the cost of the lessee including lease documentation and any survey costs.

CARRIED 11/0

Time: 5:07 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

DS025 FORESHORE LICENSES – FUSIONS GELATO AND ULTIMATE WATERSPORTS PTY LTD
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AGENDA REFERENCE:	D-23-162673
AUTHOR:	R Hall, Director Development Services
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	27 November 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Locations Map

EXECUTIVE SUMMARY:

The purpose of this report is for Council approval to consider two separate licences to utilise two separate locations on foreshore Reserve 50100 for the purposes of a commercial gelato kiosk and for a water sports hire group.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 18 of the *Land Administration Act 1997* RESOLVES to:

1. GRANT separate licences to Fusions Gelato and Ultimate Watersports Pty Ltd on two separate portions of Crown Reserve 50100;
2. MAKE the determination subject to:
 - a. Consent from the Minister for Lands;
 - b. Advertising notice period of not less than 14 days inviting public submissions;
3. SET the proposed conditions for each separate license as:
 - a. Term to be set at four (4) years;
 - b. Fee to be as set at \$500 inclusive of GST;
 - c. Commencement date to be 1 April 2024;
4. ADVISE the licensees that they are responsible for paying:
 - a. All applicable rates, taxes and other fees and charges applicable;
 - b. All costs associated with:
 - i. Preparation and execution of the licence;
 - ii. All other costs associated with the licence;
5. REFER either of the matters back to Council for final consideration if any objecting submissions are received relevant to the license; and
6. DELEGATE authority to the Chief Executive Officer to negotiate, sign and finalise the license arrangements for both Fusions Gelato and Ultimate Watersports.

PROPONENT:

The proponents are Fusions Gelato and Ultimate Watersports Pty Ltd.

BACKGROUND:**Fusions Gelato**

On 26 September 2017 Council Item No. DCS345 resolved to grant a license to Fusions Gelato to operate from a determined position on the foreshore. This license expired 22 October 2020. A new Expression of Interest was advertised seeking interest from mobile vendors. Only Fusion Gelato requested a new license and on 23 February 2021 Council, Item No. DCS481, resolved to offer a further license for a term of one (1) year plus an option of two (2) years.

In the approach to the expiration of their current license, Fusions Gelato has expressed their interest in a further extension. The proposed site has adequate rubbish disposal facilities for use by customers and any rubbish generated in house will be disposed of off-site.

The gelato kiosk would be towed on and off site each day with the kiosk being unhitched at the location and the towing vehicle driven off site. To ensure the safety of foreshore users, the proponent proposes to position the kiosk on site prior to 8:00am and remove the kiosk after 4:00pm.

The business operating hours are proposed as 6 days per week from 9:00am to 4:00pm and increasing to 7 days per week during the Summer and Easter school holidays. The kiosk would also operate on public holidays should they fall on a Monday, whether inside or outside of school holidays. Operating hours would also be seasonal with the core trading dates being from mid-spring to mid-autumn, weather permitting.

Ultimate Watersports

On 20 December 2016 Council Item No. DCS314 resolved to offer Ultimate Watersports a license to operate a business handling boat hire, tube rides and wake boarding lessons.

The term was for one (1) year plus a further term of two (2) years which expired 20 December 2019.

Prior to the expiration of the license, Council at its meeting on 15 October 2019, Item No. DCS425, approved a license renewal of two (2) years with an option of a further two (2) years.

In the approach to the expiration of their current license, Ultimate Watersports Pty Ltd has expressed their interest in a further extension.

Term

A licence is subject to the approval of the Minister for Lands and the legislation does not limit the term of a licence. A licence does not grant an exclusive right to the land and members of the public cannot be excluded from licensed Crown land. City Officers have proposed a four (4) year term which is derived from

Council's previous resolution to support an extension of an existing licence for a total of four (4) years.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts. The two business operations have conducted themselves soundly and continue to offer benefit to the local community. The license conditions will also include minimum attendance arrangements to ensure the site is utilised appropriately.

Economy:

The above businesses have seen growth over recent years and have enhanced tourism by adding to the economic vibrancy and vitality of the community in this area.

Environment:

There are no adverse environment impacts.

Leadership:

The issuing of these licenses is considered to contribute to the City's responsibility to drive activation of the foreshore.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Previous licenses have been approved for both operators through Council Item No. DCS345 on 26 September 2016 and Item No. DCS314 on 20 December 2016.

COMMUNITY/COUNCILLOR CONSULTATION:

This matter was considered at the Council's Concept Forum of 15 November 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 18 of the *Land Administration Act 1997* – Crown land transactions that need Ministerial approval.

Section 18:

- (1) *A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land.*

Additionally, any application must address the criteria and the objectives of Council Policy 1.5 – Foreshore Use and Development Policy and Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

Ultimate Watersports also gained the required approvals to meet the *Navigable Waters Regulations 1958* and the *Western Australian Marine Act 1982*. All gazetted speed restricted areas, boating prohibited areas, areas of 'restricted

practices – freestyle driving, wave jumping and surfing and commercial vessel survey and manning requirements have been met.

FINANCIAL AND RESOURCE IMPLICATIONS:

A commencement licence fee of \$500 per annum inclusive of GST plus all other costs associated with the preparation and issue of the licence agreement.

This fee is in line with the Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land fee.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no consequential risks inherent in approving, or not approving, the recommendation. The licensees will be required to hold an appropriate public liability insurance policy.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers but were not recommended as suitable:

1. Not approve the continuation of the license arrangements; and
2. Seek expressions of interest for other operators who may wish to activate the foreshore.

Cr A Horsman declared a Closely Associated Persons interest in Item No. DS025 Forehorse Licences – Fusions Gelato and Ultimate Water Sports Pty Ltd., as he knows Mr Lindsay Cannon the owner of Ultimate Watersports personally and has done some casual employment with him. Cr Horsman remained in Chambers during the debate.

Cr J Critch declared an Impartiality Interest in Item No. DS025 Forehorse Licences – Fusions Gelato and Ultimate Water Sports Pty Ltd, as the owner of Fusions Gelato is a former employee on her farm business and remained in Chambers during the debate. Cr Critch remained in Chambers during the debate.

During the debate, Cr Denton requested an amendment to the motion to add a new Point 7 to DIRECT the CEO to call an Expression of Interest (EOI) for further licence opportunities at locations previously identified on the Beresford Foreshore.

The Mover and Seconder approved the amendment.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR LIBRIZZI

That Council by Simple Majority pursuant to Section 18 of the *Land Administration Act 1997* RESOLVES to:

- 1. GRANT separate licences to Fusions Gelato and Ultimate Watersports Pty Ltd on two separate portions of Crown Reserve 50100;**
- 2. MAKE the determination subject to:**
 - a. Consent from the Minister for Lands;**
 - b. Advertising notice period of not less than 14 days inviting public submissions;**
- 3. SET the proposed conditions for each separate license as:**
 - a. Term to be set at four (4) years;**
 - b. Fee to be as set at \$500 inclusive of GST;**
 - c. Commencement date to be 1 April 2024;**
- 4. ADVISE the licensees that they are responsible for paying:**
 - a. All applicable rates, taxes and other fees and charges applicable;**
 - b. All costs associated with:**
 - i. Preparation and execution of the licence;**
 - ii. All other costs associated with the licence;**
- 5. REFER either of the matters back to Council for final consideration if any objecting submissions are received relevant to the license;**
- 6. DELEGATE authority to the Chief Executive Officer to negotiate, sign and finalise the license arrangements for both Fusions Gelato and Ultimate Watersports; and**
- 7. DIRECT the CEO to call an Expression of Interest (EOI) for further licence opportunities at locations previously identified on the Beresford Foreshore.**

CARRIED 11/0

Time: 5:12 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:
That Council give other businesses in the community the same opportunity to express interest at locations identified on the Beresford Foreshore.

DS026 SURRENDER AND NEW LEASE – COJAH PTY LTD

AGENDA REFERENCE:	D-23-162707
AUTHOR:	R Hall, Director Development Services
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	27 November 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x2)
	A. Site Map
	B. Coastal Hazard and Risk Assessment Report Excerpts

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to surrender the two (2) current leases associated with Cojah Pty Ltd and enter into a new lease with the additional provisions that assist the City to meet financial imperatives while offering the lessee a longer term, financial security and improved tenancy.

EXECUTIVE RECOMMENDATION:

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

1. SURRENDER the current registered leases being O136191 and O136192;
2. ENTER in to a new single lease agreement with Cojah Pty Ltd over Crown Reserve 27317, 2871 Bosley Street, Sunset Beach;
3. MAKE the determination subject to:
 - a. Undertaking an advertising notice period of not less than 14 days inviting public submissions;
 - b. Consent from the Minister for Lands;
4. SET the conditions as follows:
 - a. Term to be for a period of 35 years commencing 1 March 2024;
 - b. Fee to be set by an independent valuation including CPI and three (3) year rent reviews;
 - c. Include requirements that the lessee at their cost meet all managed coastal setbacks and any additional planning requirements within 12 months from the date of the new lease;
5. ADVISE the lessee they are responsible for meeting all insurance, rates, taxes, utilities and any other fees and charges associated with the leases and their preparation; and
6. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The proponent is Cojah Pty Ltd.

BACKGROUND:

The City of Greater Geraldton has a Management Order N633462 over Reserve 27317, 2871 Bosley Street, Sunset Beach (the Reserve) for the purpose of Caravan Park and Parking with the Power to Lease for a period of

up to 35 years. Located on this Land is the Sunset Beach Holiday Park (the Park).

The management order defined that the minimum number of sites on the Reserve would be as follows:

- 110 powered sites
- 22 family chalets
- 16 rental caravans
- 113 long stay sites

In 2007 Cojah Pty Ltd (the Lessee) purchased the Park business and in 2009 Council approved the Lessee to surrender their lease and replace it with two (2) leases issued for a new term of 32 years.

The two leases were divided per the plan shown in Attachment No. DS026A:

- The first lease being for a 7,056m² portion of the Reserve being the 'Managed Coastal Retreat Area'; and
- The second lease being for a 5.7028 hectare portion of the Reserve being the 'Non-Managed Coastal Retreat Area'.

The purpose of two leases enables the City as Lessor the power to issue the Lessee with a Deed of Surrender of Lease should it be determined in the Lessor's reasonable opinion the Manageable Coastal Retreat Area portion become substantially affected by erosion.

The relocation of the sea fronted sites was related to the new setbacks introduced as part of the Geraldton Coastal Hazard Risk Management and Adaptation Plan as shown in Attachment No. DS026B. Given the erosion has not occurred, the Lessee has not had to relocate the sea fronted sites though a managed retreat condition will be required for this site.

The leases commenced 1 December 2016 and will expire 30 November 2051, reflecting that the remaining term is currently 28 years.

In 2017 the City agreed to allow the site make up to alter as below:

- 133 short stay sites; and
- 129 long stay sites.

As at November 2023, Sunset Beach Holiday Park has the following split of the 129 long stay sites:

- 27 Long Stay Sites in the tourism park;
- 16 Long Stay Sites available for rental vans; and
- 86 Long Stay Sites in the Village development (Review to DA).

In addition, the tourism park short stay mix is as follows:

- 110 powered sites split between:
 - 94 caravan sites; and
 - 16 powered grass camping sites.
- 23 Chalet sites.

Current rental is set at \$95,792.40 per annum (paid monthly) with a rental review every three (3) years, the next review being due 1 December 2024.

The Lessee has recently approached the City requesting the term be raised back up to 35 years.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

With the current national housing shortage, a well run caravan park is an essential part of Geraldton's local accommodation needs.

Economy:

The proposed surrender and further term renewal (and restructure) of the lease will allow for the ongoing development of the park whilst also ensuring no economic cost to the community.

Environment:

The proposed additional clause seeking funding toward erosion control will assist the City and the community (as well as the Lessee and site holders) to limit erosion issues and hopefully stem any future problems.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has the power under the management order to consider this request subject to consent from the Minister for Lands.

Similar approvals have been granted to the Lessee historically.

COMMUNITY/COUNCILLOR CONSULTATION:

The Lessee attended and presented at the Concept Forum of 15 November 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the *Local Government Act 1995* details the process for 'disposing' (or in this case the leasing) of Crown Land.

FINANCIAL AND RESOURCE IMPLICATIONS:

A revised valuation will be sought regarding the proposal, which is due 1 December 2024, as part of the current lease arrangements.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.4	Healthy financial sustainability that provides capacity to respond to change in economic conditions and community priorities.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The inclusion of ongoing and increased funding towards erosion control will assist in limiting this risk. The improved lease conditions around managing sub-lease arrangements will also improve the City's overall position.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers but were not recommended as suitable:

1. Not agree to any change to the current leases.
2. Seek substantial upgrades in exchange for the renewal.
3. Include in the terms of the lease a requirement to negotiate capital upgrades to the value of \$200,000 with 50% of them to be completed in five (5) years.

Cr Librizzi moved a motion different from the Executive Recommendation

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

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

1. **SURRENDER** the current registered leases being O136191 and O136192;
2. **ENTER** into a new single lease agreement with Cojah Pty Ltd over Crown Reserve 27317, 2871 Bosley Street, Sunset Beach;
3. **MAKE** the determination subject to:
 - a. Undertaking an advertising notice period of not less than 14 days inviting public submissions;

- b. Consent from the Minister for Lands;
4. SET the conditions as follows:
 - a. Term to be for a period of 35 years commencing 1 March 2024;
 - b. Fee to be set by an independent valuation including CPI and three (3) year rent reviews;
 - c. Include requirements that the lessee at their cost meet all managed coastal setbacks and any additional planning requirements within 12 months from the date of the new lease;
 - d. The Caravan Park lease holder in turn provides their existing permanent residents the option to increase the term of their leases in line with the proposed extended Caravan Park lease end date;
 5. ADVISE the lessee they are responsible for meeting all insurance, rates, taxes, utilities and any other fees and charges associated with the leases and their preparation;
 6. REFER the matter back to Council for final consideration if any objecting submissions are received; and
 7. AUTHORISE the Chief Executive Officer to negotiate and sign the new lease with Cojah Pty Ltd for the Sunset Beach Caravan Park.

CARRIED 11/0

Time: 5:15 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:
That Council set a new Condition 4.d that gives the existing permanent residents the option to increase the terms of their leases in line with the proposed extended Caravan Park lease end date.

12.2 REPORTS OF COMMUNITY AND CULTURE**CC008 PROPOSED COMMUNITY PROJECT EDITH COWAN MEMORIAL STATUE**

AGENDA REFERENCE:	D-23-156129
AUTHOR:	T Cornish, Manager Libraries, Heritage and Gallery
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x2) 1 x Confidential.
	A. Letter of Request by Julie Clark on behalf of Geraldton Voluntary Tour Guides (GVTG)
	B. Confidential - Letter of Support to GVTG from Hon. Sue Ellery MP

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval in response to a written request to the City by Geraldton Voluntary Tour Guides Association Incorporated (GVTG) for them to commission and install a statue commemorating Edith Dircksey Cowan at Edith Cowan Square in Geraldton.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the request by the Geraldton Voluntary Tour Guides Association Incorporated (GVTG) through provision of in-principle support for them to commission a statue commemorating Edith Dircksey Cowan to be installed at Edith Cowan Square in Geraldton;
2. NOTE that no financial contribution has been requested by GVTG towards the cost of the statue or its installation;
3. APPROVE the following conditions associated with Council's in principle support for the request:
 - a. Officers to provide advice and assistance to GVTG to identify external sources of grant funding;
 - b. GVTG to be advised that they are eligible to make application for the project through the City's Community Grants Program; and
 - c. GVTG to agree to the location of the installation being subject to negotiation regarding relocation of the statue to an alternative site should this be required at any point in the future.

PROPONENT:

The proponent is Julie Clark, President, on behalf of Geraldton Voluntary Tour Guides Association Incorporated (GVTG).

BACKGROUND:

The purpose of this report is to consider the City's response to a written request to the City of Greater Geraldton (the City) from the Geraldton Voluntary Tour Guides Association Incorporated (GVTG), dated 24 August 2023, seeking support from the City for them to commission and install a statue commemorating Edith Dircksey Cowan (née Brown; 02 August 1861 – 09 June 1932).

The request identifies Edith Cowan Square, which is a small park located immediately opposite the Geraldton Courthouse, bordered by Marine Terrace, Forrest Street and Foreshore Drive, as the preferred location for this proposed installation.

Edith Cowan was born on 02 August 1861 at Glengarry Station, Moonyoonooka. She was the second child of Kenneth Brown, pastoralist and his first wife Mary Eliza Dircksey Wittenoom, a teacher and the daughter of the colonial chaplain, J. B. Wittenoom. Cowan's mother died in childbirth in 1868 when Cowan was only seven (7). Her adolescence was shattered in 1876 by the ordeal of her father's trials and hanging for the murder, that year, of his second wife. Cowan went on to become the first woman to be elected to an Australian Parliament. Cowan was committed to social reforms which enhanced women's dignity and responsibility which secured proper care for mothers and children.

Two (2) years after her death, the Edith Cowan Memorial Clock was unveiled at the entrance to Perth's Kings Park. Her portrait featured on an Australian postage stamp in 1975, as part of a six-part "Australian Women" series. Australia Post honoured Cowan again in 2021, for the centenary of her election, as Australia's first woman parliamentarian. In 1984, the Federal Division of Cowan was created and named after her and in January 1991 the Western Australian College of Advanced Education was renamed Edith Cowan University (ECU). Cowan's portrait appears on the Australian fifty dollar note. In 2022, Lara Dalton MLA established the Edith Dircksey Cowan Achievement Award for primary and secondary students of Geraldton. In 2023 during Heritage Week, the Geraldton Regional Library hosted talks by Hilary Silbert, founder of the Edith Dircksey Cowan Commemoration.

There are currently two (2) commemorative elements in Edith Cowan Square, a small plaque commemorating the 150th Anniversary of the birth of Cowan which was celebrated in 2011, as well as park signage in a format which mirrors similar commemorative signage at nearby Batavia Park, installed by the City in July 2023. In addition, research is currently underway by the City's Heritage Services Team for a virtual memorial to Edith Cowan to be created on the Library's heritage webpages.

Accompanying the request received from the GVTG is a proposal by Smith Sculptors. This references bronze installations previously undertaken by Smith Sculptors in Geraldton, namely the "Waiting Woman" at the HMAS *Sydney* II Memorial and "Monsignor John Hawes and Dominie" at the St Francis Xavier Cathedral complex.

The estimated cost for the commissioning and installation of the sculpture is \$110,000. GVTG have pledged a sum of \$40,000 towards the project. They plan to seek further contributions through grant opportunities although no specific request for an allocation of funding by the City is included in the written request received. GVTG will be eligible to apply for up to \$20,000 from the City's Community Grants Program however they are required to match the City grant amount.

Additional external grant opportunities can be investigated by Officers and referred to GVTG in support of their endeavor. It is important to note that Smith Sculptors have indicated they intend to re-use a cast from a similar statue project undertaken for the City of Perth.

The City of Greater Geraldton Public Art Strategy 2020-2025 (the "Strategy") provides guidance for theming and narratives pertaining to new public art installations in the City, along with a procurement methodology. In a City-led public art commissioning project, the City would undertake an Expression of Interest process seeking submissions, similar to the recent GRAG large Scale Mural and Community Art Initiative project. In this instance, the proposal is for the commissioning to be undertaken through a community-led project, with an already identified artist and work.



The location proposed for installation of the sculpture of Edith Cowan is Edith Cowan Square, which is considered a suitable site given the name of the park and the existing plaque already in place there, both dedicated to Edith Cowan. At the same time, the City is aware that this area of the CBD precinct has a number of parcels of land subject to planning for future development that may have implications for the park in the future. As a result, should the proposal by GVTG be supported by Council, it is recommended that there be a requirement for GVTG to acknowledge its agreement to enter into a negotiation regarding the potential relocation of the sculpture should that be required at a point in the future.



Location of Edith Cowan Square, directly opposite Geraldton Courthouse. Area marked in red shows location of existing interpretation commemorating Cowan.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Edith Dircksey Cowan is a notable woman in the history of Western Australia and Australian politics and has rightfully been recognised for her contributions. As a local born individual, acknowledgment such as the proposed installation at Edith Cowan Square in Geraldton would be appropriate.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts, with the proposed sculpture consuming minimal footprint and to be located in developed area.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

A curriculum vitae of the Smith Sculptors and interim costings for the HMAS Sydney II Memorial and elements, including the bronze figure of the “Waiting Woman”, were presented as a community led project by Glenys McDonald on behalf of the Rotary Club of Geraldton to Mayor Phil Cooper, City of Geraldton on 1 December 1999. This was followed by a similar approach for the same project to the Shire of Greenough on 14 December 1999.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been consultation with Councillors at Concept Forum held 14 November 2023.

No consultation has been undertaken with the community by the City and Officers are unaware of any consultation undertaken by the proponent.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no known financial implications for the City as the written request to the City by GVTG did not seek any contribution of funding. Should GVTG be successful in a future grant application to the City, any financial contribution would come from the annual Community Grants Program budget allocation.

Whilst in-kind support was not sought or specified in the request to the City, it is likely that staff resources would be required to liaise with GVTG and assist them in their grant seeking. Additionally, the installation of the proposed sculpture would require involvement by Officers to ensure compliance with City requirements, including public safety aspects.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is commonplace.
Outcome 1.6	Community capacity, innovation and leadership is

	encouraged.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.
Outcome 4.1	Meaningful customer experiences created for the people we serve.

This proposal also aligns with the aims and actions contained in the City of Greater Geraldton Heritage Strategy 2023-2028, as follows:

Aim 4.4 Communicating

Communicating and celebrating the region's heritage provides opportunities for the community to appreciate their history, culture and environment and to promote the region to visitors.

REGIONAL OUTCOMES:

There are no specific impacts to regional outcomes. However, the significance of Edith Cowan's story and the celebration of this within the context of the State and country's political history will contribute to a broader appreciation of the role that the regions have played in the development of this State.

RISK MANAGEMENT:

Risks inherent in approving the request are the unknown level of support that might be required by Officers in advising GVTG about grant opportunities and liaising with GVTG and the sculptors in relation to the installation details, including compliance with City requirements. A shortfall in identified funds available to deliver the project could be a risk that may result in an expectation for Council to provide financial support. Risks associated with potential damage and graffiti, as well as wear and tear of a bronze statue, may trigger regular and unscheduled maintenance requirements for the City.

A risk regarding compliance with the City's Procurement Policy would apply if the project were to be led by the City as a minimum of three (3) quotes would need to be sought (as is usually achieved through an Expression of Interest process for public art). However, this risk is negated under a community-led and managed project.

The risks in not approving the request are that the City could be perceived to be discouraging community-led initiatives, potential harm to the relationship with GVTG and negative community feedback, should they be in favour of the installation of a statue commemorating Edith Cowan in Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

1. Enter into discussion with GVTG for the project to be a City-led public art project and open it up to an Expression of Interest process, as is undertaken for the City's public art commissions and in a similar manner to the recent process applied to the Large-Scale Mural and Community Art Initiative that will deliver the GRAG mural;

2. Not support the request to install a bronze statue of Edith Dircksey Cowan at Edith Cowan Square and recommend an alternative location within the City;
3. Not support the request to install a bronze statue of Edith Dircksey Cowan in Geraldton on the basis that several high-profile commemorations have already been delivered, or that it is too similar to the sculpture being delivered in the City of Perth.

In regard to the alternative options, the option to transition the project to being City-led is likely to not be met with satisfaction by GVTG and the sculptors as it opens the project up for other concepts and artists.

Options two (2) and three (3) were not recommended as, in the view of Officers, commemoration of the significant contribution by Edith Cowan to the State's history is warranted. Furthermore, the proposed location at Edith Cowan Square is considered the most appropriate site.

COUNCIL DECISION

MOVED CR FIORENZA, SECONDED CR COLLIVER

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

1. **APPROVE** the request by the Geraldton Voluntary Tour Guides Association Incorporated (GVTG) through provision of in-principle support for them to commission a statue commemorating Edith Dircksey Cowan to be installed at Edith Cowan Square in Geraldton;
2. **NOTE** that no financial contribution has been requested by GVTG towards the cost of the statue or its installation;
3. **APPROVE** the following conditions associated with Council's in principle support for the request:
 - a. Officers to provide advice and assistance to GVTG to identify external sources of grant funding;
 - b. GVTG to be advised that they are eligible to make application for the project through the City's Community Grants Program; and
 - c. GVTG to agree to the location of the installation being subject to negotiation regarding relocation of the statue to an alternative site should this be required at any point in the future.

CARRIED 11/0

Time: 5:18 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.3 REPORTS OF CORPORATE SERVICES**CS084 STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 30 NOVEMBER 2023**

AGENDA REFERENCE:	D-23-165232
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	06 December 2023
FILE REFERENCE:	FM/17/0013
ATTACHMENTS:	Yes (x1)
	Monthly Management Report for period ended 30 November 2023

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 30 November 2023.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly Statement of Financial Activity for the period ended 30 November 2023, as attached; and
2. RECEIVE the monthly Statement of Financial Position as at 30 November 2023, as attached.

PROPONENT:

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

BACKGROUND:

The financial performance and position at the end of November 2023 is detailed in the attached report and summarised as follows, the variances between Year-to-Date (YTD) budgeted forecasts and actuals:

Operating Income	\$	1,376,026	2.0%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	939,529	2.5%	over YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	436,497	1.3%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	3,173,771	15.7%	under YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	942,544	25.0%	over YTD Budget	<input checked="" type="checkbox"/>

Cash at Bank – Municipal	\$	11,238,123
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Total Funds Invested	\$	63,755,828
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Current Rates Collected to November 2023	77.26%
Current Rates Collected to November 2022	77.26%
Rates Arrears Collected to November 2023	32.39%
Rates Arrears Collected to November 2022	27.74%

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the budget. The financial performance presented in the November financials show a YTD positive variance of \$436,497 in the net operating surplus/(deficit) result.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Financial Management Regulations now require presentation each month of a statement of financial activity and statement of financial position 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 Council 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 the local government to prepare a statement of financial activity, reporting on the revenue and expenditure as set out in the adopted annual budget.

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

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

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

1. RECEIVE the monthly Statement of Financial Activity for the period ended 30 November 2023, as attached; and
2. RECEIVE the monthly Statement of Financial Position as at 30 November 2023, as attached.

CARRIED 11/0

Time: 5:19 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

12.4 REPORTS OF INFRASTRUCTURE SERVICES

IS297 GERALDTON JETTY	
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AGENDA REFERENCE:	D-23-161357
AUTHOR:	C Edwards, Manager Project Delivery and Engineering
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

Council received a petition at its November 2023 Ordinary Meeting of Council from the Jetty for Geraldton Community Group requesting the City commit funding of \$200,000 for the necessary preliminary studies to establish a new Jetty at the end of the existing rock walls at Midalia Beach.

The purpose of this report is to provide Council with additional preliminary information and seek direction with respect to the next steps.

EXECUTIVE RECOMMENDATION:

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

1. ENDORSE a \$50,000 budget allocation in the Mid-Year Review to undertake an initial site selection investigation;
2. CONFIRM this funding allocation as part of the upcoming mid-year budget review;
3. DIRECT the CEO to write to the Federal and State Governments to ascertain their level of interest in financially supporting the project; and
4. REQUIRE the Chief Executive Officer to provide Council with a further report with the outcomes once received.

PROPONENT:

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

BACKGROUND:

A petition was received by Council in CS076 Petition – Funding For Preliminary Study of Jetty for Geraldton Project on 28 November 2023 which requested the Council to consider committing funding of \$200,000 for preliminary studies into the construction of a Jetty at Midalia Beach, Geraldton.

Petitioners requested the Council to consider:

We, the Jetty for Geraldton Community Group believes in the beauty of our region and the amazing experiences our coastline offers. Many of us love swimming, fishing, boating and enjoying water activities all year round.

We demonstrated our communities support for a jetty when we presented our concept to the City of Greater Geraldton at their Ordinary Meeting of Council Minutes, in February 2022. The Council, at this meeting, did not

commit the \$200,000 required for the necessary preliminary studies, however it was decided that our funding request was to be reassessed this year.

The purpose of this petition is to highlight the communities desire once again for the jetty project and to urge councillors to commit to the \$200,000 in their new budget.

The Jetty for Geraldton Community Group, with over 7,400 followers, foresees this jetty as a way to boost local businesses, serve both visitors and residents and become a local tourist attraction.

The proposed location for the jetty, Midalia Beach, is in an already developed area with public parking, toilets, and a playground. This makes it accessible and convenient for everyone.

The reasons for the request were:

To establish a jetty which will boost local businesses, serve both visitors and residents, and become a popular tourist attraction.

The petition included a concept for the location of a 550-meter-long Jetty at Midalia Beach as well as an Opinion of Probable Cost from HW Associates Quantity Surveyors.

The Director of Infrastructure Services made some initial enquiries with known coastal engineering consultants previously successfully used by City to obtain information on the required studies and very rough estimates to complete them.

The advice was as follows:

- Business Case: \$50,000
- Site Selection Study: \$50,000
- Investigations required to produce a preliminary design and 15 percent opinion of probable cost: \$300,000.
- **TOTAL: \$400,000**

The coastal consultants also suggested that (based on \$6k -\$10k per sqm), a low maintenance, concrete deck jetty of the magnitude proposed at Midalia Beach could be in the order of \$20 Million for the Jetty only. This does not include the required extensions / upgrades to the existing rock walls which are likely to need raising and any other associated shore-based infrastructure.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The purpose of this report is to address a community-led petition for further investigation into the construction of a new Jetty at Midalia Beach, Geraldton. Council endorsement of the Executive Recommendation would support the community's endeavours to improve amenity in the City for its residents and visitors.

Economy:

The completion of a business case by a suitably qualified consultant would provide details on the impact of a Jetty on the local community.

Environment:

Appropriate studies and investigations will inform the design of a jetty that limits impacts to the marine and coastal environment, as well as informing Council regarding potential other impacts on the City in areas such as pedestrian access, parking and traffic.

Leadership:

Council will demonstrate leadership by determining this matter.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council has previously supported proceeding with the requests made in a community petition, most recently on 26 September 2023 – Item No. IS292 – Drummond Cove Road – Local Area Traffic Management.

COMMUNITY/COUNCILLOR CONSULTATION:

The petition was completed by 711 community members. The Jetty for Geraldton Community Group has 7200 followers on its Facebook page. The group presented their concept for the Jetty to Council at a Concept Forum on 1 February 2022.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

The proposed \$50,000 operating expense allocation would need to be sourced as part of the mid-year review that will be presented to the Council in early 2024.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.8	Active living and recreation is encouraged.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well-being.
Strategic Direction:	Aspiration: A strong local democracy with an engaged

Leadership	community, effective partnerships, visionary leadership and well-informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.

REGIONAL OUTCOMES:

The Jetty proponents believe the proposed infrastructure would increase visitation to the Geraldton which in turn would be good for the region.

RISK MANAGEMENT:

At this early phase in the life of the project, there are a lot of unknowns and hence risks. Should the project proceed, completing preliminary investigations would enable more informed decision-making by Council. This would reduce the potential risks that are not clarified at this time.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Alternate options available to the Council include:

1. That Council considers an allocation for the project in the upcoming 2024-25 Annual Budget (or the year after).
2. That the Council allocates \$400,000 in the current budget (Mid-Year Review) to undertake the studies required to determine the future of the project. (This option is not recommended as it is very unlikely that officers would be able to facilitate all of the studies in the remaining six months of this financial year).
3. That the Council agrees to contribute \$200,000 in next year's Annual Budget to undertake the initial studies required on the condition that the Group/ State / Federal Government fund the required matching amount.
4. That the Council says, "not at this time" because while the City believes it is a wonderful project, the City has higher priorities as it is concentrating on projects that will resolve current core infrastructure gaps whilst enhancing the City's future (refer to draft State Election project list provided later in this agenda).

Cr A Horsman declared an Impartiality Interest in Item No. IS297 Geraldton Jetty, as he is an active participant on their Facebook page, Jetty for Geraldton. Cr Horsman remained in Chambers during the debate.

Cr Cooper moved a motion different from the Executive Recommendation.

During the debate, Cr Tanti foreshadowed an alternative motion, should the motion be lost, as per below:

1. *NOT ENDORSE funding for the Geraldton Jetty project at this time; and*
2. *CONSIDER the Geraldton Jetty project in future capital works programs.*

COUNCIL DECISION

MOVED CR COOPER, SECONDED CR KEEMINK

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

1. **ENDORSE** funding of \$50,000 to undertake a business case for the possible construction of a Jetty in Geraldton, with the business case to consider as a minimum:
 - a. the economic impacts of the project on the local community and local community infrastructure;
 - b. the capital and maintenance cost impacts on the Council budget for various Jetty configurations having different cost implications;
 - c. the impact on the City’s capacity to fund other priority projects;
2. **CONFIRM** this funding allocation as part of the upcoming mid-year budget review; and
3. **DIRECT** the CEO to write to the Federal and State Governments to ascertain their level of interest in financially supporting the project.

CARRIED 8/3

Time: 5:41 PM

Not Voted: 0

No Votes: 3

Yes Votes: 8

Name	Vote
Mayor Clune	NO
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	NO
Cr. Tanti	NO

REASON FOR VARIATION TO EXECUTIVE RECOMMENDATION: Council to not be responsible to commit significant City funds and resources on the project until the business case is completed. Council can then consider the site selection study and initial design.

IS298 CBD REVITALISATION – CATHEDRAL AVENUE AND FORESHORE PLAZA UPGRADE

AGENDA REFERENCE:	D-23-161928
AUTHOR:	C Edwards, Project Delivery and Engineering
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Geraldton CBD Revitalisation Cathedral Avenue Upgrades Concept Drawings

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to submit a grant application to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts under the Growing Regions Program – Round 1 to fund the CBD Revitalisation Cathedral Avenue and Foreshore Plaza Upgrade project.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.2 of the *Local Government Act 1995* RESOLVES to:

1. DIRECT the Chief Executive Officer to submit a full application for grant funding to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts Growing Regions Program – Round 1 for the CBD Revitalisation Cathedral Avenue and Foreshore Plaza Upgrade project.

PROPONENT:

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

BACKGROUND:

The Geraldton City Centre Revitalisation Plan was prepared and published in April 2017 to guide the future development and revitalisation of the Geraldton City Centre. The revitalisation strategy provided short, medium and long-term aspirations and strategies that would enable the City Centre to move toward success, becoming a true regional capital for the Mid-West. Preparing a revitalisation plan for Geraldton's City Centre was identified as a priority project by "Growing Greater Geraldton" as part of the State Government's Regional Centres Development Plan.

Urban Design Landscape Architecture (UDLA) were engaged by the City to prepare the Geraldton CBD Masterplan as a continuation of the revitalisation process for the Geraldton City Centre. The Masterplan aimed to provide, amongst others:

- Significantly improved overall tree canopy cover within the City Centre area, creating a more shaded, comfortable pedestrian environment; and

- Improved streetscapes that maintain vehicular access and movement into and through the City Centre, whilst creating more equitable networks for cyclists and pedestrians.

The Geraldton CBD Masterplan reimagined the whole of the CBD and established the palette of materials, the look and feel of the precinct. It envisaged the Foreshore Plaza as the destination arrival and community open space (the “Heart”) for visitors entering Geraldton with the Cathedral Avenue streetscape from Chapman Road to Foreshore Drive seen as the primary accessway into the City and the Foreshore (the “Gateway”). In 2018, the City engaged Porter Consulting Engineers with sub-consultant Ecoscape Landscape Architects to develop the City’s CBD Masterplan concept design into a final tender-ready set of documents.

The City was successful in obtaining a Federal Government Blackspot grant for a new roundabout at Cathedral Avenue and Sanford Street as well as Federal Government Local Roads and Community Infrastructure Program grants. The Cathedral Avenue streetscape from Chapman Road to Foreshore Drive (the “Gateway”) was included with the Cathedral Avenue Sanford Street Roundabout in a tender package that was advertised in December 2020 to take advantage of the available funding. The Foreshore Plaza portion of the project was excluded from the tender package at the time as consultant pre-tender estimates indicated that there was insufficient funding available.

The pricing received in response to the request for tender exceeded the available funding. Council resolved Item No. IS226 in February 2021, to reject the tender and proceed with the construction of the Cathedral Avenue and Sanford Street Roundabout only using the City’s annual supply contractors. It further resolved to approve the inclusion of the Cathedral Avenue upgrade project in the Capital Works program for completion at a later date.

In July 2023, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts released Round 1 of the Growing Regions Program, a \$600 Million grant fund to drive regional economic prosperity by providing access to funding for capital works for infrastructure across Australia’s rural and regional areas. The program called for initial Expressions of Interest (EOI) as part of a two-stage grant application process.

The City submitted an EOI to the Growing Regions Program on 2 August 2023 for the “City of Greater Geraldton Gateway to the Heart Project”. The application sought grant funding of \$2.4 Million for an anticipated total project cost of \$5.14 Million. The scope of the project included both the Cathedral Avenue and Foreshore Plaza upgrade works. On 24 November 2023, the City received notification that our Growing Regions Program - Round 1 EOI was successful and that we were invited to submit an application for the next full application stage. The full application stage opened on 27 November 2023 and closes on 15 January 2024. The grant guidelines require the project to commence before 15 May 2024 and be completed by 31 December 2025.

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

The Foreshore area was clearly identified in the stakeholder engagement sessions for the Geraldton City Centre Revitalisation Plan to be the potential “Jewel in the Crown” for the City, but it required further development in the built form. The Foreshore was highly celebrated as a positive aspect of the City by the stakeholder group. The upgrade of the Foreshore Plaza responds to the stated community need for the area to be further developed, which will add to the activation of the CBD. The incorporation of trees will improve the shade canopy in the street to enhance the amenity for the community. Improved street lighting will also enhance night-time safety in the area.

The redevelopment of Cathedral Avenue and the Foreshore Plaza will enhance civic pride in the CBD, the natural environment and the maritime history of the area. It will also attract visitors and tourism to the City that will support community owned businesses and improve the overall vibrancy of the City Centre. The proposed changes to the Foreshore Plaza will create a space that allows for community exhibition or entertainment activities to be hosted. There will be opportunity for artists from the local community to contribute to the art that is to be incorporated into the streetscape.

Economy:

The City has received an application for a development approval on the corner of Cathedral Avenue and Foreshore Drive for a proposed Tavern & Micro-Brewery which if approved, would provide a high-quality built form that activates the streetscape and promotes the vibrancy of the area. The proposal achieves this by providing alfresco dining that interacts with the streetscape representing an excellent integration opportunity to deliver an exceptional economic and place activation outcome.

Environment:

The upgrade to Cathedral Avenue and the Foreshore Plaza will introduce street trees which will provide shade for pedestrians and contribute to cooling the City Centre. The designs feature water-wise plantings and introduce rain gardens into the streetscapes to divert stormwater away from draining out to the sea and to supporting plant growth.

The pedestrian friendly environment will also provide a sustainable outcome by encouraging people to park their cars and walk through the CBD.

Leadership:

The community values a safe, vibrant and beautiful City Centre and will expect the City to support an opportunity to obtain funding to upgrade a key part of the infrastructure in the area.

RELEVANT PRECEDENTS:

In Item No. IS294 Maitland Park School Precinct Transport Hub, Council endorsed the submission of an application for grant funding for the project.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors have previously been consulted on the concept and design of the Cathedral Avenue and Foreshore Plaza upgrade, and in Item No. IS226, supported the inclusion of the Cathedral Avenue upgrade project in the Capital Works Program for completion at a later date. Councillors have also endorsed the Geraldton City Centre Revitalisation Plan and reviewed the Geraldton CBD Masterplan. The owners of the Gerald Hotel and the Ocean Centre Hotel have been consulted previously regarding the proposed upgrade works. Stakeholder meetings and workshops were held as part of the process to develop the City Centre Revitalisation Plan.

LEGISLATIVE/POLICY IMPLICATIONS:

The Concept Masterplan strongly aligns with Council Policy 2.8 Geraldton City Centre Vibrancy, which among other commitments sets out to develop a vibrant City Centre, create a place that is safe, welcoming, authentic, attractive and improve the comfort and amenity in the City Centre.

FINANCIAL AND RESOURCE IMPLICATIONS:

Growing Regions Program – Round 1 is a \$600 Million grant fund offered by the Department of Infrastructure, Transport, Regional Development, Communications to drive regional economic prosperity by providing access to funding for capital works for infrastructure across Australia’s rural and regional areas.

The Program has grant funding available of between \$500,000 and \$15 Million which require co-funding of up to 50% of eligible project costs. If the grant application is successful, it will require a City contribution of \$2.74 Million.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.3	A well-maintained, SMART, sustainable, liveable City valued by the community.
Outcome 3.4	A desirable and sustainable built and natural environment responsive to community aspirations.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership, and well-informed decision-making.
Outcome 4.6	A community that is genuinely engaged and informed in a timely and appropriate manner.

REGIONAL OUTCOMES:

Implementing the Cathedral Avenue and Foreshore Plaza upgrade will continue enabling the Geraldton City Centre to develop as the leading regional capital

City of Western Australia by creating vibrant public spaces that support the community's lifestyle.

RISK MANAGEMENT:

Supporting the full application for grant funding carries very little risk to the City at this stage. Council will have the opportunity, if the application is successful, to decide at a later date whether to proceed with the project.

A decision to accept the grant funding and proceed with the construction phase will cause disruption to the City Centre in general and to the businesses along Cathedral Avenue in particular that will have to be managed.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The Council may choose not to endorse the decision to submit a full application for grant funding. This option is not recommended as the City would forego the opportunity to obtain funding to construct a significant element of the CBD Masterplan.

During the debate, Cr Horsman foreshadowed an alternative motion, should the motion be lost, as per below:

1. *DIRECT the Chief Executive Officer to NOT submit a full application for grant funding to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts Growing Regions Program – Round 1 for the CBD Revitalisation Cathedral Avenue and Foreshore Plaza Upgrade project;*
2. *DIRECT the Chief Executive Officer to undertake footpath and tree establishment works only on the proposed section of Cathedral Avenue and funds the works in house;*
3. *NOT CONSIDER committing \$2.74 million dollars to the project, instead consider redirecting the money towards the developing works project at the Meru landfill site; and*
4. *CONFIRM this funding allocation as part of the upcoming mid-year budget review.*

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR LIBRIZZI

That Council by Simple Majority pursuant to Section 5.2 of the *Local Government Act 1995* RESOLVES to:

1. **DIRECT the Chief Executive Officer to submit a full application for grant funding to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts Growing Regions Program – Round 1 for the CBD Revitalisation Cathedral Avenue and Foreshore Plaza Upgrade project.**

CARRIED 10/1

Time: 5:47 PM

Not Voted: 0

No Votes: 1

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	NO
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.5 REPORTS OF OFFICE THE CEO**CEO113 STATE ELECTION PRIORITY PROJECT REQUESTS**

AGENDA REFERENCE:	D-23-162962
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	7 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x2)
	A. Draft Regional Capital and Operational Project Priorities.
	B. Draft Local Capital and Operational Project Priorities.

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to forward the attached Draft Regional and Local Capital and Operational Requests to the State Government for consideration in the next Budget and in the preparation of their next Election Commitment documentation.

EXECUTIVE RECOMMENDATION:

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

1. ENDORSE the draft Regional Capital and Operational Project Priorities;
2. ENDORSE the draft Local Capital and Operational Project Priorities; and
3. DIRECT the CEO to send the documents to the State Premier, Ministers and Local Member.

PROPONENT:

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

BACKGROUND:

A core responsibility of the City of Greater Geraldton is to advocate for the needs of the Midwest. In Australia's political system, advocacy is a key method of ensuring the critical needs of the community are considered by the State Government when they determine how they will allocate their resources. This is especially important at present as the Nation transitions to a more sustainable economy which presents significant opportunities for the Midwest with its ample supply of sunshine and wind.

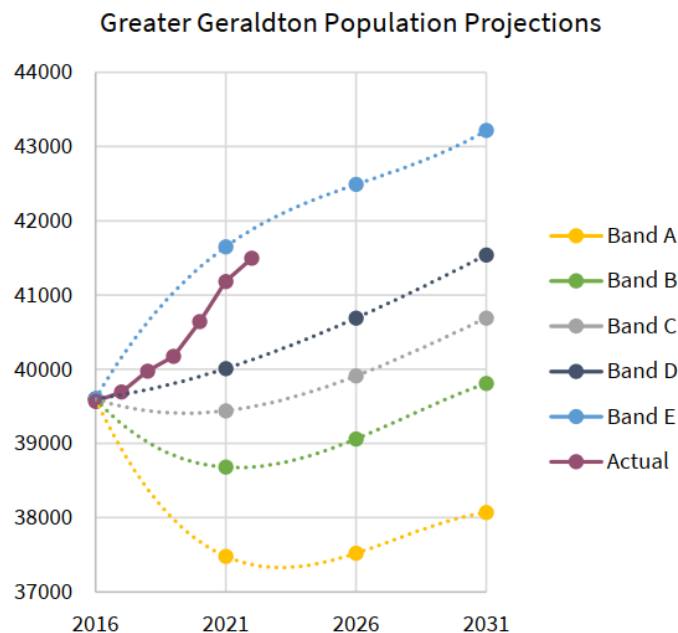
Attached to this report is a list of capital and operational requests at a regional level and a further set of capital and operational requests at the local level. The genesis of these lists includes:

- The City's Jobs and Growth Plan.
- Numerous meetings with Local, State and National level stakeholders.
- Recommendations from surrounding Shires.

- Knowledge gained through involvement with the Western Australian Local Government Association (WALGA), Regional Capitals Australia (RCA) and RCAWA.

A list of regional projects was recently prepared and presented to the Federal Treasury representatives who took the time to visit the region. A list of City (local) level projects has now been added and is attached for consideration. In addition to the Regional and Local Capital lists, this year officers have included a list of operational requests.

The operational request lists have been included in response to Local Governments being asked to do more with less. This has accelerated in recent times with the State Government's legislative reform process which is requiring the local government sector to deliver more or higher-level services without allowing the sector to collect the required income to deliver them (e.g. Puppy farming legislation, ESL collection, Development Applications, etc). It should be noted that the local government sector receives only three percent of the Nation's total tax revenue collection. The following graph prepared by the Regional Australia Institute clearly demonstrates the need for strong advocacy.



Source: *Regional Australia Institute (RAI) presentation October 2023 (Western Australia Tomorrow population forecasts and ABS).*

The population growth in Greater Geraldton has increased faster than the State predicted and is approaching the most optimistic forecast (Band E). This clearly demonstrates the need for increased State infrastructure expenditure in the region. The need is also highlighted by:

- Regular power outages.
- Future water sources not guaranteed.
- Upgrades to the local Health Facilities (Geraldton and Mullewa) delayed.

- Trunk water and sewerage infrastructure not available to allow the development of residential land.
- The Inner By-pass road required to unlock commercial land not on Main Roads' planning horizon.
- Tourism infrastructure (Museum upgrade, Abrolhos Stage 2) still awaiting funding.
- The State approving 60m road train use without adequate upgrade of the region's road network.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

“Australia has a highly mobile population and regional “liveability” has a strong role to play in influencing people’s decisions about where to live. While concepts of liveability vary from person to person, there are key indicators of liveability that are common to most people. These are:

- *Health Services*
- *Education Services*
- *Cost of Living*
- *Amenity*
- *Connection to Community*
- *Lifestyle and Opportunity*

By focusing on developing their liveability across these six areas, regional towns can become more successful in attracting the people that they need for a strong and prosperous future. A deep understanding by regional leaders of the liveability”.

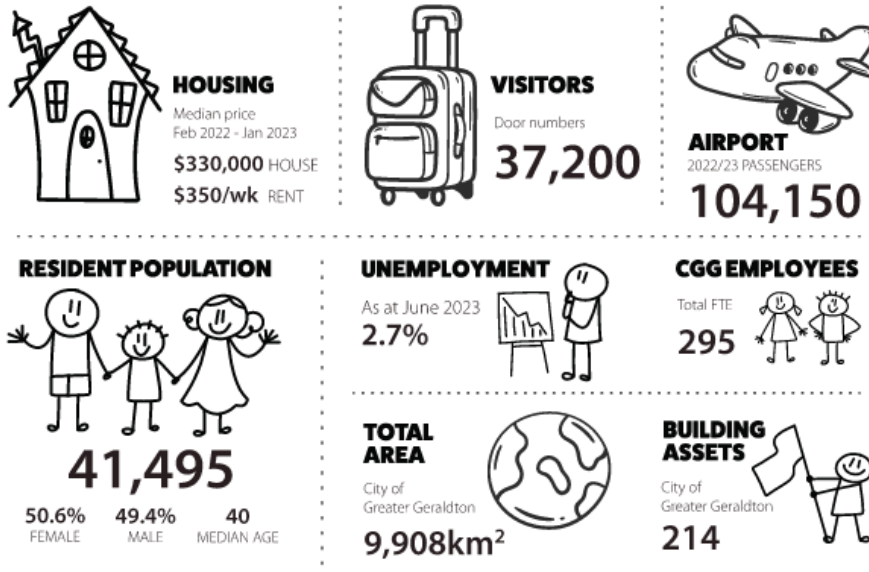
Source: Regional Australia Institute (RAI) presentation October 2023

Economy:

The region's capital, Geraldton, is currently in the midst of an immense economic expansion. Land availability is high, house prices are reasonable, but existing infrastructure is not keeping up. The Jobs and Growth plan and other regional reports highlight the need for significant State investment in energy, water, sewerage, healthcare, tourism, education and transportation infrastructure.

With a population of over 40,000 people, the city's existing significant economic output is generated from industries including hospitality, mining, fishing, manufacturing, construction, retail, and tourism. In addition, the region is poised to take advantage of the global desire to decarbonise by tapping into the regions solar and wind potential. A snapshot follows:

CITY OF GREATER GERALDTON SNAPSHOT



RATEABLE PROPERTIES
GRV Residential Properties **17,982**
GRV Non Residential **1,546**
UV Rural, Farming and Mining Properties **1,100**
Exempt Properties **1,553**



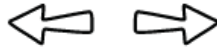
TERTIARY EDUCATION
STUDENTS ENROLLED
Geraldton University Centre **270**
Vocational Education **4,653**



GROSS REGIONAL PRODUCT
Greater Geraldton **\$4B**, Midwest **\$8.2B**



GERALDTON PORT
Total Trade Throughput **17.4MT**
Vessel visits **400**, Total Trade Exports **16.5MT**, Total Trade Imports **906MT**



TOP FIVE INDUSTRIES BY OUTPUT
Mining **\$1,225M**
Construction **\$1,018M**
Rental, Hiring & Real Estate Services **\$589M**
Manufacturing **\$576M**
Transport, Postal & Warehousing **\$552M**

TOP FIVE ICONIC ATTRACTIONS
1. Abrolhos Islands
2. HMAS Sydney II Memorial
3. Museum of Geraldton
4. St Francis Xavier Cathedral
5. Point Moore Lighthouse



TOP FIVE INDUSTRIES BY EXPORT
Mining **\$1,065M**
Transport, Postal & Warehousing **\$272M**
Agriculture, Forestry & Fishing **\$262M**
Construction **\$257M**
Manufacturing **\$253M**



Environment:

Providing the investment in regional infrastructure to facilitate the transformation to sustainable energy sources would result in a significant reduction in the State’s carbon footprint.

Leadership:

One of the Council's key responsibilities is to advocate to the Federal and State Governments on behalf of the Midwest Region and Greater Geraldton. By approving a priority list of agreed strategic projects, the Council is demonstrating leadership on behalf of the region.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

A similar report was presented to Council at their Ordinary Meeting of 26 May 2020.

COMMUNITY/COUNCILLOR CONSULTATION:

As described in the background section of this report, the draft list has been generated through extensive investigations and consultation with a wide variety of stakeholders over a significant period of time.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Region's and hence the City's financial position improves when the region prospers and grows.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Outcome 2.3	The voice of the community is heard at regional, state and national forums.
Outcome 2.5	Our competitive advantages are built upon and our business success is celebrated.
Outcome 2.6	A diverse and globally recognised regional capital.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

Many of the capital and operational projects included in Attachment No. CEO113A and B would provide significant regional benefit if implemented.

RISK MANAGEMENT:

By not advocating to the State Government for regional investment, the Midwest may miss out on the development of critical projects that improve economic prosperity and liveability. The impact of missing out on the current

global desire to decarbonise by 2030 through a lack of State and Federal investment would have negative implications for the region for decades to come.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The Council can determine to approve amended lists, alternative lists or not approve a project list.

The Council can determine to provide the approved list to the State and Federal Government by other means including face to face meetings, newspaper advertisements and via other supportive bodies and associations.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR LIBRIZZI

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

1. **ENDORSE** the draft Regional Capital and Operational Project Priorities;
2. **ENDORSE** the draft Local Capital and Operational Project Priorities; and
3. **DIRECT** the CEO to send the documents to the State Premier, Ministers and Local Member.

CARRIED 11/0

Time: 5:51 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

CEO114 E-RIDEABLE HIRE TRIAL OUTCOME

AGENDA REFERENCE:	D-23-163094
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	3 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes(x3) 1 x Confidential.
	A. Road Safety Commission extract
	B. Usage Summary (Confidential)
	C. Survey Questions and Results

EXECUTIVE SUMMARY:

The purpose of this report is to seek a Council recommendation on the future of Hire eRideables in the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE a two year extension to the current BEAM eRideable arrangement for the period 1 January 2024 to 1 January 2026; and
2. DIRECT the CEO to negotiate the terms of the Operator Agreement with the Hire eRideable business.

PROPONENT:

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

BACKGROUND:

The State Government, through the Road Safety Commission, approved legislation allowing the use of eRideables (E-Scooters and E-Bikes) in Western Australia, Attachment No. CEO114A. This legislation is administered/ enforced by the Western Australian Police Force. The new legislation resulted in various companies competing across the State to be allowed to operate hire eRideable businesses.

After Concept Forum discussions in the first half of 2022, officers prepared and advertised an Expression of Interest (EOI) for a 15-month trial of Hire eRideables in Geraldton. The Respondents were required to address the following topics:

- Geofencing.
- Speeds and speeding control.
- Service areas.
- Parking locations or home locations.
- Equipment maintenance and cleaning.
- General safety and liability.
- Adherence to restrictions.
- Management of users.
- Curfews management.
- Customer engagement.

- eRideable information and data management.

A subsequent report was presented to Council on 26 July 2022, Item No. CEO097. Council determined the following by a unanimous decision.

1. *ENTER into a licence agreement with the recommended submission for Hire of eRideables being BEAM;*
2. *SET the conditions to enter into a fifteen month licence agreement with a possible two year extension subject to Council approval;*
3. *MAKE the determination subject to advertising notice period of not less than 14 days inviting public submissions; and*
4. *REFER the matter back to Council for final consideration if any objecting submissions are received.*

This decision resulted in BEAM commencing operations in September 2022. The Hire eRideable statistics were provided by the operator to Council monthly, on a commercial in confidence basis. The figures provided included total kilometres travelled, kilometres travelled per trip, number of trips, peak usage times, peak usage locations, number of user warnings issued, number of bans imposed, and details on incidents.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The introduction of the Hire eRideables into the community has been very topical with a variety of views being expressed. A survey of the local community's views was undertaken in November/December 2023. The results are provided later in this report.

Economy:

The establishment of an eRideable hire business generates economic activity and creates local employment. They also add to the vibrancy of the city.

Environment:

The use of an eRideable rather than a car does represent a carbon reduction. BEAM estimated that 66,170kg of Co2 emissions have been saved during the trial period, through the 378,114kms travelled on eRideables in the last 12 months. The calculation is based on the assumption that 50% of trips replace a car journey that would emit on average 409g Co2/km travelled.

Leadership:

By deciding this matter, the Council is demonstrating leadership with respect to the consideration of this matter.

RELEVANT PRECEDENTS:

The Council has previously issued trading licences allowing businesses to operate from City land (e.g., Ultimate Water Sports, Fusion Gelato). The Council approved the commencement of the trial in July 2022.

COMMUNITY/COUNCILLOR CONSULTATION:

The introduction of Hire eRideables into Geraldton generated a great deal of interest in the local community and media. As a result, a significant amount of

coverage of the trial has occurred in the local newspaper, on the local radio stations, and on social media.

Because the view of the local community to the introduction of eRideables was unknown, the Council determined to approve their use on a trial basis. As part of their introduction, City officers (and some of the potential providers) met with representatives from the local Police, Geraldton Health Campus and the local State Member.

Near the conclusion of the trial, officers undertook a community survey to provide an opportunity for the local community to express their opinions. To encourage participation, the survey simply asked if the respondents agreed with the Council allowing Hire eRideables or not. An on-line version of the survey was available along with paper copies at various city facilities. The paper version of the survey was also provided to all of the seniors who recently attended the Mayor's Mystery Bus Tour morning tea. The survey was available for two weeks.

At the time of drafting this report 1,976 responses had been received. Of these, 67% agree Council should allow hire e-scooters in Geraldton. A summary of the results follows:

Reasons supportive of eRideables:

- Great for tourism 88%
- Adds to local vibrancy 74%
- Ride to work option 66%
- Reduces carbon emissions 57%
- Reduces traffic congestion 54%
- Ride to school option 51%

Reasons not supportive of eRideables:

- Block pathways 82%
- Rider lack of courtesy 81%
- Injury risk to pedestrians 75%
- Look untidy 71%
- Injury risk to riders 59%

Please refer to Attachment No. CEO114C for a copy of the full report.

LEGISLATIVE/POLICY IMPLICATIONS:

By following an Expression of Interest process, issuing a trading licence, conducting a trial and considering the results of the trial, Officers believe the City has complied with legislative and policy requirements.

It should be noted that the Council has no authority to ban the use of eRideables in the City of Greater Geraldton. The State legislation overrides any Council position. The City's authority only extends to granting a trading licence (or not) for a business to park the eRideables on city-controlled land. For example, the City could not prevent a Hire eRideable business operating from private land.

Officers are consulting with other local authorities with respect to impounding dumped eRideables and charging a fee for their return.

FINANCIAL AND RESOURCE IMPLICATIONS:

To date, officers report minimal additional workload from the introduction of the trial. BEAM have proven easy to work with and quick to respond to concerns or requests for information. The City's Customer Service team reported that they received on average one call a week, the Visitors' Centre received no complaints and the Rangers have had minimal impact on operations.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.8	Active living and recreation is encouraged.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit
Outcome 2.6	A diverse and globally recognised regional capital.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.3	A well-maintained, SMART, sustainable, liveable City valued by the community.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.
Outcome 4.5	A culture of safety, innovation and embracing change.

REGIONAL OUTCOMES:

The extension of the operations of an eRideable hire business has the potential to make Geraldton more vibrant and attractive to visitors.

RISK MANAGEMENT:

The primary risk associated with the use of eRideables is physical injury. The Geraldton Health Campus was approached for data on the number of eRideable injury presentations to the Emergency Department during the trial. The advice received was that they have not collected this data. The incidents reported to BEAM were provided to Councillors on a monthly basis. However, these figures- would not be representative of the total number.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Alternative options open to Council include:

1. Not extending the current trial and not approving further licences to any eRideable businesses.
2. Not extending the trial and calling a new EOI for a licence.

3. Extending the trial and calling a new EOI to allow a second operator into Geraldton.

During the debate, Cr Horsman foreshadowed an alternative motion, should the motion be lost, as per below:

1. *NOT continue with the Beam scooter project on council property;*
2. *AGREE to offer Beam Council space for lease or licence on existing Council space, only in central hubs within suburbs and the city centre;*
3. *REQUIRE Beam to retrieve the scooters daily, into the suburban and designated hubs at the close of business each day; and*
4. *MAINTAIN that Beam is ultimately responsible for any accidents on Council property that involve negligence in not wearing helmet, improper riding and intoxicated riding.*

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR COLLIVER

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

1. **APPROVE** a two year extension to the current BEAM eRideable arrangement for the period 1 January 2024 to 1 January 2026; and
2. **DIRECT** the CEO to negotiate the terms of the Operator Agreement with the Hire eRideable business.

CARRIED 10/1

Time: 6:02 PM

Not Voted: 0

No Votes: 1

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	NO
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.6 REPORTS TO BE RECEIVED**RR54 REPORTS TO BE RECEIVED - NOVEMBER**

AGENDA REFERENCE:	D-23-165345
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	7 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x3)
	A. DSDD14 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. CS085 – List of Accounts Paid Under Delegation – November 2023
	C. CS068 - List of Payments by Employees via Purchasing Cards – November 2023

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD14 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS085 – List of Accounts Paid Under Delegation – November 2023; and
 - ii. CS068 - List of Payments by Employees via Purchasing Cards – November 2023.

PROPONENT:

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

BACKGROUND:

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

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

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

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

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

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

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD14 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS085 – List of Accounts Paid Under Delegation – November 2023; and
 - ii. CS068 - List of Payments by Employees via Purchasing Cards – November 2023.

CARRIED 11/0

Time: 6:03 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

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

No confidential discussion was required for Item IS299.

IS299 RFT 2324 04 NUBBEROO ROAD CULVERT RENEWAL	
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AGENDA REFERENCE:	D-23-160660
AUTHOR:	C Edwards, Manager Project Delivery & Engineering
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) 1 x Confidential RFT 2324 04 Tender Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award RFT 2324 04 Nubberoo Road Culvert Renewal to the preferred tenderer.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract RFT 2324 04 Nubberoo Road Culvert Renewal to the preferred tenderer; and
2. RECORD the contract price in the minutes.

PROPONENT:

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

BACKGROUND:

The Local Roads and Community Infrastructure Program (LRCIP) supports Local Governments to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Previously the City received \$2.6 Million under LRCIP (Phase 3) and commenced culvert replacement works in accordance with the Bridges, Major Culverts and Floodway's Asset Management Plan. This saw the Giles Road culvert, the Byron Road North culvert/floodway and the Chapman Valley Road culverts renewed.

The City was again successful in receiving grant funds under the most recent LRCIP (Phase 4) and Council approved the allocation of funding to continue the Major Culverts Replacement Program in Item No. IS282 at the March 2023 Council meeting. The Nubberoo Road culvert was identified as being in a poor and aging condition and requiring replacement.

The RFT was advertised in The West Australian on 14 October 2023 and the Geraldton Guardian on 13 October 2023. The RFT was also advertised on the City's Tender Link e-Tendering Portal with the closing date of 10 November 2023. 28 suppliers registered to receive the tender, and four submissions were received. The tender assessment was undertaken by a panel of four Officers, consisting of three with voting rights and the mandatory Corporate Compliance officer without voting rights.

One of the four tenderers qualified as a local supplier and Council Policy 4.11 Regional Price Preference was applied to their submission.

Three of the four submissions were deemed compliant and progressed for assessment against the following qualitative and price criteria:

- (a) Key resources and experience, including personnel, plant and their availability (30%);
- (b) Demonstrated understanding, including the ability to undertake and complete the works within the specified time (20%); and
- (c) Price (50%).

The above selection criteria were used to select the most advantageous tenderer.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Provision of a well-maintained culvert and major floodway asset enables water flow to be safely directed to a specified location or along a specified route to ensure the safe passage of vehicles and pedestrians over waterways. This will maintain key transportation routes for the delivery of services and minimise impact on property owners and road users that rely on the network to undertake commercial and social activities.

Economy:

Awarding this tender will result in City funds flowing into the local economy by employing local community members such as contractors and suppliers in keeping with the intention of the LRCIP Program. Renewal of these assets will reduce ongoing maintenance requirements.

Environment:

All works within the scope of the RFT 2324 04 Nubberoo Road Culvert Renewal will be undertaken with environmental controls implemented as part of the contract. Liaison with the Department of Planning Lands and Heritage (DPLH) and Yamatji Southern Regional Corporation (YSRC) has been undertaken with approval having been received. Consultation has also been undertaken with Department of Water and Environmental Regulation to permit works to proceed.

Leadership:

Council approval of the Executive Recommendation will ensure that works align with the objectives of Council Policy 4.5 Asset Management.

Disclosure of Interest:

No Officer involved in preparing this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council endorsed the recommendation to award RFT 2122 19 LRCIP 3 Culvert Renewals to the preferred tenderer on 30 August 2022 in Item No. IS263.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation has been undertaken with the Yamatji Southern Regional Corporation (YSRC) and the Department of Planning Lands and Heritage (DPLH) regarding Cultural Heritage. Further community consultation will occur as part of the Project Management when works commence. Councillors were consulted as part of the process for the allocation of the LRCIP 4 funding to the Nubberoo Culvert Renewal Project and the inclusion of the project in the 2023-24 Capital Program.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government Act 1995* and the City's Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Council Policy 4.11 Regional Price Preference was applied to the submissions from local tenderers.

Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

FINANCIAL AND RESOURCE IMPLICATIONS:

The approved budget for this project is \$1.37 Million. There are no financial implications for the City with the project fully funded by LRCIP Phase 4. Project Management and Supervision will be provided by appropriately qualified and skilled City Officers who have available capacity to manage the project. Surplus funding will be allocated to existing or other appropriate LRCIP projects.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.2	Efficient and accessible intrastate and interstate connectivity.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community wellbeing.

REGIONAL OUTCOMES:

Renewal and maintenance of a fit for purpose, safe road and drainage/floodway network through the City of Greater Geraldton enhances the safety and accessibility of the community and road users.

RISK MANAGEMENT:

The successful tenderer will be engaged under an AS4000 General Conditions of Contract, providing industry-standard mechanisms for managing risk during construction. Appropriate due diligence has been undertaken to ensure that the preferred tenderer has the necessary capability to undertake the project successfully. A Promapp Risk Matrix will be completed and managed throughout the duration of the project.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

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

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

1. **AWARD** the contract RFT 2324 04 Nubberoo Road Culvert Renewal to the preferred tenderer being Hawthorn Group Holdings Pty Ltd; and
2. **RECORD** the contract price in the minutes being \$1,018,423.00 excluding GST.

CARRIED 11/0

Time: 6:06 PM

Not Voted: 0

No Votes: 0

Yes Votes: 11

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

17 CLOSURE

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

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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