



ORDINARY MEETING OF COUNCIL

AGENDA

23 JUNE 2020

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 23 JUNE 2020 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

The State of Emergency and Public Health Emergency declared by the State Government on 16 March 2020, remains in force. Agenda Forums and Ordinary Meetings of Council will be held at the Civic Centre, with current physical distancing measures to be adhered to as per Phase 3 of the WA Roadmap dated 6 June 2020.

<https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/covid-19-coronavirus-wa-roadmap#phase3>

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

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:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Leave of Absence:

4 DISCLOSURE OF INTERESTS

Cr S Elphick declared a Proximity interest in Item DCS454 Approval of Local Planning Scheme Amendment – Service Commercial Rezoning, Wonthella as she is a family friend of Peter & Larena Manuel.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were Taken on Notice at the Ordinary Meeting of Council held on 26 May 2020.

Ms Gail Black, 12 Trant Road, Moresby, WA, 6530

Question

At present Councillors and Staff will be undertaking budgetary planning for 2020-21 and it has been noted that there will need to be a significant reduction in Council's capital spending and operating expenditure due to a drop in revenue as result of the coronavirus pandemic. Will elected members follow the lead of other regional local authorities in WA and consider taking a reduction in allowances for a period of time in order to assist in reducing operating costs?

Response

Council will determine the City of Greater Geraldton Budget for 2020-21 at the Ordinary Meeting of Council being held on 23 June. Council have advised that they will again freeze their allowances, therefore the allowances and fees proposed for Elected Members for 2020-21 will remain unchanged for the third year in a row. Full details of the Budget are below in this Agenda.

Question

If elected members indicate they will not consider a reduction in fees they receive, in support of the expected budgetary position, can they please explain the reasons for this decision?

Response

Reference is made to the previous responses provided to you by individual Councillors to this question (Cr Elphick, Cr Tanti, Cr Douglas and Cr Caudwell).

Question

In April Council stood down staff in response to the financial situation of the Council as a result of the corona-virus pandemic (noted in video shared dated 2/4/2020). This included a large number of staff who had on-going work to perform. In the period between stand down and re-instatement there was no option for change in the working environment to meet CV19 safety requirements, or offer to implement work from home/flexible working arrangements (where possible) which would have enabled a large portion of the workforce to stay in productive paid employment.

There doesn't seem to be a correlation between the described difficult financial situation of the Council and Council's decision to pay leave to stood down workers who could have been working in their usual role or re-deployed, effectively giving them up to 4 weeks paid leave. Can Council please advise the monetary value of the leave paid to stand down workers whilst they were not undertaking productive work during this period, and who is held responsible for this decision? If Council was required to pay workers as a result of other external actions or directions, which would explain the paid leave decision, can they please confirm this is the case?

Response

In March 2020, The City of Greater Geraldton (CGG), along with all levels of Government in Australia faced the unprecedented circumstances of the World-Wide COVID-19 Pandemic. At the height of the crisis, the City acted upon the best available information (often from multiple sources) at the time which was not always complete or in hindsight accurate. Decisions also had to be made quickly with little or no knowledge of what the next few weeks held and what the consequences would be. Estimates were being given that the COVID-19 restrictions would be for a very extended period and this is evidenced in the wide range of responses made to the pandemic by various government and non-government organisations, all of which are attempting to do the best by their rate payers, staff and stakeholders. A current example is whether State borders should be opened or left closed. In accordance with the Federal Government's approach and the State Government's State of Emergency declaration, the best interests of the health of the citizens of Greater Geraldton, (which includes all CGG staff), was deemed paramount. In addition to the need to keep the community and staff safe, the City was making daily changes to its operations in compliance with State directions, and new social distancing and cleaning requirements. This was achieved whilst communicating the changes to the community, managing officers returning from overseas holidays, managing notifications of 'close contacts' which saw officers in certain locations sent home for safety reasons, and delivering core services.

Whilst ensuring best practice measures were implemented for the health of the region's citizens and CGG staff, the financial management of City funds was specifically being considered. The worldwide pandemic and potential world financial crisis due to world-wide job losses, not excluding many of the region's ratepayers, and the known and unknown factors of the situation and how they would affect this region, were given due consideration with each decision. The CGG Council serves the community of this region with the funds made available by the community.

The Council's financial position is continually scrutinised by the Council in order to serve the City of Greater Geraldton with the best possible application of funds to the services for ratepayers of the region. The Council's financial position, including overall Officer's payments, is

reported to the community on a monthly basis. Please refer to page 10 of the monthly Statement of Financial Activity included within the June agenda. The overall accountability for the City's Emergency Operational Response to the COVID-19 Pandemic rests with the CEO, including the decision to pay Officers whilst stood down. Due to the excellent response of all staff and the whole community, this region has been minimally affected by COVID-19 in comparison to some other regions in Australia and the world. The Council hopes that we can continue to work constructively with the community, the State and Federal Governments as the next phases of the on-going crisis unfolds.

This response has been sent to Ms Black.

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.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)
Nil.		

**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.

8 PETITIONS, DEPUTATIONS

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 26 May 2020, as previously circulated, be adopted as a true and correct record of proceedings.

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

DATE	FUNCTION	REPRESENTATIVE
27 May 2020	Triple M Radio Interview - Outcomes of Council Meeting	Mayor Shane Van Styn
27 May 2020	'Region re-opening' - Filming for Media Release	Mayor Shane Van Styn
27 May 2020	Easy Going Travel – Filming for Geraldton Promotion	Mayor Shane Van Styn
28 May 2020	Geraldton - Midwest Promotion - The Caravan Show Podcast	Mayor Shane Van Styn
28 May 2020	'Healthy Recipe' segment with Cath Dumont, Public Health Nutritionist – CCGTV Filming	Mayor Shane Van Styn
28 May 2020	Organic Waste Management – Discussion with Local Contractor	Mayor Shane Van Styn
30 May 2020	Meeting with Mayor Grant Henley – City of Busselton – Tourism Discussion	Mayor Shane Van Styn
2 June 2020	Meeting with Ian Blayney MLA, Member for Geraldton – Matters in Common	Mayor Shane Van Styn
2 June 2020	Concept Forum	Mayor Shane Van Styn
4 June 2020	Council Chambers Audio-Visual and Livestreaming Meeting	Mayor Shane Van Styn
4 June 2020	Regional Capitals Australia (RCA) Working Group Meeting - eMeeting	Mayor Shane Van Styn
4 June 2020	Stakeholder Meeting - Abrolhos Adventures Fast Ferry	Mayor Shane Van Styn
5 June 2020	Briefing from BP Australia - Feasibility Study into an Export-Scale Renewable Hydrogen Energy Production Facility	Mayor Shane Van Styn
5 June 2020	Stakeholder Meeting - Abrolhos Adventures Fast Ferry	Mayor Shane Van Styn
8 June 2020	Triple M Radio Interview - COVID-19 Local Update	Mayor Shane Van Styn
9 June 2020	Meeting with Hon Mia Davies MLA, Leader of the National Party Western Australia and Ian Blayney MLA, Member for Geraldton – Matters in Common	Mayor Shane Van Styn
9 June 2020	Meeting with Rob Dines - Liberal Candidate for Geraldton - Introduction	Mayor Shane Van Styn
9 June 2020	Batavia Coast Marina 2 (BCM2) Steering Committee Meeting	Mayor Shane Van Styn
10 June 2020	GWN7 Interview - Coastal Erosion	Mayor Shane Van Styn
10 June 2020	RCA - Briefing for Interview with Hon Dan Tehan MP, Minister for Education	Mayor Shane Van Styn
11 June 2020	Geraldton Primary School – Proposed Car Park	Mayor Shane Van Styn
11 June 2020	Interview with Hon Dan Tehan MP, Minister for Education	Mayor Shane Van Styn
11 June 2020	Emergency and Corrective Services Minister, Hon Francis Logan MLA	Mayor Shane Van Styn
15 June 2020	Triple M Radio Interview - COVID-19 Local Update	Mayor Shane Van Styn
15 June 2020	Regular Catch up – Marketing & Media	Mayor Shane Van Styn

15 June 2020	Department of Communities QEII Centre Funding Support - Photo for Media Release	Mayor Shane Van Styn
16 June 2020	Regional Communities (North) Roundtable with Ministerial Hon Alannah MacTiernan - eMeeting	Mayor Shane Van Styn
16 June 2020	Agenda Forum	Mayor Shane Van Styn
17 June 2020	GENiUX Group - Community Electric Scooter Concept – Pilot Roll Out in Geraldton	Mayor Shane Van Styn
18 June 2020	Batavia Local Emergency Management Committee (BLEMC) - COVID Update – eMeeting	Mayor Shane Van Styn
18 June 2020	RCA Meeting with Hon Nola Marino MP - eMeeting	Mayor Shane Van Styn
18 June 2020	Regional Capitals Alliance WA (RCAWA) Bi-Annual Meeting - eMeeting	Mayor Shane Van Styn
18 June 2020	Yamatji Nation Indigenous Land Use Agreement – Department of Planning, Lands and Heritage	Cr Tarleah Thomas
22 June 2020	Triple M Radio Interview - COVID-19 Local Update	Mayor Shane Van Styn
22 June 2020	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
22 June 2020	Northern Country Zone of WALGA Meeting - Mingenew	Mayor Shane Van Styn
23 June 2020	Mid West Sports Federation - Sport and recreation update	Mayor Shane Van Styn
23 June 2020	RCA - eMeeting	Mayor Shane Van Styn
23 June 2020	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
23 June 2020	Ordinary Meeting of Council	Mayor Shane Van Styn

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS
Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS454 APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT – SERVICE COMMERCIAL REZONING, WONTHELLA

AGENDA REFERENCE:	D-20-059871
AUTHOR:	K Elder, Coordinator Strategic Planning and M Connell, Manager Urban and Regional Development
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	29 May 2020
FILE REFERENCE:	LP/14/0013
ATTACHMENTS:	Yes (x2) A. Scheme Amendment Report B. Schedule of Submissions

EXECUTIVE SUMMARY:

Council at its meeting held on 25 February 2020 resolved to initiate Local Planning Scheme Amendment No. 13 ('amendment') for the purpose of public advertising (Item No. DCS437 Proposed Local Planning Scheme Amendment – Service Commercial Rezoning, Wonthella). The advertising period has now concluded with four (4) submissions being received.

The amendment proposes to rezone Lot 40 (No. 1) Houtman Street and Lot 41 (No. 103) North West Coastal Highway, Wonthella from 'Residential R30' to 'Service Commercial'. The purpose of this report is to seek Council approval of the amendment without modification.

EXECUTIVE RECOMMENDATION:

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

1. SUPPORT Local Planning Scheme Amendment No. 13 to Local Planning Scheme No. 1 without modifications.

PROPONENT:

The proponent is Landwest Planning Consultants on behalf of Peter and Larena Manuel.

BACKGROUND:

The subject land consists of 2 adjacent lots located on the western side of North West Coastal Highway, to the south of the intersection with Houtman Street.

Lot 40 (No. 1) Houtman Street and Lot 41 (No. 103) North West Coastal Highway, Wonthella, are both currently zoned 'Residential R30' and contain existing residential dwellings.

Directly to the south of the subject land is Lot 42 (No. 101) North West Coastal Highway which is located on the corner of the intersection with Bayly Street. Lot 42 is currently zoned 'Service Commercial' and is vacant.

The intention for the amendment is to rezone Lots 40 and 41 to 'Service Commercial' in line with the zoning of Lot 42 in order to create a consistent zone fronting North West Coastal Highway between the intersections of Houtman and Bayly Streets.

The lots directly abutting the subject land to the west are zoned 'Residential R30' and are used for residential purposes. Lots to the north, south and east are zoned 'Service Commercial' and contain a range of associated uses such as motor vehicle and machinery sales, service station, bulky goods showroom, and office.

The amendment will apply a 'Service Commercial' zoning to the subject land to allow for the potential future redevelopment the lots, either individually or in conjunction with other adjoining lots. Any future development would be subject to development approval and assessed in accordance with the provisions of Local Planning Scheme No. 1.

The proponent considers the amendment is appropriate for the following reasons:

- The amendment is consistent with the objectives and intent of the State and Local Planning framework.
- Any future development would be required to occur in accordance with the provisions of Local Planning Scheme No. 1 which will ensure the amenity of the adjoining residential uses is protected.
- Inclusion of the lots within the 'Service Commercial' zone is consistent with adjacent Lot 42 and the zoning to the north and south along the North West Coastal Highway.
- The lots offer the advantage of being located in an active service and trade precinct adjoining good transport links, with good access and exposure.
- The amendment will allow future development to be contemplated over multiple lots in the street block, making efficient use of available land and infrastructure.
- Development for service commercial uses will ultimately promote high quality, larger scaled development along a key transport route with better connected and integrated land uses.

The scheme amendment report is included as Attachment No. DCS454A.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The amendment will facilitate the expansion of service commercial development along the North West Coastal Highway alignment, with any traffic and amenity impacts for surrounding residents assessed at the development stage.

Environment:

The Environmental Protection Authority advised that the amendment should not be assessed by them under Part IV of the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

Economy:

The amendment will facilitate the expansion of service commercial development along the North West Coastal Highway alignment.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There have been a number of service commercial type rezonings, the most recent being when Council at its meeting held on 26 June 2018 (Item No. DCS371 Approval of Local Planning Scheme Amendment – Service Commercial Rezoning, Wonthella) resolved to give final approval to Scheme Amendment No. 5 to Local Planning Scheme No. 1. That amendment proposed to rezone Lot 60 and portion of Lot 61 First Street and Lot 64 North West Coastal Highway to the ‘Service Commercial’ zone. The Minister gave final endorsement of that amendment on 14 September 2018.

Council at its meeting held on 25 February 2020 (Item No. DCS437 Proposed Local Planning Scheme Amendment – Service Commercial Rezoning, Wonthella) resolved to initiate this amendment for the purpose of public advertising.

The authors are not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The amendment was publicly advertised in accordance with the provisions of the *Planning and Development Act 2005*. The advertising period was for 42 days (commencing on 10 April 2020 and concluding on 22 May 2020) and involved the following:

- All adjoining/nearby landowners were written to and advised of the amendment;
- A sign was placed on site;
- A public notice appeared in the Geraldton Guardian on 10 April 2020;
- The amendment details were made available on the City’s website;
- The amendment details were made available at the City’s offices at Cathedral Avenue; and
- The amendment was referred to the following:
 - ATCO Gas;
 - Main Roads WA;
 - Telstra;

- Water Corporation; and
- Western Power.

Submissions:

As a result of the advertising a total of 4 submissions were received (1 in support and 3 with no objection). Recommendations for each of the submissions is detailed in the 'Schedule of Submissions' which is included as Attachment No. DCS454B and copies of the actual submissions are available to Council upon request.

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

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

Planning and Development (Local Planning Schemes) Regulations 2015:

Part 5, Division 3, Regulation 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the local government to consider all submissions and pass a resolution to either support the scheme amendment (with or without modification) or not support the scheme amendment.

City of Greater Geraldton Local Planning Scheme No. 1:

The subject land is currently zoned 'Residential R30' under Local Planning Scheme No. 1 and the amendment proposes to rezone the subject land to 'Service Commercial'.

The objectives of the 'Service Commercial' zone are to:

- Accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.*
- Provide for a range of wholesale sales, showrooms, trades and services, which by reason of their scale, character, operational or land requirements, are not appropriate for industrial or commercial zones.*
- Ensure development achieves relatively high amenity standards based on the level of exposure of the site and proximity to residential areas.*

The amendment is considered to be consistent with these objectives, as the subject land has good vehicular access and can provide appropriate land for a mix of uses proposed within the 'Service Commercial' zone.

The provisions of the Scheme, along with the objectives of the 'Service Commercial' zone will ensure that any future development, or redevelopment proposed on the lots will achieve relatively high amenity standards based on exposure and proximity to residential areas.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

REGIONAL OUTCOMES:**Geraldton Region Plan and Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'Future industrial and service commercial' on the structure plan.

Local Planning Strategy 2015:

The Strategy represents the land use planning response to the City's strategic community vision based on an aspirational population of 100,000. The Strategy will guide long-term land use planning and provide the rationale for land use and development controls.

The subject lots are identified as 'Service Commercial' on the Geraldton Urban Area Strategy Plan. The Strategy states the following in relation to 'Service Commercial' areas:

Service commercial areas capitalise on the movement economy, are predominately car-based and provide a transition between busy roads and industrial areas, adjoining residential and commercial areas. Service commercial areas are generally not appropriate within activity centres, being car based and therefore easily accessible from major traffic routes. Existing service commercial areas have developed adjacent to North West Coastal Highway. This form of development provides an important component of the Commercial Activity Centres Strategy accommodating a range of large format / bulky goods businesses.

The amendment is consistent with the Local Planning Strategy given not only are they indicated within the service commercial expansion area, but the lots are located on prime transportation routes and will provide a transition area from the impacts of North West Coastal Highway to the established residential areas.

Commercial Activities Centres Strategy:

The purpose of this strategy is to provide a framework for the location and development of shopping and activity centres in the City of Greater Geraldton region. Under the strategy, the subject area is classified under the hierarchy as 'Highway Commercial'.

The Strategy identified the role of the 'highway commercial' zone as:

The primary function of the Highway Commercial Area is for forms of retail (such as large showrooms or bulky goods displays) whose floor space requirements make them unsuited to locate in other areas of commercial development.

Generally, office uses, or shopping uses of less than 300m² should not be supported in these areas. The number and smaller size of the existing land parcels along the North-West Coastal Highway may make this difficult to achieve, however preference will be given to larger forms of retail as the primary intent is to ensure that pedestrian-based shopping and uses are located in a pedestrian friendly urban environment in the core of the activity centres.

This amendment is consistent with the intent of this Strategy.

RISK MANAGEMENT:

There are no inherent risks to the City in approving this amendment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered that the proposed amendment is consistent with the local planning framework and direction for commercial activity in Greater Geraldton. The rezoning proposes to include Lot 40 Houtman Street and Lot 41 North West Coastal Highway, Wonthella, within the 'Service Commercial' zone and results in a consistent 'Service Commercial' zoning for all lots fronting North West Coastal Highway, between Houtman and Bayly Street. The proposal results in a logical extension to the 'Service Commercial' zone and therefore the option to refuse is not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter. In any event, the *Planning and Development (Local Planning Schemes) Regulations 2015* states that the local government must pass a resolution on the amendment and provide it to the WA Planning Commission no later than 60 days after the advertising period (being 21 July 2020).

DCS455 ROAD DEDICATION – PORTION OF CROWN RESERVE 30845 (LOT 550), MAITLAND STREET AND CORNER SANFORD STREET AND CATHEDRAL AVENUE, GERALDTON

AGENDA REFERENCE: D-20-058145
AUTHOR: B Robartson, Manager Land and Regulatory Services
EXECUTIVE: P Melling, Director Development and Community Services
DATE OF REPORT: 12 May 2020
FILE REFERENCE: R30845
ATTACHMENTS: No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to formally dedicate a portion of Crown Reserve 30845 (Lot 550), Maitland Street and corner Sanford Street and Cathedral Avenue, Geraldton, as public road reserve.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to the Section 56 of the *Land Administration Act 1997*, RESOLVES to:

1. REQUEST the Minister for Lands to dedicate portion of Lot 550 as shown on the aerial photo as a public road; and
2. INDEMNIFY the Minister against any claim for compensation.

PROONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

As part of the construction works for a roundabout at the intersection of Maitland Street and Durlacher Street, Geraldton, Western Power requires the WAPC process be started to transfer part of the crown land to road reserve. This crown land is part of reserve 30845 (lot 550). Western Power requires the area of land adjacent to Maitland Street and the corner of Durlacher Street to be excised off and amended to road reserve that will contain their assets.

The existing services and footpath along Maitland Street is not contained within the road reserve. The proposed construction of the roundabout at the intersection of Maitland and Durlacher Streets presents an opportunity to rectify the situation with the transfer of part of the required Crown land to road reserve.

A similar issue occurs at the Cathedral Avenue and Sanford Street intersection where a roundabout is also to be constructed.

The approximate areas of crown land to be converted to road reserve is shown in red and shown in the aerial photo below:



COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts relating to this proposal as the project of roundabout construction and formalisation of road reserve for protection of servicing assets and existing footpath is for the benefit of the community and for community safety.

Environment:

There are no adverse environmental impacts relating to the report as the footpath is already constructed over the land.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has a number of previous precedents of road dedications, road widening reports approved by Council. On the 26 November 2019 Council recently approved Item DCS431 – Proposed Road Widening and Dedication, corner Broadhead Avenue and Brand Highway, Tarcoola Beach.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no consultation on the requirements of this report.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 56 of the *Land Administration Act 1997* provides for the dedication of public roads. Where land is acquired for use by the public under the care, control and management of a local government, the local government may request the Minister to dedicate that land as a road.

FINANCIAL AND RESOURCE IMPLICATIONS:

Subject to endorsement by the Minister survey of the required excision would be required to prepare a deposited survey plan. Survey, clearances and statutory WAPC and Landgate fees are estimated at \$10,000.

INTEGRATED PLANNING LINKS:

Title: Environment	2.3 Built Environment
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

The dedications would formalise the use of the lot as public road and formally protect public utilities (such as power, water, sewer and telecommunications) and the existing footpath.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The City has commenced a statutory process to have the required land transferred to road reserve in order to protect and formalise the use of the lot as public road and formally protect public utilities (such as power, water, sewer and telecommunications) and the existing footpath.

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

DCS456 DELEGATED AUTHORITY ENVIRONMENTAL HEALTH 2020

AGENDA REFERENCE:	D-20-057773
AUTHOR:	G Harwood, Senior Environmental Health Officer
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	25 March 2020
FILE REFERENCE:	GO/6/0012-06
ATTACHMENTS:	Yes x1 Schedule of Authorisations – Caravan Park and Camping Grounds Act 1995A

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council delegated authority to persons and positions listed in Attachment No. DCS456 Schedule of Authorised Persons. The list contains powers and functions of Caravan Park and Camping Grounds legislation, which empowers them to perform as Authorised Persons the functions of local government.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 17 and 23(2) of the Caravan Parks and Camping Grounds Act 1995 and regulation 6 of the Caravan Parks and Camping Grounds Regulations 1997 RESOLVES to:

1. AUTHORISE the persons listed in Attachment No. DCS456 Schedule of Authorised Persons approved to perform the functions under the relevant legislation as specified below:

Caravan Parks and Camping Grounds Act 1995
Ross McKim, Chief Executive Officer
Philip Melling, Director, Development and Community Services
Brian Robartson, Manager Land and Regulatory Services
Are appointed as an authorised person: (a) under section 17(1) of the <i>Caravan Parks and Camping Grounds Act 1995</i> ; and under section 23(11) of the <i>Caravan Parks and Camping Grounds Act 1995</i> for the purposes of subsections (5) and (7) of section 23 in relation to extending the period within which a modified penalty the subject of an infringement notice given under section 23(2) of the Act may be paid or withdrawing such a notice.
Hayley Williamson, Coordinator Environmental Health and Waste Gregg Harwood, Senior Environmental Health Officer
Appoint as Authorised Persons under section 17(1) and section 17(1)(b) of the <i>Caravan Parks and Camping Grounds Act 1995</i> . Grant authority under regulation 6 to undertake functions conferred on a local government and regulation 42 to grant or renew a license for a caravan park or camping ground of the <i>Caravan Parks and Camping Grounds Regulations 1997</i>
Hayley Williamson, Coordinator Environmental Health and Waste Gregg Harwood, Senior Environmental Health Officer
Emily Geeson, Environmental Health Officer
Tahlia Mueller, Environmental Health Officer

Michael Childs, Environmental Health Officer**Shauni Norman, Administration Officer, Development and Community Services**

Are appointed as Authorised Persons under section 17(1); 17(1)(b); section 17(2) an authorised person to produce the identify card whenever required to do so by any person and 23(12) for record keeping requirements of the *Caravan Parks and Camping Grounds Act 1995*; and grant authority to give an infringement notice under section 23(2) of the Act. Grant authority under regulation 6 to undertake functions conferred on a local government of the *Caravan Parks and Camping Grounds Regulations 1997*.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City last renewed its Environmental Health Officer delegations pursuant to the Caravan Parks and Camping Grounds Act 1995 through Council resolution on 26 February 2019 – Item No. DCS401 – Delegated Authority Environmental Health 2019. Since then, there have been operational changes to staff that carry out regular administrative and enforcement responsibilities.

The Caravan and Camping Grounds Act 1995 is legislation supported by regulations that govern everything from campgrounds through to Caravan Parks. The Act and regulations are quite prescriptive and place an onus on Local Government to licence and enforce standards relating to Caravan Parks and Camping Grounds. It also gives certain powers to local governments in relation to use of caravans and camping on private lots.

Whilst City Officers have up to date certificates of authorisation, the purpose of this report is to ensure Council authorised delegations remain current and recorded accurately on its Corporate Delegations Register and made available to be audited by the relevant authority from time to time.

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

There are positive community impacts through effective execution of environmental health legislative powers particularly in relation to health and wellbeing.

Environment:

There are positive environmental impacts through effective execution of legislative powers particularly in relation to the control of pollution.

Economy:

There are no adverse economic impacts. No significant increased costs are associated with the delegated authority.

Governance:

Council is able to execute by delegation specific powers in relation to its responsibilities under the *Caravan Parks and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997*.

The delegation of such powers does not remove any of the responsibilities of the local government from exercising its powers.

There is no impact on existing policies or new policies proposed as a result of the authorisations.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The previous Council decision regarding these particular delegations was made on 24 January 2017 – Item No’s. DCS315 – Delegated Authority Environmental Health Officers 2016 and 26 February 2019 - DCS401 – Delegated Authority Environmental Health 2019.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Council is able to execute by delegation specific powers in relation to its responsibilities under the *Caravan Parks and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997*. The delegation of such powers does not remove any of the responsibilities of the local government from exercising its powers. There is no impact on existing policies or new policies proposed as a result of the authorisations.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications. No cost increases are associated with the delegated authority.

INTEGRATED PLANNING LINKS:

Title: Community	1.3 Community Health and Safety
Strategy 1.3.1	Encouraging the improvement of health services and facilities for the community.
Strategy 1.3.2	Promoting healthy lifestyle initiatives and living standards.
Title: Governance	4.5 Good Governance & Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

REGIONAL OUTCOMES:

There may be positive regional outcomes where Authorised Persons are made available to other local government authorities on fee for service basis.

RISK MANAGEMENT:

This proposal's purpose is to mitigate against potential risks associated with officers performing their respective roles without holding the appropriate legal authority to do so as required by the relevant legislation. The wording of the delegated authority has been provided with advice from the City's appointed legal advisers and follows the published guidelines issued by the relevant statutory agencies and conforms to them. There is a consequential risk of misuse of powers or unlawful enforcement action if the Authorised Persons exercising perceived powers have not been correctly authorised to do so and potentially resulting in the City and Authorised Persons personally being exposed to legal and/or financial liabilities.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The City is required to review its delegations regularly to ensure it remains current and meets the responsibilities to perform the required functions imposed by the relevant Acts and subsidiary legislation.

The current delegated authority schedule through Council resolution on 26 February 2019 – Item No. DCS401 – Delegated Authority Environmental Health 2019 is no longer current and is required to be brought up to date to enable transparency and effective governance of the statutory powers required to be executed by local government. Therefore, there are no alternative options to consider.

12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES

CCS509 COUNCIL POLICY 1.7 GERALDTON CITY CENTRE VIBRANCY	
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AGENDA REFERENCE:	D-20-061830
AUTHOR:	T Palmonari, Manager Economic Development
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	11 June 2020
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2)
	A. Council Policy 1.7 Geraldton City Centre Vibrancy (v3)
	B. Council Policy 1.7 Geraldton City Centre Vibrancy - Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 1.7 Geraldton City Centre Vibrancy, version 3.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 1.7. Geraldton City Centre Vibrancy, version 3.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

A successful City Centre for retail, commerce, hospitality, community and civic life, is important for Geraldton as the Mid West's regional capital. It links to infrastructure, tourism, reducing leakage from the local economy, employment, local pride, and overall liveability.

The Central Business District's (CBD) development remains constrained by land banking by private investors, as well as land ownership by the State Government for which no development projects have been secured to date. This has left key sites vacant with no immediate prospect of either being sold, leased or redeveloped. These key sites are potentially high activity generators in the CBD with many in key strategic locations.

Key private, public and third sector investments have left the CBD in better health and more connected to the City's maritime environment and history. This reinforces the considerable investment in the foreshore in recent years. A continued focus and momentum with regards to City Centre Vibrancy is required to improve connectivity from the City Centre to the foreshore, as the City Centre continues to re-orient itself to face the sea.

The Geraldton Jobs and Growth Plan 2020 - 2023, as did its previous iteration, again focuses on the revitalisation of the Geraldton City Centre as a distinctive and magnetic place for residents, businesses and visitors. It aims to position the City Centre as an active destination embracing Geraldton's nautical history and assets.

The City continues to implement the Geraldton City Centre Revitalisation Plan and the Rocks Laneway activation strategy to create a vibrant City Centre.

Council Policy 1.7 Geraldton City Centre Vibrancy was reviewed and approved by Council on 24 January 2017 (Item No. CCS231 – City of Greater Geraldton Council Policy Manual) and we hereby seek approval once again for this policy to progress with the roll out of the actions from the before mentioned strategy and plan.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The City Centre is a strong focus area for community activities, with assets including the Geraldton Regional Art Gallery (GRAG), Museum of Geraldton, Yamatji Art Centre, Foreshore and Rocks Laneway. This policy highlights the importance of the City Centre and the opportunities, diverse attractions it provides in a comfortable and creative environment.

Environment:

There are many positive environmental impacts that include beautification of the City Centre through increased plantings of trees offering shade and further introduction of greenery in the CBD.

Economy:

Geraldton is a significant transport and services hub, the point of arrival for most tourists and also a focus for community activities. Revitalising the City Centre is an important focus of the Geraldton Jobs and Growth Plan 2020 – 2023 and significant improvements have been made to the City Centre to reflect its important role as a hub for the City of Greater Geraldton.

Governance:

The Local Government Act 1995 requires that Councils establish good governance principles through the introduction of policies and guidelines. This policy also supports the development of the City Centre in conjunction with other agencies as well as private sector landowners and retail operators in the City Centre, as they are stakeholders that play a vital role as catalysts for the City Centre vibrancy planning in the future.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council policies are reviewed and endorsed by Council on a regular basis. Council Policy 2.4 Travellers Support Policy was approved by Council on 26 May 2020 – CCS499, Council Policy 2.4 Travellers Support Policy.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via Briefing Note on 4 May 2020. A comment was raised that the Policy is well intended, but loses much of the detail present in the existing version. The Policy has been prepared on the basis to convey Councils overarching intent to create and maintain a vibrant City Centre. The detail and strategies to achieve this outcome are underpinned by the Geraldton City Centre Revitalisation Plan and the Rocks Laneway activation strategy, which contain project detail. It was also noted that the Geraldton Jobs and Growth Plan 2020 – 2023 should be included in the list of documents which support the City Centre Vibrancy Policy.

LEGISLATIVE/POLICY IMPLICATIONS:

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

2.7. Role of council

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

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton Jobs and Growth plan.
Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.3	Revitalising the CBD through economic, social and cultural vibrancy.

REGIONAL OUTCOMES:

By 2036, the vision is for Geraldton as a thriving regional capital with a powerhouse economy. The local population will have increased and businesses will be delivering exceptional services and high quality specialised produce, commodities and goods to across the state, the rest of Australia and the world. It will be a significant intermodal (road, rail, sea, air) freight and logistics hub for the wider region and beyond.

The Foreshore and central city streets are already becoming a welcoming hub of commerce, leisure and entertainment for residents and visitors alike. In order for the region to grow, it needs a strong regional capital. With a focus on *City Centre Vibrancy*, Geraldton will grow its reputation as a hotspot for marine trade and support services and specialised food production. It will become a hub from which to explore a range of remarkable tourism experiences in the Mid West region. A vibrant and well-serviced regional centre provides a sense of pride for our residents and helps to attract tourists.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

CCS510 COUNCIL POLICY 2.3 ABROLHOS ISLANDS TOURISM

AGENDA REFERENCE:	D-20-061741
AUTHOR:	T Palmonari, Manager Economic Development
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	11 June 2020
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2) A. Council Policy 2.3 – Abrolhos Islands Tourism (v2) B. Council Policy 2.3 – Abrolhos Islands Tourism - Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 2.3 Abrolhos Islands Tourism, version 2.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 2.3 Abrolhos Islands Tourism, version 2.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Abrolhos Islands have long been identified as a “jewel” of the Western Australian landscape. The spectacular land and seascapes at the Islands are home to a rich cultural history, most notably including the Batavia shipwreck and its bloody aftermath, which has been described by author Peter FitzSimons as “...far and away the greatest story in Australian history”.

Pearling, guano mining, aquaculture and the long history of the rock lobster and other fishing industries at the Islands combine to create a cultural heritage that is without peer, and which provides a strong sense of place to the resident community. The Islands boast a diverse natural environment that provides excellent surf breaks and unparalleled wildlife and ecotourism experiences above and below the water.

The sustainable development of tourism at the Abrolhos Islands is identified as a ‘game changer’ for the Mid West Region’s tourism sector in the Geraldton Jobs and Growth Plan 2020 - 2023, with the potential for significant long-term economic benefit to both the region and the State.

There are a number of historical barriers to tourism development at the Islands. These include limited accessibility, lack of visitor infrastructure (including accommodation) and a range of governance and management issues that potentially compromise the safety of visitors, the diversity of

tourism experiences offered, and the long-term sustainability of tourism development.

In 2017, the State Government provided \$10 million funding towards the first stage development of the Abrolhos Islands for sustainable tourism. Local leaders in the run up to the 2021 State Elections are currently advocating for funding for the second stage of development.

The Abrolhos Islands fall under the City of Greater Geraldton's local government district boundaries meaning the City has a building control and public health regulatory role for the management of the Islands. As such, the City developed an Abrolhos Islands Tourism Policy adopted by Council on 22 August 2017.

The objective of this policy is to grow and diversify the local economy through the development of ecologically sustainable tourism on the Abrolhos Islands including the development of tourist access control and management regimes, utility infrastructure, permanent resort and other accommodation and related facilities and amenities for tourists.

Within the biennial review process, this policy is due for review. As part of the review process a Briefing Note was circulated to Councillors on 6 May 2020 and a request was received to update the jurisdiction information in the revised version. Amendments to the policy are shown in the attached comparison table – Attachment No. CCS510B. The City of Greater Geraldton's responsibilities have not changed, only those of the state government jurisdictions.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There has been strong community support for the development of the Abrolhos Islands for sustainable tourism. Affordable accessibility for locals has long been an issue. The proposed development of the Abrolhos Islands for sustainable tourism together with private sector investment in a fast ferry will provide the opportunity for the community to experience the jewel in their own backyard.

Environment:

This policy is designed to ensure that the necessary enforcements are undertaken on the Islands to support sustainable development and that this asset is protected and well managed.

Economy:

The Abrolhos Islands are an important tourism asset for the Mid West and also highlighted as one of the game changers in the Geraldton Jobs and Growth Plan 2020 – 2023.

Governance:

The Local Government Act requires that Councils establish good governance principles through the introduction of policies and guidelines. This policy highlights the responsibilities of the City, but also illustrates the authorities responsible for other aspects of development.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council policies are reviewed and endorsed by Council on a regular basis. Council Policy 2.3 Abrolhos Islands Tourism was approved by Council on 22 August 2017 – Notice of Motion – Abrolhos Tourism – Council Policy.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via Briefing Note on 6 May 2020 and a request was received to update the jurisdiction information. None of the City of Greater Geraldton responsibilities have changed; only state government jurisdictions.

LEGISLATIVE/POLICY IMPLICATIONS:

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

2.7. Role of council

(1) *The council —*

(a) *governs the local government's affairs; and*

(b) *is responsible for the performance of the local government's functions.*

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

(a) *oversee the allocation of the local government's finances and resources; and*

(b) *determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Community	1.1 Our Heritage and the Arts
Strategy 1.1.1	Recording, recognising and preserving our social, environmental and built heritage.
Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.

Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton Jobs and Growth plan.
Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.2	Promoting events and unique tourism experiences that aid in attracting visitors and investment.

REGIONAL OUTCOMES:

The establishment of the Abrolhos Islands as an excellent tourist destination will provide significant long-term economic and social benefits to the Mid West Region and the State. Economic modelling indicates that within ten years, the project will deliver \$7.3 million per annum directly into Abrolhos Islands based businesses and 50 direct jobs in the local tourism industry.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

CCS511 RATES EXEMPTION APPLICATION – THE MENSHEDED GERALDTON INCORPORATED
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AGENDA REFERENCE:	D-20-062562
AUTHOR:	S Russell, Coordinator Rates
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	5 June 2020
FILE REFERENCE:	RV/4/0003-02
ATTACHMENTS:	Yes (x2) A. Application for Rates Exemption – The Menshed Geraldton Incorporated B. Australian Charities and Not-for-profits Commission certification

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement to approve the rates exemption application from The Menshed Geraldton Incorporated based on the charitable land use for Rates Assessment Number A11574.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 6.26(2)(g) of the Local Government Act 1995 RESOLVES to:

1. APPROVE a rates exemption for The Menshed Geraldton Incorporated on Rates Assessment Number A11574 on the basis that the property is being used exclusively for a charitable purpose.

PROPONENT:

The proponent is The Menshed Geraldton Incorporated.

BACKGROUND:

The property A11574 was previously owned by Ngala Community Services and was exempt from rates due to the property being used exclusively as a charitable purpose. This item is required to come to Council as Ngala has transferred ownership to The Menshed Geraldton Incorporated.

Due to the new ownership and new use of the land, Council is required to approve a rates exemption under charitable purposes as per the Local Government Act 1995 Section 6.26:

6.26. Rateable land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
 - (g) land used exclusively for charitable purposes;

The Menshed Geraldton Incorporated is a registered health promotion not-for-profit charity and will be physically located at property A11574. The property is used as a meeting place for men in the community to come together and work

on projects for the wider community – working on building and repairing projects.

The City periodically reviews properties previously classified as exempt to ensure that the use of land still qualifies as used for charitable purposes under Section 6.26(2)(g) of the Local Government Act 1995.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The Menshed are providing support for Men's health and wellbeing by being a place where men can meet and socialise and be involved in projects making and repairing various effects for individuals and other community organisations.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

The Local Government Act 1995 is currently under review. The issue of rates exemptions, who is eligible and who should determine the eligibility, was an issue highlighted by local governments during the feedback period. No time lines have been provided on when the new legislation will be released.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

This Council and its predecessor Councils have previously approved rate exemptions for property utilised exclusively for charitable purposes, consistent with section 6.26(2)(g) of the Local Government Act 1995.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.26 of the Local Government Act 1995 provides broad definitions for rateable and non-rateable land. Section 6.26(2)(g) states that land is not rateable if it is "used exclusively for charitable purposes".

'Charitable purposes' is not currently defined in the Local Government Act 1995 or other statutes; rather charity is defined at common law.

The definition of a charitable purpose is largely based on the preamble to the Statute of Elizabeth enacted by the English Parliament in 1601 and the judgment of Lord Macnaghten in *Commissioners for Special Purposes of Income Tax v Pemsel*. Lord Macnaghten classified the categories of charitable as trusts for one of the following:

- *the relief of poverty;*
- *the advancement of education;*
- *the advancement of religion; and*
- *other purposes beneficial to the community;*

The High Court of Australia incorporated the Statute of Elizabeth into Australian law, finding that in order for an institution to be charitable, it must be:

- (a) within the spirit and intendment of the Preamble to the Statute Elizabeth; and
- (b) for the public benefit.

The Western Australian case law (arising from both the Courts and the State Administrative Tribunal) summarise that for a purpose to be charitable:

- (a) it must fall within the purposes set out in the Statute of Elizabeth, or by Lord Macnaghten (above); and
- (b) there must be a public benefit, being a benefit directed to the general community, or to a sufficient section of the community to amount to the public.

FINANCIAL AND RESOURCE IMPLICATIONS:

Should this property become a rated property it would generate \$7,415.38 in rates revenue. Exempt properties are still required to pay ESL rates and the rubbish collection charge.

INTEGRATED PLANNING LINKS:

Title: Community	1.3 Community Health and Safety
Strategy 1.3.1	Encouraging the improvement of health services and facilities for the community.
Title: Community	1.5 Recognise, value and support everyone
Strategy 1.5.1	Supporting and strengthening community groups, organisations and volunteer services.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Council by not approving the application for rate exemption may be required to defend its decision if the matter were to be appealed by the applicant to the State Administrative Tribunal and legal costs may be incurred as a result.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The alternative option is for Council to decline the application for rate exemption on the basis that it considers the Menshed is not providing a charitable purpose to the community or that such charitable use relating to the property is not considered an exclusive use.

CCS512 STATEMENT OF FINANCIAL ACTIVITY TO 31 MAY 2020
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AGENDA REFERENCE:	D-20-061683
AUTHOR:	R Doughty, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	4 June 2020
FILE REFERENCE:	FM/17/0001
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 31 May 2020

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 May 2020.

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

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly financial statements of activity dated 31 May 2020, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of May 2020 is detailed in the attached report and summarised as follows, are the variances between Year-to-Date (YTD) budgeted forecasts and actuals (including commitments):

Operating Income	\$ 2,682,008	3.37%	under YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$ 830,187	1.1%	under YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$ 1,851,821	48.2%	under YTD Surplus	<input checked="" type="checkbox"/>
Capital Expenditure	\$ 6,381,702	17.3%	under YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$ 53,604	0.65%	under YTD Budget	<input checked="" type="checkbox"/>
Cash at Bank – Municipal	\$ 14,627,517			
Cash at Bank – Reserve	\$ 22,089,917			
Total Funds Invested	\$ 36,717,434			
Net Rates Collected	98.27%			
Net Rates Collected in May 2019	98.93%			

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the budget. The financial position represented in the April financials shows a YTD negative variance of \$1,851,821 in the net operating surplus result (this takes into account commitments).

In the Monthly Management Report (Attachment No. CCS512) new graphs have been introduced to keep Council informed on any new and relevant impacts to business operations due to COVID-19.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that as a minimum Council is to receive a Statement of Financial Activity.

FINANCIAL AND RESOURCE IMPLICATIONS:

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

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

CCS513 CITY OF GREATER GERALDTON BUDGET 2020-21

AGENDA REFERENCE:	D-20-065127
AUTHOR:	R Doughty, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	7 June 2020
FILE REFERENCE:	FM/7/0001
ATTACHMENTS:	Yes (x5)
	A. Annual Budget 2020-21
	B. Fees and Charges Schedule 2020-21
	C. Capital Works Program 2020-21
	D. Statement of Objects & Reasons 2020-21
	E. Addendum to Corporate Business Plan 2017-2021

EXECUTIVE SUMMARY:

This report seeks Council adoption of the City of Greater Geraldton 2020-21 Annual Budget.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 6.2 of the Local Government Act 1995 RESOLVES to:

A. Rates & Minimum Payments 2020-21

- ADOPT the following Differential General Rates against the valuations supplied by Landgate (as amended) as at 1 July 2020 for 2020-21 in accordance with sections 6.32 and 6.33 (modified) of the *Local Government Act 1995*:

DIFFERENTIAL GENERAL RATES	2020-21 Cents in Dollar
CGG Residential	14.8529
CGG Non-Residential	12.2934
CGG UV	0.7775

- ADOPT the following Minimum Payments for the City of Greater Geraldton for 2020-21, in accordance with section 6.35 (modified) of the *Local Government Act 1995*:

MINIMUM PAYMENTS	2020-21 Minimum Payment Per Assessment
CGG Residential	\$1,010
CGG Non-Residential	\$1,010
CGG UV	\$1,010

B. 2020-21 General Charges, Concessions, Interest

3. IMPOSE no service charge on land for 2020-21;
4. RAISE no charge per instalment for 2020-21 where the ratepayer has elected to pay their rates by instalments and in addition apply zero interest rate charge in accordance with section 6.45 (including modified) of the *Local Government Act 1995* and regulations 67 and 68 of the *Local Government (Financial Management) Regulations 1996*;
5. PROVIDE the option for ratepayers to pay their rates as a single payment or by two (2) or four (4) equal instalments in accordance with section 6.45(1) of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*;
6. PROVIDE a 5% discount on rates paid in full by the due date in accordance with section 6.46 of the *Local Government Act 1995*. NOTE: If a property has overdue amounts relating to previous years rates and charges, those arrears will need to be paid in full by the due date along with 2020-21 rates and charges for a ratepayer to be eligible for the discount on their 2020-21 rates;
7. NOTE the rates set by the State Government for the Emergency Services Levy (ESL) for Category 2, 4 and 5 regions for 2020-21 and apply these rates on assessments against valuations from Landgate as at 1 July 2020;
8. NOTE the interest rate set by the State Government for late payment of ESL by property owners is 8% per annum and will be charged 30 days after the due date;
9. NOTE that the City is not responsible for setting Emergency Services Levy rates and simply acts as a collection agent for the funds on behalf of the State Government;
10. ISSUE rates instalment notices as soon as practicable with instalment due dates being no less than two months apart from the date of the first instalment becoming due in accordance with section 6.50 of the *Local Government Act 1995*;
11. NOT CHARGE any interest on current outstanding rates and service charge between 1 July 2020 and the due date of the fourth rates instalment;
12. CHARGE an interest rate of 8% on any outstanding rates and service charges that remain overdue after the due date of the fourth instalment as described in accordance with section 6.51 (modified) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*; and
13. CHARGE interest to be applied on outstanding debts exceeding 60 days after date of invoice at a rate of 8% per annum in accordance with section 6.13 (modified) of the *Local Government Act 1995*.

C. 2020-21 Fees and Charges (Note 0% increase)

14. ADOPT the 2020-21 Schedule of Fees and Charges in accordance with section 6.16(3) of the *Local Government Act 1995*.

D. 2020-21 Capital Works & Loans

15. ADOPT the 2020-21 Capital Works Program Budget; and
16. ADOPT the new Loan debenture program in accordance with section 6.20(4) of the *Local Government Act 1995* and APPROVE an application to access Western Australian Treasury Corporation's (WATC's) Short Term Lending Facility (STLF) up to a maximum of \$10,000,000.

E. General Charges and Concessions

17. NOTE that Council on an individual assessment basis does offer 'Incentives' under its City Centre Revitalisation Program in the form of concessions or waiving of rates for a set period of time;
18. NOTE and APPROVE that Council continues to provide as at 1 July 2020, an 80% concessional arrangement to Murchison Region Aboriginal Corporation based on the land being used primarily for charitable purposes; and
19. NOTE that Council in accordance with section 6.13 (modified) of the *Local Government Act 1995* cannot require a person who is considered to be suffering financial hardship as a consequence of the COVID-19 to pay interest.

F. 2020-21 Allowances (Note 0% increase)

20. APPROVE the Mayor's annual local government allowance of \$72,336 in accordance with section 5.98(5) of the *Local Government Act 1995*;
21. APPROVE the Mayor's annual attendance fees of \$33,216 in accordance with section 5.99 of the *Local Government Act 1995*;
22. APPROVE the Deputy Mayor's annual local government allowance of \$18,084 in accordance with section 5.98A of the *Local Government Act 1995*;
23. APPROVE the annual fees of \$25,716 for every other elected member (excluding the Mayor) in accordance with section 5.99 of the *Local Government Act 1995*;
24. APPROVE an Information technology and telecommunication allowance of \$3,500 per year per elected member in accordance with section 5.99A of the *Local Government Act 1995*;
25. APPROVE the reimbursement of expenses incurred by an elected member in accordance with section 5.98(2)(b) and (3) of the *Local Government Act 1995* and regulation 32 of the *Local Government (Administration) Regulations 1996*;
26. APPROVE the reimbursement of childcare costs of up to \$25 per hour or the actual cost incurred by an elected member when attending a meeting in accordance with section 5.98(2)(a) and (3) of the *Local Government Act 1995* and regulations 31(1)(b) and 32(1) of the *Local Government (Administration) Regulations 1996*; and
27. APPROVE the reimbursement of travel costs incurred by an elected member in accordance with section 5.98(2)(a) and (3) of the *Local Government Act 1995*, regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* and *Income Tax Assessment Act* section 28.25.

G. Material Variance Reporting for 2020-21

28. ADOPT a reporting variance of greater than \$50,000 or 10% in accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.

H. Adoption of Statement of Objects and Reasons for Proposed Rates and Minimum Payments and the 2020-21 Budget

29. ADOPT the Statement of Objects and Reasons for Proposed Rates and Minimum Payments;
30. ADOPT the 2020-21 Annual Budget for the City of Greater Geraldton; and
31. NOTE that Council received no public submissions on its intention to impose rates (2020-21) by the public notice due date.

I. Adoption of Addendum to Corporate Business Plan 2017-2021

32. ADOPT an Addendum to the Corporate Business Plan 2017-2021 that updates and revises proposed actions for 2020-21, the final year of the plan.

J. Council Policy 1.8 Community Funding Programs

33. NOT APPROVE the continuation of the following service agreements that expired in 2019-20:
- Geraldton Regional Cricket Board; and
 - Geraldton Surf Life Saving Club.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget, to enable the administration to carry out the defined services and programmes and to raise revenue through rates and fees and charges.

Consistent with section 6.2(4) of the Local Government Act 1995, the 2020-21 Budget for the City of Greater Geraldton includes the following:

- Statement of Objects and Reasons for Proposed City Rates and Minimum Payments for 2020-21;
- Capital Works;
- Fees and Charges;
- General Charges and Concessions;
- Allowances;
- Borrowings;
- Reserve Accounts; and
- Budget Estimates for Adoption.

1. Rating & Minimum Payments

The raising of revenue via annual rates is an important source of funds for all Councils throughout Australia. The *Local Government Act 1995* (the Act) empowers WA Councils to impose general rates and minimum payments.

The Statement of Objects and Reasons for Proposed City Rates and Minimum Payments for 2020-21 attached to this report (Attachment No. CCS513D) provides detail of key principles applied in the setting of rates.

Rates Modelling (2020-21):

The budget has been prepared on the basis of a zero rates increase for all rating categories.

Based on final endorsement by Council, the budget incorporates the following rates relief initiatives in addition to the proposed zero increase to the rate in the dollar applied to each differential rating category:

- Introducing a discount on rates paid in full by the due date;
- Removing instalment/payment plans interest and charges; and
- Changes to the application of interest on overdue rates.

Table below summarises the amount to be levied by rating categories (excluding rates discount and concessions) in 2020-21 based on 0% increase RID's:

Table 1 – Rates Differential Category Yield

Rating Category	Proposed Rates Billing to be levied 2020-21	Number of Rateable Properties
Residential	\$32,622,496	17,818
Non-Residential	\$11,006,364	1,449
UV - Rural	\$ 3,136,153	1,066
Total	\$46,765,013	20,333

The growth in the annual rate base has been downgraded to a near zero movement. While the Commonwealth and State Governments have recently announced support packages to stimulate activity in the building related sectors, how that quantifies into new developments and property growth in the short term remains an unknown.

CGG GRV:

There are two differential GRV rating categories that are applied to properties in that part of the City district that are used for the following purposes:

- CGG Residential
- CGG Non-Residential (commercial/industrial)

These rating categories reflects the level of rating required to raise the necessary revenue for Council to operate efficiently and provide the diverse range of services and programs and associated infrastructure/facilities required for GRV developed designated parts of the City.

With a proposed no increase to the GRV's rate-in-the-dollar in 2020-21, property's rateable value as at 1 July 2020 that have not been subject to any revaluation during the 2019-20 financial year will pay no more in 2020-21 as they did in 2019-20. With the proposed introduction of discount for rates paid in full by the due date, and removal of instalment interest and plan charges, ratepayers will pay less in 2020-21 than they did in 2019-20.

A rate discount will not apply to those properties who are on minimum payments of \$1,010. Some properties may also only receive a partial discount due to this minimum payment threshold.

CGG UV:

This category includes all UV rated property in that part of the City district that are used primarily for rural, farming and mining purposes.

This rating category reflects the level of rating required to raise the necessary revenue for Council to operate efficiently and provide a diverse range of services and programs for rural areas including infrastructure to this designated part of the City district.

UV properties are subject to revaluations annually, so there will properties that will have a change to their valuation from 1 July 2020, which will result in a proportion of properties paying either more or less than what they paid in 2019-20 even though the City has applied no increase. An overall UV revaluation increase of 0.7% however, valuation movements were not consistent across localities, with a range of increases/decreases primarily between -10% to +10%. The following table provides an overview of the % movements:

Table 2: UV Revaluation Movements

% Movement Valuation	Number of Properties	% of total properties
Over plus 10%	12	1.15%
Plus 5% to plus 10%	152	14.60%
0% to plus 5%	155	14.89%
No change	113	10.85%
0% to minus 5%	90	8.65%
Minus 5% to Minus 10%	349	33.53%
Under minus 10%	170	16.33%
	1041	100%

The same conditions applied in respect to eligibility for a rates discount and instalment payment interest and charges exclusion for GRV properties, will also apply to UV properties. It is also proposed to maintain minimum payments at the same level of \$1,010 that were applied in 2019-20. This figure for minimums has remained unchanged since 2014-15 except for Ex Mullewa District GRV & UV properties which were increased in 2016-17 to align and amalgamate per Governor's Order with Ex City of Geraldton-Greenough properties.

Budget 2020-21:

In response to COVID-19 impacts, the City was required to reset parameters for the proposed budget 2020-21. The proposed budget has been modified to offer levy relief assistance to all parts of the community in dealing with these impacts and to preserve the City's cash position. It is imperative that the City preserves its existing cash position as we come to understand and adapt in managing the financial risks of the short to long term impacts of COVID-19.

The table below provides an overview of the movements between the proposed operating budget 2020-21 (post COVID-19) and adopted 2019-20 (pre COVID-19):

Table 3: Comparison between 2020-21 and 2019-20 Budget

Operating Statement	20-21 Budget	19-20 Budget	20-21 to 19-20 Budget \$ Movement
OPERATING REVENUE	\$000s	\$000s	\$000s
Rates	45,683	46,939	(1,256)
Operating Grants, Subsidies & Contributions	7,811	8,165	(354)
Fees & Charges	17,369	24,675	(7,306)
Interest Earnings	400	2,048	(1,648)
Other	897	1,638	(741)
Total Operating Revenue	72,160	83,465	(11,305)
OPERATING EXPENDITURE			
Employee Costs	27,105	28,488	(1,383)
Materials & Contractors	19,576	22,269	(2,693)
Utilities	2,898	2,978	(80)
Insurance	814	739	75
Interest/Borrowing Costs	1,275	1,373	(98)
Depreciation On Assets	24,647	24,679	(32)
Other Expenses	1,711	2,854	(1,143)
Total Operating Expenditure	78,026	83,380	(5,354)
Net Result From Ordinary Activities Surplus/(Deficit)	(5,866)	85	(5,951)

The real operating result includes non-cash depreciation and amortisation expenses, representing in effect the City's annual costs of a capital nature.

Budget Result

Considerations for the 2020-21 budget are unique due to the State Government declaring a State of Emergency for Western Australia and local governments have a vital role to play in both the response and recovery of the pandemic crisis. This involves both dealing with health and social impacts within the community, as well as responding to the economic consequences brought on by the crisis.

Due to unprecedented economic impacts caused by the Coronavirus (COVID-19) crisis the financial principles that underpin the City's budgetary outlook, will require revision to adapt to these impacts. In these unprecedented times, community leaders at all levels are being looked upon to provide financial relief to those impacted within their communities by the associated economic downturn from the COVID-19 pandemic.

As per the above table, the forecast net result from ordinary activities will see the City move from a surplus budget position in 2019-20 to a deficit position in 2020-21 due to the negative impacts to revenue as a result of COVID-19.

The financial impacts of COVID-19 to the City's own source revenue is obvious to see in the table above. The 2020-21 proposed budget reflects a significant decline in own source revenue of around \$11million when compared to 2019-20 as a result of external factors impacting activities levels.

Council is also proposing to introduce COVID-19 related community support initiatives that will reduce revenue but at the same time and in the short term, also reduce service related charging (refer to Fees and Charges) to the community.

To offset the decline in revenue, Council has also reduced both operating expenditure (by more than \$5million) and its proposed capital works program. To reduce operating expenditure Council was required to modify service levels and related business models which will result in the following:

- Decrease to casual staffing budgets for facilities, effectively reducing service delivery scope and operating hours;
- Reduced funding for events related activity;
- Reduction in works and parks service delivery scope. Part movement and redirection of works labour resources from operating to capital;
- Reduction to community funding programs;
- Deferment of projects or programs across the whole of organisation; and
- Significant pairing back of operating expenditure across the organisation with the exclusion of the following that are considered to be key local government activities – compliance, social, health, law and safety services.

2. Capital Program

Table 4: 2020-21 Capital Program

Capital Expenditure	New	Renewal	Total
Land & Buildings	1,307,300	975,520	2,282,820
Plant & Equipment	0	600,000	600,000
Furniture & Equipment	100,000	141,000	241,000
Roads	3,208,000	7,790,652	10,998,652
Pathways	2,354,550	860,000	3,214,550
Parks, Gardens, Coastal & Recreation	2,704,000	3,103,764	5,807,764
Carparks	0	226,000	226,000
Regional Waste	275,000	0	275,000
Airport	330,000	178,000	508,000
Drainage		854,200	854,200
Total	10,278,850	14,729,136	25,007,986

The City's planned Capital Budget for 2020-21 is \$25million. This expenditure is to be funded from General Revenue, Reserves and funding provided by Federal and State Agencies as detailed below:

Table 5: Funding Breakdown

Capital Expenditure	Own Source General Revenue	Own Source Reserves	External Grants & Contributions	Total
Land & Buildings	1,215,644	850,000	217,176	2,282,820
Plant & Equipment	130,000		470,000	600,000
Furniture & Equipment	241,000			241,000
Roads	3,841,426	2,008,000	5,149,226	10,998,652
Pathways	1,533,699	500,000	1,180,851	3,214,550
Parks, Gardens, Coastal & Recreation	3,917,764	1,200,000	690,000	5,807,764
Carparks	226,000			226,000
Regional Waste	275,000			275,000
Airport	454,000		54,000	508,000
Drainage	854,200			854,200
Total	12,688,733	4,558,000	7,761,253	25,007,986

Based on a significant forecast reduction in own source revenue in 2020-21 of 15% compared to 2019-20, the “flow-on” effect has resulted in a reduction in capital programming expenditure. With Council being able to secure external funding greater than original forecasts, the reduction in the capital program for 2020-21 is not as sizeable as it could have been, when compared to Long Term Financial Plan (LTFP) forecasts. The formation of the capital program and prioritisation was based on the following criteria:

- Risk management – keeping our community safe;
- Maximising grant funding opportunities;
- Meeting regulatory requirements;
- Ensuring Primary Industry can remain operational;
- Ensuring essential City services remain operational;
- Defer annual fleet replacement program;
- Maximising the use of in-house resources to deliver projects; and
- Rolling over projects that were endorsed by Council in the FY2019-20 Capital Program of Works but did not commence due to COVID-19.

3. Fees and Charges

The schedule of fees and charges for 2020-21 with some exceptions, will remain unchanged from what was set in 2019-20. As part of the relief package Council is offering to the community, the following fees and charges will be the exceptions to the norm:

- Free Parking including the Airport precinct;
- No charging of Swimming Pool inspection fees;
- No charging of Sporting Ground user fees;
- No application of rates administration fees;
- Not apply Rates Instalment interest;
- Not apply a Rates Instalment charge;
- Not charge for Environmental Health premises inspection and sampling;
- Not apply annual Health License fees for food premises, lodging houses and caravan parks; and
- Not charge annual lease fee for Community Groups.

4. General Charges, Concessions and Interest

Council proposes for the first time to introduce a rates discount of 5% to be applied to 2020-21 rates paid in full by the due date. If a property has overdue amounts relating to previous years rates and charges they will need to be paid in full by the due date along with 2020-21 rates and charges for a ratepayer to be eligible for the discount on the 2020-21 rates. Based on previous cycles of cash inflows from rates levied, it is anticipated that this discount would represent a levy discount to the community of around \$1million. To not disadvantage ratepayers who are unable to pay their rates in full by the due date, Council will also not apply any related instalment or payment plan charges or related interest which again will add a further \$450,000 back to the community.

Council does offer 'Incentives' under its City Centre Revitalisation Program to encourage development within the City Centre. The form of 'Incentives' which are assessed and approved by Council on an individual basis can be in the form of concessions or waiving of rates for a set period of time.

Council in 2017-18 also approved 80% concessional arrangement with Murchison Region Aboriginal Corporation on annual rates levied on their properties which is proposed to continue into 2020-21.

The interest rate of 9% applied to any outstanding rates and service, and sundry outstanding debt is to be lowered to 8% in 2020-21. To not disadvantage ratepayers who are unable to pay rates and charges in full within a month after the due date, or either who opt to pay by instalments or other payment plan, the application of the 8% will not take effect until after the due date of the final and fourth instalment (scheduled 3 March 2021).

The rate of 8% interest can be applied to sundry debts 60 days after issue of the invoice.

5. Allowances

Allowances and fees proposed for the Mayor and Councillors for 2020-21 will remain unchanged for the third year in a row. The following table provides a breakdown of allowances and fees paid per annum to elected members:

Table 6: Allowance Breakdown

Allowance & Attendance Category	2020-21	2019-20
Mayors Annual Allowance	\$72,336	\$72,336
Mayors Annual Attendance Fee	\$33,216	\$33,216
Deputy Mayors Annual Allowance	\$18,084	\$18,084
Councillors Attendance Fee	\$25,716	\$25,716
IT Allowance	\$ 3,500	\$ 3,500

The following tables denote the band range set by the Salaries and Allowance Tribunal in determination of salaries and allowances to be paid to Elected Members. Per the band ranges, the level of these allowances and attendance fees varies from the low point of the bands to the midpoint of those bands.

For a Council member other than the Mayor or President			For a Council member who holds the office of Mayor or President	
Band	Minimum	Maximum	Minimum	Maximum
1	\$24,604	\$31,678	\$24,604	\$47,516

For a Mayor or President		
Band	Minimum	Maximum
1	\$51,258	\$88,753

6. Borrowings

Borrowings in 2020-21 relate solely to the establishment of a short term credit facility (\$10million) to mitigate unforeseen cash flow risks to major revenue streams as a result of COVID-19.

This credit facility will function as low cost overdraft resource and it is forecast that any drawdown and associated debt interest cost would be repaid in 2020-21.

7. Reserve Accounts

No new reserves are proposed to be established in 2020-21.

Existing reserves have been established and/or are used where there is a legal or statutory requirement to do so, are mechanisms for accumulating cash for future capital outlays, managing cyclical expenditure and meeting liability provisions.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Various initiatives included in the budget are directed at supporting the whole of community during this pandemic crisis.

Environment:

Initiatives such as the continuation of the FOGO trial and its future “roll-out” to all households clearly indicates that Council wishes to take positive steps towards environmentally friendly waste management diversion and recycling. Council will also continue to provide resources to be applied to coastal management works.

Economy:

Initiatives contained within the budget include CBD revitalisation, investment to attract and increase visitations, and support of local businesses impacted by COVID-19.

Governance:

Section 6.2 of the Local Government Act 1995 requires Council to prepare and adopt a Budget for 2020-21. Adopting the budget in June allows for early commencement of cash inflows including the major revenue stream of rates and rubbish levied. As it is difficult at this time to measure the level of financial strain being felt in the whole of community as a result of COVID-19, early adoption of the budget will allow Council to monitor and measure impacts early into the new financial year, and formulate actions if required to adjust the budget to counteract any of those unforeseen impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Councils adopt a Budget including a rates model for every financial year.

COMMUNITY CONSULTATION:

In accordance with the requirements of section 6.36 of the *Local Government Act 1995*, a statement of intended differential rates and minimum payments was advertised seeking public submissions, and a statement of objects and reasons for the intended rates and minimum payments was also made available for download from the City website, with hardcopies provided at the City Offices in Geraldton, the City Library, and the Mullewa District Office.

Submissions closed at 5:00pm on 28 May 2020. At the close of the submission period the City had received no submissions from Electors or Ratepayers.

COUNCILLOR CONSULTATION:

City of Greater Geraldton Councillors have been actively engaged in formulation of the 2020-21 Budget through a series of Budget Workshops conducted through February to June of 2020, enabling consideration of revenue and expenditure requirements, with extensive discussion on budget options. Particular workshops addressed the impacts of COVID-19 on the City's financial sustainability and how that related to service delivery. The workshop also identified a suite of initiatives to support the community as it deals with the immediate and after effects of the pandemic.

Council also intends to introduce periodical reviews to assess and if necessary, adjust budget forecasts/initiatives and cash flow settings to manage changes like shifts in revenue stream forecasts that may continue to evolve from the impacts of COVID-19.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.2 of the *Local Government Act 1995* has been modified in relation to the preparation of the 2020-21 annual budget. The reference to the contents of the plan for the future of the district made in accordance with section 5.56 is replaced with a reference to the consequences of the COVID-19 pandemic.

Section 6.2(3) requires that all expenditure, revenue and income must be taken in account unless otherwise prescribed. *Local Government (Financial Management) Regulation 32* prescribes amounts that may be excluded in calculating the 'budget deficiency'.

Section 6.2(4) requires the annual budget to incorporate:

- (a) Particulars of estimated expenditure proposed;
- (b) Detailed information relating to the rates and service charges which will apply, including:
 - i. Amount estimated to be yielded by the general rate
 - ii. Rate of interest to be charge on unpaid rates and service charges;

- (c) Fees and charges;
- (d) Borrowings and other financial accommodations proposed;
- (e) Reserve account allocations and uses;
- (f) Any proposed land transactions or trading undertakings per section 3.59.

Local Government (Financial Management) Regulations 22 through 31 prescribe requirements in relation to form and content of the Budget and required Notes to and forming part of the Budget.

Section 6.13 modified (interest on money owing to local governments)

- (1) *Section 6.13 is modified as set out in this clause in relation to a resolution of a local government under section 6.13(1) that is to be included in its 2020/21 annual budget.*
- (2) *The resolution —*
 - (a) *cannot require a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 pandemic to pay interest; and*
 - (b) *is to specify that the requirement to pay interest does not apply to a person who is considered by the local government to be suffering financial hardship as a consequence of the COVID-19 pandemic.*
- (3) *The rate of interest that may be set by the local government under section 6.13 in its 2020/21 annual budget is not to exceed 8%.*
- (4) *Subclause (3) applies despite the Local Government (Financial Management) Regulations 1996 regulation 19A.*

Section 6.33 modified (differential general rates)

- (1) *In this clause —*

relevant rate, of a local government, means a proposed differential general rate of the local government that under section 6.33(3) cannot be imposed without the approval of the Minister.
- (2) *Section 6.33(3) is modified as set out in this clause in relation to a relevant rate of a local government if —*
 - (a) *as a consequence of the COVID-19 pandemic, the local government resolves (whether before or after commencement day) that no proposed differential general rate of the local government will exceed the corresponding differential general rate that was imposed by the local government in the 2019/20 financial year; and*
 - (b) *the local government obtained the Minister's approval under section 6.33(3) to impose in the 2019/20 financial year a differential general rate corresponding to the relevant rate.*
- (3) *The local government is not required to obtain the approval of the Minister under section 6.33(3) to impose the relevant rate.*

Section 6.34 modified (limit on revenue or income from general rates)

- (1) *Section 6.34(b) is modified as set out in this clause in relation to the 2020/21 annual budget of a local government.*
- (2) *The reference to 90% is replaced with a reference to 80%.*

Section 6.35 modified (minimum payment)

- (1) *In this clause —*
relevant minimum payment, of a local government, means a proposed minimum payment of the local government that under section 6.35(5) cannot be imposed without the approval of the Minister.
- (2) Section 6.35(5) is modified as set out in this clause in relation to a relevant minimum payment of a local government if —
- (a) as a consequence of the COVID-19 pandemic, the local government resolves (whether before or after commencement day) that —
- (i) no proposed differential general rate of the local government will exceed the corresponding differential general rate that was imposed by the local government in the 2019/20 financial year;
and
- (ii) no proposed minimum payment of the local government will exceed the corresponding minimum payment that was imposed by the local government in the 2019/20 financial year;
and
- (b) the local government obtained the Minister's approval under section 6.35(5) to impose in the 2019/20 financial year a minimum payment corresponding to the relevant minimum payment.
- (3) The local government is not required to obtain the approval of the Minister under section 6.35(5) to impose the relevant minimum payment.

Section 6.36 modified (local government to give notice of certain rates)

- (1) Section 6.36 is modified as set out in this clause in relation to a local government if, as a consequence of the COVID-19 pandemic, the local government resolves (whether before or after commencement day) that —
- (a) no proposed differential general rate of the local government will exceed the corresponding differential general rate that was imposed by the local government in the 2019/20 financial year; and
- (b) no proposed minimum payment of the local government of the kind referred to in section 6.36(1) will exceed the corresponding minimum payment that was imposed by the local government in the 2019/20 financial year.
- (2) The requirements in section 6.36(1) to (4) do not apply to the local government and are replaced with the requirements in subclauses (3) and (4).
- (3) The local government must publish on the local government's official website details of each proposed differential general rate and each proposed minimum payment of the local government.
- (4) The details referred to in subclause (3) must be published by the local government within 10 days after the later of the following —
- (a) the day on which the local government makes the resolution referred to in subclause (1);
- (b) commencement day.

Section 6.45 Options for payment of rates or service charges

- (1) *A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —*
 - (a) *4 equal or nearly equal instalments; or*
 - (b) *such other method of payment by instalments as is set forth in the local government's annual budget.*

Section 6.45 modified (options for payment of rates or service charges)

- (1) *In this clause —*
financial hardship policy, *in relation to a local government, means a policy addressing the manner in which the local government will deal with financial hardship that may be suffered by ratepayers and other persons who are required to make payments to the local government.*
- (2) *Section 6.45 is modified as set out in this clause in relation to payment by instalments of a rate or service charge imposed by a local government in the 2020/21 financial year.*
- (3) *The local government cannot impose an additional charge (including an amount by way of interest) under section 6.45(3) in respect of payment by instalments made by an excluded person.*
- (4) *If the local government has not adopted a financial hardship policy, the maximum rate of interest that may be imposed by the local government under section 6.45(3) is 3%.*
- (5) *Subclause (4) applies despite the Local Government (Financial Management) Regulations 1996 regulation 68.*

Section 6.46 Discounts

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may, when imposing a rate or service charge, resolve to grant a discount or other incentive for the early payment of any rate or service charge.*

Section 6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

Section 6.51 modified (accrual of interest on overdue rates or service charges)

- (1) *Section 6.51 is modified as set out in this clause in relation to a resolution made under section 6.51(1) by a local government at the time of imposing a rate or service charge for the 2020/21 financial year.*
- (2) *The resolution —*
 - (a) *cannot impose interest in respect of a rate or service charge payable by an excluded person; and*
 - (b) *is to specify that the imposition of interest does not apply in respect of a rate or service charge payable by an excluded person.*
- (3) *The rate of interest that may be set by the local government under section 6.51 is not to exceed 8%.*

- (4) *Subclause (3) applies despite the Local Government (Financial Management) Regulations 1996 regulation 70.*

Regulatory Requirements:

Local Government (Financial Management) Regulations 1996 – Regulation 26: specifies requirements for information on concessions, for inclusion in annual budgets.

Local Government (Financial Management) Regulations 1996 – Regulation 42: specifies requirements for information on concessions, for inclusion in annual financial reports.

Policy implications:

While the plans and strategies that underpin Council's Integrated Planning Framework are normally the core documents used to inform the resourcing requirements and financial capacity in preparation of the Annual Budget, the financial management of COVID-19 impacts has in large underpinned the formation and structure of the 2020-21 budget.

FINANCIAL AND RESOURCE IMPLICATIONS:

Details of the budget estimates for 2020-21 are contained in the attached documents.

INTEGRATED PLANNING LINKS:

Title: Governance	4.4 Financial Sustainability and Performance
Strategy 4.4.1	Preparing and implementing short to long term financial plans.

REGIONAL OUTCOMES:

Delivery of various program and projects (including advocacy) incorporated into the budget are based on generating positive and sustainable outcomes for the Mid-West Region.

RISK MANAGEMENT:

Section 6.2 of the Local Government Act 1995 requires Council to prepare and adopt a Budget for 2020-21 by 31 August 2020, or by such extended time as the Minister allows. Having regard to cash flow requirements for ongoing City operations, it is in the best interests of all Councils especially in the current pandemic environment for their budget to be adopted at the earliest practical opportunity, to enable issue of rates notices and commencement of revenue flows as early as possible in the new financial year.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

Alternative Option One

That Council by Absolute Majority pursuant to Section 6.2 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the 2020-21 Budget as set out in items 1 through 33 of the Executive Recommendation *but with the following changes*:
 - a. To be determined by Council.
2. MAKES the determination based on the following reason/s:
 - a. To be determined by Council.

Alternative Option Two

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

1. DEFER consideration of the 2020-21 Budget;
2. MAKES the determination based on the following reason/s:
 - a. To be determined by Council.

Consideration of Options

Parts 'A' through 'H' (numbered items 1 through 31) of the Executive Recommendation address all of the elements covering imposition of rates and minimum payments, estimates of revenue and income other than rates, estimates of expenditure, charges, concessions and interest, the schedule of fees and charges, elected member allowances, the Statement of Object and Reasons on Proposed Rating and, in relation to Notes comprising part of the Budget, allocations to and use of funds from reserves, and proposed new loans. Parts 'A' through 'H' are inter-dependent and together produce the budget result, and thus they need to be considered and resolved together by Council, rather than separately.

Part 'I' of the Executive Recommendation seeks Council endorsement and adoption of an Addendum to 2017-21 Corporate Business Plan to reflect an update to the proposed activities and/or actions for 2020-21.

Part 'J' of the Executive Recommendation seeks Council decision on not to continue funding of service agreements that expired in 2019-20.

Any *significant/material* change to any of the revenue, income or expenditure elements of the recommended Budget (comprising parts 'A' through 'H' inclusive) would require re-casting of the budget and assessment of the consequent budget result, to ensure compliance with section 6.34 of the *Local Government Act 1995*.

In effect this section requires prior Ministerial approval of a proposed budget if the amount estimated to be yielded by general rates does not fall within the range 80% to 110% (recently amended from 90% to 110%) of the 'budget deficiency' as envisaged in section 6.2 of the Act, and as calculated in the rate setting statement per *Local Government (Financial Management) Regulation 32*.

Council may choose to make changes to the recommended Budget via alternative option one – provided that those changes do not have such a significant/material effect on expenditure or revenue estimates that would require re-casting of the whole Budget.

Should Council wish to make significant/material changes to revenue or expenditure components of the proposed 2020-21 Budget, then alternative option two (Deferment) should be pursued. This option would need the determined reasons to include clear directions and an unambiguous indication of an alternative required budget outcome to guide recasting of the Budget for re-presentation to Council at a later date.

12.3 REPORTS OF INFRASTRUCTURE SERVICES

Nil.

12.4 REPORTS OF OFFICE THE CEO

Nil.

12.5 REPORTS TO BE RECEIVED**RR15 REPORTS TO BE RECEIVED - JUNE**

AGENDA REFERENCE:	D-20-064998
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 June
FILE REFERENCE:	GO/6/0012-06
ATTACHMENTS:	Yes (x3) 1x Confidential
	A. Delegated Determinations and Subdivision Applications for Planning Approval
	B. WALGA State Council Agenda – 1 July 2020
	C. Confidential Report – List of Accounts Paid Under Delegation May 2020

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development and Community Services:
 - i. DCSDD159 – Delegated Determinations and Subdivision Applications for Planning Approval.
 - b. Reports – Office of the CEO
 - i. CEO067 - WALGA State Council Agenda – 1 July 2020.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate and Commercial Services:
 - i. CCS514 – Confidential Report – List of Accounts Paid Under Delegation May 2020.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

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

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN****15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING****16 MEETING CLOSED TO PUBLIC**

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

Livestreaming will be turned off if required.

17 CLOSURE

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.cgg.wa.gov.au/council-meetings/>