



ORDINARY MEETING OF COUNCIL  
AGENDA

24 SEPTEMBER 2019

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**TO BE HELD ON TUESDAY, 24 SEPTEMBER 2019 AT 5.00PM**  
**CHAMBERS, CATHEDRAL AVENUE**

**A G E N D A**

**DISCLAIMER:**

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

**1 DECLARATION OF OPENING**

**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:

Cr S Douglas

#### 4 DISCLOSURE OF INTERESTS

Cr S Elphick declared a Financial Indirect interest in Item DCS422 Proposed Local Planning Scheme Amendment – Commercial Rezoning, Geraldton as she works for the Rigtters Group.

Cr N McIlwaine declared a Financial Indirect interest in Item IS195 Award of RFT 03 1920 Supply and Lay Concrete Pathways as he is a salaried employee of a material supplier to various Tenderers.

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

There are no questions from previous meetings.

#### 6 PUBLIC QUESTION TIME

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

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

#### 7 APPLICATIONS FOR LEAVE OF ABSENCE

##### Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr S Douglas	24 September 2019	2 October 2019	27/08/2019
Cr J Critch	27 September 2019	8 October 2019	27/08/2019
Cr S Elphick	6 October 2019	13 October 2019	27/08/2019

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

*If an Elected Member on Approved Leave subsequently attends the meeting, this will be noted in the Minutes.*

#### 8 PETITIONS, DEPUTATIONS

#### 9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 August 2019, 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*

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
28 August 2019	Photo for Media Release - Buccaneers	Mayor Shane Van Styn
28 August 2019	Spirit Radio Interview - Outcomes of Council Meeting	Mayor Shane Van Styn
28 August 2019	Mid West Chamber of Commerce & Industry (MWCCI) - Onshore Energy Feedback Session	Mayor Shane Van Styn
29 August 2019	Randolph Stow Young Writers Awards - Presentation Night	Mayor Shane Van Styn
30 August 2019	ABC Photo - China School Article	Mayor Shane Van Styn
31 August 2019	National Seniors Conference	Mayor Shane Van Styn
31 August 2019	86th Mullewa Show Day	Mayor Shane Van Styn
1 September 2019	Radio Mama Interview	Mayor Shane Van Styn
3 September 2019	Waggrakine Primary School - Rabbit Proof Fence – Photo for Media Release & Guardian Article	Mayor Shane Van Styn
3 September 2019	Concept Forum	Mayor Shane Van Styn
4 September 2019	Rio Tinto - Youth Vibrancy Officer Extension – Photo for Media Release	Mayor Shane Van Styn
5 September 2019	Geraldton City Speedway – Future Events & Projects	Mayor Shane Van Styn
5 September 2019	Clontarf – Presentation from Year 7 Boys	Mayor Shane Van Styn
5 September 2019	Central Regional TAFE National Aborigines and Islanders Day Observance Committee (NAIDOC) Celebrations	Mayor Shane Van Styn
5 September 2019	Buccaneers Champions Parade	Mayor Shane Van Styn
6 September 2019	Hon Mia Davis MLA, Leader of The Nationals WA - Matters in Common	Mayor Shane Van Styn
6 September 2019	Geraldton Regional Airport Upgrade - Official Opening	Mayor Shane Van Styn
7 September 2019	Geraldton Park Run – Launch	Mayor Shane Van Styn
9 September 2019	GWN Interview - Fracking	Mayor Shane Van Styn
9 September 2019	Regular Catch up - Marketing & Media	Mayor Shane Van Styn
9 September 2019	Everlasting Partnership Photo - Kite West	Mayor Shane Van Styn
9 September 2019	Western Australian Centre for Rural Health (WACRH) - 20th Anniversary Reception	Mayor Shane Van Styn
10-15 September 2019	Planning Institute of Australia (PIA) Conference – Keynote Speaker	Mayor Shane Van Styn
16 September 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
16 September 2019	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
16 September 2019	Seniors Bowls	Mayor Shane Van Styn

16 September 2019	Tin Heads - Purchase of Lift - Acknowledgement of City's contribution	Mayor Shane Van Styn
16 September 2019	Eco Abrolhos - Visit	Mayor Shane Van Styn
16 September 2019	Mayoral Prayer Breakfast – Update on Event	Mayor Shane Van Styn
17 September 2019	Citizenship Ceremony	Mayor Shane Van Styn
17 September 2019	Agenda Forum	Mayor Shane Van Styn
18 September 2019	Clock Rehangng - Photo for Media Release	Mayor Shane Van Styn
18 September 2019	Food Capability Statement with Spruce Juice - Photo for Media Release	Mayor Shane Van Styn
18 September 2019	The Horizon - Photo for Media Release	Mayor Shane Van Styn
19 September 2019	Clontarf Midwest Cup	Mayor Shane Van Styn
19 September 2019	Central Regional TAFE (CRT) Scholarship Sponsors Thank You Morning Tea	Mayor Shane Van Styn
19 September 2019	Mayor Discretionary Fund - Gero Soup Photo's for Media Release	Mayor Shane Van Styn
20 September 2019	Mayoral Prayer Breakfast – Anglican Diocese of north West Australia	Mayor Shane Van Styn
20 September 2019	Regular Meeting with Local Member - Hon Laurie Graham MLC, Member for the Agricultural Region -	Mayor Shane Van Styn
20 September 2019	Geraldton Ground Water Protection Group – Fracking	Mayor Shane Van Styn
23 September 2019	Rocks Laneway - Official Opening	Mayor Shane Van Styn
23 September 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
23 September 2019	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
23 September 2019	Seniors Bowls	Mayor Shane Van Styn
23 September 2019	Geraldton Residential College - Annual Presentation Ceremony	Mayor Shane Van Styn
24 September 2019	Geraldton Army Depot - Future and Scope	Mayor Shane Van Styn
24 September 2019	Ordinary Meeting of Council	Mayor Shane Van Styn

**Presentation:**

Presentation of Diploma of Local Government (Elected Member) to  
Cr Natasha Colliver, which she completed on 24 July 2019.

**11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS**

## 12 REPORTS OF COMMITTEES AND OFFICERS

### 12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS421 CORELLA MANAGEMENT PROGRAM	
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<b>AGENDA REFERENCE:</b>	<b>D-19-062244</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban and Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development and Community Services</b>
<b>DATE OF REPORT:</b>	<b>4 September 2019</b>
<b>FILE REFERENCE:</b>	<b>EM/2/0001</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Corella Management Program</b>

#### **EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to adopt the Corella Management Program.

Introduced corellas are becoming an increasing problem in the City of Greater Geraldton ('City'). This management program has been prepared to document the City's current approach toward corella management and to guide future efforts. It will also serve as a communications tool for key stakeholders and the community.

#### **EXECUTIVE RECOMMENDATION:**

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

1. ADOPT the Corella Management Program (September 2019).

#### **PROPONENT:**

The proponent is the City of Greater Geraldton.

#### **BACKGROUND:**

Introduced corellas are becoming an increasing problem in the City through nuisance and impacts on infrastructure. This management program has been prepared in order to document the City's current approach toward corella management and to guide future efforts. It will also serve as a communications tool for key stakeholders and the community.

Corellas are long-lived, highly intelligent birds that learn from each other. They are increasingly common in the urban landscape of Western Australia. This has led to a significant level of public concern where noise, property destruction and 'mess' have forced local governments to seek solutions in dealing with what has emerged as a significant human-wildlife conflict issue.



It is very important to accept and understand that there is no 'silver-bullet' fix. Many members of the community are not aware of the complexities in managing abundant bird species, particularly corellas. Lethal culling of birds alone will not solve this ongoing problem.

Management actions relate to areas of control, dispersal, advocacy, community education / on-site advice, habitat modifications and other actions.

Despite the considerable efforts undertaken by the City to date, eradication of the corellas appears unlikely in the short to medium term due primarily to the size and distribution of the corella population in the Midwest region. As such, management of the birds is likely to be an ongoing issue for foreseeable future.

The Corella Management Program is included as Attachment No. DCS421.

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

### **Community:**

Corellas have a negative impact on residents living within affected areas. They can cause a lot of stress and concern for residents due to loud screeching vocalisations and the mess they create by defoliating trees. In addition, large flocks of corellas defecate around the schools and other public spaces causing a potential health risk to the community.

### **Environment:**

Both the northern and southern Wheatbelt regions of Western Australia provide perfect foraging habitat, in combination with local and permanent water on farm properties, and appropriate roosting trees through retained fringing and remnant vegetation. To a large extent rural, peri-urban and urban communities duplicate this resource availability across landscapes meaning that flocks are persistent despite being physically moved using various scaring devices.

Corellas cause considerable damage to their roosting trees through continual pruning and also cause significant damage to sporting equipment, playing surfaces (such as grass fields), and to other infrastructure such as buildings, lights and wiring.

### **Economy:**

Infrastructure damage costs to the City as an organisation are estimated to be in excess of \$50,000 annually with damage to lighting, sporting ovals and buildings (most notably the Queens Park Theatre).

Additionally corellas have a significant financial impact on the wider Geraldton community and individual business that endeavour to protect their own infrastructure (e.g. St Francis Xavier Cathedral).

**Governance:**

The City will continue to refine and improve its management of the corellas into the future in order to minimise their impact on the local community and the management program's aim is:

*To minimise the adverse impacts caused by corellas within the City of Greater Geraldton.*

In achieving the above aim it must be recognised that the City has finite resources to allocate to corella management and as such must priorities its actions. Therefore the City's primary focus is on protecting Council infrastructure and assets on Council owned and managed land (which includes community sporting facilities).

***Disclosure of Interest:***

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

**RELEVANT PRECEDENTS:**

The author is not aware of any relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no specific community consultation in the preparation of this management program however the corella issue has been widely publicised and the City has had on-going discussions with the community on the issue. There are a number of actions in the management program that will require further community consultation.

The management program was presented to the Councillor Concept Forum meeting held on 3 September 2019.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Little Corella (*Cacatua sanguinea*) and Western Corella (*Cacatua pastinator butleri*) are declared pests in the City under the *Biosecurity and Agriculture Management Act 2007*. They are a Category 3 declared pest under the *Biosecurity and Agriculture Management Regulations 2013* which requires landholders to undertake some form of management that will alleviate the harmful impact; reduce the numbers or distribution; or prevent or contain the spread of the declared pest in the area. However, in practice there is minimal expectation that residents within the City can undertake control work.

In addition, the Little and Western Corella is a native species protected under the *Biodiversity Conservation Act 2016*. Under the Act the population in the City is one of the 'managed fauna' species. This is in recognition of the economic damage that corellas can cause. The term 'managed fauna' means that within the City boundaries they can be taken by means of a firearm, or disturbed by means of a noise or light generating device to prevent economic damage without seeking any approvals from the Department of Biodiversity, Conservation and Attractions.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Infrastructure damage costs to the City as an organisation are estimated to be well into the tens of thousands of dollars. The current 2019-20 budget has an allocation of \$50,000 for 'Animal control projects' which will be used to implement the management program.

**INTEGRATED PLANNING LINKS:**

<b>Title: Community</b>	<b>1.3 Community Health and Safety</b>
Strategy 1.3.3	Ensuring effective management of animals within the community.
<b>Title: Environment</b>	<b>2.1 Revegetation-Rehabilitation-Preservation</b>
Strategy 2.1.1	Working with the community and environmental groups to identify and implement environmental initiatives.

**REGIONAL OUTCOMES:**

Corellas, along with many other pest species pose a significant regional problem, one that extends beyond local government boundaries, resource availability and statutory responsibilities. As such, corella management requires a shared response across all stakeholders including government, the private sector and the community, where appropriate.

**RISK MANAGEMENT:**

The City continues to receive complaints from residents and businesses and this, combined with the potential escalating cost of repairs if management actions are not implemented has prompted the development of this management program. Without management intervention it is expected that the local corella population and its associated impacts will increase.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Introduced corellas are becoming an increasing problem in the City. This management program has been prepared to document the City's current approach toward corella management and to guide future efforts. It will also serve as a communications tool for key stakeholders and the community 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 and without management intervention it is expected that the local corella population and its associated impacts will increase.

DCS422 PROPOSED LOCAL PLANNING SCHEME AMENDMENT – COMMERCIAL REZONING, GERALDTON
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<b>AGENDA REFERENCE:</b>	<b>D-19-063927</b>
<b>AUTHOR:</b>	<b>K Elder, Coordinator Strategic Planning</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>03 September 2019</b>
<b>FILE REFERENCE:</b>	<b>LP/14/0010</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Scheme Amendment Report</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to initiate a Local Planning Scheme Amendment ('amendment') to rezone the western portion of Lots 38 (No. 40) and 151 (No. 42) Gertrude Street, Geraldton from 'Residential R40' to 'Commercial' and to determine that the rezoning is a 'standard' amendment.

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

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

1. AMEND Local Planning Scheme No. 1 by rezoning part Lots 38 and 151 Gertrude Street, Geraldton from 'Residential R40' to 'Commercial'.

**Part B:**

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

1. DETERMINE that the rezoning is a 'standard' amendment.
2. MAKE the determination on the following grounds:
  - a. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
  - b. The amendment has minimal impact on land in the scheme area that is not the subject of the amendment.

**PROPONENT:**

The proponent is Hille Thompson & Delfos Surveyors and Planners on behalf of the landowners, Dunmarra Pty Ltd, Beryl Florence Rigter and Johannes Martinus Joseph Rigter.

**BACKGROUND:**

The subject area is located approximately 1km from the Geraldton City Centre and consists of a small area of land totalling 238m<sup>2</sup> at the rear of Lots 38 and 151 Gertrude Street, Geraldton. Abutting the rear, western boundary of the subject area is the existing commercial centre, Rigters Supa IGA.

The intention is to concurrently rezone, subdivide and amalgamate the subject area onto Lot 150 which contains the Rigters Supa IGA supermarket.

Lots 38 and 151 each contain an existing single residential dwelling and the land is generally flat with a retaining wall to the rear. The proposed rezoning and subdivision and amalgamation would not affect the existing use of these lots.

The surrounding area is predominantly established single residential dwellings on large allotments with a zoning of 'Residential R40' and 'Residential R80'. The Rigters Supa IGA site is already zoned 'Commercial' and is part of a complex recognised as a neighbourhood centre in the City's Commercial Activity Centres Strategy.

The amendment will apply a commercial zoning to the subject area to allow for the redevelopment of the site in order to increase the legibility and improve car parking and traffic flow. The subdivision and amalgamation will also allow for the creation of more regular shaped lots to support this. The scheme amendment report includes a Concept Development Plan which demonstrates how the additional commercial land could assist in the redevelopment of the site.

Any future redevelopment of Rigters Supa IGA would be subject to an application for development approval and will be assessed in accordance with the provisions of Local Planning Scheme No. 1.

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

- The proposal is consistent with the objective and intent of the State and Local Planning framework;
- A 'Commercial' zoning over the subject area is appropriate given its location directly adjoining an existing commercial premise;
- The rezoning to 'Commercial' serves as a logical extension of the zone;
- The rezoning provides a unique opportunity to assist in the redevelopment of the commercial centre by providing rear access to the existing shopping centre which improves access and car parking within the site;
- It facilitates the maximum utilisation of the land for commercial purposes;
- With the increase in density potential of the surrounding residential land the expansion of the commercial area to provide further commercial opportunities is required in order to support the growing population demands of the area;
- Any future development will need to demonstrate good access to and from the site and functional internal vehicle movements and parking to the satisfaction of the City. This 238m<sup>2</sup> area of land provides a vehicular and pedestrian connection between the north and south areas of Lot 150; and

- Detailed planning controls are contained within the Local Planning Scheme No. 1 to ensure that the future development of the site is appropriate with regard to land use compatibility, retainment of amenity, size and scale of the operations and the overall design.

The scheme amendment report is included as Attachment No. DCS422.

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

### **Community:**

The amendment will facilitate the redevelopment and expansion of the commercial area to support the growing population demands of the area and increase the legibility of the site. Any potential traffic and amenity impacts will be assessed at the development stage.

### **Environment:**

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

### **Economy:**

The amendment will facilitate the potential redevelopment of the commercial site along Durlacher Street, Geraldton.

### **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:**

Council at its meeting held on 28 June 2016 – Item No. DCS 284, resolved to give final approval to Scheme Amendment No. 2 to Local Planning Scheme No. 1 which proposed to rezone Lots 1 and 2 Durlacher Street, Geraldton from 'Residential R40' to the 'Commercial' zone. The Minister for Planning gave final endorsement to the amendment on 25 January 2017.

The author is not aware of any other relevant precedents.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

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

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

**LEGISLATIVE/POLICY IMPLICATIONS:****Local Planning Scheme No. 1:**

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

The objectives of the 'Commercial' zone are to:

- (a) provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites and activity centres;*
- (b) ensure activity centres provide for appropriate uses that do not undermine the established and/or planned hierarchy of centres; and*
- (c) provide for efficient, intense and compact centres with a diversity of activity appropriate to the purpose of the centre.*

The amendment is considered to be consistent with these objectives. The subject area directly abuts an existing neighbourhood activity centre. The minor increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate the functionality of the centre.

**Planning and Development Act 2005:**

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

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

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

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

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

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

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

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:****Local Planning Strategy:**

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

The existing Super IGA supermarket has been identified in the Strategy as a 'Neighbourhood Centre'. The Strategy lists a number of commercial strategies and actions, the most relevant being:

**Strategies:**

1. Establish a hierarchy of activity centres and areas where priority should be given for more intensification in close proximity to existing and planned services.

**Actions:**

1. Implement the land use planning recommendations from the Commercial Activity Centres Strategy.
2. Zone land in and around activity centres to ensure they provide for residential, retail, commercial intensification and mixed use development as appropriate.

The amendment is considered to be consistent with the strategies and actions as it proposing to zone land that will provide for commercial intensification around an existing activity centre.

**Commercial Activity Centres Strategy:**

This Strategy provides a strategic planning framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres. The Strategy informs the City and proponents of the potential scale for future retail and commercial development in existing and planned activity centres.

The subject area adjoins an activity centre identified in the Strategy as the Geraldton (Durlacher Street) neighbourhood centre. Neighbourhood centres have a greater focus on servicing the daily and weekly household shopping needs of residents and providing community facilities and a small range of other convenience services. Their relatively small scale and catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchment.



For neighbourhood centres, the Strategy proposes retail floorspace to be in the range of 4,000m<sup>2</sup> – 6,000m<sup>2</sup>. The existing floorspace is in the order of 2,300m<sup>2</sup> and it is envisaged that, with the future development of the subject land, it will increase to approximately 3,000m<sup>2</sup>.

**RISK MANAGEMENT:**

There are no inherent risks to the City in initiating 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 subject area directly abuts the existing neighbourhood centre and serves as a logical extension of the commercial zone. The increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate diversity, increased functionality and legibility of activity in the centre. The option to refuse is therefore not supported.

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

**12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES****CCS441 COUNCIL POLICY 4.1 COUNCIL MEMBER CONTINUING PROFESSIONAL DEVELOPMENT & TRAVEL**

<b>AGENDA REFERENCE:</b>	<b>D-19-063466</b>
<b>AUTHOR:</b>	<b>M Adam, Coordinator Governance</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>9 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/19/0008</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b> <b>A. Council Policy 4.1 Council Member Continuing Professional Development &amp; Travel (v2)</b> <b>B. Comparison Table</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval of Council Policy 4.1 Council Member Continuing Professional Development & Travel, version 2.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE Council Policy 4.1 Council Member Continuing Professional Development & Travel version 2.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Council Policy 4.1 Elected Member Training and Travel was approved by Council on 24 January 2017 (CCS231 City of Greater Geraldton Council Policy Manual) and is due for biennial review, with recent amendments to legislation, to be considered in the review of the policy.

Legislative amendments

On 5 July 2019 the *Local Government Legislation Amendment Act 2019* received governors assent, and amended sections of the *Local Government Act 1995* (the Act). Section 5.126 of the Act was amended to include provisions that require Council members to complete training in accordance with the *Local Government (Administration) Regulations 1996 amended* (the regulations).

Amendments to section 5.128 of the Act require the Council to prepare and adopt, by absolute majority, a policy in relation to the continuing professional development of Council members. The form and content of the policy must comply with any prescribed requirements, set in the regulations (regulation 35 and 36).

Amendments to section 5.126 – 5.128 of the Act and regulation 35 and 36, have been proclaimed to become operational on 16 September 2019.

### Travel

The sections of the policy which relate to travel have been reviewed with minor amendments suggested to provide clarification of the provisions relating to extended stays, and variations to travel arrangements, as detailed within the comparison table (Attachment No. CCS441B). Additional forms Appendix B – Council Member Reimbursement of Travel Expenses form and Appendix C – Council Member Reimbursement of Expenses form have also been prepared for Council consideration.

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

### **Community:**

Continuing Council member professional development will ensure that council members obtain the knowledge and skills to successfully undertake their role to meet the needs of current and future generations, through integration of environmental protection, social enhancement and economic prosperity.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

There are no adverse economic impacts.

### **Governance:**

The policy ensures compliance with the provisions of the *Local Government Act 1995 amended* and *Local Government (Administration) Regulations 1996 amended*.

### *Disclosure of Interest:*

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

## **RELEVANT PRECEDENTS:**

Council Policy 4.1 Elected Member Training and Travel was approved by Council on 24 January 2017 (CCS231).

## **COMMUNITY/COUNCILLOR CONSULTATION:**

Councillors were consulted by briefing note on 28 August 2019. Four responses were received with the following comments:

- Sub paragraph 1.6 - could this include all interstate and overseas travel, excluding mayor, to require Council approval resolution;
- Sub paragraph 3.3.4 - Rideshare should be included (Uber etc.);
- Sub paragraph 3.3.4.3 - Minibar expenses (not including alcohol) should be included;
- Minibar expenses to remain unchanged;
- Alcohol ancillary to a meal should be an allowable expense;

- No more than two glasses (alcohol) the rest is paid for by Councillors;
- Paragraph 4 – I think a simple two days is a bit short to require a full report to Council, four or five days is suggested; and
- Support for the suggestions of:
  - Including mini bar expenses (not including alcohol);
  - Inclusion of rideshare;
  - A reasonable quantity of alcohol, ancillary to a meal, as an allowable expense;
  - Change to an event of four or five days, regarding the requirement of Councillors to submit a report.

The Executive Management Team reviewed the draft policy on 4 September 2019 and on the 10 September 2019.

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

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

##### **2.7. Role of council**

(1) *The council —*

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

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

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

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

There are no financial or resource implications.

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

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

#### **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

#### **RISK MANAGEMENT:**

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

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

No alternative options were considered by City Officers.

<b>CCS442 ANNUAL REVIEW DELEGATIONS - COUNCIL TO THE CHIEF EXECUTIVE OFFICER</b>
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<b>AGENDA REFERENCE:</b>	<b>D-19-051990</b>
<b>AUTHOR:</b>	<b>M Adam, Governance Coordinator</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/19/0009</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b> <b>Draft Delegation Register - Council to Chief Executive Officer 2019-20</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval for delegations to the Chief Executive Officer (CEO) as recorded in the Delegation Register - Council to the Chief Executive Officer, 2019-20 (Attachment No. CCS442).

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Section 5.42 and 5.46 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE the review of delegations in accordance with section 5.46 of the *Local Government Act 1995*; and
2. DELEGATE the Local Government functions as listed in the Delegation Register - Council to the Chief Executive Officer 2019-20 (Attachment No. CCS442).

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Section 5.42 of the *Local Government Act 1995* (the Act) prescribes that Council may delegate its powers or duties to the CEO. Section 5.43 outlines the limitations on such delegations. Delegation to the CEO is also prescribed within other Legislation.

At least once every financial year delegations are to be reviewed by the delegator (Council) under s.5.46 (2) of the *Local Government Act 1995*. Council last reviewed its delegations on 28 August 2018 (CCS347 Annual Review Delegations – Council to the Chief Executive Officer) and therefore a formal review is required.

**Local Government Act 1995:****5.42 Delegation of some powers and duties to the CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under-
  - (a) this Act other than those referred to in Section 5.43; or
  - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

\* *Absolute Majority required*

#### **5.43 Limits on delegations to CEO**

*A local government cannot delegate to a CEO any of the following powers or duties —*

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

#### **5.46 Register of, and records relevant to, delegations to CEO and employees**

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

In accordance with the above requirements, City Officers have undertaken a review of the Register of Delegations to the Chief Executive Officer 2018-19 Councils existing delegations to the CEO.

The following suggested amendments to delegations are included in the draft register:

Delegation number	Delegation Title, Legislation	Suggested amendments	Basis of change
1.1.1	Appoint Authorised Persons	Additional functions under the <i>Building Regulations 2012</i> and the <i>Graffiti Vandalism Act 2016</i>	Change to Legislation
1.1.8	Obstruction of Footpaths and Thoroughfares	Minor amendments to conditions on delegation b.iii & iv	Clarification of conditions
1.1.10	Public Thoroughfares dangerous excavations	Minor amendments to conditions on delegation b.iii & iv	Clarification of conditions
1.1.18	Payments from the Municipal or Trust Funds	Additional condition on sub- delegation referencing the CEOs procedures under r.5 of the <i>Local Government (Financial Management</i>	Clarification on requirements

		<i>Regulations)1996</i>	
3.1.2	Prohibited Burning Times – Vary ( <i>Bush Fires Act 1954</i> )	Express power to delegate – additional reference , to s.17(10), 17(7) and 17(8) of the <i>Bush Fires Act 1954</i>	Clarification on power to delegate
5.1.4	Appoint Authorised Persons ( <i>Dog Act 1976</i> )	Specific reference to the function of Registration Officer	Clarification on functions
6.1.5	Debt Recovery and Prosecutions ( <i>Food Act 2008</i> )	Additional function and power delegated – institute proceedings	To align with WALGA model delegation
8.1.2	Designation of Authorised Officers ( <i>Public Health Act 2016</i> )	Information added to clarify the functions of authorised Officers under the <i>Public Health Act 2016</i> . Conditions on delegation added to detail the required qualifications, certification and the Register. Compliance links added	For clarification and to align with the WALGA recommended model
9.1.2	Powers and Duties under Local Planning Scheme No 1	Compliance links added for reference	Improve referencing

Minor grammar, spelling and formatting amendments have been made and additional information has been included in delegations.

## **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:**

Council is required by the provisions of the *Local Government Act 1995* to review the delegations made under Division 4 of the Act once every financial year.

### *Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

The Register of Delegated Authority to the Chief Executive Officer 2018-19 was adopted on 28 August 2018 (CCS347).

**COMMUNITY/COUNCILLOR CONSULTATION:**

As the changes to the Delegation Register are minimal, Councillors were provided with the draft register during the Council Agenda Review process.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 5.42 (1) of the *Local Government Act 1995 (the Act)* provides that:

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under –
- (a) This Act other than those referred to in section 5.43; or
  - (b) The Planning and Development Act 2005 section 214(2), (3) or (5).
- \*Absolute majority required.

Section 5.43(a) to 5.43(h) of the Act provide limitations on the powers and duties a local government can delegate to its CEO.

Section 5.46 prescribes that delegations made under Division 4 of the Act are to be reviewed annually by the delegator.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no adverse financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.4 Financial Sustainability and Performance</b>
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.
<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

Council can decide not to delegate some of its powers to the CEO however there is risk that without delegation there will be a significant impact on the efficient and effective delivery of services as all decisions requiring the exercise of a delegation would have to go to Council. This would cause a delay in the delivery of services as Council only meets once a month and create a significant additional workload for Elected Members and City Officers.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Council may determine not to endorse, or to amend the Register of Delegation, Council to CEO 2019-20, this is a matter for Council. However Council are required by s.5.46 of *Local Government Act 1995* to review the Delegations made under Division 4 of the Act at least once every financial year.



CCS443	COUNCIL POLICY 4.28	MANAGING UNREASONABLE CUSTOMER CONDUCT
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<b>AGENDA REFERENCE:</b>	<b>D-19-064085</b>
<b>AUTHOR:</b>	<b>N Hope, Acting Manager Corporate Services</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/19/0008</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) - A. Council Policy 4.28 Managing Unreasonable Customer Conduct (v1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval of Council Policy 4.28 Managing Unreasonable Customer Conduct, version 1.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE Council Policy 4.28 Managing Unreasonable Customer Conduct version 1.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Council Policy 4.28 Managing Unreasonable Customer Conduct is a new policy, developed in conjunction with legal guidance.

Currently within local government there are no established guidelines or legislation to deal with vexatious, repetitive or nuisance complainants/customers. This policy will cover all employees, volunteers, elected members, community members and customers of the City.

Given Local Government has no established guidelines or legislation in this area, the City sought legal advice and engaged the services to ensure compliance with the development of the Council policy and operational level documentation to support it. The scope being to develop a clear and practical strategy to help staff manage interactions with customers, whose conduct is identified as unreasonable, while ensuring alignment with the approach adopted by WA Ombudsman and to ensure the City's statutory compliance with the legislation referenced below:

- WA Ombudsman – Managing Unreasonable Complainant Conduct: Practice Manual;
- WA Ombudsman – Guidelines: Dealing with unreasonable complainant conduct;
- *Equal Opportunities Act 1984 (WA)*

- *Occupational Safety and Health Act 1984 (WA); and*
- *Local Government Act 1995 and Regulations (WA).*

The proposed policy is a comprehensive set of strategies to manage the risks to the City's resource management, staff health and productivity posed by a growing prevalence of unreasonable conduct by a small number of high-demand customers. This policy has been based on the internationally accepted strategies developed, used and recommended by the Australasian Parliamentary Ombudsmen and supported by the development in conjunction with legal opinion.

The policy objective provides principles and guidance as the basis for a fair, equitable and transparent mechanism for dealing with unreasonable conduct by customers that will achieve an effective balance between:

- Meeting the genuine needs of customers fairly and equitably;
- Providing a safe working environment for staff, volunteers and elected members;
- Providing a safe experience for customers of the City; and
- Ensuring that City resources are used efficiently, effectively and equitably, to manage the City's responsibilities to discharge its statutory functions and represent the interests of all persons in the District.

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

### **Community:**

This policy is aimed at conduct that falls well outside of community norms and is expected to affect only a very few persons, who will receive prior warning of the consequences of the conduct or behaviour.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

Failure to address this growing issue will continue to result in unnecessary costs to the productivity and operational efficiency of the City, as well as costs associated with stress-related impacts on employee's health and productivity.

### **Governance:**

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

### *Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

Council review or amend Council Policies as and when required.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Councillors were consulted via briefing note on 23 July 2019. One response in support of the policy was received with a minor change requested.

**LEGISLATIVE/POLICY IMPLICATIONS:**

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

**2.7. Role of council**

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

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.
Strategy 4.5.4	Ensuring Human Resource planning, policies and procedures support effective and safe Council service delivery.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in the good government of the City of Greater Geraldton. Council Policy 4.28 and its associated processes is wholly associated with mitigating the risk to City employees and the users or attendees at City facilities.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

No alternative options were considered by City Officers.

**CCS444 STATEMENT OF FINANCIAL ACTIVITY TO 31 AUGUST 2019**

<b>AGENDA REFERENCE:</b>	<b>D-19-066039</b>
<b>AUTHOR:</b>	<b>T Machukera, Senior Treasury Officer</b>
<b>EXECUTIVE:</b>	<b>P Radalj, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>09 September 2019</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Monthly Management Report for period ended 31 August 2019</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 August 2019.

The statements in this report include no matters of variance considered to be of concern.

**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 August 2019, as attached.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

Operating Income	\$ 458,415	0.78%	under YTD Budget
Operating Expenditure	\$ 16,157	0.1%	under YTD Budget
Net Operating	\$ 442,258	1.1%	under YTD Budget
Capital Expenditure	\$ 176,006	1.9%	under YTD Budget
Capital Revenue	\$ 0	0.00%	No variance
Cash at Bank – Municipal	\$34,679,830		
Cash at Bank – Reserve	\$22,035,630		
Total Funds Invested	\$56,041,213		
Net Rates Collected	58.24%		
Net Rates Collected in August 2018	58.26%		

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 revised budget. The financial position represented in the August financials shows a negative variance of \$442,258 in the net operating result (this takes into account commitments).

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

### **Community:**

There are no adverse community impacts.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

There are no adverse economic impacts.

### **Governance:**

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

#### *Disclosure of Interest:*

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

## **RELEVANT PRECEDENTS:**

Council is provided with financial reports each month.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

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

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

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

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

There are no risks to be considered.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

There are no alternative options to consider.

**12.3 REPORTS OF INFRASTRUCTURE SERVICES**

IS197	CATHEDRAL AVENUE AND SANFORD STREET INTERSECTION UPGRADE
<b>AGENDA REFERENCE:</b>	<b>D-19-065232</b>
<b>AUTHOR:</b>	<b>J El-Khoury, Manager Engineering Services</b>
<b>EXECUTIVE:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>5 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-06</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Cathedral Avenue and Sanford Street Intersection Upgrade Concept Plan</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to amend the FY2019-20 New Capital budget to include the design and construction of a roundabout at the intersection of Cathedral Avenue and Sanford Street. This project is fully funded by the Federal Government Blackspot grants program.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE the proposed budget amendment and AUTHORISE \$1,270,000 (excl. GST) of funds for New Capital in the FY2019-20 Budget.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City has been successful in securing \$1,270,000 (excl. GST) of Federal Blackspot funds to address the traffic safety issues at the intersection of Cathedral Avenue and Sanford Street.

The intersection has been the subject of a number of accidents and near misses in recent years, mostly due to increased traffic volumes, poor intersection sight distance and poor turning and passing opportunities. The City has investigated a number of options to address these issues and has developed a concept roundabout solution that improves traffic safety and optimises the flow of traffic. The concept design is an attachment to this report (Attachment No. IS197).

The intersection of Cathedral Avenue and Sanford Street is regarded as a built-up low speed environment with a regulatory posted speed of 50kph. The intersection is within a 40kph school zone when the predominant high peak traffic volumes occur.

The Cathedral Avenue / Sanford Street Intersection is identified in the City's Integrated Transport Strategy (ITS), as needing upgrade due to safety concerns. The ITS recommends "installation of a roundabout to improve traffic flow and facilitate circulation adjacent to the Civic Centre and reinforce the City Centre as a destination rather than a thoroughfare".

Cathedral Avenue is also identified in the Geraldton 2050 Cycling Strategy as a secondary bicycle network. However, the existing intersection poorly caters for safe pedestrian and cycling movements. The Geraldton 2050 Cycling Strategy defines secondary bicycle network to be typically located within urban or built-up environments. The Geraldton 2050 Cycling Strategy also recognises that urban and built-up environments can sometimes be challenging to fully accommodate cycling infrastructure facilities. Although this may be the case for the intersection of Cathedral and Sanford intersection, the proposed upgrade works is expected to improve universal access and cyclist provisions through the intersection with softer treatment measures in accordance with Section 2.2 of the Geraldton 2050 Cycling Strategy report. The details of these "softer measures" will be developed through the detailed design process.

As part of the investigation process for this project, the City has completed a Traffic Impact Study to determine any impact the proposed roundabout could have on the general flow of traffic around the CBD. The study included a traffic modelling exercise of the intersection using the latest traffic count data in the CBD area. The results of the study confirmed that the proposed roundabout will maintain the existing performance of traffic flow in the CBD, while improving traffic safety through the intersection.

The approved Federal Blackspot project requires the project to be completed in two (2) years. The City proposes to complete design and service relocations in FY2019-20, and construction in FY2020-21. A Project Execution Plan is being developed to clearly identify roles and responsibilities, project delivery strategy, project schedule and program, budget, constraints and community consultation.

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

### **Community:**

A Community Consultation Plan will be developed to ensure concerns regarding any potential impacts are appropriately considered and addressed. Traffic impacts during construction will be addressed with approved traffic management plans that accommodate and manage access to adjacent private properties and businesses to minimise disruption.

### **Environment:**

Construction of the roundabout will significantly improve the traffic environment at this intersection by addressing a number of safety issues associated with the current intersection configuration.



**Economy:**

This project is fully funded through the Federal Blackspot grants program. There are no adverse economic impacts to the City and the construction works will be open tendered providing an opportunity for local civil contractors.

**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 secured state Blackspot funding for a similar project at the intersection of Maitland and Durlacher Streets. A roundabout for this intersection is also being considered with design currently in progress. Both projects are likely to be constructed in FY2020-21, to address similar traffic safety issues.

**COMMUNITY/COUNCILLOR CONSULTATION:**

To date, there has been extensive consultation with Main Roads to ensure the project aligns with Main Roads standards and guidelines.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The intersection is identified in the ITS for upgrade works to improve traffic safety and pedestrian connectivity.

Cathedral Avenue is also identified in the City's 2050 Cycling Strategy as a secondary bicycle network route. As such, the necessary provisions for cycling will be addressed through the design development in accordance with the requirements outlined in the 2050 Cycling Strategy.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The total cost of this project is \$1,270,000 (excl. GST) fully funded by the Federal Blackspot grants program. The detail design and construction of the works of the project will be outsourced. City Officers will carry out project management of design and construction, and works supervision / inspections as necessary.

**INTEGRATED PLANNING LINKS:**

<b>Title: Environment</b>	<b>2.3 Built Environment</b>
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.
<b>Title: Governance</b>	<b>4.3 Advocacy and Partnerships</b>
Strategy 4.3.1	Active participation in regional, state and national alliances.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT:**

The risks to the City are limited due to the fact that the project will be outsourced from detailed design through to construction. Contractual provisions will be embedded in the commission of the detailed design consultant and construction contractor in accordance with Australian Standards.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

As this project is 100% funded by the Federal Government Blackspot funding program, no other options have been considered.

IS198	ADOPTION OF THE CITY OF GREATER GERALDTON STRATEGIC ASSET MANAGEMENT PLAN
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<b>AGENDA REFERENCE:</b>	<b>D-19-059849</b>
<b>AUTHOR:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>EXECUTIVE:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>23 August 2019</b>
<b>FILE REFERENCE:</b>	<b>PM/3/0005</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) City of Greater Geraldton Strategic Asset Management Plan</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's endorsement of the City of Greater Geraldton Strategic Asset Management Plan.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE the City of Greater Geraldton Strategic Asset Management Plan.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Strategic Asset Management Plan is one of the informing strategies that form part of the Department of Local Government's Integrated Strategic Planning and Reporting Framework.

Under the framework guidelines, the City is required to develop a Strategic Asset Management Plan (SAMP) that demonstrates how the local government's assets will meet the service delivery needs of the community. Once complete the SAMP will detail:

- How the Asset Management Policy will be implemented;
- The asset management processes and procedures common to all asset classes; and
- The management strategies and renewals forecast for each asset class.

The Strategic Asset Management Plan is compliant with the guidelines set by the Department of Local Government.

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

The Strategic Asset Management Plan will help the City plan and prioritise the maintenance, renewal and replacement of existing assets as well as the acquisition of new assets, providing a positive benefit for the community and visitors in Geraldton.

**Environment:**

There will be positive impacts in encouraging sustainable maintenance practices, adopting Smart Technologies to provide a more efficient and effective delivery of services and by managing the impacts of climate change on our coastal infrastructure.

**Economy:**

The Strategic Asset Management Plan ensures that asset management is established as an integral part of the local government's Integrated Planning & Reporting suite including alignment with the Corporate Business Plan and informing the Long Term Financial Plan.

There are economic benefits to the City and the community as a whole in adopting sound maintenance and renewal practices across the large portfolio of assets that the City manages.

**Governance:**

There are no adverse governance impacts, however changes to legislation and codes of practice can occur with little warning and result in the need to upgrade or replace assets. It is critical that the Strategic Asset Management Plan is regularly updated and monitored against such regulations for compliance.

*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

In June 2013 the City developed an Infrastructure Strategic Asset Management Plan. The 2019 Strategic Asset Management Plan provides an updated and revised plan that aligns with the Department of Local Government's Integrated Strategic Planning and Reporting Framework.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

All local governments are required to plan for the future of their district under Section 5.56(1) of the Local Government Act 1995.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Information contained in other strategic plans including the Strategic Asset Management Plan are used to inform the Long Term Financial Plan (LTFP) which forms the basis for preparation of the Annual Budget.

Adoption of the SAMP does not place any direct financial commitment on the City, however the SAMP does propose the City commit to resourcing those items listed in the improvement plan, including increased training in Asset Management practices and the use of internal resources to develop the City's Asset Management Plans for each asset class.

**INTEGRATED PLANNING LINKS:**

<b>Title: Community</b>	<b>1.2 Recreation and Sport</b>
Strategy 1.2.1	Encouraging informal recreation through well planned and developed public open space, cycle/walk paths and green streetscapes.
<b>Title: Environment</b>	<b>2.4 Asset Management</b>
Strategy 2.4.1	Applying financial sustainability principles to ensure a coordinated and integrated approach to infrastructure planning, implementation, maintenance and renewal.
Strategy 2.4.2	Maintaining integrated asset management systems that effectively maintain and replace community assets.
<b>Title: Economy</b>	<b>3.1 Growth</b>
Strategy 3.1.1	Developing and maintaining infrastructure that increases the potential for business and investment.
<b>Title: Governance</b>	<b>4.4 Financial Sustainability and Performance</b>
Strategy 4.4.2	Ensuring the City's long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner.
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.
<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

**REGIONAL OUTCOMES:**

The adoption of improved Asset Management practices is anticipated to have an overall positive affect on the quality and serviceability of assets across the region.

**RISK MANAGEMENT:**

The Strategic Asset Management Plan addresses the key risks the organisation faces with managing its assets.

The Strategic Asset Management Plan will assist the City to develop a financially sustainable approach to maintaining, renewing, replacing and/or disposing of assets. This is done by balancing Risk, Level of Service and Cost.

Should the Council decide to not approve the Strategic Asset Management Plan, the City will be failing to comply with the requirements of the Department of Local Government's Integrated Strategic Planning and Reporting Framework.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

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

1. NOT ENDORSE the City of Greater Geraldton Strategic Asset Management Plan; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**12.4 REPORTS OF OFFICE THE CEO**

CEO056	SISTER CITY ECONOMIC & CULTURAL DEVELOPMENT COMMITTEE AND ABROLHOS ISLAND TOURISM DEVELOPMENT COMMITTEE
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<b>AGENDA REFERENCE:</b>	<b>D-19-065978</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>9 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0009</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b> <b>A. Sister City Economic &amp; Cultural Development Advisory Committee Membership and Terms of Reference</b> <b>B. The Abrolhos Island Tourism Development Committee Membership and Terms of Reference</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to disband the Sister City Economic & Cultural Development Advisory Committee and the Abrolhos Islands Tourism Development Committee.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 5.11 of the Local Government Act 1995 RESOLVES to:

1. DISBAND the following Council Committees:
  - a. Sister City Economic & Cultural Development Advisory Committee;
  - b. Abrolhos Island Tourism Development Committee; and
2. CONTINUE to meet with the relevant stakeholders/agencies on an as need basis to discuss matters in common.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The **Sister City Economic & Cultural Development Advisory Committee** was re-established in November 2017 (CEO048). Its purpose is to provide the goals, objectives, selection criteria, and process management of Sister City relationships with the City of Greater Geraldton.

Council Policy 2.2. Establishing International Relations also set outs goals, objectives, selection criteria for managing processes associated with the development and operation for formal relationship between the City of Greater Geraldton and Cities in other nations.

The City has a formal Sister City relationship with Zhanjiang City, in Guangdong Province of China, and Strategic Partnerships with Zhoushan City in Zhejiang Province and Linfen City in Shanxi Province.

The Committee has not met since 2012 and there is no schedule to meet in the near future, therefore it suggested to disband this Committee. Any new partnerships are to be determined by Council.

The **Abrolhos Island Tourism Development Committee** was established in December 2018 (CCS388). The purpose of the Committee was not to duplicate work done by existing working groups and departments, but rather to ensure the City is kept abreast of developments and maintain a clear focus on advocating for the development of the Abrolhos Islands for tourism.

In August 2017 (Notice of Motion), Council adopted Policy CP2.3 Abrolhos Islands Tourism that supports the development of sustainable Tourism on the Islands.

Since the Committee's first meeting of 5 March 2019, the State Government declared the Abrolhos Islands a National Park in July 2019. A total of \$10 million will be invested over the next two years to establish visitor operations and infrastructure. The Park will be managed in accordance with the Conservation and Land Management Act 1984. The park is vested with the Conservation and Parks Commission and managed by the Department of Biodiversity, Conservation and Attractions (DBCA).

There is no further need for the committee to meet as a result of the establishment of the Abrolhos Island as a National Park. However, the City will continue to be a key stakeholder in its development through representation at the Interagency Project Team (IPT): Abrolhos Islands Government Commitments [Perth] held by Department of Biodiversity, Conservation and Attractions.

## **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:**

Section 5.11 of the Local Government Act 1995 outlines Committee membership and tenure.

*5.11 (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

*(c) the committee is disbanded;*

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*Disclosure of Interest:*

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

**RELEVANT PRECEDENTS:**

At the Ordinary Meeting of Council of 24 November 2015 CEO037 and 26 April 2017 DCS326, Council disbanded committees that were no longer required.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Consultation with the Mayor and Councillors was undertaken at the Concept Forum held on 3 September 2019.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 5.11 of the Local Government Act 1995 provides for the committee membership and tenure of committees.

Council Policy 4.4 Operation of Advisory Committees Section 10 allows Council to determine at any time that a committee is no longer required and is to be disbanded.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial implications in disbanding these committees.

**INTEGRATED PLANNING LINKS:**

<b>Title: Governance</b>	<b>4.5 Good Governance &amp; Leadership</b>
Strategy 4.5.1	Strengthening the governance role of Councillors by informing, resourcing, skilling and supporting their role.
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.
Strategy 4.5.4	Ensuring Human Resource planning, policies and procedures support effective and safe Council service delivery.

**REGIONAL OUTCOMES:**

The City will continue to engage with stakeholders/agencies and therefore dissolving these committees will not present any issues.

**RISK MANAGEMENT:**

In the absence of Council Committees established to address matters not necessarily requiring resolution by Council as a whole, or established to create conduits for community and other stakeholder input, or established to inform and advise the Council in particular fields, additional pressure may be placed on Council ordinary meetings and support processes, with inherent risks associated with workload pressures on the full Council.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The following options were considered by City Officers:

1. To NOT disband the following Council Committees:
  - a. Sister City Economic & Cultural Development Advisory Committee;  
and
  - b. The Abrolhos Island Tourism Development Committee.

**12.5 REPORTS TO BE RECEIVED****RR08 REPORTS TO BE RECEIVED - SEPTEMBER**

<b>AGENDA REFERENCE:</b>	<b>D-19-066009</b>
<b>AUTHOR:</b>	<b>R McKim, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>R McKim, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>13 September 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-06</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2) 1 x Confidential</b>
	<b>A. Delegated Determinations and Subdivision Applications for Planning Approval</b>
	<b>B. Confidential Report - List of Accounts Paid Under Delegation August 2019</b>

**EXECUTIVE SUMMARY:**

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

**EXECUTIVE RECOMMENDATION:****PART A**

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

1. RECEIVE the following appended reports:
  - a. Reports – Development and Community Services:
    - i. DCSDD150 – Report - Delegated Determinations and Subdivision Applications for Planning Approval.

**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. CCS445 – Confidential Report – List of Accounts Paid Under Delegation August 2019.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

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

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

### **Community:**

There are no adverse community impacts.

### **Environment:**

There are no adverse environmental impacts.

### **Economy:**

There are no adverse economic impacts.

### **Governance:**

There are no adverse governance impacts.

### *Disclosure of Interest:*

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

## **RELEVANT PRECEDENTS:**

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

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

## **INTEGRATED PLANNING LINKS:**

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

## **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

## **RISK MANAGEMENT:**

There are no risks to be considered.

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

No alternative options were considered by City Officers.

**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.*

IS195	AWARD OF RFT 03 1920 SUPPLY AND LAY CONCRETE PATHWAYS
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<b>AGENDA REFERENCE:</b>	<b>D-19-061432</b>
<b>AUTHOR:</b>	<b>M Butler-Henderson, Project Manager</b>
<b>EXECUTIVE:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>13 August 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-06</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2) Confidential</b>
	<b>A. Confidential - RFT 03 1920 Tender Evaluation Report</b>
	<b>B. Confidential - RFT 03 1920 Tender Evaluation Worksheet</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to award tender RFT 03 1920 Supply and Lay Concrete Pathways to the preferred tenderer.

The contract is to run for a period of two (2) years to complete budgeted new and renewal and upgrade works. The initial contract will be in place from 1 October 2019 to 30 September 2021, with the option for a one year extension exercisable at the discretion of the Principal.

**EXECUTIVE RECOMMENDATION:**

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

1. AWARD the contract RFT 03 1920 Supply and Lay Concrete Pathways to the preferred tenderer; and
2. RECORD the estimated annual contract price in the Minutes.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The RFT was advertised in The West Australian on 17 July 2019 and in the Geraldton Guardian on 19 July 2019. The RFT was also advertised on the City's TenderLink e-Tendering Portal. The tender was closed on 5 August 2019.

Forty (40) suppliers registered to receive copies of the tender and four (4) submissions were received. The tender assessment was undertaken by a panel of four (4) Officers with three (3) voting and one (1) non-voting. All four (4) tenderers have a locally-based operation.

RFT 03 1920 has a two year duration commencing from the date of award, with a one year extension option at the absolute discretion of the principal.

Council has previously resolved to adopt a two year supply tender period for a variety of goods and services used in the construction and maintenance programs. There has previously been a two year contract for the construction of concrete pathways which proved successful in the City achieving its annual budgeted renewal and upgrade works. These services can also be used in the Mullewa District to assist current resources.

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

### **Community:**

Provision of smooth and well maintained concrete pathways reduce the likelihood of accidents or injury caused to pedestrians and dual pathway users alike. Concrete footpath networks increase safety for pedestrians, improve accessibility and can assist in improving the health and fitness by walking. It also contributes to the City's Disability Access and Inclusion plan by providing access to people with wheelchairs and other forms of disability transport methods.

### **Environment:**

All proposed concrete pathway renewals, new capital paths and maintenance operations activities will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual construction and maintenance projects.

### **Economy:**

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

Two yearly supply tenders also allow Infrastructure Services Branches to carry out footpath works from proven suppliers at known costs.

### **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 previously awarded biennial supply contract RFT 26 1415 Construction of Concrete Pathways, Kerbing and Paving from 1 October 2015 to September 2017, with an extension to contract approved until 30 September 2019 to deliver Separable Portion 1 for Concrete Pathways to the City.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Local Government Act and City's Procurement policy were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Historically, the value of this tender was approximately \$1,600,000 excl. GST per annum. Appropriate budget is secured through the New Capital and Renewal program each financial year, which is endorsed by Council. The total estimated contract price, including extension options is \$4,800,000 excl. GST, over a three year period.

**INTEGRATED PLANNING LINKS:**

<b>Title: Community</b>	<b>1.2 Recreation and Sport</b>
Strategy 1.2.2	Encouraging informal recreation through well planned and developed public open space, cycle/walk paths and green streetscapes.
<b>Title: Environment</b>	<b>2.2 Built Environment</b>
Strategy 2.3.2	Providing accessible community spaces, parks, natural areas, sport and recreational facilities that equitably service the whole community.
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.
<b>Title: Economy</b>	<b>3.1 Growth</b>
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.

**REGIONAL OUTCOMES:**

To facilitate the development of a functional and safe path network through the City of Greater Geraldton which enhances the comfort and safety of the community.

**RISK MANAGEMENT:**

A number of risks were identified and have been analysed and evaluated via a risk assessment with treatment and mitigations contained as per the City's Promapp Risk Register.



Annual supply contracts require contractors to provide goods and services with different work extents and site requirements. The works carried out under this contract will allow the construction, renewal and maintenance of concrete paths throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to pedestrians and dual use path users.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

This tender was called to ensure compliance with the legislative procurement requirements of the Local Government Act. Alternatives to calling this tender include:

1. Call for individual quotations and tenders for specific maintenance and renewal projects. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Use the WALGA Preferred Suppliers Panel. Currently there is only one (1) local supplier available on the WALGA Preferred Suppliers Panel. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.

IS196	AWARD OF RFT 04 1920 SUPPLY AND LAY BRICK AND BLOCK PAVING
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<b>AGENDA REFERENCE:</b>	<b>D-19-065004</b>
<b>AUTHOR:</b>	<b>M Butler-Henderson, Project Manager</b>
<b>EXECUTIVE:</b>	<b>C Lee, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>26 August 2019</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-06</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2) Confidential</b>
	<b>A. Confidential - RFT 04 1920 Tender Evaluation Report</b>
	<b>B. Confidential - RFT 04 1920 Tender Evaluation Worksheet</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to award tender RFT 04 1920 Supply and Lay Brick and Block Paving to the preferred tenderer.

The contract is to run for a period of two (2) years to complete budgeted new and renewal and upgrade works. The initial contract will be in place from 1 October 2019 to 30 September 2021 with the option for a one year extension exercisable at the discretion of the Principal.

**EXECUTIVE RECOMMENDATION:**

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

1. AWARD the contract RFT 04 1920 Supply and Lay Brick and Block Paving to the preferred tenderer; and
2. RECORD the estimated annual contract price in the Minutes.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The RFT was advertised in The West Australian on 20 July 2019 and in the Geraldton Guardian on 19 July 2019. The RFT was also advertised on the City's TenderLink e-Tendering Portal. The tender was closed on 16 August 2019.

Ten (10) suppliers registered to receive copies of the tender and two (2) submissions were received. The tender assessment was undertaken by a panel of four (4) Officers with three (3) voting and one (1) non-voting. Both tenderers have an operation based locally.

RFT 04 1920 has a two year duration commencing from the date of award and has a one year extension option at the absolute discretion of the principal.

Council has previously resolved to adopt a two year supply tender period for a variety of goods and services used in the construction and maintenance programs. There has previously been a two year contract to deliver Separable Portion 2 of RFT 26 1415 for brick and block paving which proved successful in the City achieving its annual budgeted renewal and upgrade works. These services can also be used in the Mullewa District to assist current resources.

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

### **Community:**

Although the City is renewing and upgrading new pathways with concrete construction, there are significant areas of brick and block paving that remain around the City that require re-laying or replacement where concrete may not be suitable. Provision of smooth, and well maintained brick and block paved pathways, driveways and edging reduces the likelihood of accidents or injury caused to pedestrians and pathway users alike. Footpath networks increase safety for pedestrians, improve accessibility and it also contributes to the City's Disability Access and Inclusion plan by providing access to people with wheelchairs and other forms of disability transport methods.

### **Environment:**

All proposed brick and block paving renewals, new capital and maintenance operations activities will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual construction and maintenance projects. Bricks and block paving will be cleaned and reused in many instances.

### **Economy:**

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

Two yearly supply tenders also allow the City to carry out brick and block paving works from proven suppliers at known costs.

### **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 previously awarded a biennial supply contract RFT 26 1415 Construction of Concrete Pathways, Kerbing and Paving from 1 October 2015 to September 2017 with an extension to contract approved until 30 September 2019 to deliver Separable Portion 2 for brick and block paving to the City.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

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**LEGISLATIVE/POLICY IMPLICATIONS:**

The Local Government Act and City's Procurement policy were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be observed as part of the delivery of the contract.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Historically, the value of this tender was approximately \$500,000.00 excl. GST per annum. Appropriate budget is secured through the New Capital and Renewal program each financial year, which is endorsed by Council. The total estimated contract price, including extension options is \$1,500,000 excl. GST over a three year period.

**INTEGRATED PLANNING LINKS:**

<b>Title: Community</b>	<b>1.2 Recreation and Sport</b>
Strategy 1.2.2	Encouraging informal recreation through well planned and developed public open space, cycle/walk paths and green streetscapes.
<b>Title: Environment</b>	<b>2.3 Built Environment</b>
Strategy 2.3.2	Providing accessible community spaces, parks, natural areas, sport and recreational facilities that equitably service the whole community.
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.
<b>Title: Economy</b>	<b>3.1 Growth</b>
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.

**REGIONAL OUTCOMES:**

To facilitate the development of a functional and safe path network through the City of Greater Geraldton which enhances the comfort and safety of the community.

**RISK MANAGEMENT:**

A number of risks were identified which have been analysed and evaluated via a risk assessment with treatment and mitigations contained as per the City's Promapp Risk Register.

Annual supply contracts require contractors to provide goods and services with different work extents and site requirements. The works carried out under this contract will allow the construction, renewal and maintenance of brick and block paved pathways, driveways, edging and island infills throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to pedestrians and path users. This contract will also provide minor limestone block retaining walls where required.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The following options were considered by City Officers:

1. Call for individual quotations and tenders for specific maintenance and renewal projects. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Use the WALGA Preferred Suppliers Panel. Currently there is only one (1) local supplier available on the WALGA Preferred Suppliers Panel. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.

**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: <http://www.cgg.wa.gov.au/your-council/meetings>