



ORDINARY MEETING OF COUNCIL

AGENDA

25 JULY 2023

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 25 JULY 2023 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

DISCLAIMER:

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

1 DECLARATION OF OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

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

2.1 *Vale Mr Phil Cooper, former Mayor, Freeman of City of Greater Geraldton*

The Mayor, Councillors, CEO and Officers of the City of Greater Geraldton express their deepest sympathies to Phil's family on his passing.

Commencing in 1963, Phil was one of Geraldton's longest serving Council Members and performed the roles of Councillor, Deputy Mayor and Mayor in his career which spanned more than 30 years. He also held the honourable role of a City of Greater Geraldton Freeman.

Honour Board for Mr Phil Cooper:

1963 – 1982 – Councillor

1973 – 1974 – Deputy Mayor

1977 – 1982 – Deputy Mayor

1982 – 1988 – Mayor Town of Geraldton

1994 – 2001 – Mayor City of Geraldton

2001 – Freeman of City of Greater Geraldton

As a Justice of the Peace, it was a great honour to have Phil officiate the swearing in of new Council Members at the 2021 Special Meeting of Council and at previous years. He swore in his own son Cr Steve Cooper in 2021, which was a special moment.

Phil was a very well respected and dedicated community member who will be remembered for his kindness and humility and will be sadly missed.

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

R McKim, Chief Executive Officer

Leave of Absence:

Cr K Parker

4 DISCLOSURE OF INTERESTS

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 K Parker	7 July 2023	21 August 2023	28/03/2023
Cr M Librizzi	2 August 2023	18 August 2023	26/04/2023

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

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

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Leave of Absence for:
 - a. Cr M Reymond for the period 26 July to 30 August 2023; and
 - b. Cr RD Hall for the period 4 August to 21 August 2023.

8 PETITIONS, DEPUTATIONS

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 June 2023, as previously circulated, be adopted as a true and correct record of proceedings.

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

DATE	FUNCTION	REPRESENTATIVE
28 June 2023	Triple M Interview - Outcomes of Council Meeting – Budget	Mayor Shane Van Styn
28 June 2023	Geraldton Guardian Interview - Aboriginal Cultural Heritage Act	Mayor Shane Van Styn
28 June 2023	Budget discussion with Media post Council Meeting	Mayor Shane Van Styn
30 June 2023	Mid West Chamber of Commerce and Industry (MWCCI) Business Leaders Lunch - Regional Update	Mayor Shane Van Styn
3 July 2023	National Aborigines and Islanders Day Observance Committee (NAIDOC) Week - Flag Raising Ceremony	Mayor Shane Van Styn
3 July 2023	Mayor / CEO Regular Meeting	Mayor Shane Van Styn
3 July 2023	Marketing and Media Regular Meeting	Mayor Shane Van Styn
4 July 2023	Citizenship Ceremony	Mayor Shane Van Styn
4 July 2023	Meeting with Workpower and Activ	Mayor Shane Van Styn
4 July 2023	Concept Forum	Mayor Shane Van Styn
9 July 2023	Channel 7 Interview - Aboriginal Cultural Heritage Act (ACHA) and Wonthella Tree Planting	Mayor Shane Van Styn
9 July 2023	Channel 9 Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
9 July 2023	ABC Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	ABC Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	Geraldton Guardian Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	Radio 6PR Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	Radio 2GB Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	Inaugural Nexus Airlines Flight from Geraldton to Broome via Karratha and Port Hedland	Mayor Shane Van Styn
10 July 2023	Triple M Interview – ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
10 July 2023	Sky News - ACHA and Wonthella Tree Planting	Mayor Shane Van Styn
12 July 2023	Mayor/ A/CEO Regular Meeting	Mayor Shane Van Styn
13 July 2023	Channel 7 Interview – Phil Cooper	Mayor Shane Van Styn
13 July 2023	Meeting Merome Beard MLA, Member for North West Central, Shadow Minister for Local Government; Tourism; Commerce; Women's Interest and Opposition Whip – Local Priorities	Mayor Shane Van Styn
13 July 2023	Radio 2SM – ACHA	Mayor Shane Van Styn
13 July 2023	Meeting with Local Resident - ACHA	Mayor Shane Van Styn
15 July 2023	Seniors Action Group - 40th Anniversary Lunch	Mayor Shane Van Styn
16 July 2023	EFFC Presidents Luncheon and WAFL Round 14 Coin Toss	Mayor Shane Van Styn
17 July 2023	Mayor / CEO Regular Meeting	Mayor Shane Van Styn

17 July 2023	Marketing and Media Regular Meeting	Mayor Shane Van Styn
18 July 2023	Agenda Forum - Walkaway	Deputy Mayor Cr Jerry Clune
20 July 2023	Funeral of Phil Cooper – former Mayor and Freeman	Mayor Shane Van Styn
20 July 2023	Aboriginal Cultural Heritage Act - Briefing by Department of Planning Lands and Heritage (DPLH) for Council and City of Greater Geraldton Executives	Mayor Shane Van Styn
22 July 2023	Fire & Rescue Service Captain's Dinner - Mullewa	Mayor Shane Van Styn
24 July 2023	Mayor / CEO Regular Meeting	Mayor Shane Van Styn
24 July 2023	Marketing and Media Regular Meeting	Mayor Shane Van Styn
25 July 2023	Ordinary Meeting of Council	Mayor Shane Van Styn

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

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

Nil.

12.2 REPORTS OF COMMUNITY AND CULTURE**CC005 DRAFT GERALDTON REGIONAL ART GALLERY STRATEGIC PLAN 2023-2027**

AGENDA REFERENCE:	D-23-083528
AUTHOR:	T Cornish, Manager Libraries, Heritage and Gallery
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	25 July 2023
FILE REFERENCE:	RC/6/0001
ATTACHMENTS:	Yes (x1) Draft Geraldton Regional Art Gallery Strategic Plan 2023-2027

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of the draft Geraldton Regional Art Gallery Strategic Plan 2023-2027.

EXECUTIVE RECOMMENDATION:

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

1. ADOPT the Geraldton Regional Art Gallery Strategic Plan 2023-2027.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In mid-2022 the Department of Local Government, Sport and Cultural Industries (DLGSC) advised that the City would be eligible to apply for a three (3) year grant opportunity through the Arts Organisations Investment Program (AOIP), a grant program to support Western Australia's small to medium arts, cultural and creative sector organisations. The AOIP grants opened on 06 September 2022 and closed 20 October 2022. The AOIP invited applications with a minimum request of \$100,000 per annum. A requirement of the grant application was to include a Strategic Plan, no greater than 20 pages, as part of the AOIP grant application supporting materials.

A working draft for the Strategic Plan was developed by Officers and presented to the Geraldton Regional Art Advisory Committee (GRAAC) on 15 September 2022. The GRAAC recommended that, following endorsement by EMT, the GRAG Strategic Plan 2023-2026 should be submitted in the AOIP application as a working draft. It would then remain on the GRAAC Agenda for further revision in preparation for future submission to Council for endorsement. This request was endorsed at the EMT meeting held 19 October 2022, EMT1140 Outcome - Geraldton Regional Art Gallery Strategic Plan, 2023-2026.

The AOIP grant application was submitted prior to the due date of 20 October 2022. The application included the following:

- AOIP Grant Amount Request - \$340,000 per annum (double current funded amount of \$170,000, seeking to reinstate State government annual funding levels prior to a significant reduction in recent years).
- The projected increase of \$170,000 would be focussed on supporting an increase to staffing levels at the GRAG and reduce the City's contribution towards expenditure on arts exhibitions and programming.
- Performance Targets to include activities held both within the Gallery proper, as well as external activities and programming delivered by the Public Art Officer. This was to demonstrate the strong commitment to the visual arts already delivered by the City and to amplify the crossover in service delivery, demonstrating the efficient use by the City of available skills and resources and highlighting the synergies that exist with regard to measurable outputs from both the Gallery and Public Art areas.

The GRAG Exhibition Schedule (January 2023 – June 2024) was also prepared and included as a supporting document in the AOIP application. This Schedule was informed by Operational Policy OP035 GRAG Exhibition Programming, which provides a framework for the determination of a balanced and varied exhibition program. The program must be researched, ethical, innovative and accessible, whilst also making responsible use of human and financial resources.

On 13 June 2023 the City was advised of the successful outcome of an AOIP Grant allocation. The advised allocation was an amount of \$170,000 per annum, over four (4) years through to 30 June 2027. The time period for the GRAG Strategic Plan was subsequently adjusted accordingly to align with the advised funding period 2023-2027.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts. The purpose of the GRAG is to delivery high quality, responsive and targeted collection management and arts programs which grow and enhance City and regional cultural assets, enrich people's lives, provide economic opportunity, growth of local identity and encourage wellbeing and active participation in regional Western Australia.

Economy:

The opportunity to attract tourism visitation to the region and in doing so, support the local economy, is enhanced through the implementation of the GRAG Strategic Plan and GRAG exhibitions and programming.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts. This Strategic Plan provides the framework for the delivery of visual arts programs via the Geraldton Regional Art Gallery and across the City, in a manner which ensures that it aligns with current best practice and City policies and procedures, along with meeting the requirements of the funding body, the Department of Local Government, Sport and Cultural Industries (DLGSC). The Strategic Plan also refers to the guidance provided to Council by the Geraldton Regional Art Advisory Committee.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There are no relevant precedents specifically related to endorsement of the GRAG Strategic Plan by Council as this has not previously been a formal requirement of the external grant funding. There has however been Council endorsement of public art and heritage strategies.

Previously endorsed Council Item:

- CC003 City of Greater Geraldton Heritage Strategy 2023-2028 - 28 March 2023.

COMMUNITY/COUNCILLOR CONSULTATION:

The AOIP funding opportunity was included on the agenda of the GRAAC Meeting held 15 September 2022. A letter from Mayor Shane Van Styn, of the City of Greater Geraldton, was sent to Hon. David Templeman MLA on 30 September 2022 advocating for future funding for the GRAG.

The draft GRAG Strategic Plan was circulated to GRAAC members on the 14 October 2022, following which it was tabled at the EMT Meeting, 19 October 2022. The Draft Plan was tabled for discussion at the GRAAC Meeting held 1 December 2022, following which a community consultation period was conducted from 21 December 2022 – 13 February 2023. No objecting comments were received. The Draft Plan was then tabled at the GRAAC Meetings, 16 March 2023 and 15 June 2023 respectively.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications. Exhibition programming must adhere to the framework established by Operational Policy OP035 GRAG Exhibition Programming. EMT endorsement of the GRAG Exhibition Schedule is required as the schedule involves the future direct engagement of artists, creatives and touring bodies.

FINANCIAL AND RESOURCE IMPLICATIONS:

Whilst there are no additional budget requirements, the actions noted in the Strategic Plan provide a roadmap upon which to base future budgeting considerations. Adoption of this Plan is a requirement in securing the AOIP grant funding.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is commonplace.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.

REGIONAL OUTCOMES:

The GRAG is one of two regional Galleries in Western Australia (the other being Bunbury Regional Art Gallery). In addition to supporting the local arts industry, the GRAG plays an important role in regional tourism. The delivery of exciting and varied exhibitions enhances regional visitor appeal and bolsters community pride. The City's art collection is a valued local and regional asset.

RISK MANAGEMENT:

An endorsed Strategic Plan will assist Officers to make informed and considered recommendations for any future proposed exhibitions and visual arts activities within the City of Greater Geraldton, whilst providing a framework for the care and maintenance of the City's existing art collection and meeting funding body obligations.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers as it is a requirement of the AOIP funding program for the City to have a current and endorsed GRAG Strategic Plan.

12.3 REPORTS OF CORPORATE SERVICES**CS053 ANNUAL REVIEW OF DELEGATIONS**

AGENDA REFERENCE:	D-23-079092
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	26 June 2023
FILE REFERENCE:	GO/19/0009
ATTACHMENTS:	Yes (x1)
	Draft Delegation Register 2023-2024 (v1)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council review of delegations to the Chief Executive Officer (CEO), and approval for delegations to the CEO and other employees as recorded in the Delegation Register 2023-2024 version 1.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.42 and 5.46 of the *Local Government Act 1995* and provisions of other legislation as included in the Delegation Register RESOLVES to:

1. ENDORSE the review of delegations in accordance with section 5.46 of the *Local Government Act 1995*; and
2. DELEGATE to the Chief Executive Officer and other employees the exercise of local government powers and the discharge of local government duties as recorded in the Delegation Register 2023-2024 version 1.

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 the exercise of any of its powers, or the discharge of any of its 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 made under the *Local Government Act 1995* (the Act) are to be reviewed by the delegator (Council) under Section 5.46(2) of the Act. Council last reviewed its delegations on 30 August 2022 (Item No. CCS712) 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 of the council;*
- (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, City Officers have undertaken an administrative review of the Delegation Register and prepared the draft Delegation Register 2023-2024 version 1 (Attachment No. CS053).

Suggested amendments to the wording of existing delegations are highlighted in the draft register. The below new delegations (also highlighted) have been recommended by City Officers in accordance with the new delegations incorporated within the WALGA Template Register of Delegations. For Council consideration:

- 1.1.2 Authorise Persons to Perform Specified Functions under the *Local Government Act 1995*
- 1.1.3 Performing Functions Outside the District - (*Local Government Act 1995*)
- 1.1.22 Acquisition of Interest in Land by Lease or other Short Term Instrument - (*Local Government Act 1995*)
- 2.1.7 Authorise Persons to Commence Proceedings - (*Building Act 2011*)
- 4.1.5 Authorise a person to perform Specified functions under the *Cat Act 2011*
- 5.1.1 Appoint Registration Officer - (*Dog Act 1976*)
- 8.1.5 Appoint Designated Officer Information Sharing (*Public Health Act 2016*)

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

Without the ability to delegate to the CEO and other employees Council would be required to process all delegation related decisions, this may reduce efficiency and impede the ability to deliver effective services to the Community.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

Council is required by the provisions of the *Local Government Act 1995* to review the delegations made under Division 4, 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:

Delegations were reviewed and the Delegation Register 2022-2023 was adopted by the Council on 30 August 2022 (Item No. CCS712– Annual Review of Delegations to the Chief Executive Officer).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors will be 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(i) 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 financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Council can decide not to delegate the exercise of any of its powers or the discharge of any of its duties to the CEO, however there is risk that without delegation there will be a significant impact on the efficient and effective delivery of services. If all decisions, where the power is vested in the Council required a decision of the Council, a delay in the delivery of services would become apparent - particularly as Council only meets once a month. This would also create a significant amount of additional work for the Council and City Officers.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Council may determine not to endorse the Delegation Register 2023-2024 version 1, this is a matter for Council. However, Council is required by section 5.46 of *Local Government Act 1995* to review the delegations made under Division 4 of the Act at least once every financial year.

CS054	VOTING DELEGATES – 2023 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) ANNUAL GENERAL MEETING
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AGENDA REFERENCE:	D-23-086184
AUTHOR:	P Radalj, Director Corporate Services
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	6 July 2023
FILE REFERENCE:	GR/11/0056-013
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is for Council to appoint two Voting Delegates and two Proxy Voting Delegates to represent the City of Greater Geraldton at the Annual General Meeting of the Western Australian Local Government Association (WALGA), being held in Perth on Monday 18 September 2023.

EXECUTIVE RECOMMENDATION:

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

1. APPOINT [Name] and [Name] to represent the City of Greater Geraldton as Voting Delegates at the 2023 WALGA Annual General Meeting; and
2. APPOINT [Name] and [Name] to represent the City of Greater Geraldton as Proxy Voting Delegates at the 2023 WALGA Annual General Meeting.

PROPOSER:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Annual General Meeting (AGM) for WALGA will be held from 2:00pm on Monday, 18 September 2023. All Member Local Governments are entitled to be represented by up to two Voting Delegates. In the event one or both of the registered Voting Delegates is unable to attend, provision is made for up to two Proxies to also be registered.

Only registered Voting Delegates or Proxies will be permitted to exercise voting entitlements on behalf of Member Local Governments at the AGM. Voting Delegates and Proxies may be Elected Members or Officers.

In order to exercise voting entitlements, Voting Delegates must be registered by Friday 8 September 2023.

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

When considering their vote on behalf of the City of Greater Geraldton, delegates will ensure motions are in line with the City's Strategic Community Plan and Corporate Business Plan.

Economy:

The WALGA AGM is an opportunity to provide input and leadership into economic development within the region.

Environment:

There are no adverse environmental impacts.

Leadership:

The WALGA AGM includes debate, discussion, and decision making on matters that directly impact upon the management and operations of regional local governments.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council appointed Mayor Shane Van Styn and Deputy Mayor Cr Jerry Clune as Voting Delegates; and Cr Michael Reymond and Cr Jennifer Critch as Proxies, for the 2022 WALGA Annual General Meeting (Item No. CCS708 – 26 July 2022).

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community consultation. This report is presented to Council to appoint voting and proxy voting delegates.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to the WALGA Constitution, all Member Local Governments are entitled to be represented by two delegates at any Annual General Meeting.

Council Members registered to attend are to refer to Council Policy 4.1 Council Member Continuing Professional Development & Travel.

FINANCIAL AND RESOURCE IMPLICATIONS:

Attendance at the WALGA AGM is free for all Elected Members and Officers from Member Local Governments. The approximate cost of attendance is between \$1,200 to \$1,500 for travel and accommodation per delegate.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.3	The voice of the community is heard at regional, state and national forums.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

The WALGA AGM provides an opportunity to represent the Greater Geraldton area and actively participate in state alliances.

RISK MANAGEMENT:

Member Local Governments are required to register the attendance of Voting Delegates and Proxies in advance. If delegates are not appointed, the City will not have voting entitlements at the WALGA AGM.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The alternative option is to recommend delegates other than those who have registered interest in attending the WALGA AGM.

CS055 COUNCIL POLICY 1.8 COMMUNITY FUNDING PROGRAMS

AGENDA REFERENCE:	D-23-086316
AUTHOR:	P Radalj, Director Corporate Services
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	6 July 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2)
	A. Draft Council Policy 1.8 Community Funding Programs (v3)
	B. Comparison Table – Council Policy 1.8 Community Funding Programs

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 1.8 Community Funding Programs, version 3.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 1.8 Community Funding Programs, version 3.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 1.8 Community Funding Programs (the Policy) was first approved on 24 July 2018 as a replacement for Council Policy 1.8 Minor Sporting Facilities and Self-Supporting Loans, and CP033 Community Funding (Item No. CCS343 – Council Policy CP 1.8 Community Funding Programs). The Policy was a reconfiguration of the City of Greater Geraldton existing funding programs to provide more effective and targeted (including service based) funding to the community.

Upon review of the application, assessment and acquittal processes for the City's Community Funding Programs a number of minor changes were approved by the Community Grants Committee. Subsequently, the Policy requires a number of minor amendments which are detailed in Attachment No. CS055B - Comparison Table.

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

The policy seeks to acknowledge the City's role as a facilitator and partner in the development and sustainability of local community-based organisations, and to support the aspirations and achievements of its residents. It aims to foster a sustainable, vibrant, engaging and inclusive community which improves the quality of life and opportunities for residents and visitors. This is achieved through the provision of grant programs and schemes outlined in the policy.

Economy:

Funding proposals that support the local economy by promoting Greater Geraldton will be encouraged.

Environment:

Funding proposals received through the grant programs will be encouraged to align with Strategic Community Plan goals including revegetation, rehabilitation, preservation, sustainability and built environment.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council review or amend Council Policies as and when required. Version 2 of this policy was adopted by Council on 24 November 2020 – Item No. CCS549, Council Policy 1.8 Community Funding Programs.

COMMUNITY/COUNCILLOR CONSULTATION:

Officers have consulted with and received minor feedback from the Community Grants Committee, who supported the proposed amendments to Council Policy 1.8 Community Funding Programs.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 2.7 of the *Local Government Act 1995* outlines the role of Council which 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 resource implications associated with the proposed amendment to Council Policy 1.8 Community Funding Programs.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.

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.

The policy provides clarity on the distribution of funding by the City to the community.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

CS056 STATEMENT OF FINANCIAL ACTIVITY TO 30 JUNE 2023

AGENDA REFERENCE:	D-23-087636
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	7 July 2023
FILE REFERENCE:	FM/17/0011
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 30 June 2023

EXECUTIVE SUMMARY:

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

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

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly financial statement of activity for the period ending 30 June 2023, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

Note – this is only an interim version of the City's financial position for the period ending 30 June 2023. Figures will change and the final position will only be known once the end of year (EOY) "close-out" has occurred and the final accounts audited.

Operating Income	\$	4,565,264	5.2%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	1,297,756	1.5%	under YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	5,863,020	388.8%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	7,977,382	14.4%	under YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	10,691,542	56.3%	under YTD Budget	<input type="checkbox"/>
Cash at Bank – Municipal		\$		25,312,752	
Cash at Bank – Reserve		\$		38,853,245	
Total Funds Invested		\$		54,893,294	

Current Rates Collected to June 2023	96.72%
Current Rates Collected to June 2022	96.60%
Rates Arrears Collected to June 2023	48.43%
Rates Arrears Collected to June 2022	54.68%

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the budget. The financial position presented in the June financials show a YTD positive variance of \$5,863,020 in the net operating surplus/(deficit) result (this takes into account commitments). This material variance is due to a prepayment of 2023-24 Financial Assistance Grants (FAGS) based on the full allocation the City was granted in 2022-23.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

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 Council Members to monitor and review the allocation of financial and other resources against the budget. Reporting on a regular basis evidence's ongoing financial management and the performance of the accounting systems. The monthly report provides a summary of the organisation's liquidity and going concern status.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

12.4 REPORTS OF INFRASTRUCTURE SERVICES

Nil.

12.5 REPORTS OF OFFICE THE CEO

Nil.

12.6 REPORTS TO BE RECEIVED**RR50 REPORTS TO BE RECEIVED - JULY**

AGENDA REFERENCE:	D-23-090207
AUTHOR:	C Lee, A/Chief Executive Officer
EXECUTIVE:	C Lee, A/Chief Executive Officer
DATE OF REPORT:	14 July 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x2) 1 x Confidential
	A. DSDD009 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. Confidential – List of Accounts Paid Under Delegation - June 2023

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD009 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS057– Confidential Report – List of Accounts Paid Under Delegation - June 2023.

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, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

- 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.

CS058	RFT 2223 22 DESIGN, SUPPLY AND LAY OF BITUMINOUS PRODUCTS
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AGENDA REFERENCE:	D-23-089502
AUTHOR:	C Bryant, Coordinator Procurement, B Pearce, Manager Corporate Compliance and Safety
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	11 July 2023
FILE REFERENCE:	FM/25/0283
ATTACHMENTS:	Yes (x1) Confidential
	Confidential – RFT 2223 22 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2223 22 Design, Supply and Lay of Bituminous Products to the preferred tenderer.

The contract is to run for a period of two years for delivery of budgeted design, supply and lay of bituminous products.

The initial contract will be in place from 15 August 2023 to 14 August 2025 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 2223 22 Design, Supply and Lay of Bituminous Products to the preferred tenderer; and
2. RECORD the estimated annual contract value in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The tender RFT 2223 22 Design, Supply and Lay of Bituminous Products (RFT) was advertised in The West Australian on 1 March 2023, in the Geraldton Guardian on 24 February 2023, and the City's TenderLink e-Tendering Portal. The RFT closed on 19 April 2023.

Fourteen suppliers registered to receive copies of the tender and one submission was received. The tender assessment was undertaken by a panel of five Officers with three voting and two non-voting.

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

There has previously been a two year contract for Design, Supply and Lay of Bituminous Products RFT 27 1920 (Item No. IS216, 28 July 2020).

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Provision of a well-maintained road network reduces the likelihood of accidents or damage to vehicles, minimising impact on general road users and businesses that rely on them and contributes to safer roads for commuters. Sustained road networks contribute significantly to community's social well-being, allowing community members to undertake commercial and social activities.

Economy:

Awarding this tender will result in City funds flowing into the local economy through the employment of local community members such as traffic controllers and truck drivers and supporting local businesses for material supply requirements, accommodation, fuel and meals creating a significant boost to the local economy. Well-maintained road networks also reduces costs associated with tyre and vehicle wear and tear.

A two year services contract also allows the City to carry out design, supply and lay of bituminous products from proven suppliers with planned costs.

Environment:

All proposed design, supply and lay of bituminous products will be undertaken with care for the environment in mind. Tenderers were asked to provide evidence of environmentally sustainable practices in their tender submission.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The Council previously awarded a two year services contract RFT 27 1920 Design, Supply and Lay of Bituminous Products on 28 July 2020, Item No. IS216. The initial contract was in place from 15 August 2020 to 14 August 2022, with an extension approved until 14 August 2023.

The Council also previously awarded a two year services contract RFT 19 1617 Design, Supply and Lay Bituminous Products on 22 August 2017, Item No IS155. The initial contract was in place from 9 September 2017 to 22 August 2019.

COMMUNITY/COUNCILLOR CONSULTATION:

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

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

The approximate expenditure on Design, Supply and Lay of Bituminous Products is \$868,000 (excluding GST) per annum (including traffic management). Assuming all extension periods are exercised, the estimated total contract value over three years is \$2.6million (excluding GST). These funds are sourced from the Maintenance Operations and Project Delivery budgets.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

Facilitation of the development of a functional and safe road network throughout the City of Greater Geraldton enhances the comfort and safety of the community and road users.

RISK MANAGEMENT:

The services carried out under this contract will ensure a functional and safe road network, reducing the likelihood of accidents or injury caused to members of the public and property. In addition, the successful tenderer shall have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

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

1. Call for individual quotations and tenders for specific 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. 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: <https://www.cgg.wa.gov.au/council-meetings/>