



ORDINARY MEETING OF COUNCIL

AGENDA

25 MAY 2021

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 25 MAY 2021 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

The State of Emergency and Public Health Emergency declared by the State Government on 16 March 2020, remains in force. Please refer to the information on the current restrictions [COVID-19 coronavirus: What you can and can't do \(www.wa.gov.au\)](https://www.wa.gov.au/government/what-you-can-and-cant-do)

DISCLAIMER:

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

1 DECLARATION OF OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:
Cr RD Hall*

Leave of Absence:

4 DISCLOSURE OF INTERESTS

Cr J Clune declared an Impartiality interest in Item CCS596 and Item Proposed Bush Fire Brigades Local Law 2021 as he is a Brigade Member of Moonyoonooka.

Cr J Clune declared an Impartiality interest in Item CCS598 and Item 2021-22 Recurrent Community Funding – Service Agreements as he is on the Board of MWSF.

Cr P Fiorenza declared an Impartiality interest in Item CCS598 and Item 2021-22 Recurrent Community Funding – Service Agreements as he is on the Board of MWSF and MWAS.

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	12 May 2021	21 May 2021	27/04/2021
Cr S Douglas	18 July 2021	30 July 2021	27/04/2021

**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.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
 - a. Cr RD HALL for the period 25 May 2021 to 30 May 2021.

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 April 2021, 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 April 2021	Triple M Radio Interview – TC Seroja	Mayor Shane Van Styn
30 April 2021	Geraldton Regional Art Gallery (GRAG) Exhibition Opening - A Sorrowful Act: The Wreck of the Zeewijk and There Were Moments of Transformation	Mayor Shane Van Styn
1 May 2021	Hon Dr Stephen Martin MP MLC, Shadow Minister for Housing – Local Housing Issues	Mayor Shane Van Styn
2 May 2021	Radio Mama Interview – Monthly Update on Local Matters	Mayor Shane Van Styn
3 May 2021	Triple M Phone Interview (Subiaco) - Integrated Transport Strategy	Mayor Shane Van Styn
3 May 2021	WA Regional Tourism Conference - Welcome Event	Mayor Shane Van Styn
4 May 2021	WA Regional Tourism Conference	Mayor Shane Van Styn
4 May 2021	Concept Forum	Mayor Shane Van Styn
4 May 2021	WA Regional Tourism Conference Dinner	Mayor Shane Van Styn
5 May 2021	Northern Agri Group (NAG) – Acknowledge donation to BlazeAid - Photo for Media Release	Mayor Shane Van Styn
10 May 2021	Naval Association - Geraldton Sub Section Re-opening	Mayor Shane Van Styn
10 May 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
10 May 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
10 May 2021	The Rotary Club of Batavia Coast - The Yellow Submarine's future	Mayor Shane Van Styn
10 May 2021	Hollomby Foundation Scholarship Presentations	Cr J Critch
10 May 2021	GWN7 Interview - Regional Climate Alliances	Mayor Shane Van Styn
10 May 2021	ABC Interview - The Old Tree - Cnr Durlacher and Sanford Streets	Mayor Shane Van Styn
10 May 2021	Triple M Phone Interview - Pre-federal Budget	Mayor Shane Van Styn
12 May 2021	Triple M Phone Interview - Centrecare Homeless Grant & Bypass Road Petition	Mayor Shane Van Styn
13 May 2021	Triple M Live Broadcast - Regional Breakfast Team – Local Matters	Mayor Shane Van Styn
13 May 2021	The Salvation Army - Rental Shortage in Geraldton and it's Impacts	Mayor Shane Van Styn
13 May 2021	Successful Applicants Community Grants – Photos for Media Release	Mayor Shane Van Styn
13 May 2021	Chapman River Park Reserve - Rejuvenation/ Management Plan	Mayor Shane Van Styn
14 May 2021	Successful Applicants Community Grants – Photos for Media Release	Mayor Shane Van Styn
14 May 2021	Muir Park – Meeting with Brad Letch to discuss Arboretum	Mayor Shane Van Styn
16 May 2021	Radio Mama – Local Matters	Mayor Shane Van Styn
17 May 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
17 May 2021	Regular Catch up – Media Team	Mayor Shane Van Styn

17 May 2021	Regular Meeting with Lara Dalton MLA, Member for Geraldton	Mayor Shane Van Styn
17 May 2021	Citizenship Ceremony	Mayor Shane Van Styn
17 May 2021	Premiere Film - Story of Flotsam and Jetsam	Mayor Shane Van Styn
18 May 2021	Meeting with Shane Love MLA, Shadow Minister for Transport, Member for Moore - Dongara/ Northampton bypass, Moonyoonooka Store and Geraldton Mt Magnet Road	Mayor Shane Van Styn
18 May 2021	Regional Capitals Australia (RCA) May Board Meeting - Videoconference	Mayor Shane Van Styn
18 May 2021	Agenda Forum	Mayor Shane Van Styn
20 May 2021	Western Australian Local Government Association (WALGA) Breakfast with Hon John Carey MLA, Minister for Housing; Local Government – Perth	Mayor Shane Van Styn
20 May 2021	RAAF Centenary Celebrations - Cocktail Event	Cr N Colliver
25 May 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
25 May 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
25 May 2021	Forget Me Not Cafe Initiative	Mayor Shane Van Styn
25 May 2021	Ordinary Meeting of Council	Mayor Shane Van Styn

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS492 PROPOSED EXTRACTIVE INDUSTRY (SAND) – LOT 2761 ALLANOOKA SPRINGS ROAD, WALKAWAY

AGENDA REFERENCE:	D-21-044155
AUTHOR:	N Browne, Coordinator Statutory Planning
EXECUTIVE:	B Robartson, Acting Director Development and Community Services
DATE OF REPORT:	30 April 2021
FILE REFERENCE:	TP21/051 & A63615
ATTACHMENTS:	Yes (x4) A. Location Plan B. Site Operations Plan C. Site Amenities Plan D. Additional Sand Extraction Area Plan

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval for an Extractive Industry (extraction of sand) as applied for in the Development Application submitted for Lot 2761 Allanooka Springs Road, Walkaway.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Schedule 2, Part 9, Clause 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. GRANT development approval for an Extractive Industry (Sand) on Lot 2761 Allanooka Springs Road, Walkaway;
2. MAKE the determination subject to the following conditions:
 - a. Development/land use shall be in accordance with the attached approved plan(s) dated and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
 - b. The development approval is valid for a period of 12 months from the date of determination, after which the further renewal of the development approval by the local government is required annually. It is the responsibility of the landowner/proponent to apply in good time before expiration, and the local government will not automatically re-issue development approvals.
 - c. Adequate notification and protection must be given to adjoining properties and buildings where compaction/vibrating equipment is to be used;
 - d. Internal vehicle access roads shall be constructed and drained to a compacted gravel standard, and thereafter maintained to the approval of the local government;

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- e. Crossing place(s) are required to be installed to the approval of the local government. A portion of the Nangetty-Walkaway Road shoulder adjoining the crossover is required to be a minimum two coat bitumen seal for a length of 45 metres.
 - f. Repairing of any damage to the road pavement of Nangetty-Walkaway Road and Allanooka Springs Road (including the surface) is required by reason of use of the road in connection with the development/land use to the approval of the local government at the proponents cost;
 - g. All stormwater is to be disposed of on-site to the approval of the local government;
 - h. The landowner/proponent from time to time is responsible to ensure that the development/land use is carried out at all times and in all respects in accordance with the Dust Management Plan dated 27 July 2020 prepared by Site Environmental and Remediation Services and Addendum 1 Rev C to the Dust Management Plan dated 7 April 2021 prepared by JDSi Consulting Engineers as lodged with the local government;
 - i. The landowner/proponent from time to time is responsible to ensure that the development/land use is carried out at all times and in all respects in accordance with the Rehabilitation Management Plan dated 5 August 2020 prepared by Site Environmental and Remediation Services as lodged with the local government. The landowner/proponent from time to time is additionally responsible to ensure that all post-closure obligations under the Rehabilitation Management Plan are implemented in full. Post closure requirements shall become applicable upon the earlier of the following events:
 - i. acknowledgement by the proponent that extractive activities are completed; or
 - ii. (unless the proponent obtains a fresh development approval for the extractive industry) the local government advises that its CEO deems the extractive industry to have been effectively completed. The CEO may only so deem where the local government has sought in writing Documented Proof of Continuance from the last-known operator (copied to the owner), and such Documented Proof has not been provided within 3 months of being requested. It is the proponent's responsibility to keep Documented Proof. "Continuance" for the purpose of this clause means that the cartage of extracted material from the site has not fallen below 50 truckloads in each year for the period of 2 years preceding the local government seeking Documented Proof of Continuance. "Documented Proof" means cartage records or the like containing at least the following details:
 - 1. the date of cartage;
 - 2. the approximate volume of cartage;
 - 3. the destination of cartage;
 - 4. if the operator owned the truck used, the registration number and driver of the truck, the destination and the customer;
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5. if the operator did not own the truck used, the business to which the truck belonged.
- No person shall forge or falsely modify records/documents for the purpose of creating or facilitating Documented Proof;
- j. The operation of the pit shall be contained within that area indicated on the attached approved plan(s);
- k. No remnant vegetation shall be removed as part of this extraction operation;
- l. No blasting of material is permitted as part of extraction operations, without prior written approval from the local government;
- m. The extractive industry operations are required to be timetabled in order to ensure that only 1 hectare of both extraction pits is under active excavation at any one time.
- n. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- o. All loading and unloading associated with the development/land use is to take place within the boundaries of the premises and undertaken in a manner so as to cause minimum interference with other vehicular traffic;
- p. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any nearby residents or passing motorists;
- q. Signage is required to be provided by the proponent and erected 250 metres each side of the approach to the existing crossover/access to Lot 2761 from Nangetty-Walkaway Road advising of trucks entering (refer to Sign No: MR-WM-3/2 (L,R) of Main Roads Signs Register);
- r. Hours of operation are permitted to be Monday to Sunday, 24 hours with the proponent being responsible to ensure that all installations, activities and processes associated with the Noise Management Plan and Dust Management Plan both dated 27 July 2020 prepared by Site Environmental and Remediation Services as lodged with the local government.
- s. The landowner/proponent from time to time is responsible to ensure that all installations, activities and processes associated with the development/land use are carried out at all times and in all respects in accordance with the Noise Management Plan dated 27 July 2020 prepared by Site Environmental and Remediation Services as lodged with the local government;
- t. Advice Note: All operations and construction upon this site are to comply with the requirements of the Environmental Protection (Noise) Regulations 1997 and the *Environmental Protection Act 1986* in respect to noise emissions;
- u. Advice Note: The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or
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close to the area of the proposed subdivision. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). Whilst it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given. Should, during construction works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:

- i. do not disturb the site of the known or suspected UXO;
- ii. without disturbing the immediate vicinity, clearly mark the site of the UXO;
- iii. notify DFES of the circumstances/situation as quickly as possible;
- iv. maintain a presence near the site until advised to the contrary by a member of DFES, the WA Police Force or Defence Forces. Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit of DFES;
- v. Advice Note: The proponent is advised to liaise with Main Roads WA in relation to the Restricted Access Vehicle restrictions currently under review in relation to Bridge 3014 on the Walkaway-Nangetty Road, Walkaway, given the bridge is on the proposed haulage route for the project; and
- w. Advice Note: All operations upon this site are to comply with the requirements of the *Mines Safety and Inspection Act 1994*. Approval may be required for the extractive industry by the Department of Mines, Industry Regulation and Safety (DMIRS). It is the proponent's responsibility to obtain any approvals that may be required from DMIRS before the development/land use can lawfully commence.

PROPONENT:

The proponent is CDP Town Planning & Urban Design (acting for Australasian Sands International). The owner is Richard and Donna Kristiansen.

BACKGROUND:The Site:

The subject land is located approximately 34km south-east of Geraldton. The site is situated on the corner of Allanooka Springs Road and Nangetty-Walkaway Road and encompasses an area of approximately 652.70ha. The majority of the site has been cleared of vegetation. A location plan is included as Attachment No. DCS492A.

Existing Development:

In August 2020 development approval (TP20/100) was granted under delegated authority for an Extractive Industry (Sand) operation on the subject property. Three areas of land on Lot 2761 were approved as sand extraction areas with regard to Development Approval TP20/100. These three areas are shown with a cream border and notated as 'TP20/100 Extraction Area' on the site operations plan included as Attachment No. DCS492B.

The proponent has advised that the sand resource that was available within the approved sand extraction areas of TP20/100 has now been exhausted. There is no more suitable sand to be removed from the approved extraction areas of TP20/100 and as such the extractive industry operation has ceased in these areas.

It is noted that in late December 2020 the City received correspondence from Mid West Lawyers (acting on behalf of the landowners of Lot 2761) expressing concern that the development activities occurring on-site at the time were not in accordance with Development Approval TP20/100 granted by the City.

A site inspection was undertaken by City Officer's on 12 February 2021, at which time, concerns regarding dust and sand drift issues were identified. Accordingly the proponent was advised to address the issues by implementing mitigation measures outlined in the approved dust management plan. Further to this they were requested to provide an addendum to the dust management plan to formalise solutions that were identified as additional dust control measures.

The proponent has advised that the concerns raised by the landowner were with regard to the previous operators and how the extractive industry operation was being managed. The proponent has advised that the operators of the extractive industry operation has since changed and the current operators have been cooperating fully with the City in order to resolve the dust and sand drift issues.

Subsequently, on 3 March 2021, the City received correspondence from Mid West Lawyers (acting on behalf of the landowners of Lot 2761) advising that the landowners have instructed that they are currently satisfied that all dust suppression issues have been addressed at Lot 2761 and provide their consent to the lodgement of the development application which is the subject of this report.

It should be noted that at no time were any formal complaints received by the City from surrounding landowners or the general public with regard to the extractive industry operation on the subject property. The concerns raised with the City were from the landowner of Lot 2761 who is now satisfied as mentioned above.

Proposed Development:

The sand extraction area is proposed to be expanded to the north-west and south-east of the existing approved sand extraction area to allow access to a greater area of sand material. The following incidental temporary structures are also proposed on-site:

- Temporary modular site office;
- 2 x Portable toilets;
- Sea container for storage; and
- 55,000 litre above ground storage tank.

Details of the incidental temporary structures are shown on the site amenities plan included as Attachment No. DCS492C.

The sand extraction area is proposed to be expanded to the north-west and south-east of the existing approved sand extraction area located south-east on the site. The proposed additional sand extraction areas are shown hatched in green on the additional sand extraction area plan included as Attachment No. DCS492D.

The additional sand extraction area equates to a total of approximately 66.25 ha. This area contains no native vegetation and is characterised by cleared agricultural paddock. The sand profile is expected to be 200mm topsoil, 1,000mm to 2,000mm cream sand and 1,000mm to 2,000mm yellow sand underlain with clay.

Works shall include the stripping and stockpiling of topsoil, the extraction and screening of sand for removal off-site, and works associated with the haulage of the sand off-site. The topsoil will be removed and stockpiled on the site for reapplication during the rehabilitation stage. The sand mining operation pertains only to the cream sand, thus the mine strip depth will be a maximum of 2,000mm.

No blasting is proposed. No explosives or explosive devices are proposed to be stored on-site.

The nature of excavation requires specific equipment for specified tasks. The proposed equipment to be used for the sand extraction, sand processing and dust mitigation is likely to be as follows:

- Scraper;
- Excavator;
- Dump trucks;
- Loader;
- Screener; and
- Water cart.

Sand extraction operations are expected to remove approximately 3,000 tonnes of material per day from the site during its operation. It is proposed that the sand excavation is undertaken 7 days per week, 24 hours per day. It is estimated that the sand excavation will take approximately 12 months to complete with an approximate total sand extraction of 1 million tonnes over this 12 month period.

Sand will be transported via 'three pocket doubles' and 'three B double dog' trucks from the subject lot to the Geraldton Port. The haulage route will be via Nangetty-Walkaway Road, Edward Road, Geraldton Mount Magnet Road, North West Coastal Highway, John Willcock Link, and Marine Terrace to the Shed Storage Facility at the Geraldton Port. There will be approximately 90 truck movements in total per day, being 45 trucks leaving the site and 45 trucks arriving at the site over a 24-hour period.

The excavation area is setback approximately 1.2km from Nangetty-Walkaway Road, 500 metres from abutting Lots 6477 and 2682 to the south-east and 40 metres from abutting Lot 2793 to the east.

The parent lot in which the extraction area is located is currently fully serviced. All services are already available and connected as part of the existing approved extractive industry operation. No changes are proposed to the servicing arrangements.

Drainage on site will be managed with table drains and cut off drains. The existing soils are highly permeable and drainage issues associated with rainfall events is considered a low risk.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The proposal itself has no community impacts and no community issues were raised during the public comment period. Notwithstanding this the potential impacts with regard to dust and noise are addressed via detailed Management Plans. The City has spoken to the land owner.

Environment:

There are no environmental issues as there is no native vegetation remaining in the area. The site is already clear of vegetation and as such no clearing of vegetation will be required.

The proposed extractive industry operation is a temporary use and the subject land will need to be re-instated to an agreed land use at the time that the extractive industry ceases operating. Matters pertaining to pollution, health and climate change are noted and apply to a wide range of land uses. The extractive industry will be operated in a manner to minimise any impacts and risk in this regard.

The Department of Mines, Industry Regulation and Safety (DMIRS), principle closure objectives are for rehabilitated mines to be physically safe to humans and animals, geo-technically stable, geo-chemically non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use. The Environmental Protection Authority's (EPA) objective for Rehabilitation and Decommissioning is to ensure that premises are decommissioned and rehabilitated in an ecologically sustainable manner.

The rehabilitation management plan submitted by the proponent addresses the objectives for rehabilitation of the site, informed by the requirements of the City's Extractive Industry local planning policy and Western Australia's DMIRS principle closure objectives. The City's Extractive Industry local planning policy requirements for a rehabilitation and decommissioning plan are:

- Details of the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;

- Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
- How any face is to be made safe and batters sloped;
- The method by which topsoil is to be replaced and revegetated;
- The numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
- How rehabilitated areas are to be maintained; and
- The program for removal of buildings, plant, waste, and final site clean-up.

The rehabilitation measures identified in the rehabilitation management plan will ensure the site is rendered appropriate for use for agricultural purposes in fitting with surrounding properties. Once rehabilitation works are complete the proponent will remove all waste, tidy the site and remove all plant and equipment associated with extraction and rehabilitation works. The land will be returned by the proponent to the landowner's control and use.

(Draft 2015) Environmental Assessment Guideline for Separation Distances between Industrial and Sensitive Land Uses:

This guideline provides the Environmental Protection Authority (EPA) expectations on how separation distances should be considered in the land use planning decision making process. Its purpose is to provide advice on which land uses require separation and recommend the appropriate separation distances.

A separation distance is the recommended distance to separate a source of emissions (gaseous and particulate emissions, dust, odour and noise) from sensitive land uses in order to avoid adverse impacts to human health and amenity. This approach relies on the knowledge that impacts on the environment generally decrease with increasing distance from the source of emissions. The separation distances are based on scientific information (where available) and knowledge and experience of technical experts and are also drawn from various codes-of-practice, guidance from other jurisdictions, and the EPA's previous guidance material.

The guideline recommends a separation distance of 300 – 500 metres from sensitive land uses (e.g. dwellings) for a sand extractive industry use. The proposed extractive industry is located in a rural area and as such minimises potential conflict with adjoining development.

The closest dwelling, being that of the landowner, is located over 600 metres from the proposed sand extraction areas.

In addition to the above recommended separation distances it is the responsibility of operators to minimise emissions through best practice design and operation of their facilities. The proponent has provided detailed dust and noise management plans that are considered acceptable in ensuring that emissions are minimised and that nearby sensitive land uses will not be adversely affected.

Economy:

There is an economic benefit of the proposed sand extraction to the building and export industries.

The operation will employ approximately 50 local people.

Governance:

If the application is approved by Council, should there be any breaches to the development approval then Part 13 of the *Planning and Development Act 2005* applies as follows:

Unless otherwise provided, a person who commits an offence under this Act is liable to a fine of \$200,000 and in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The existing extractive industry operation was granted approval under delegated authority on 6 August 2020, being TP20/100. As previously mentioned, the proponent has advised that the sand resource that was available within the approved sand extraction areas of TP20/100 has now been exhausted and as such the extractive industry operation has ceased in these areas.

Item DCS486 Proposed Extractive Industry (Sand):

Council, at its meeting held on 23 March 2021, resolved to grant development approval for an extractive industry (sand) on Lot 68 Allanooka Springs Road, Walkaway.

It is noted that the proponent of the development approval for Lot 68 Allanooka Springs Road, is the same as the proponent subject of this application. The proponent has advised that once the civil and infrastructure set up on Lot 68 is completed and sand extraction can commence (as per the development approval granted by Council in March) the operator will move its operations in its entirety to Lot 68 and sand extraction at Lot 2761 will cease. The current application for Lot 2761 is being pursued to enable sand extraction to continue at Lot 2761 during the period in which the civil and infrastructure set up is being undertaken on Lot 68 and the site is ready for sand extraction operations to begin. The proponent has advised that at no time will sand extraction be occurring on both properties.

The author is not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no Councillor consultation, however the application was publicly advertised in accordance with the requirements of Schedule 2, Part 8, Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The advertising period was for 14 days (commencing 4 March 2021 and concluding on 18 March 2021) and involved the following:

1. All landowners and occupiers within 1 kilometre of the subject property were written to and advised of the proposed development;
2. The application details were available for viewing at the City's offices in Cathedral Avenue;
3. The application details were available on the City's website;
4. The application was referred to Main Roads WA for comment.

Submissions:

As a result of advertising, one submission was received which was in support of the application.

Main Roads WA Comments:

Main Roads WA have advised they have no objection to the proposed extractive industry operation however has provided the following advice:

1. The haulage route proposed includes the CGG Bridge 3014 on the Walkaway-Nangetty Road. Recently, restrictions on the traffic crossing the bridge have been imposed due to concerns over the bridge capacity. Main Roads have amended the Restricted Access Vehicles (RAV's) permit conditions to include a 10 km/h speed limit restriction for all RAV's when crossing this bridge.
2. Heavy vehicle access must be approved from Main Roads where the routes relating to the development application are not approved for the proposed heavy vehicle combinations. The applicant is advised to contact Main Roads Heavy Vehicle Services branch to ascertain any approval requirements.
3. The impact to the state road network from increased heavy traffic hauling extractive material will be monitored by Main Roads.

With regard to the above, an advice note can be included on the development approval advising the proponent of Main Roads WA comments.

LEGISLATIVE/POLICY IMPLICATIONS:

City of Greater Geraldton Local Planning Scheme No. 1:

The subject land is zoned 'Rural' under Local Planning Scheme No. 1. The objectives of the Rural zone are:

- (a) *provide for the maintenance or enhancement of specific local character.*
- (b) *protect broadacre agricultural activities, such as cropping and grazing, and intensive uses, such as horticulture, from incompatible uses and minimise land use conflicts.*
- (c) *provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with the surrounding rural uses.*
- (d) *protect and provide for existing or planned key infrastructure, public utilities and renewable energy facilities.*

The proposed extractive industry is not an agricultural use, however given the location on the property and that the area to be used for the extractive industry is relatively small in scale compared to the overall lot size, it is considered that it won't impact on the viability of the land. Furthermore, any development approval granted for extractive industry is conditioned to ensure that the land affected by the extractive industry is rehabilitated. Once rehabilitation has been completed and pastures regrown, there will be little evidence that extraction has taken place.

Table 12 – 'Zoning Table' of Local Planning Scheme No. 1 lists the use 'Extractive Industry' as a 'D' use in the Rural zone allowing Council to use its discretion to approve the use.

It is also noted that the proposed extractive industry operation complies with the prescribed site and development requirements for the Rural zone.

Planning and Development Act 2005:

If the application is approved by Council, should there be any breaches to the development approval then Part 13 of the Act applies as follows:

Unless otherwise provided, a person who commits an offence under this Act is liable to a fine of \$200,000 and in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Extractive Industry Local Planning Policy:

The objectives of the Extractive Industry local planning policy are:

- a) To set out the matters which are to be taken into account when considering applications for an extractive industry.
- b) To detail the specific requirements and minimum standards for the establishment of an extractive industry.
- c) To ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with long-term planning intentions for the area.

The proponent has addressed the application requirements outlined in the City's Extractive Industry local planning policy. A dust and noise management plan have been provided. The proponent has also provided a rehabilitation and decommissioning management plan as per the local planning policy provisions.

The Rehabilitation Management Plan addresses the requirements of closure of the site's excavation activities, and the site's proposed rehabilitation. The Rehabilitation Management Plan has been prepared in accordance with the following objectives:

- The rehabilitation of the extraction sites, in accordance with the specifications contained in the City's Extractive Industry Local Planning Policy;

- To reconstruct the landform to be compatible with the surrounding landscape;
- Leave the site safe, stable, and suitable to sustain the post-rehabilitation land-use of agricultural activities; and
- Remove any waste, tidy the site, and remove all mobile plant from the site.

The application as submitted has provided sufficient information relevant to the particulars of the site and the operations proposed. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

It is considered the application is consistent with the primary objective of the policy which is *‘to ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with long-term planning intentions for the area.’*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications, however should Council refuse the application and the proponent seeks a review of the decision, a further cost is likely to be imposed on the City through its involvement in the State Administrative Tribunal process.

INTEGRATED PLANNING LINKS:

Title: Economy	3.1 Growth
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

REGIONAL OUTCOMES:

Local Planning Strategy:

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

It is noted that the subject lot is located within an area designated as ‘Higher Versatility Agricultural Land’ on the Rural Land Strategy Plan.

RISK MANAGEMENT:

By not approving the application the proponent may seek a review of the decision from the State Administrative Tribunal. The Conditions recommended in this report reflect the need to ensure that the impacts of the proposed Extractive Industry operation and scale are managed accordingly.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Whilst the area at present is characterised by predominantly broadacre cropping and the agricultural value of the land is acknowledged, it must be noted that the proposed extraction areas is only over a portion of the subject property, and once the required amount of sand is extracted, the land will be rehabilitated and revert back to its agricultural use.

The proponent has provided detailed dust and noise management plans that are considered acceptable in ensuring that emissions are minimised and that nearby sensitive land uses will not be adversely affected.

The proponent has also provided a comprehensive rehabilitation management plan that satisfactorily addresses the objectives for rehabilitation of the site, informed by the requirements of the City's Extractive Industry local planning policy and Western Australia's Department of Mines, Industry Regulation and Safety (DMIRS) principle closure objectives.

It is considered that the application is consistent with the primary objective of the Extractive Industry local planning policy which is to '*ensure extractive industry occurs with minimal detriment to the local amenity and environment, and in a manner which allows for future use and development consistent with long-term planning intentions for the area.*'

Based on the planning merits of the application, the option to refuse the application is not supported.

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

DCS493 SURRENDER OF LEASE AND NEW LEASE – GERALDTON ATHLETICS CENTRE INCORPORATED

AGENDA REFERENCE:	D-21-046052
AUTHOR:	L MacLeod, Coordinator Land and Property Services
EXECUTIVE:	B Robartson, Acting Director Development and Community Services
DATE OF REPORT:	4 May 2021
FILE REFERENCE:	A20523
ATTACHMENTS:	Yes (x1) Circular Motion – Geraldton Athletics Centre Incorporated

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's approval to accept the surrender of the Geraldton Athletics Centre current lease and to enter into a new 21 year lease agreement.

EXECUTIVE RECOMMENDATION:

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

1. AGREE to surrender the lease agreement with the Geraldton Athletics Centre Incorporated (formerly, Geraldton Little Athletics Centre Inc);
2. ENTER into a new land lease agreement for approximately 1,100m² with the Geraldton Athletics Centre Incorporated;
3. SET the conditions as follows:
 - a. Enter into a 21 year lease agreement commencing 1 July 2021;
 - b. Commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
 - c. Should the Lessee not return the endorsed documents to the City within three (3) months of the date of being sent, the City will seek a resolution of Council to determine the consequence of this inaction;
4. MAKE the determination subject to consent from the Minister for Lands;
5. ADVISE the lessee they are responsible for separately paying:
 - a. Building and other relevant insurances;
 - b. Applicable rates, taxes, and utilities; and
 - c. All legal and survey expenses associated with the preparation, execution and registration of the lease and surrender of lease.

PROPONENT:

The proponent is the Geraldton Athletics Centre Incorporated.

BACKGROUND:

The Geraldton Athletics Centre Incorporated (formerly, Geraldton Little Athletics Centre) has a land lease over portion of Reserve 21146 that expires on 30 June 2022. The Club is proposing to place two shipping containers to the south east of their Clubhouse for trackside storage and future undercover viewing area. This will require an extension to their land lease area. The

Club also propose to incorporate their long jump facility into their lease area. The Geraldton Athletics Centre Incorporated Circular Motion is included as Attachment No. DCS493.



COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

A trackside storage and viewing area will provide a shaded area for spectators and provide easy access to sporting equipment.

Environment:

There are no adverse environmental impacts as established sporting Clubs already occupy the area.

Economy:

There are no adverse economic impacts to this project.

Governance:

Variations to a Crown lease that increases the lease area is not permitted. Therefore, to enable the increase in the total lease area, the current lease must be surrendered and a new lease entered into.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

On 28 January 2020, (Item DCS436 Surrender and New Lease – Brigades Football Club Inc.) Council resolved to surrender and enter into a new lease agreement with the Brigades Football Club Inc. to extend their lease area to enable them to construct a purpose built women's change room and toilet facility.

On 28 April 2020, (Item DCS448 Surrender of Lease and New Lease – Marine Rescue Geraldton) Council resolved to surrender and enter into a new lease agreement with Marine Rescue Geraldton to enable them to extend their lease area to incorporate a permanent standby generator.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

Regulation 30 of the Local Government Functions and General Regulations describes dispositions of property excluded from Section 3.58 of the Local Government Act 1995 for recreational, sporting and other like-natured organisations and this would apply in this case.

FINANCIAL AND RESOURCE IMPLICATIONS:

Lease fees will be in accordance with the City of Greater Geraldton Schedule of Fees and Charges for Sporting and Community Groups reviewed annually. However, since the impact of COVID-19, on the 23 June 2020 (Item CCS513 City of Greater Geraldton Budget 2020-21) Council resolved to suspend the annual payments to sporting and community groups.

INTEGRATED PLANNING LINKS:

Title: Community	1.2 Recreation and Sport
Strategy 1.2.1	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle.
Title: Community	1.3 Community Health and Safety
Strategy 1.3.2	Promoting healthy lifestyle initiatives and living standards.
Title: Community	1.5 Recognise, value and support everyone
Strategy 1.5.1	Supporting and strengthening community groups, organisations and volunteer services.
Strategy 1.5.2	Supporting young people to develop the skills to make valuable contributions to their communities.
Title: Environment	2.3 Built Environment
Strategy 2.3.2	Providing accessible community spaces, parks, natural areas, sport and recreational facilities that equitably service the whole community.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no specific risks to the City associated with this proposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

DCS494 SURRENDER OF CROWN RESERVE 30637

AGENDA REFERENCE:	D-21-046376
AUTHOR:	L MacLeod, Coordinator Land and Property Services
EXECUTIVE:	B Robartson, Acting Director Development and Community Services
DATE OF REPORT:	7 May 2021
FILE REFERENCE:	A16235
ATTACHMENTS:	Yes (x1) Aerial Map of Proposal over Reserve 28510 and Reserve 30637

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to support the surrender of portion of Reserve 30637, being Lot 3036 on Deposited Plan 219386, to the Department of Planning, Lands and Heritage for subsequent disposal.

EXECUTIVE RECOMMENDATION:

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

1. SURRENDER portion of Reserve 30637 to the Department of Planning, Lands and Heritage with the following conditions;
 - a. Amend the boundary of Reserve 28510 to incorporate an access way to the Reserve;
 - b. Register an easement on portion of Lot 3036 to protect the City's infrastructure;
 - c. All costs associated with the proposal including but not limited to the
 - i. Boundary amendment; and
 - ii. Easement registration; are met by the Department of Planning, Lands and Heritage.

PROPONENT:

The proponent is Department of Planning, Lands and Heritage.

BACKGROUND:

The Department of Planning, Lands and Heritage recently enquired with the City if it would consider surrendering two Reserves located on the corner of North West Coastal Highway and Johnson Street as they had received an enquiry to purchase this land. The two Reserves in question are 30637 and 28510.

The City has a Management Order over Reserve 30637 for the purpose of "Park" and a Management Order over Reserve 28510 for the purpose of "Sump".

Reserve 30637 is considered surplus to the City's requirements as the designated purpose requirements for that of "Park" in that location, in all reality, would not eventuate. However, the drainage sump on Reserve 28510 and access on portion of Reserve 30637 are required. This requirement was advised to the Department and they have subsequently provided the City with an alternative that retains the City's sump and access road.



The Department proposed the boundary of Reserve 28510 be amended to include portion of Reserve 30637 to allow access to the operational sump from Baker Street. They also proposed an easement be placed over portion of Reserve 30637 to protect the existing pipeline. The aerial map of the proposal over Reserves 28510 and 30637 is included as Attachment No. DCS494.

All costs associated with this proposal will be borne by the Department of Planning Lands and Heritage.

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

There are no adverse community impacts as Reserve 30637 is unused by the community and undeveloped.

Environment:

There are no adverse environmental impacts, as the land holds no flora or fauna value.

Economy:

Supporting the surrender and subsequent disposal of portion of Reserve 30637 will support local commercial development.

Governance:

There are no adverse governance impacts as the Management Order will be surrendered to the State Government.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

In November 2012 the City surrendered Reserve 36805 to the Department to enable the Co-Operative Bulk Handling Limited to amalgamate this reserve with their adjoining freehold land.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications as the Management Order will be surrendered to the State Government.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no cost implications to the City, however the City will receive rates income from the land.

INTEGRATED PLANNING LINKS:

Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.
Title: Governance	4.3 Advocacy and Partnerships
Strategy 4.3.1	Active participation in regional, state and national alliances.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no specific risks to the City with this proposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers as the Reserve is surplus to the City's requirements for a Park.

12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES

CCS595 COMPLAINTS HANDLING POLICY, PROCEDURE AND PROCESS	
AGENDA REFERENCE:	D-21-043039
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	30 April 2021
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x3) A. Draft Council Policy 4.30 - Complaints Handling B. Draft Complaints Handling Procedure – For Council C. Draft Process – Complaints Handling - Complaint About Alleged Breach

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.30 Complaints Handling, the Complaints Handling Procedure for Council, and to require the Chief Executive Officer (CEO) to implement a complaints handling process. A delegation is also requested for the CEO to prepare a report on a complaint for Council.

EXECUTIVE RECOMMENDATION:**Part A:**

That Council by Simple Majority pursuant to Section 5.103 of the Local Government Act 1995 and Schedule 1 clause 12 of the Local Government (Model Code of Conduct) Regulations 2021 RESOLVES to:

1. APPROVE Council Policy 4.30 Complaints Handling;
2. APPROVE the Complaints Handling Procedure for Council; and
3. REQUIRE the CEO to implement a Complaints Handling administrative process.

Part B:

That Council by Absolute Majority pursuant to Section 5.43 and 5.103 of the Local Government Act 1995 and Schedule 1 clause 12 of the Local Government (Model Code of Conduct) Regulations 2021 RESOLVES to:

1. DELEGATE complaints to the CEO to prepare a report on a complaint for Council.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Amendments to the *Local Government Act 1995* (the Act) came into operation on 3 February 2021 with the insertion of the following sections:

- Section 5.103 - *Model code of conduct for council members, committee members and candidates,*
- Section 5.104 - *Adoption of model code of conduct.*

The Council adopted the model code – Council Policy 4.2 Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct) on 23 March 2021, Item CCS578.

Division 3 of the Code of Conduct sets out the requirements relating to the behaviour of council members, committee members and candidates, and clauses 11 to 15 provide the mechanisms for dealing with alleged breaches of these requirements.

Clause 15, '*other provisions about complaints*', states that the procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in Division 3.

Department Guidelines

The Department of Local Government has provided guidelines on the Model Code of Conduct, with information to assist local governments develop further guidance on dealing with complaints management. The guidelines suggest:

- Use of the resources on complaints management, available on the Ombudsman WA's website;
- Inclusion of a timeframe for dealing with complaints in the local government's policy;
- In the determination of most appropriate and effective process for complaints management, consideration of –
 - *delegation of complaints to the CEO to prepare a report for the council.*
 - *appointment of an independent/ external consultant to review complaints and provide a report.*
 - *establishing a committee to review complaints and report to the council;*
- Making a decision on who will be considering the complaints received and how complaints will be prioritised and managed;
- Electing to include in the complaints policy, the option for mediation between the complainant and the member to resolve any specific issues before the council is required to make a finding. This may lead to the complaint being withdrawn.

Policy, Procedure and Process

On 23 February 2021, Council adopted a complaint form and appointed the CEO as the person to accept the Complaints of Alleged Breach form, and withdrawals of alleged breach complaints (Item CCS570 - Appointment of

Complaints Officer and Adoption of Complaint Form - Model Code of Conduct).

The attached draft policy, process and procedure are provided as the recommended system for complaints handling, for consideration by council members.

The draft Complaints Handling Policy provides details of the timeframes for processing a complaint of alleged breach, the role of the CEO in the receipt of complaints or withdrawal of complaints, and references the Ombudsman's principles and processes for complaints management.

The draft Complaints Handling Procedure provides a guide for the Council in the receipt assessment, determination and action planning for complaints of alleged breaches.

The draft Complaints Handling Process is a guide for the CEO in the preparation of a report on the complaint, should the Council decide to choose the option of delegating this role to the CEO.

WALGA Policy Development Framework

On 21 April 2021 WALGA provided the Policy Development Framework - Code of Conduct Behaviour Complaints Management Policy, to local governments. The aim of the framework is to minimise actual and perceived bias from conflicts of interest. The information in the framework has been reviewed by City Officers and the draft Complaints Handling Policy, Procedure and Process have been amended (amendments are highlighted in yellow in the attachments) to include additional information relevant to the draft documents.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The complaints handling policy, procedure and process will provide a framework for consistent and equitable consideration and resolution of complaints of alleged breaches.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

Approval of a complaints handling framework will provide the City with a system which aligns with the intent of the provisions of Division 3 of the Code of Conduct and ensure compliance with the Act and the *Local Government (Model Code of Conduct) Regulations 2021*.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The Council adopted Council Policy 4.2 - Code of Conduct for Council Members, Committee Members and Candidates on 23 March 2021, Item CCS578.

COMMUNITY/COUNCILLOR CONSULTATION:

Council members were consulted via Briefing Note on 18 March 2021 with the submission period closing on 31 March 2021. Two council members responded, both were in support of the complaints handling documents, with one council member requesting clarification on whether the complaints handling provisions were retrospective. The council member was advised that there were no provisions for applying the code of conduct complaints provisions retrospectively.

The Executive Management Team reviewed the complaints handling policy, procedure and process on 14 April 2021 and endorsed the documents for Council consideration.

LEGISLATIVE/POLICY IMPLICATIONS:

Local Government Act 1995 section 5.103 and 5.104, *Local Government (Model Code of Conduct) Regulations 2021* schedule 1 clause 11-15.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	4.5 Good Governance & Leadership
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.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The proposed complaints handling policy, procedure and process will provide guidelines and processes to assist the City in providing consistent and non-biased investigation, review and decision making in relation to a complaint of an alleged breach. This will mitigate the reputational and regulatory risks associated with compliance with the Code of Conduct Division 3 requirements.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers as Councillors and the Executive Management Team did not request any amendments to the proposed system or documentation during the consultation period.

CCS596 PROPOSED BUSH FIRE BRIGADES LOCAL LAW 2021

AGENDA REFERENCE:	D-21-043449
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	30 April 2021
FILE REFERENCE:	LE/5/0001-003
ATTACHMENTS:	Yes (x1) Draft City of Greater Geraldton Bush Fire Brigades Local Law 2021

EXECUTIVE SUMMARY:

The purpose of this report is to recommend re-adoption and re-advertisement of a draft new *City of Greater Geraldton Bush Fire Brigades Local Law 2021* for public consultation.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.12 of the Local Government Act 1995 RESOLVES to:

1. GIVE local public notice in accordance with sections 3.12(3)(a) of the Local Government Act 1995 (the Act) stating that:
 - a. It is proposed to make a City of Greater Geraldton Bush Fire Brigades Local Law 2021, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the City offices;
 - c. Submissions about the proposed local law may be made to the City within a period of not less than six (6) weeks after the notice is given;
2. SEND a copy of the proposed local law to the Ministers for Local Government and Emergency Services as soon as notice is given in accordance with section 3.12(3)(b) of the Act;
3. SUPPLY a copy of the proposed local law to any person requesting it in accordance with section 3.12(3)(c) of the Act; and
4. NOTE that the results of the public consultation be presented to the Council for consideration of any submissions received.

PROPOSER:

The proponent is the City of Greater Geraldton.

BACKGROUND:

At its meeting held on 23 February 2021 Council resolved to adopt a draft *City of Greater Geraldton Bush Fire Brigades Local Law 2021* and give local public notice of its intention to make a local law, plus provide copies of the draft to the Ministers for Emergency Services and for Local Government (Item CCS569 - Proposed Bush Fire Brigades Local Law 2021).

There were no comments from the general public but the State Department of Fire and Emergency Services provided comments which highlighted that a clause repealing the *City of Greater Geraldton Bush Fire Brigades Local Law 2011* (which was gazetted on 13 July 2012) should have been included in the proposed new local law.

Section 3.12 of the *Local Government Act 1995* sets out the process whereby local laws are made. Clause (4) provides that:

- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

Section 3.13 provides that:

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

It is arguable whether or not adding the repeal clause into the draft new local law is significantly different from what was proposed, but it is considered best to err on the side of caution and recommence the procedure to make the new local law.

At its meeting held on 23 February 2021 (Item CCS569), Council also resolved to:

5. *DELEGATE authority to the CEO to draft and conclude agreements with all brigades to cover issues such as:*
 - a. *The makeup of bush fire brigades (membership, structure, meetings, elections);*
 - b. *How funding, facilities and equipment provided by the City is to be dealt with and any associated requirements;*
 - c. *Record, book keeping, asset management and accounting requirements;*
 - d. *Office bearers such as a secretary, treasurer, training, and/or equipment officers;*
 - e. *Grievance processes and membership issues;*
 - f. *How and with whom liaison with the City is to occur (day to day, longer term);*
 - g. *What reporting might be required in terms of brigade activities, membership lists, acquittal of funds provided;*
 - h. *Operational matters or standards; and*
6. *KEEP existing operational matters set out in the current City of Greater Geraldton Bush Fire Brigades Local Law 2011 in place until new agreements are in place.*

This work is continuing while the new local law is under consideration.

A council member also provided some feedback for which responses are provided below:

Feedback	Response
Clause 4(3) references clause 6(4) which can't be found.	The cross reference in the draft local law should read <u>5</u> (4) and has been updated.
The necessity of clause 6(1)(c)(ii), and concerns the Captain and City having too much direction of the FCO's.	Prescribing duties is needed in order to comply with s43 of the <i>Bush Fire Act 1954</i> . Note though that clause 6(1)(c)(iii) of the draft local law just requires <u>liaison</u> with the City. Bush fire control officers (BFCO's) are appointed by the City under s38 of the <i>Bush Fires Act 1954</i> and must take heed of directions issued by the City.
Inclusion of a clause that a financial report is submitted to Council annually.	There is no reason why the City cannot require brigades to submit financial reports. This though is better done via the proposed Agreement with brigades rather than prescription in a local law.
Question whether brigades are required to be an incorporated body.	No. They must be established by resolution of the local government under s41 of the <i>Bush Fires Act 1954</i> .

As reported to Council at its meeting held on 23 February 2021, the intention of replacing the 2011 local law was to remove a significant amount of detail that can be dealt with in a more efficient way and only to deal with those matters that a local government is required to do so by a local law under section 43 of the *Bush Fires Act 1954*.

There are some matters that must be dealt with in a local law when a local government establishes a bush fire brigade, but almost all of the matters for which local governments may make bush fire local laws can be better dealt with without regulation – which is pointless anyway as there are no penalties under the local law.

Section 43 of the *Bush Fires Act 1954* provides that a local government which establishes a bush fire brigade shall by its local laws:

... provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

Sections of the Bush Fires Act where a local government may make local laws are:

- Under section 33(5a) to require land owners to make fire breaks. Section 33(1) though allows this to be done simply by publishing a notice in the Government Gazette or a newspaper circulating in the

district; and where a local government does so the provisions of the notice override the local law.

- Under section 41(1), to establish and maintain one or more bush fire brigades and equip them with appliances, equipment and apparatus; and
- Under section 62, make local laws in relation to —
 - the appointment, employment, payment, dismissal and duties of bush fire control officers;
 - the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
 - any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

The use of a local law to deal with anything other than what is required under the Act is unnecessary - all critical matters are dealt with under the Bush Fires Act and Regulations. For example:

- Part 2 of the *Bush Fires Act 1954* sets out the powers of the Fire and Emergency Services Commissioner, provides for the appointment of bush fire liaison officers, and sets out powers of police or authorised persons as well as providing for entry on to land or buildings for the purposes of the Act;
- Part 3 sets out measures to prevent bush fires, including restricted or prohibited burning times, fire bans, and provisions about burning of land or rubbish. Section 33 allows a local government to require occupiers of land to establish fire breaks by a notice in the Gazette and or public notice, or by local law;
- Part 4 deals with the control and extinguishment of bush fires. In particular:
 - Section 36 provides that a local government may expend funds to control and extinguish bush fires;
 - Under section 37 a local government must insure volunteer fire fighters and bush fire brigade equipment;
 - Section 38 provides that a local government may appoint a person as a bush fire control officer (and who does not necessarily have to be a local government employee), and of whom can be a Chief Bush Fire Control Officer and deputy. Under section 38A the Fire and Emergency Services Commissioner may appoint a person as a Chief Bush Fire Control Officer if requested by a local government for its district;
 - Section 39 sets out the powers of bush fire control officers;
 - Section 40 sets out the powers and duties of local governments, brigades, and bush fire control officers in the event of a bush fire;
 - Section 41 provides that Act, a local government shall keep a register of bush fire brigades and their members in accordance with the regulations, and may at any time cancel the registration of a bush fire brigade;

- Under section 42A, any group of persons, however constituted and whether incorporated or not, may be established as a bush fire brigade under section 41(1) or 42(1);
- Section 43 is the only area of the Bush Fires Act 1954 that requires a local government to make a local law (discussed below);
- Sections 44 – 47 deal with fire-fighting by officers of bush fire brigades, the Department of Conservation and Land Management and bush fire control officers;
- Part 5 deals with miscellaneous matters and among other things:
 - Allows a local government to delegate any of its powers and duties to its CEO; and
 - Provides for penalty and prosecution provisions.

Local laws are usually used to regulate activities in communities generally. They typically set out a set of requirements and include provisions for non-compliance such as notices, infringements or prosecution. Services run by volunteers are not usually 'regulated' by local laws.

The question here is the extent to which a local law is useful when it comes to assisting and encouraging a service provided by volunteers; and what could be better dealt with by agreement. In this regard the City is better able to manage its funding and/or support to volunteer brigades in a more flexible manner, not by use of a local law.

A draft new *City of Greater Geraldton Bush Fire Brigades Local Law 2021* is attached – Attachment No. CCS596. It deals only with those matters required by the *Bush Fires Act 1954*. It is also slightly amended from the version considered by Council on 23 February 2021 in that a clause reference has been corrected and a clause repealing the existing local law added.

It also contains a number of notes and text boxes to assist readers to interpret what clauses mean, and what other legislation might apply, but which do not form part of the local law and will be deleted from the official version to be Gazetted.

Note that as required, it prescribes the duties of a captain of a bush fire brigade. Other matters are simply by agreement with a brigade. This could include:

- The makeup of bush fire brigades (membership, structure, meetings, elections, etc.);
- How funding, facilities and equipment provided by the City is to be dealt with and any associated requirements;
- Record, book keeping, asset management and accounting requirements;
- Office bearers such as a secretary, treasurer, training, and/or equipment officers;
- Grievance processes and membership issues;
- How and with whom liaison with the City is to occur (day to day, longer term);

- What reporting might be required in terms of brigade activities, membership lists, acquittal of funds provided, etc.; and
- Operational matters or standards.

These can be drafted by the City but can only be implemented in agreement with the brigades. They are not intended to be punitive or overly complex – brigade members are volunteers and should not be tied up with unnecessary regulation.

In addition the rules can be more easily changed than a local law - by Council resolution and/or by the CEO acting under delegated authority from Council.

In the unlikely event it became necessary for the City to take action in relation to a brigade, if all else fails it could:

- Withhold funding; and/ or
- Seek return of assets and/or equipment; and/ or
- Ultimately, deregister a brigade under section 41(3) of the *Bush Fires Act 1954*. This provision is wide ranging and is used mainly when a brigade merges with another or disbands, but can be applied for any reason a local government see fit.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The proposed local law provides clarification to the community on the matters that must be included in a Bush Fire Brigades Local Law, and those which are dealt with by, and in accordance with the provisions of the *Bush Fire Act 1954*.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

In accordance with section 3.16 of the *Local Government Act 1995*, the City is required to review its local laws within a period of eight (8) years from the day when a local law commenced and determine whether or not it considers that the local law should be repealed or amended. On 26 May 2020 the Council determined that the *Bush Fire Brigades Local Law 2011* be amended or replaced (Item CCS487 - Outcome of Statutory Review of Local Laws under s.3.16 of the *Local Government Act 1995*). This proposed Bush Fire Brigades Local Law progresses the Council's decision, with the inclusion of a repeal clause for the existing *Bush Fire Brigades Local Law 2011*.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

A proposed *City of Greater Geraldton Bush Fire Brigades Local Law 2021* was endorsed by the Council on 23 February 2021 (Item CCS569 - Proposed Bush Fire Brigades Local Law 2021).

COMMUNITY/COUNCILLOR CONSULTATION:

Section 62 of the *Bush Fires Act 1954* provides that a local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of six (6) weeks after it first appears.

The purpose and effect of the proposed City of Greater Geraldton Bush Fire Brigades Local Law is:

Purpose

To provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district, and prescribe their respective duties.

Effect

The appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district is prescribed, as are their respective duties.

As part of the process, local governments are also required to send a copy of the proposed local law to the Ministers for Local Government and Emergency Services.

The results of the community consultation and feedback from the Minister(s) are to be considered by Council before it makes the local law.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 62 of the *Bush Fires Act 1954* provides that a local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*.

Other relevant legislative provisions are noted in the background above.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are financial and resource implications associated with the advertisement, processing of the local law, and its eventual Gazettal on final adoption.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Until any new agreements are in place the requirements of the current *City of Greater Geraldton Bush Fire Brigades Local Law 2011* that relate to operational matters not dealt with when the new local law is made and promulgated should apply.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The City could consider that the addition of a repeal clause repealing the 2011 local law is not significant and adopt the local law proposed on 2 February 2021 under section 3.12(4) with a repeal clause added. There is a possibility that when reviewing the local law on behalf of State Parliament, the Joint Standing Committee on Delegated Legislation may form the view that the proposed change is in fact significantly different from what was proposed and require it to be re-made anyway.

The 2011 local law could simply be left 'as is' as it is used (in essence) as a procedure or process rather than a typical local law with associated penalties and other measures to ensure compliance. Future amendments do though require the local law itself to be changed, which is drawn-out. Matters where change may be needed in a more expeditious manner due to changing circumstances are better dealt with by agreement.

CCS597 QUARTER THREE BUDGET ASSESSMENT 2020-21

AGENDA REFERENCE:	D-21-048615
AUTHOR:	N Jane, A/Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	12 May 2021
FILE REFERENCE:	FM/6/0034
ATTACHMENTS:	Yes (x1) Statement of Financial Activity 2020-21 Quarter 3 Budget Assessment

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of proposed budget amendments following the 2020-21 Quarter Three (Q3) Assessment.

When adopting the budget for 2020-21 Council implemented a number of actions in response to the COVID-19 pandemic and its effects on our community, in order to provide assistance to the community whilst preserving the City's cash position. This included modified service levels to reduce operating expenditure and the provision of community support initiatives. It was also Council's intent to undertake periodical reviews to assess, and if necessary, adjust budget forecasts, initiatives and cash flow settings to manage changes that continue to evolve from the impacts of COVID-19.

In line with this intent, Council conducted assessments at the end of September and December 2020 and approved a series of budget amendments and changes to service delivery levels following each of these.

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 amendments, including revised transfers to/from Cash Reserves and AUTHORISE any unauthorised expenditure and revenue detailed in the attached Statement of Financial Activity (Attachment No. CCS597).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In response to COVID-19 impacts, the City was required to adopt a budget in 2020-21 that included relief to the community, whilst also taking measures to preserve the City's cash position. In order to reduce operating expenditure, Council modified service levels, and determined that periodical reviews to assess, and if necessary, adjust budget forecasts, initiatives and cash flow setting to manage changes that continue to evolve from the impacts of COVID-19.

In line with this intent, Council conducted assessments at the end of September and December 2020 and approved a series of budget amendments and changes to service delivery levels, with the most recent amendments approved on 23 February 2021 – Item CCS571, Mid Year Budget Review 2020-21. These included:

- Airport – recognising the increased activity and ongoing efforts to rebuild capacity back into the Perth-Geraldton regular passenger route;
- Meru - recognising the increased activity and allocation of Reserve funds to build the transfer station;
- Land and Building revaluation;
- Increase in events including:
 - Australia Day;
 - Big Sky Readers and Writers Festival; and
 - Festival and Events Grant Funding

The approach taken in this budget assessment is similar to what occurs each year in the annual mid-year review. Some minor housekeeping is undertaken which overall is immaterial in nature. What is captured in this report are any significant movements.

Since budget adoption a number of items have been approved by Council which has resulted in amendments to the original budget. This report recognises those amendments as part of this third quarterly assessment.

Rates

The original budget was prepared on the basis of:

- A zero rates increase for all rating categories;
- The introduction of a discount on rates paid in full by the due date;
- Removal of instalment and payment plan interest and charges; and
- Changes to the application of interest on overdue rates.

For the first time a discount on rates was offered to encourage ratepayers to pay in full by the due date, given that interest charge disincentives had been removed. The response was very positive and saw higher than usual recovery to the end of August, however in the ensuing months recovery has slowed and is now on par with previous years. With property sales currently being strong, some long term debts have been cleared as part of the settlement process. The final (4th) instalment was due 3 March 2021, after which penalty interest has been applied. Final notices were issued at the end of March 2021 to any ratepayers who have made no payments this financial year.

Fees and Charges

As part of the relief package to the community, no increases were applied to fees and charges, and the following additional changes were made:

- Free parking including at the Airport precinct;
- No charging of Swimming Pool inspection fees;

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- No charging of Sporting Ground user fees;
 - No charging for Environmental Health premises inspections and sampling;
 - No charging annual Health License fees for food premises, lodging houses and caravan parks; and
 - No charging of annual lease fees for Community Groups.

Airport fees and charges continue to recover and government building incentives have seen an increase in activity for building and town planning.

Service Delivery – Airport

Discussions with major stakeholders in an effort to rebuild capacity in the Perth-Geraldton route has seen an increase in flight numbers up to 12 services per week and a steady increase in passenger numbers from a low in May 2020 of 1,109 to 7,776 in March 2021. Income from passenger fees has grown but not to the extent forecast at prior reviews. Costs associated with security screening are currently more than the associated fees and charges but this is only a temporary position as the City awaits reimbursement of these costs through a new Commonwealth Government funding scheme established to support airport's security costs. Amendments are proposed to revenue and expenditure in this budget assessment.

Service Delivery – Meru

The adopted budget remained effectively unchanged from the previous financial year. Additional expenditure was incorporated into the budget at Mid Year Review in response to the higher than forecast activity. Amendments to revenue and expenditure are proposed in this budget assessment.

Service Delivery – Aquarena

As part of the Q1 assessment the following services were reintroduced:

- Outdoor pool reopened.
- Reintroduction of pool programs to 60% of previous service levels
- Operating hours for the summer period:
 - Mon to Fri – 6am to 7pm (7.5 hours weekday reduction compared to previous summer period).
 - Weekend – 9am to 6pm (no change in hours compared to previous summer period).

No further changes to service levels were included in the Mid Year Review or proposed at this time.

Service Delivery – QPT and Events

State government restrictions resulted in the extended closure of the auditorium for any shows and events. The QPT reopened in February with the Midwest Economic Summit and was on track to return to 100% capacity in April. Tropical Cyclone Seroja and another COVID-19 lockdown in Perth have impacted scheduled events, limiting the reopening of the QPT, but the venue expects to host further ticketed events from May 2021. The reinstatement of the budget to bring shows to Geraldton has been proposed to allow reopening of the QPT as planned.

The following events have not proceeded this year:

- Seniors Weeks.
- Outback Bloom.
- Morning Melodies.
- Christmas on the Terrace.

Other events have been delivered in a modified format:

- HMAS Sydney II Memorial Service.
- Australia Day.
- Anzac Day.
- Morning Melodies recommenced in March.

Savings identified from events not delivered were redirected to Sundays by the Sea and Films on the Foreshore at the Mid Year Review.

Geraldton Regional Art Gallery/Visitor Centre

The Gallery reopened on 21 August 2020 in conjunction with the launch of the Visitor Centre colocation. Opening hours were changed at the time of colocation. No further changes to service levels have been proposed.

The new service delivery model for the Visitor Centre has seen the cessation of the retail side of operations, however still providing an accommodation booking service that has continued at higher activity levels which was captured in the Mid Year Review. No further changes are proposed in the Q3 Budget Assessment.

Service Delivery – Works and Parks

In line with the direction given when adopting the budget, a focus has been directed to undertaking renewal works.

Funding towards Works renewals has been amended in this budget assessment following notification of changes of timing of grant funding allocations.

Service Delivery – QEII

No changes are proposed at this time. Continue with current service delivery and staffing.

Proposed Amendments 2020-21 budget (Current budget to Q3 Assessment)

Since the Mid Year Budget Review, some items have been approved by Council which has further amended the budget. This report recognises those amendments as part of this assessment.

Operating Income:

Total operating income forecast for this financial year has reduced slightly by (\$133,484). The more significant and material movements as per nature and type include:

Operating Grants & Subsidies (net positive movement of \$1,749)

- *Mullewa Youth Service +\$1,749*

Contributions, Reimbursements & Donations (net positive movement of \$67,876)

- *Fire Reimbursements +\$40,000*
- *Rates Reimbursements +\$12,000*
- *Youth Development Contributions +\$20,000*

Fees and Charges (net positive movement of \$472,097)

- *Airport Passenger Service Fees – RPT & Charter -\$125,000*
- *Airport GA Weight Landing Fees +\$25,000*
- *Airport Rents and Leases +\$200,000*
- *Airport Hire Care Concessions +\$10,000*
- *Aquarena +\$40,000*
- *Building Services +\$74,000*
- *Fines and Penalties – Animal Control and Parking +\$25,000*
- *Animal Control Licences +\$15,000*
- *Lease fees +\$75,000*
- *Lease Administration and Survey fees +\$65,000*
- *Meru Waste Fees and Charges +\$110,000*
- *Rates Enquiries +\$35,000*
- *Works Services -\$102,000*

Interest Earnings (net positive movement of \$78,525)

- *Interest on Beresford Foreshore funding + \$53,525*
- *Interest on Investments + \$25,000*

Other Revenue (net negative movement of \$410,000)

- *Public Open Spaces – Transfer from Trust – (\$400,000)*

Profit on Disposal of Assets (net negative movement of \$343,731)

- *Edward Rd Property sale not going ahead this year – (\$350,000)*

Operating Expenditure:

Total operating expenditure forecast for this financial year has reduced by \$911,869. The significant and material movements include:

Employment Expenses (net positive movement of \$207,120)

- *Consistent savings due to vacancies - \$207,120*

Materials and Contractors (net positive movement of \$63,262)

- *IT Hardware reallocated from operating expenditure to renewal – remove \$30,000*
- *Animal Control and Parking fines enforcement - \$25,000*
- *Visitor Centre commission fees - \$5,000*
- *Heritage cemetery renewal reallocated to operating - \$3,450*
- *Mullewa Landfill – additional \$15,000*
- *Cardboard landfill – removal \$16,000*
- *Groundwater Bores – removal \$15,000*
- *Private Works and Reinstatements - removal \$40,450*

- *Fleet minor plant – removal \$30,000*
- *Mullewa Muster cancelled – removal \$30,000*
- *Anzac Day – additional \$10,000*
- *QPT show activity – reinstate \$30,000*
- *Youth Music Festival - \$20,000*

Utility Charges (net positive movement of \$25,000)

- *Telephone savings - \$25,000*

Insurance (no change)

Interest Charges (no change)

Other Expenditure (net negative movement of \$60,862)

- *Airport Vehicle expenditure - \$12,000*
- *Flores Rd clean up - \$55,000*
- *Works Reinstatements – removed \$7,345*

Depreciation (no change)

Contributions, Donations and Grants (net positive movement of \$60,000)

- *Festival and Event Program +\$60,000*

Loss on Disposal of Assets (net positive movement of \$617,349)

- *Removal of Edward Rd sale - \$693,740*
- *Mullewa property demolition - \$76,391*

The overall impact of the Operating Income and Expenditure changes is an improvement in the operating deficit position by \$778,385.

Capital Revenue:

The budget allocation associated with this revenue stream has decreased by \$4,492,250 based on the following significant and material movements:

Non-Operating Grants & Subsidies (net negative movement of \$3,790,750)

- *Main Roads increase to Maitland/Durlacher Roundabout + \$472,081*
- *WA Bike Network to Sunset Beach path + \$40,520*
- *Public Transport Authority to Anzac Tce + \$29,000*
- *Roads to Recovery advised timing of payments has reallocated \$707,000 from this financial year to 2023-24*
- *Delayed projects, funding reallocated to 2021-22*
 - *Railway St - \$989,713*
 - *LRCIP Phase 2 Footpaths - \$1,888,638*
 - *Aquarena Outdoor Pool - \$750,000*

Proceeds from Disposal of Assets (net negative movement of \$701,500)

- *Cape Burney property sales – additional \$77,000*
- *Edward Road old Civic Centre sale not going ahead – removal of \$800,000*

- *Disposal of vehicles has achieved more than predicted – additional \$21,500*

Reserve Transfers (net negative movement of \$6,090,000)

- *Transfer from Reserve*
 - *Add \$260,000 transfer from Major Initiatives Reserve for CBD revitalisation*
 - *Delayed projects, reallocated to 2021-22*
 - *Aquarena Outdoor Pool - \$2,850,000*
 - *Meru Transfer Station - \$2,000,000*
- *Transfer to Reserve*
 - *\$1,500,000 transfer to Reserves to maintain closing surplus position in consideration of statutory limits applied to either budget deficits or surplus positions.*

Capital Expenditure:

The overall reduction to capital expenditure of \$8,805,399 is impacted mainly by the following significant and material movements:

Purchase Land (no change)

Purchase Buildings (net negative movement of \$10,000)

- *Aquarena Main Building renewal – additional \$10,000*

Purchase Plant & Equipment (net negative movement of \$37,703)

- *Airport – additional \$7,703*
- *Fleet – additional \$30,000*

Purchase Furniture & Equipment (net positive movement of \$245,000)

- *Laptop roll out for key personnel - \$55,000 – reallocation from operating expenditure*
- *Delayed project, funding reallocated to 2021-22 - Meru fibre optic installation*

Roads (net positive movement of \$1,628,638)

- *Renewal -\$1,628,638*
 - *Removal of \$1,888,638 LRCIP (Commonwealth funding) phase 2 from Cathedral Avenue and Foreshore Plaza CBD revitalisation works, funds allocated to Footpath renewals in 2021-22*
 - *Allocate \$260,000 to Cathedral Avenue and Foreshore Plaza CBD Revitalisation works*

Footpaths (net positive movement of \$1,035,713)

- *Renewal – Anzac Terrace – increase based on quotes -\$9,000*
- *New – Railway Street delayed project reallocated to 2021-22 - \$1,044,713*

Parks (net negative movement of \$3,866,048)

- *Maitland Park tank replacement - \$70,000*

- *Heritage Cemetery improvements reallocated to Operating due to low cost - \$3,450*
- *Delayed projects, funding reallocated to 2021-22*
 - *Art Gallery Park - \$332,598*
 - *Aquarena Outdoor Pool - \$3,600,000*

Carparks (no change)

Meru Landfill (net negative movement of \$2,000,000)

- *Delayed projects, funding reallocated to 2021-22*
 - *Meru Integrated Resource Recovery - \$2,000,000*

Drainage – Renewal (net positive movement of \$70,000)

- *Reallocated to Maitland Park - \$70,000*

Airport (net positive movement of \$7,703)

- *Runway reseal savings - \$7,703*

Sewerage (no change)

Intangible Assets (no change)

Repayment of Debentures (no change)

The overall impact of the Capital Income and Expenditure changes is a net cost reduction of \$4,313,149.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Various initiatives were included in the budget and provided support to the community during the pandemic crisis. These initiatives have been further expanded through the revision of service levels and additional expenditure.

Environment:

Opportunities to support environmental initiatives and activities are actively sought. This item consolidates previous decisions to continue with the FOGO trial, thereby diverting waste from landfill through recycling; undertaking Coastal Modelling and mitigation works to protect and preserve the coastal environment.

Economy:

Initiatives to support the local economy include additional renewal works, programs to attract and increase visitor numbers; and support of local businesses impacted by COVID-19.

Governance:

Undertaking a quarterly assessment of the budget and service levels allows Council to monitor and measure the impacts of COVID-19 and make adjustments in response.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

When adopting the 2020-21 Budget Council determined that quarterly budget reviews would be undertaken in order to manage and respond to COVID-19 impacts.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.8 of the *Local Government Act 1995* requires any expenditure not included in the annual budget to be authorised by Absolute Majority.

FINANCIAL AND RESOURCE IMPLICATIONS:

As shown in the Statement of Financial Activity (Attachment No. CCS597), there has been a decrease in the operating deficit from \$5,535,913 to \$4,757,528 in this assessment (Q3). The most significant proposed adjustments are outlined above.

The overall impact of the Capital Income and Expenditure changes is a net cost reduction of \$4,313,149.

The net change in movement of Reserves funds retains an additional \$6,090,000 in Reserves.

INTEGRATED PLANNING LINKS:

Title: Governance	4.4 Financial Sustainability and Performance
Strategy 4.4.1	Preparing and implementing short to long term financial plans.
Title: Governance	4.5 Good Governance & Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

REGIONAL OUTCOMES:

Delivery of programs and projects continue to deliver benefits for the Mid-West Region through capital expenditure, business support and encouraging tourism.

RISK MANAGEMENT:

Undertaking a periodical assessment of the budget and service levels at this time assists with mitigating the risks associated with the financial impacts of COVID-19 on the Council budget especially cash flows, as well as addressing the health and social impacts on the community. This assessment provides an updated estimate to the closing position at 30 June 2021 enables Council to formulate actions to adjust the 2021-22 budget in response, thereby reducing the risk of an increase in the deficit position.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Alternative options for adjustments to budget forecasts were considered by Directors and Managers across all areas of the operations and wherever possible have offset expenditure increases with reductions or additional revenue.

Alternative Option:

1. APPROVE the proposed budget amendments, including revised transfers to/from Cash Reserves and AUTHORISE any unauthorised expenditure and revenue detailed in the attached Statement of Financial Activity but with the following changes:
 - a. To be determined by Council; and
2. MAKE the determination based on the following reason/s:
 - a. To be determined by Council.

CCS598 2021-22 RECURRENT COMMUNITY FUNDING – SERVICE AGREEMENTS
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AGENDA REFERENCE:	D-21-048597
AUTHOR:	P Radalj, Director Corporate and Commercial Services
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	12 May 2021
FILE REFERENCE:	GS/1/0051
ATTACHMENTS:	Yes (x6) A. Council Policy 1.8 – Community Funding Programs B. MWAS Service Agreement Application C. MWSF Service Agreement Application D. Geraldton Cemetery Board Service Agreement Application E. MWCCI Sponsorship Prospectus 2021-23 F. MWCCI Supporting Information

EXECUTIVE SUMMARY:

The purpose of this report is to review four (4) existing service agreements that have expired in 2020-21 and one (1) sponsorship arrangement which also expires in 2020-21. The following table denotes the agreements under review and the level of funding requested for the next three (3) years commencing in 2021-22.

Applicant	Project	Funding Amount
Mid West Academy of Sport	Athlete and Coaching High Performance Scholarship Program	2021-22 - \$25,000 2022-23 - \$25,000 2023-24 - \$25,000
Mid West Sports Federation	Greater Geraldton Sporting Achievement Grants, Mid West Sports Awards and Geraldton Cycle Plan Activation	2021-22 - \$10,850 2022-23 - \$12,500 2023-24 - \$15,000
Geraldton Cemetery Board	Capital and Improvement Program	2021-22 - \$30,000 2022-23 - \$30,000 2023-24 - \$30,000
Geraldton Sailors, Soldiers and Airmen Memorial Trust	Birdwood House Preservation	2021-22 - \$ 4,000 2022-23 - \$ 4,000 2023-24 - \$ 4,000

The sponsorship arrangement up for review is with the Mid West Chamber of Commerce & Industry (MWCCI). Over the past two (2) years the City has provided \$20,000 in sponsorship funding per annum.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs for Part A to D RESOLVES to:

Part A:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$12,500 in Year 1 (2021-22) of the plan to the Mid West Academy of Sport, subject to the following conditions:
 - a. Provision and acceptance of the 2020-21 acquittal for the Mid West Academy of Sports Scholarship Program prior to a Grant Agreement being issued for the 2021-22 funding;
 - b. Funding is to be directed to athlete and coaching programs and is not be used for operational costs (i.e. wages, fuel, insurance etc.);
 - c. Council endorsement of the City of Greater Geraldton's Annual Budget 2021-22;
2. ADVISE Mid West Academy of Sport that no further recurrent funding will be provided after 2021-22 financial year;
3. NOTE the City representation on the Mid West Academy of Sport Board of Management will be up for review after the 2021 Ordinary Elections; and
4. NOTE Mid West Academy of Sport can still apply for eligible funding under other programs offered by the City.

Part B:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$5,000 in Year 1 (2021-22) of the plan to the Mid West Sports Federation, subject to the following conditions:
 - a. Provision and acceptance of the 2020-21 acquittal for the Mid West Sports Foundation and Awards prior to a Grant Agreement being issued for the 2021-22 funding;
 - b. Funding is to be directed either to the Greater Geraldton Sporting Achievement Grants, Annual Mid West Sports Awards and Geraldton Cycle Plan Activation and is not be used for operational costs (i.e. wages, fuel, insurance etc.); and
 - c. Council endorsement of the City of Greater Geraldton's Annual Budget 2021-22;
2. ADVISE Mid West Sports Federation that no further recurrent funding will be provided after 2021-22 financial year;
3. NOTE the City representation on the Mid West Sports Federation Inc Board of Management will be up for review after the 2021 Ordinary Elections; and
4. NOTE Mid West Sports Federation can still apply for eligible funding under other programs offered by the City.

Part C:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$30,000 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Geraldton Cemetery Board, subject to the following conditions:
 - a. Provision and acceptance of the 2020-21 acquittal for the Geraldton Cemetery Board Annual Capital Program prior to a Grant Agreement being issued for the 2021-24 funding;
 - b. Funding is to be directed to the capital work improvement program and is not be used for operational costs (i.e. wages, fuel, insurance etc.);
 - c. Council endorsement of the City of Greater Geraldton's Annual Budget which commits the provisional allocation for the relevant year;
 - d. Review and acceptance of the Geraldton Cemetery Board's annual budget and annual acquittal by City officers prior to the applicable years funding being issued. Information is to include evidence demonstrating increased economic impact, financial sustainability and community benefit; and
 - e. Council to review the funding arrangement on a triennial basis.

Part D:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$4,000 per annum for the life of plan to the Geraldton Sailors, Soldiers and Airmen Memorial Trust for the preservation of Birdwood House.

Part E:

1. APPROVE PROVISION in the 2021-22 Budget to subscribe to a one (1) year Diamond Membership with the Mid West Chamber of Commerce & Industry (MWCCI) valued at \$11,500. This membership to be reviewed annually as part of the budget process.

PROPONENT:

The proponent are as follows:

- Mid West Academy of Sport (MWAS)
- Mid West Sports Federation (MWSF)
- Geraldton Cemetery Board
- Geraldton Sailors, Soldiers and Airmen Memorial Trust
- Mid West Chamber of Commerce & Industry (MWCCI)

BACKGROUND:

In assessing further renewal of the Service Agreements that are due for expiry in 2020-21, the following considerations have been applied per Council's Community Funding Program Policy (CP1.8) and the City's current financial position:

- Per the policy, the underlying principle relating to the establishment of Service Agreements is that the local organisation provides a service to the community that the City may be required to provide if they didn't;
- Service Agreements may be provided for up to a three (3) year term, with phased reduction of the funding considered to encourage financial sustainability of the applicant;
- Whole of community impact;
- The majority of community and sporting organisations within the municipality receive no recurrent support funding and are self-sustaining;
- Is Council involvement with the provision of supporting a service guided or required by any other legislative requirement or act; and
- The City is currently in a large operating deficit position due to the impacts of COVID-19 which puts constraints on the level of non-mandatory funding that we can now provide.

Most of these services have been funded in some form or other for a long period of time, with some funding arrangements going back as far as pre amalgamation between the Shire of Greenough (SOG) and City of Geraldton (COG).

The following provides both a background on the Service Agreements under review and in relation to considerations outlined above:

Part A:**Mid West Academy of Sport (MWAS)**

The Mid West Academy of Sport provides an elite home training environment for talented Mid West based athletes and coaches. The funding from the City of Greater Geraldton (CGG) enables them to provide services to athletes such as strength and conditioning, sports psychology, nutritional advice, physiotherapy and general athlete development.

Over the past three (3) financial years the level of funding support provided has been \$25,000 per annum. The Academy is now seeking the same level of funding for the next three (3) years commencing 2021-22. Council first supported MWAS in 2011-12 by providing \$55,000 towards establishment of this organisation. Since then, the City has continually and per annum provided financial support up to this current review period.

The services provided by MWAS would not fall under the mantle of core or mandatory services provided by local government therefore, if MWAS ceased functioning then it would be unlikely that Council would pick up this service.

The current service does not have a whole of community impact or benefit as it focuses on a small and targeted group.

Per budget information provided, CGG funding represents 12% of MWAS annual income.

Part B:

Mid West Sports Federation (MWSF)

Funding provided to MWSF supports the CGG Greater Geraldton Sporting Achievement Grants, annual Mid West Sports Awards and Geraldton Cycle Plan activation. In addition to the funded activities, the Federation also provide ongoing support and advice to the City on sport and recreation issues where required, including the evaluation of CSRFF applications, initiatives related to the Geraldton Cycle Plan and Sports Tourism Plan and the delivery of capacity building development opportunities for the industry.

Over the past three (3) financial years the level of funding support provided has been at \$10,000 per annum. The Federation is now seeking an increase to \$10,850 in Year 1, \$12,500 in Year 2 and \$15,000 in Year 3. Council has been supporting MWSF as far back as pre amalgamation between COG and SOG.

Similar to MWAS, the service provided by MWSF would not fall under the mantle of core or mandatory services provided by local government therefore, if MWSF ceased functioning then it would be unlikely that Council would pick up this service. MWSF does have a wider sporting focus than MWAS and effectively has a greater demographic profile within the community.

Per budget information provided for 2021-22, CGG requested funding of \$10,850 would be applied as follows:

- Mid West Sports Award – total cash budget \$16,350. CGG portion of funding applied \$3,350 or 20% of budget;
- Sporting Achievement Grants – total cash budget \$5,000. CGG portion of funding applied \$5,000 or 100% of budget.
- Geraldton Cycle Plan Activation – total cash budget \$32,500. CGG portion of funding \$2,500 or 8% of total budget.

Both MWAS and MWSF has received significant recurrent financial support from Council for a long period of time while most other sporting and community groups have not and are required to contest for funds under other programs i.e. Community Grants Program. Like previous and recent resolutions of Council, it is proposed to discontinue these Service Agreements in 2022-23 and reduce the level of funding by 50% in 2021-22 to provide a transition period before discontinuance.

Part C:**Geraldton Cemetery Board**

The Geraldton Cemetery is run by a Board appointed by statutory requirement and incorporated under the Cemeteries Act 1986. The Geraldton Cemetery Board is a not-for-profit organisation and reports to the Minister responsible for Local Government.

Past funding going back before pre-amalgamation of COG and SOG has been provided annually by Council for the purpose of capital improvements. Under the Cemeteries Act 1986 vesting management of the cemetery either falls to an established and appointed Board or to the local government. Therefore, if for any reason the appointed Board was dissolved the care, control and management of the cemetery would fall upon the City. The Cemetery Board has requested a further three (3) years of funding at \$30,000 per annum which is the same amount as what they had previously been receiving.

Needless to say, the services provided under the management of the Cemetery Board has a whole of community impact. Financial records indicate that the cemetery operates around a breakeven position, with past years results showing either a small deficit or surplus from ordinary operating activities.

Capital improvements to the facilities at the Geraldton Cemetery over the next three (3) years amount to \$218,805 in total of which it is proposed the City would fund 40%. Planned activities are listed as below:

Year 1 2021-2022

1. Ground staff Work Shed.
2. Memorial Garden Mulberry Tree Landscaping (Mulberry Tree is a sculpture that the Geraldton Cemetery Board has already purchased for placement of remembrance plaques).
3. Ongoing bituminising of internal roadways - Callistemon Way 50 metres.

Year 2 2022-2023

1. Memorial Garden two (2) new pathways.
2. Beautification of Old Lawn Cemetery in laying cement rafts - 55 rafts x 15 metres each.

Year 3 2023-2024

1. Solar Panels on Crematorium Roof, Administration Building and Workshop.
2. Continue the beautification, replace all of the old cement desks in Old Lawn Cemetery - 580 desks.
3. Covered area for Community Workers and Ground staff.
4. Ongoing bituminising of internal roadways - Coolabah Way 180 metres.

In consideration of the whole of community service provided by the Cemetery Board and that essentially this is mandatory service of local government, it is proposed to continue to support the Board's three (3) year capital improvement program as per requested amount of \$30,000 per annum.

Part D:

Geraldton Sailors, Soldiers and Airmen Memorial Trust

The Geraldton Sailors, Soldiers and Airmen Memorial Trust is a body corporate formed under a State Legislative Act in 1929. Under this act the Trust is the proprietor of Birdwood House land and building. The incumbent Mayor of the City of Greater Geraldton is the Chairperson of the trust with the other trustees made up of two representatives from the local RSL and two community representatives elected by the City. The Trustees are responsible for all property and assets held by the Trust which are administered by the City. Effectively, via the Trust the City is the custodian of Birdwood House and is responsible for the management of this asset which is also recognised under the City's asset register.

The City has been providing a small annual contribution to the Trust going back to pre- amalgamation. These funds go into a Trust fund which are used either directly to and/or leverage external funds to finance renewal works on this heritage listed building. Over the years the Trust has successfully acquired significant amounts of external grants to undertake renewal and restoration works. In 2018, Eastman Poletti Sherwood Architects developed a five (5) year plan for maintenance and renewal of Birdwood House to ensure preservation works are financed and undertaken on an annual basis and according to the building's Conservation Plan.

Like any other asset of the City funds are either budgeted for annually or set aside to ensure their level of service are maintained. The process is much the same in relation to the Trust and the management of its assets, with input and financial contribution from the key stakeholder, the RSL. Setting aside \$4,000 per annum represents a small commitment to ensure the preservation of a significant heritage place. Currently, the Trust has around \$31,000 held in a fixed term deposit.

It is proposed to continue to allocate funds annually to support preservation and renewal works for Birdwood House and make provision for this annual allocation in the City's Long Term Financial Plan (LTFP) 2021-22 to 2030-31.

Note:

In addition to the current applications, there is one (1) other current Service Agreement in place, with the Community Group of Greenough, due to expire after 2021-22 for \$12,000 per annum.

Part E:**Mid West Chamber of Commerce & Industry (MWCCI)**

Over the last two (2) years the City has supported or sponsored MWCCI (supporting information attached) in the amount of \$20,000 per annum. Going back further the support had been as high as \$30,000 per annum.

At the moment the annual membership for government agencies is \$705 per annum. Also offered are Diamond (\$11,500 – see Prospectus in Attachment No. CCS598E) or Platinum (\$7,500) level sponsorship. While the City understands it is important to support our business community, we currently find ourselves in a large operating deficit position due to the impacts of COVID-19 that has put constraints on the level of support we can now provide compared to previously.

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

The City's role is 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 Council Policy 1.8 Community Funding Programs, version 2.

Environment:

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

Economy:

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

Governance:

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

Per the City of Greater Geraldton Committee Book – November 2019 to October 2021, the City currently has the following representation:

5.6 Mid West Academy of Sport Board of Management

Cr Natasha Colliver (appointment - Ex-Officio Member)

Proxy is not admissible under the Rules of the Association

5.7 Mid West Sports Federation Inc Board of Management

Cr Jerry Clune

Cr Natasha Colliver (Proxy)

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Previous Council resolutions Item IS136 & Item IS137 (28 February 2017) respectively endorsed the phasing out and discontinuance of recurrent financial support to the Geraldton Tennis Club and Geraldton Surf Life Saving Club.

Council also made the decision as part of the budget adoption 2020-21 (Item CCS513, 23 June 2020) to discontinue recurrent financial support to the Geraldton Regional Cricket Board.

COMMUNITY/COUNCILLOR CONSULTATION:

The Community Grants Committee Meeting was held on 23 March 2021 to consider applications received under the Community Grants Program. In addition, they also considered the applications received to renew three (3) of the existing service agreements. The Committee recommendations supported continuation of these agreements for a further period at the following level of funding:

1. *APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$25,000 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Geraldton Cemetery Board.*
2. *APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$25,000 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Mid West Academy of Sports.*
3. *APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$10,500 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Mid West Sports Foundation.*

Mid West Academy of Sport presented to Council at the Concept Forum on 6 April 2021.

LEGISLATIVE/POLICY IMPLICATIONS:

Service Agreements are awarded in line with Council Policy 1.8 section 2.

FINANCIAL AND RESOURCE IMPLICATIONS:

Budget allocations for the various funding programs are determined as part of the annual budget process.

INTEGRATED PLANNING LINKS:

Title: Community	1.5 Recognise, value and support everyone
Strategy 1.5.1	Supporting and strengthening community groups, organisations and volunteer services.
Strategy 1.5.2	Supporting young people to develop the skills to make valuable contributions to their communities.

Strategy 1.5.3	Providing community services and programs that support people of all ages, abilities and backgrounds.
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REGIONAL OUTCOMES:

Funding programs are provided to support organisations to facilitate regional outcomes. The Geraldton Cemetery has a whole of community and regional profile.

RISK MANAGEMENT:

The Community Funding Programs Policy provides clarity on the distribution of funding by the City to the community.

ALTERNATIVE OPTIONS CONSIDERED:

The following options were considered by City Officers.

Part A:**Alternative Option One**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$20,000 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Mid West Academy of Sport, subject to the following conditions:
 - a. Provision and acceptance of the 2020-21 acquittal for the Mid West Academy of Sport Scholarship Program prior to a Grant Agreement being issued for the 2021-24 funding;
 - b. Funding is to be directed to athlete and coaching programs and is not be used for operational costs (i.e. wages, fuel, insurance etc.);
 - c. Council endorsement of the City of Greater Geraldton's Annual Budget which commits the provisional allocation for the relevant year; and
 - d. Review and acceptance of the Mid West Academy of Sport annual budget and annual acquittal by City officers prior to the applicable years funding being issued. Information is to include evidence demonstrating increased economic impact, financial sustainability and community benefit; and
2. NOTE the City representation on the Mid West Academy of Sport Board of Management will be up for review after the 2021 Ordinary Elections.

Alternative Option Two

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. ADVISE Mid West Academy of Sport that recurrent funding will cease as at the end of the 2020-21 financial year; and
2. NOTE the City representation on the Mid West Academy of Sport Board of Management will be up for review after the 2021 Ordinary Elections.

Part B:**Alternative Option One**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. APPROVE PROVISION in the 2021-22 to 2030-31 Long Term Financial Plan to conditionally allocate \$10,850 in Year 1 (2021-22), Year 2 (2022-23) and Year 3 (2023-24) of the plan to the Mid West Sports Federation, subject to the following conditions:
 - a. Provision and acceptance of the 2020-21 acquittal for the Mid West Sports Foundation and Awards prior to a Grant Agreement being issued for the 2021-24 funding;
 - b. Funding is to be directed to the Greater Geraldton Sporting Achievement Grants, Annual Mid West Sports Awards and Geraldton Cycle Plan Activation and is not be used for operational costs (i.e. wages, fuel, insurance etc.);
 - c. Council endorsement of the City of Greater Geraldton's Annual Budget which commits the provisional allocation for the relevant year;
 - d. Review and acceptance of the Mid West Sports Federation annual budget and annual acquittal by City officers prior to the applicable years funding being issued. Information is to include evidence demonstrating increased economic impact, financial sustainability and community benefit; and
 - e. Applicant is to actively collaborate with the City in planning of sporting projects including, but not limited to, evaluation of CSRFF applications and ranking of sporting infrastructure projects; and
2. NOTE the City representation on the Mid West Sports Federation Inc Board of Management will be up for review after the 2021 Ordinary Elections.

Alternative Option Two

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. ADVISE Mid West Sports Federation that their recurrent funding will cease as at the end of the 2020-21 financial year; and
2. NOTE the City representation on the Mid West Sports Federation Inc Board of Management will be up for review after the 2021 Ordinary Elections.

Part C:**Alternative Option**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. ADVISE Geraldton Cemetery Board that their recurrent funding will cease as at the end of the 2020-21 financial year.

Part D:**Alternative Option**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and according to Council Policy 1.8 – Community Funding Programs RESOLVES to:

1. ADVISE Geraldton Sailors, Soldiers and Airmen Memorial Trust that their recurrent funding will cease as at the end of the 2020-21 financial year.

Part E:**Alternative Option**

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

1. ADVISE Mid West Chamber of Commerce & Industry (MWCCI) that the City will cease sponsorship of their organisation as at the end of the 2020-21 financial year.

CCS599 STATEMENT OF FINANCIAL ACTIVITY TO 30 APRIL 2021

AGENDA REFERENCE:	D-21-046198
AUTHOR:	N Jane, A/Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	7 May 2021
FILE REFERENCE:	FM/17/0004
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 30 April 2021

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 30 April 2021.

There are no matters of variance considered to be of concern for the current budgeted end of year position. Presented to this meeting is a separate item for consideration of the Quarter Three Budget Assessment which outlines proposed budget amendments – Item CCS597.

There are a number of capital projects budgeted to allow them to be commenced, however it is known these will not be completed before the end of financial year. These projects are listed in the attached report – Attachment No. CCS599.

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 1 July 2020 to 30 April 2021, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of April 2021 is detailed in the attached report and summarised as follows. The variances are between Year-To-Date (YTD) budgeted forecasts and actuals (including commitments).

Operating Income	\$	82,054	0.1%	over YTD Budget	☑
Operating Expenditure	\$	580,752	0.9%	under YTD Budget	☑
Net Operating Position	\$	662,807	24.1%	over YTD Budget Surplus	☑
(note: 20-21 EOY Budgeted deficit forecast to be \$5.54m)					
Capital Expenditure	\$	96,001	0.4%	under YTD Budget	☑
Capital Revenue	\$	28,837	0.6%	over YTD Budget	☑

Cash at Bank – Municipal	\$	26,755,247
Cash at Bank – Reserve	\$	23,008,955
 Total Funds Invested	 \$	 49,593,148
 Current Rates Collected		 93.68%
Current Rates Collected to April 2020		93.44%
 Rates Arrears Collected		 47.01%
Rates Arrears Collected to April 2020		49.08%

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 April financials show a YTD positive variance of \$662,807 in the net operating surplus/(deficit) 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 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:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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.

12.3 REPORTS OF INFRASTRUCTURE SERVICES**IS234 COUNCIL POLICY 3.1 CLIMATE CHANGE**

AGENDA REFERENCE:	D-21-043544
AUTHOR:	M Dufour, Manager Engineering Services
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	03/05/2021
FILE REFERENCE:	GO/14/0008
ATTACHMENTS:	Yes (x2)
	A. Draft Council Policy 3.1 Climate Change (v3)
	B. Comparison Table Council Policy 3.1 Climate Change (v3)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 3.1 Climate Change, 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 3.1, Climate Change, version 3.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 3.1 Climate Change was first approved by Council on 23 March 2012 (Item SC041 Final Adoption of Climate Change Policy) as Council Policy CP029. The objective of this policy is to outline the City of Greater Geraldton's commitment to addressing climate change through acknowledging causes and understanding the impacts in a local, regional and international context; reducing green-house emissions through sustainable decision-making and actions; and developing appropriate adaptation strategies.

Several key initiatives undertaken over the past five years include: prioritising renewable energy through the installation of solar panels on City buildings to reduce the City's CO₂ footprint; the development and endorsement of the Geraldton Coastal Hazard Risk Management and Adaptation Plan in 2018, which provides long-term adaptation pathways in response to climate change.

City Officers have reviewed the policy and suggest updates to the climate change action priorities. In particular, it highlights the need for pathway to work towards a zero-carbon community. Councillor feedback has also been incorporated into the updated policy.

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

The Policy promotes developing individuals, communities and businesses to understand and adapt to the impacts of climate change.

Environment:

The Policy is designed to drive a positive outcome for the environment through reducing the City's greenhouse gas emissions. It forms the basis for the development of the City strategies and plans to address climate change including: Climate Change Adaptation Action Plan; Coastal Hazard Risk Management and Adaptation Plan.

Economy:

The Policy seeks to encourage and support community and businesses in the transition towards sustainable lifestyles that reduce greenhouse impact.

Governance:

The Policy promotes the development of strategies and plans that set targets and identify actions on how to minimise the impacts of climate change.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council Policy 3.1 Climate Change version 2 was approved by Council on 24 January 2017 – Item CCS231 City of Greater Geraldton Council Policy Manual.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via a Briefing Note on 2 February 2021. The Policy Statement and Section 3 of the Policy has been updated to reflect Councillor feedback.

LEGISLATIVE/POLICY IMPLICATIONS:

This Policy assists to fulfil the City's obligation to section 1.3 of the *Local Government Act 1995*:

In carrying out its functions a Local Government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no direct financial or resource implications associated with adopting the Policy. The Policy will inform prudent financial decision-making to accommodate the long-term impacts of climate change.

INTEGRATED PLANNING LINKS:

Title: Community	1.4 Emergency Management
Strategy 1.4.1	Building resilience and capacity to manage natural and man-made emergency events.
Title: Environment	2.1 Revegetation-Rehabilitation-Preservation
Strategy 2.1.3	Ensuring natural areas and habitats are cared for and enhanced for the enjoyment of current and future generations.
Title: Environment	2.3 Built Environment
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Title: Governance	4.4 Financial Sustainability and Performance.
Strategy 4.4.2	Ensuring the City's long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner.
Title: Governance	4.5 Good Governance and Leadership
Strategy 4.5.3	Providing leadership for the community in sustainability issues and Local Government reform matters.

REGIONAL OUTCOMES:

The Policy advocates cooperative regional climate change management across the political and operational areas under the City's jurisdiction.

RISK MANAGEMENT:

Adopting Council Policy 3.1 Climate Change, will ensure that the City maintains a contemporary position to addressing the impacts of climate change. By not adopting this policy, the City may not be able to demonstrate its obligation to section 1.3 of the *Local Government Act 1995*.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

IS235 BUSHFIRE RISK MANAGEMENT PLAN

AGENDA REFERENCE:	D-21-045574
AUTHOR:	W Ellis, Coordinator Emergency Management
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	4 May 2021
FILE REFERENCE:	GO/6/0012-007
ATTACHMENTS:	Yes (x2)
	A. Draft Bushfire Risk Management Plan 2021 to 2026
	B. Office of Bushfire Management - Letter of Endorsement

EXECUTIVE SUMMARY:

The Bushfire Risk Management Planning Program is a state-wide program led by the Department of Fire and Emergency Services (DFES) to support local governments to develop and implement an integrated bushfire risk management planning framework in Western Australia for their administrative area. This DFES program is guided by the State Emergency Management Committee (SEMC) who manage the requirements of the *Emergency Management Act 2005*.

In 2019 the City of Greater Geraldton (the City) commenced development of a draft Bushfire Risk Management (BRM) Plan (Attachment No. IS235A). The aim of the BRM Plan is to document a coordinated and efficient approach towards the identification, assessment and treatment of assets exposed to bushfire risk within the City of Greater Geraldton.

The draft City BRM Plan was submitted to the Office of Bushfire Risk Management (OBRM) in December 2020 for review and feedback. The draft BRM Plan was updated and resubmitted to OBRM in April 2021. The draft BRM Plan was endorsed by the OBRM on 20 April 2021. The purpose of this item is to seek formal Council approval of the draft BRM Plan.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE and ADOPT the City of Greater Geraldton Bushfire Risk Management Plan.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Bushfire Risk Management Planning Program is a state-wide program led by the Department of Fire and Emergency Services (DFES) to support local governments to develop and implement an integrated bushfire risk management planning framework in Western Australia for their administrative

area. This DFES program is guided by the State Emergency Management Committee who manage the requirements of the Emergency Management Act 2005.

This Program was initiated in 2013 to address recommendations made by “A Shared Responsibility: The Report of the Perth Hills Bushfire February 2011 Review” (the Keelty Report).

The program:

- Supports government agencies and local governments to fulfil their responsibilities under the State Hazard Plan (Fire) and State Emergency Management Plan 2.9 Management of Emergency Risks, by developing a bushfire risk management plan for Local Government areas with significant bush fire risk.
- Aims to reduce bushfire risks across Local Government areas by identifying assets at risk and assigning treatment options that are best suited to the local community and environment.

The OBRM is part of DFES and provides Bushfire Risk Management Planning guidelines to assist government agencies and local governments develop Bushfire Risk Management Plans that are consistent across Western Australia. The development of a Bushfire Risk Management (BRM) Plan is not mandatory for Local Governments – but has been a recommendation of the State Emergency Management Committee since May 2016.

At the end of 2017, The Western Australian Government established Bushfire Mitigation Activity Fund (MAF), to fund the undertaking of treatments identified as ‘Extreme’, ‘Very High’ and ‘High’ bushfire risks, by the BRM planning framework. The MAF funding is only available to Councils that have an OBRM endorsed BRM plan. In late 2018, the Bushfire Risk Management Planning Program was expanded to allow all Local Governments that had an OBRM endorsed BRM Plan to access Mitigation Action Funding (MAF).

In 2019, the City commenced the development of its BRM Plan in line with the Bushfire Risk Management Planning guidelines. The aim of the City’s BRM Plan is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the City of Greater Geraldton. The objectives of the BRM Plan are to:

- Guide and coordinate all tenure, multi-agency bushfire risk management program over a five-year period.
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk.
- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities.
- Integrate bushfire risk management into the business processes of Local Government, landowners and other agencies.
- Ensure there is integration between landowners and bushfire risk management programs and activities.

- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level.

A key part of the BRM Plan is the identification of assets and calculation of bushfire risk utilising the DFES specialist software Bushfire Risk Management System (BRMS). This software allows assets to be mapped in a Geographical Information System (GIS) and then completes an individual risk assessment based on the data entered. Assets can be grouped with adjoining assets of the same category and with the same risk, to simplify the assessment process.

The timeframe for completion of a comprehensive BRM Plan is usually 18-24 months. The City completed a draft of its BRM plan on 4 December 2020 and submitted to OBRM for review.

The City received feedback from OBRM on 12 March 2021 outlining areas that required further work. The City prepared and submitted an updated draft BRM plan to OBRM on 3 April 2021 for review and endorsement. The draft BRM Plan was endorsed by OBRM on 20 April 2021 (Attachment No. IS235B). The endorsed BRM Plan has to be presented to Council for approval.

Once approved by Council, the City can apply for MAF funding, as one of the Local Governments that is listed in the State Emergency Management Plan section 2.9, schedule 3 as a 'High Risk' category.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The BRM Plan identifies community assets owned or vested in the City that require bushfire risk mitigation treatments. Treatments will be identified and implemented on a priority basis. Implementation of these mitigation treatments will contribute to community safety by prioritising assets that require treatment close to residential areas.

Private community assets such as homes in residential areas that have risk classifications of 'Severe', 'Very High' and 'High' in the BRM Plan, will require a treatment strategy by the asset owner. With MAF funding limited to Local Governments, the City's role will be asset owner preparedness. This will involve informing asset owners that fall in the risk classifications outlined above.

Environment:

The BRM Plan identifies coastal and natural areas at risk from bushfire. The BRM Plan identifies environmental assets owned or vested in the City that require bushfire risk mitigation treatments. Treatments will be identified and implemented on a priority basis. Implementation of these mitigation treatments will:

- Allow the City to protect Threatened Ecological Communities (TEC) and threatened fauna and flora – protected under Federal and State legislation; and
- Contribute to community safety by prioritising environments that require treatment close to residential areas (e.g. Chapman River Regional Park).

Mitigation treatments will be developed with the City's Coastal and Natural Environment Team to ensure positive environmental outcomes are achieved and maintained.

Private environmental assets such as nature reserves under the control of Department of Biodiversity, Conservation and Attractions (DBCA) that have risk classifications of Severe, Very High and High in the BRM Plan, will require a treatment strategy by the asset owner. With MAF funding limited to Local Governments, the City's role will be asset owner preparedness. This will involve informing asset owners that fall in the risk classifications outlined above

Economy:

The BRM Plan identifies economic assets owned or vested in the City that require bushfire risk mitigation treatments. Treatments will be identified and implemented on a priority basis.

Private economic assets such as telecommunication towers, rail infrastructure, agricultural crops that have risk classifications of 'Severe', 'Very High' and 'High' in the BRM Plan will require a treatment strategy by the asset owner. With MAF funding limited to Local Governments, the City's role will be asset owner preparedness. This will involve informing asset owners that fall in the risk classifications outlined above

Governance:

The adoption of the City's BRM Plan will require the City to:

- Develop and document bushfire mitigation treatment schedules in the BRM Plan and provide written notification to OBRM.
- Submit on an annual basis a report to OBRM detailing progress against the BRM Plan.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

Liaison with DFES was undertaken during the development of the City's BRM Plan to review, provide feedback and seek clarifications:

- Matt Dadd – Bushfire Risk Management Officer – DFES
- Alix Marston - Bushfire Risk Development Coordinator – DFES
- Vicky Chuter - Bushfire Risk Development Coordinator – DFES
- Kieran Mussen – District Office Coastal North – DFES

Assisted City Officers with the development of the BRM Plan within the bushfire risk context:

- Petina Blackwell - Policy Officer – OBRM

Liaison with a key Government agency regarding fire management and clarification of tenures for environmental assets:

- Brodie Selby - A/Geraldton Fire Coordinator – DBCA

Consultation on critical economic assets:

- Michael Link – Owner - ML Communications
- Phil Hart - Supervisor Services Narngulu – ARC Infrastructure
- Andrew Snell – Operations Manager – Water Corporation

Consultation on critical environmental assets:

- Erin O'Connor – Environmental Planning Officer – the City
- Megan O'Grady - Environmental Planning Officer – the City
- Karrie Elder - Coordinator Strategic Planning – the City

Liaison with Bushfire Brigades:

- Neil Johnstone – Captain Moonyoonooka BFB/ DCBFCO
- Daniel Critch - Captain Tenindewa BFB/ DCBFCO

LEGISLATIVE/POLICY IMPLICATIONS:

The BRM Plan fulfils the obligations to complete a plan recommended by SEMC under the *Emergency Management Act 2005*.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no direct financial and resource implications, by Council approving the City's BRM Plan. However, each year the City carries out mitigation works on assets that are owned or vested in the City. The cost of this mitigation over the past five years is approximately \$160,000 per annum.

Approving the City's BRM Plan, will allow the City to apply for MAF funding for mitigation works. MAF funding can provide a 50% contribution towards the implementation of an initial bushfire risk mitigation treatment. This will assist in reducing the annual cost to the City to undertake bushfire mitigation works.

INTEGRATED PLANNING LINKS:

Title: Community	1.4 Emergency Management
Strategy 1.4.1	Building resilience and capacity to manage natural and man-made emergency events.
Strategy 1.4.2	Undertaking a coordinated approach with relevant agencies to minimise the impact of disaster events.
Title: Environment	2.1 Revegetation-Rehabilitation-Preservation
Strategy 2.1.2	Sustainably maintaining public open spaces and recreation areas.

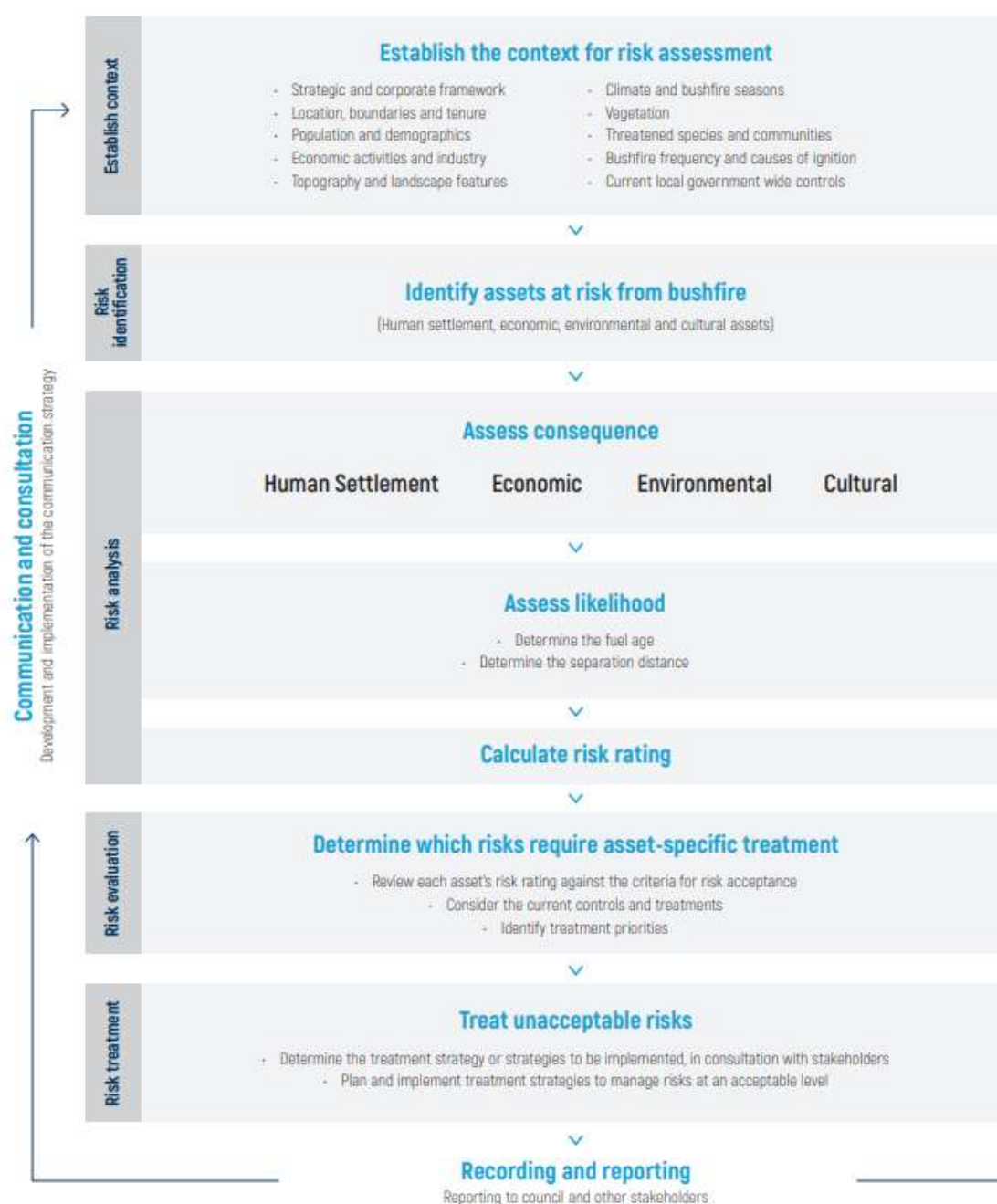
REGIONAL OUTCOMES:

The City of Greater Geraldton's BRM Plan covers assets across the whole of the City's administrative area. This includes mobile phone towers, railways, power stations and substations, windfarms, bridges, radio and internet communications that provide utilities and services across the region.

RISK MANAGEMENT:

Bushfire risk is a significant risk to the City of Greater Geraldton. The City's BRM Plan is specifically designed to identify and assess these risks, and to develop and implement mitigation plans to reduce risk profiles. The risk management planning process during the development of the City's BRM plan is illustrated in the following diagram.

The Bushfire Risk Management Planning Process



ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Not approving the City's BRM Plan will mean that the City will not have a documented risk mitigation plan for bushfires. Therefore, the City would not be eligible to access funding for bushfire mitigation works. This option is not recommended. The recommended option is as per the Officers recommendation.

12.4 REPORTS OF OFFICE THE CEO

Nil.

12.5 REPORTS TO BE RECEIVED

RR25 REPORTS TO BE RECEIVED - MAY	
AGENDA REFERENCE:	D-21-048393
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	13 May 2021
FILE REFERENCE:	GO/6/0012-007
ATTACHMENTS:	Yes (x3) 1 x Confidential
	A. DCSDD170 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. CCS600 - 2020-21 Corporate Business Plan - Quarter Three Reporting
	C. Confidential - CCS601 – List of Accounts Paid Under Delegation April 2021

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 and Community Services:
 - i. DCSDD170 - Delegated Determinations and Subdivision Applications for Planning Approval; and
 - b. Reports – Corporate and Commercial Services:
 - i. CCS600 - 2020-21 Corporate Business Plan - Quarter Three Reporting.

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 and Commercial Services:
 - i. CCS601 – Confidential Report – List of Accounts Paid Under Delegation April 2021.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

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

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

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NM19	CYCLONE SEROJA - LORD MAYOR'S DISTRESS RELIEF APPEAL
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AGENDA REFERENCE:	D-21-046455
AUTHOR:	Cr K Parker
DATE OF REPORT:	8 May 2021
FILE REFERENCE:	GO/6/0008
APPLICANT / PROPONENT:	Council
ATTACHMENTS:	No

COUNCILLOR COMMENT

Local communities in the Mid West have been severely impacted by Cyclone Seroja. The disaster has resulted in damage to housing, sheds, fences and local businesses. At the time of writing this report, approximately 1,000 residents were still without power.

The Mayor, Councillors and Officers' deepest sympathies go to family members and friends who have suffered damage through this event. Sympathy and support is also extended to our neighbouring local governments in the impacted areas. The City of Greater Geraldton would like to thank the Emergency Services, Public Utility Providers and volunteers who are working tirelessly in the affected areas.

In these difficult times, it is great to see Geraldton individuals and businesses doing what they can to raise funds for those impacted. The City is very thankful and supportive of these efforts.

By providing this assistance, Geraldton will be demonstrating that it is a good neighbour to the Mid West councils.

COUNCILLOR MOTION:

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

1. APPROVE and AUTHORISE a new budget expenditure allocation of \$10,000 for a donation to the Lord Mayor's Distress Relief Appeal for Cyclone Seroja.

EXECUTIVE COMMENT

On 29 March 2021, the Bureau of Meteorology began to mention that Tropical Low 22U was developing to the south of Timor. The tropical low intensified to a Category 1 tropical cyclone, and was given the name 'Seroja' by the Tropical Cyclone Warning Centre Jakarta on 4 April. Tropical Cyclone Odette and Tropical Cyclone Seroja engaged in a Fujiwhara interaction while intensifying between 7–9 April.

By 11 April, Seroja had intensified into a Category 3 severe tropical cyclone. Seroja continued rapidly accelerating to the southeast at 53 km/h before making landfall to the north of Geraldton with sustained winds of 130 km/h, and a minimum central pressure of 971 hPa. Following landfall, Seroja moved to the southeast, while gradually weakening. Early on 12 April, Seroja's extratropical remnant entered the Great Australian Bight.

The Lord Mayor's Distress Relief Fund has now been activated to support those affected by Tropical Cyclone Seroja. The Lord Mayor's Distress Relief Fund (LMDRF) is Western Australia's official State emergency fund. Financial assistance from the Lord Mayor's Distress Relief Fund supplements insurance cover, and people requesting relief funding should first claim from their insurance company and establish how much of the loss or damage incurred will be covered. Households who have lost property will be eligible to apply for assistance. Criteria and categories will be developed in consultation with the affected local government authorities and the State Recovery Coordinator.

The Board is meeting next week to review the advice received from the affected Local Governments and Local Recovery Committees. It is important to acknowledge in some areas damage assessments haven't been completed and impact assessments are still pending.

The Mayor has donated \$5,000 to BlazeAid who are now based at Yuna and helping the rural community.

Alternatives options available to Council include:

1. Not endorsing a donation.
2. Donating a different amount.
3. Donating to a different charity.
4. Allowing Officers to assist BlazeAid rebuild farmer fences in paid time up to two days to a total of \$10,000.

With respect to the third option, alternative charities would include BlazeAid and the Mullewa Community Trust.

- 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.

CCS602 RFT 2021 19 SUPPLY, SUPPLY & LAY BITUMINOUS ASPHALT
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AGENDA REFERENCE:	D-21-046107
AUTHOR:	C Bryant, Coordinator Procurement
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	4 May 2021
FILE REFERENCE:	FM/25/0221
ATTACHMENTS:	Yes (x1) 1 x Confidential Confidential - Evaluation Report RFT 2021 19 Supply, Supply & Lay Bituminous Asphalt

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2021 19 Supply, Supply & Lay Bituminous Asphalt separable portions to the preferred tenderer.

The contract is to run for a period of two (2) years to complete budgeted bituminous asphalt renewals and repair works. The initial contract will be in place from 1 August 2021 to 31 July 2023 with the option for a one (1) 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 contract RFT 2021 19 Supply, Supply & Lay Bituminous Asphalt separable portions 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:

Tender RFT 2021 19 Supply, Supply & Lay Bituminous Asphalt (RFT) was advertised in The West Australian on 20 February 2021 and in the Geraldton Guardian on 19 February 2021. The tender was also advertised on the City's TenderLink e-Tendering Portal. The RFT was closed on 23 March 2021.

Three (3) suppliers registered to receive copies of the tender and three (3) submissions were received. The tender assessment was undertaken by a panel of six (6) Officers with three (3) voting and three (3) non-voting. The recommended tenderer has an operation based locally.

The RFT has a two (2) year duration commencing from the date of award and has a one (1) year extension option at the absolute discretion of the City. The City has adopted a two (2) year supply contract period for a variety of goods and services used in the maintenance and renewal programs.

There has previously been a two (2) year contract for Supply & Lay of Bituminous Asphalt that did not have separable portions, but did include a supply only of emulsion and asphalt to council trucks price schedule. This RFT has included two (2) separable portions – Portion A (supply and lay of bituminous asphalt) and Portion B (supply only of emulsion and bituminous asphalt to City trucks). The rationale behind separable portions for this tender was that more suppliers may respond if supply and lay was a separable portion.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Well maintained roads, carparks, and shared pathways reduces the likelihood of accidents or injury caused to members of the public and property.

Environment:

All proposed asphalt works will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual maintenance programs.

Economy:

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

A two (2) year supply contract also allows Maintenance Operations and Project Delivery teams to carry out asphalt maintenance and repair works from proven suppliers with planned 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 Council has previously awarded a two year and six month supply contract, RFT 14 1617 - Supply and Lay of Bituminous Asphalt on 24 January 2017 –Item IS134. The initial contract was in place from 1 February 2017 to 31 July 2019, with a one (1) year extension approved until 31 July 2020, then a further one (1) year extension approved due to COVID-19 until 31 July 2021.

COMMUNITY/COUNCILLOR CONSULTATION:

Community and Councillor consultation does not occur with the award of the two (2) 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:

Historically, the value of Supply, Supply & Lay Bituminous Asphalt was approximately \$2,000,000 plus GST per annum – therefore the initial total estimated contract price was approximately \$6,000,000 plus GST over a three (3) year period, including extension options. The City used this figure in the procurement plan for forecasting potential budgets.

The final total estimated contract price, based on the 2021-22 forecast for these services is \$9,644,571 plus GST over a three (3) year period. This increase in forecast expenditure is reflective of proposed increases to road renewal programs over the next few years of between 25% and 50% as the City transitions back to pre COVID-19 renewal program expenditure levels.

INTEGRATED PLANNING LINKS:

Title: Environment	2.3 Built Environment
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Strategy 2.3.2	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.
Title: Environment	2.4 Asset Management
Strategy 2.4.1	Applying financial sustainability principals to ensure a coordinated and integrated approach to infrastructure planning, implementation, maintenance and renewal.

Title: Economy	3.1 Growth
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.

REGIONAL OUTCOMES:

To facilitate well maintained roads, carparks, and shared pathways throughout the City of Greater Geraldton which enhances the comfort and safety of the community.

RISK MANAGEMENT:

The works carried out under this contract will allow the roads, carparks, and shared pathways throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to members of the public and property. In addition the successful tenderer as detailed above 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 bituminous asphalt works. 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 are no available local suppliers on the WALGA Preferred Suppliers Panel. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.
3. Call for tenders for supply, supply & lay bituminous asphalt and not have separable portions. This option is not supported and was discounted due to the wish to test the market to see if more suppliers would respond if supply and lay bituminous asphalt was one separable portion, and supply only of emulsion and asphalt to City trucks was another separable portion.

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/>