



ORDINARY MEETING OF COUNCIL
MINUTES

28 SEPTEMBER 2021

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 28 SEPTEMBER 2021 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

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

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Mayor S Van Styn
Cr D J Caudwell
Cr J Clune
Cr N Colliver
Cr S Douglas
Cr S Elphick
Cr P Fiorenza
Cr S Keemink
Cr K Parker
Cr V Tanti
Cr T Thomas

Officers:

R McKim, Chief Executive Officer
P Melling, Director of Development & Community Services
P Radalj, Director of Corporate and Commercial Services
C Lee, Director of Infrastructure Services
N Jane, A/Chief Financial Officer
S Moulds, PA to the Chief Executive Officer
L Pegler, Executive Support Secretary
M Dufour, Manager Engineering Services
K Smith, Manager Maintenance Operations
E Smith, A/Manager Sport and Leisure
P Neethling, Coordinator Emergency Management
W Ellis, Coordinator Emergency Management
D Melling, Systems Administrator

Others:

Members of Public: 4
Members of Press: 1

Apologies:

Nil

Leave of Absence:

Cr J Critch
Cr R D Hall

4 DISCLOSURE OF INTERESTS

CEO R McKim declared a Financial Direct interest in CCS638 CEO Request for the Renewal of Contract as the request is to renew his employment contract.

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.

Public question commenced at 5pm

Beth Brady, Gregory Street, BeachlandsQuestion

Last month the Australian Christian Lobby held an event in the QPT. When I attended the event Peter Abetz, the Deputy Mayor of Gosnells Council and the leader of the ACL in WA, advised me I was refused entry because I raised questions about the event at the previous council meeting and the Mayor had to 'shut me down'. When I advised him he was discriminating he eventually gave me a ticket stating it was a VIP ticket. I sat in the VIP seating for 30 minutes when two security guards and a woman approached me and told me I had to leave as I didn't have a valid ticket. Was this Council aware of this incident and do you think it is acceptable for this to happen?

Response

The event at Queens Park Theatre that you mentioned was a private hire of the venue and the hirer (as is standard) set their own entry requirements.

What is the City's duty of care to patrons at the venue?

Response

The venue was hired out in its entirety to the hirer. The City's duty of care is to ensure the hirer has all the required processes in place whilst using the facility.

Summary of verbal supplementary question without notice from Beth Brady

Do you think it is acceptable that I was thrown out of an event that I was initially given access to with VIP seating?

Response

You are referring to an external decision made by a private hirer to exclude you from their own event.

Summary of verbal supplementary question without notice from Beth Brady

Did the City provide any staff and security for the event, or were these a private hire by ACL?

Response

The event security was provided by ACL. The City did have security staff external to the building as per standard operating procedure.

Summary of verbal supplementary question without notice from Beth Brady

Did you have any other staff in the facility?

Response

Phil Melling advised he was in attendance, as well several staff members primarily to ensure that our asset/venue was being protected.

Public question time concluded at 5.04pm

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr J Critch	19 September 2021	2 October 2021	24/8/2021
Cr RD Hall	23 September 2021	13 October 2021	24/8/2021

**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 2.25 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Leave of Absence for:
 - a. Cr P Fiorenza for the period 3 October to 6 October 2021;
 - b. Cr S Keemink for the period 5 October to 5 October 2021; and
 - c. Cr T Thomas for the period 1 November 2021 to 31 December 2021.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR KEEMINK

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

1. APPROVE Leave of Absence for:
 - a. Cr P Fiorenza for the period 3 October to 6 October 2021;
 - b. Cr S Keemink for the period 5 October to 5 October 2021; and
 - c. Cr T Thomas for the period 1 November 2021 to 31 December 2021.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

8 PETITIONS, DEPUTATIONS

8.1 PRESENTATION OF AWARD TO MAYOR

Cr T Thomas attended the WALGA AGM in Perth on 20 September 2021 and accepted an award, on behalf of the City of Greater Geraldton, from Most Accessible Community Awards WA. The City was a joint winner in the Category of Leadership, in recognition of outstanding service to the community by a Local Government.

This is a great achievement for the City and Cr Thomas recognised Phil Melling, Director of Development and Community Services; Fiona Norling, Manager Community and Cultural Development; and Peter Treharne, Coordinator Community Development and team, for their work in this area.

Cr T Thomas presented the Award to Mayor S Van Styn.

This award also included a cheque for a disability advocate service, which the City determined would be donated to the Holland Street School, Geraldton.

9 CONFIRMATION OF MINUTES

COUNCIL DECISION

MOVED CR THOMAS, SECONDED CR COLLIVER

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 August 2021, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

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

DATE	FUNCTION	REPRESENTATIVE
25 August 2021	Triple M Radio Interview – Outcomes of Council	Mayor Shane Van Styn
25 August 2021	Rio Tinto CineOz – Opening & Screening of Drovers Wife - Busselton	Mayor Shane Van Styn
26 August 2021	Council Chambers – Busselton	Mayor Shane Van Styn
26 August 2021	Outback Bloom – Mullewa Wildflower Festival	Cr Jennifer Critch
26 August 2021	Randolph Stow Young Writers Awards	Cr Natasha Colliver
29 August 2021	Radio Mama Interview	Mayor Shane Van Styn
29 August 2021	Centenary Thanksgiving Celebration Service and Lunch – Saint Andrew's Anglican Church - Mullewa	Cr Jennifer Critch
30 August 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
30 August 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
30 August 2021	Infrastructure WA Conference - Draft State Infrastructure Strategy	Mayor Shane Van Styn
30 August 2021	Infrastructure WA Meeting with City of Greater Geraldton – Matters in Common	Mayor Shane Van Styn
30 August 2021	Triple M Radio Interview – TC Seroja and Building Fees	Mayor Shane Van Styn
2 September 2021	Briefing on Concept Forum Item - Business System Replacement (ERP) Tango IT	Mayor Shane Van Styn
2 September 2021	Walkaway Station Museum	Mayor Shane Van Styn
2 September 2021	Department of Planning, Lands and Heritage - Planning Reform Consultation: Geraldton Visit	Mayor Shane Van Styn
3 September 2021	Olive Street Reserve - Off Lead Dog Exercise Area - Photo for Media Release	Mayor Shane Van Styn
3 September 2021	SHINE Sponsors Day	Cr Robert Hall
3 September 2021	Triple M Radio Interview - Accommodation in Geraldton	Mayor Shane Van Styn
3 September 2021	Meeting with Hon Reece Whitby MLA, Minister for Emergency Services; Racing and Gaming; Small Business; Volunteering	Mayor Shane Van Styn
3 September 2021	Taroola Tennis Club Charity Day – Mayoral Support Programme Funding	Mayor Shane Van Styn
6 September 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
6 September 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
7 September 2021	Regional Capitals Australia (RCA) - Delegation Meeting with Minister McKenzie - videoconference	Mayor Shane Van Styn
7 September 2021	Hon John Carey MLA Minister for Housing - Spalding Announcement	Mayor Shane Van Styn
7 September 2021	Mid West Development Commission (MWDC) Meeting - Tierra Australia	Mayor Shane Van Styn
7 September 2021	Triple M Radio Interview - Chapman Road Activation and Point Moore	Mayor Shane Van Styn
7 September 2021	CEO Performance Review Committee	Mayor Shane Van Styn
7 September 2021	Concept Forum	Mayor Shane Van Styn
8 September 2021	Fresh Christian Fellowship Church Lunch	Mayor Shane Van Styn
8 September 2021	GNFL Grand Final - Conditions from Council	Mayor Shane Van Styn

9 September 2021	Central Regional TAFE's NAIDOC Day Lunch	Deputy Mayor Tarleah Thomas
9 September 2021	Nominations for Council – Ballot Draw	Mayor Shane Van Styn
10 September 2021	WA State Budget Breakfast	Mayor Shane Van Styn
10 September 2021	Triple M Radio Interview - State Budget	Mayor Shane Van Styn
10 September 2021	Geraldton Residential College Annual Presentation Day Award	Cr Natasha Colliver
11 September 2021	Great Northern Football League (GNFL) All-stars Breakfast	Mayor Shane Van Styn
14 September 2021	Meeting with Australian Vanadium Limited (AVL) - Update	Mayor Shane Van Styn
14 September 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
14 September 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
14 September 2021	GWN Interview – Batavia Motor Inne	Mayor Shane Van Styn
14 September 2021	Introductory Meeting with Steve Cooper, LG Candidate	Mayor Shane Van Styn
14 September 2021	Meeting with Strike Energy Limited	Mayor Shane Van Styn
16 September 2021	Central Regional TAFE Scholarship Sponsor Thank You Morning Tea	Cr Sally Elphick
17 September 2021	Citizenship Ceremony	Mayor Shane Van Styn
18 September 2021	Point Moore Beaches Drop-In Information Session	Mayor Shane Van Styn
18 September 2021	Women Inspiring Better Business (WIBBS) - Long Table Lunch	Mayor Shane Van Styn
18 September 2021	Irish Club Open Beer Garden	Mayor Shane Van Styn
19 September 2021	Geraldton Clay Target Club Crayfish Carnival	Mayor Shane Van Styn
20 September 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
20 September 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
20 September 2021	Regional Alliance West (RAW) Housing Proposal	Mayor Shane Van Styn
20 September 2021	Rugby Initiatives in Geraldton	Mayor Shane Van Styn
20 September 2021	Triple M Radio Interview - Rural Health and CGG Land sales	Mayor Shane Van Styn
20 September 2021	Aquarena Outdoor Pool Upgrade - Photo for Media Release	Mayor Shane Van Styn
21 September 2021	Triple M Radio Interview - Disposal of Parcels of Land and State Health Inquiry	Mayor Shane Van Styn
21 September 2021	GWN Interview - Aquarena Outdoor Pool Upgrade	Mayor Shane Van Styn
21 September 2021	Agenda Forum	Mayor Shane Van Styn
22 September 2021	Gero Clean-up Crew and Tidy Towns – General Update	Mayor Shane Van Styn
23 September 2021	Meeting with Hon Melissa Price MP, Federal Member for Durack, Minister for Defence Industry	Mayor Shane Van Styn
23 September 2021	Shore Leave - Official Welcome and Opening	Mayor Shane Van Styn
24 September 2021	Chapman Road Activation Project launch of 12 month trial	Cr Steve Douglas
24 September 2021	Shore Leave - Abrolhos Long Table Lunch	Mayor Shane Van Styn
26 September 2021	Radio Mama Interview	Mayor Shane Van Styn
26 September 2021	Shore Leave – Foreshore Feast	Mayor Shane Van Styn
28 September 2021	Regional Capitals Australia (RCA) September	Mayor Shane Van Styn

	Board Meeting - Videoconference	
28 September 2021	Regular Catch up – Mayor / CEO	Mayor Shane Van Styn
28 September 2021	Regular Catch up – Media Team	Mayor Shane Van Styn
28 September 2021	Triple M Radio Interview – Shore Leave	Mayor Shane Van Styn
28 September 2021	Audit Committee Meeting	Mayor Shane Van Styn
28 September 2021	Ordinary Meeting of Council 2021	Mayor Shane Van Styn

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

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS501 APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT – COMMERCIAL REZONING, STRATHALBYN

AGENDA REFERENCE:	D-21-096516
AUTHOR:	K Elder, Coordinator Strategic Planning
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	31 August 2021
FILE REFERENCE:	LP/14/0017
ATTACHMENTS:	Yes (x2)
	A. Scheme Amendment Report
	B. Schedule of Submissions

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Local Planning Scheme Amendment – Commercial Rezoning, Strathalbyn without modification. The amendment proposes to rezone Lot 156 (No. 331) Place Road, Strathalbyn from 'Residential R5' to 'Commercial'.

Council at its meeting held on 27 April 2021 (Item No. DCS488 – Proposed Local Planning Scheme Amendment – Commercial Rezoning, Strathalbyn) resolved to initiate this Local Planning Scheme Amendment No. 17 ('amendment') for the purpose of public advertising. The advertising period has now concluded with 7 submissions being received.

EXECUTIVE RECOMMENDATION:

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. SUPPORT Local Planning Scheme Amendment No. 17 to Local Planning Scheme No. 1, without modification; and
3. SEEK approval of the amendment from the Minister for Planning.

PROPONENT:

The proponent is Hex Design Planning on behalf of Forman Holdings Pty Ltd.

BACKGROUND:

The subject land is Lot 156 (No. 331) Place Road, Strathalbyn, which is situated approximately 5km north-east of the Geraldton city centre. Lot 156 is located on the north side of Place Road and directly adjoins Lot 51 which is currently zoned 'Commercial' under the City's Local Planning Scheme No. 1 ('the Scheme') and is identified as a neighbourhood centre in the City's Commercial Activities Centre Strategy. Both Lot 156 and the abutting Lot 51 are owned by Forman Holdings Pty Ltd.



Location plan for Lot 156 (No. 331) Place Road, Strathalbyn.

Lot 156 is situated to the east of the currently undeveloped commercial zoned lot and is bound to the north and east by existing residential development which consists of predominantly single houses developed to a Residential R5 (2,000m²) density. On the southern side of Place Road is a 'Public Purpose' local scheme reserve for the Geraldton No. 2 Waste Water Treatment Plant (WWTP). Lot 156 is not affected by the general WWTP buffer depicted in the City's Local Planning Strategy.

Lot 156 is currently zoned 'Residential R5' under the Scheme and the amendment proposes to rezone it to 'Commercial' zone. Following the rezoning the intention is to amalgamate Lot 156 with adjacent Lot 51. Lot 156 has an area of 2,036m² and when combined with Lot 51, would make a total landholding being 1.063ha in area which could then facilitate the development of a neighbourhood centre.

A development concept plan has been prepared and included within the scheme amendment report which proposes a total retail floorspace of 3,960m² consisting of a 3,000m² supermarket, 500m² medical centre and 460m² tavern.

The applicant has advised that the existing commercial site being Lot 51 has an area of 8,596m² which is considered insufficient area to accommodate the proposed commercial floorspace. A technical note has been provided within the scheme amendment report which broadly demonstrate that the proposed land uses have merit as there is a general need in the current and future area.

There is currently a valid development approval over Lot 51 for a proposed liquor store, tavern, shops and office which is stage 1 of a two stage proposal which also includes a shopping centre. The applicant has advised that this original proposal consisted of a total floorspace of 3,370m²; being a 460m² Tavern, 410m² shop/office area and a 2,000m²-2,500m² supermarket. As part of the development approval process, a Local Development Plan was prepared and approved in order to guide commercial development over Lot 51.

Expansion of the site will allow for the increase in floor area as a result of the inclusion of the medical centre and is expected to facilitate a better spatial layout for the proposed development.

Any proposed development on Lot 156 (or a future amalgamated lot) will be subject to an application for development approval and would be assessed in accordance with Local Planning Scheme No. 1. This would also include an update to the Local Development Plan.

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

- The land is highly accessible given its frontage to Place Road which is a District Distributor road.
- The consolidation of the land with the adjoining Lot 51 will create a corner site at the primary entrance to the Strathalbyn neighbourhood which is suitable for the development of a neighbourhood centre.
- The amendment will facilitate the development of a viable neighbourhood centre to meet the commercial and community needs of the residents.
- The amendment is consistent with the City Local Planning Strategy, Residential Development Strategy and Commercial Activity Centre Strategy.

The scheme amendment report is included as Attachment No. DCS501A.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The amendment will facilitate the expansion of the area available for future commercial development in order to provide goods and services to the current and projected community. Any potential traffic and amenity impacts associated with a future development will be assessed at the development stage and the Local Development Plan will be required to be updated to inform coordinated development of the whole site.

Economy:

The amendment will create a site that is considered to be large enough to facilitate development of the commercial site along Place Road, Strathalbyn.

Environment:

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

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council at its meeting held on 27 April 2021 (Item No. DCS488 – Proposed Local Planning Scheme Amendment – Commercial Rezoning, Strathalbyn) resolved to initiate this amendment for the purpose of public advertising.

COMMUNITY/COUNCILLOR CONSULTATION:

The amendment was publicly advertised in accordance with the provisions of the *Planning and Development Act 2005*. The advertising period was for 42 days (commencing on 11 June 2021 and concluding 23 July 2021) and involved the following:

- All landowners within 100m of the subject land were written to and advised of the amendment;
- 1 sign was placed on-site;
- A public notice appeared in the Geraldton Guardian on 11 June 2021;
- The amendment details were made available on the City website;
- The amendment details were made available for public inspection at the City's office at Cathedral Avenue;
- The amendment was referred to the following:
 - ATCO Gas;
 - Main Roads WA;
 - Telstra;
 - Water Corporation; and
 - Western Power.

Submissions:

As a result of the advertising a total of seven (7) submissions were received (1 in support, 3 with no objection/no comment and 3 objecting to the rezoning).

Listed below is a summary of the main issues/concerns raised during the public comment period:

- Concerns regarding future land uses, particularly a liquor store in a residential area.
- The impact of noise levels, traffic and car parking on front verges.
- Concerns regarding rubbish and shopping trolleys.

- Concern about inaccuracies with the technical note provided within the scheme amendment report, including:
 - Expansive trade area;
 - No site assessment undertaken;
 - Overstated population estimates;
 - Overstated population growth estimates;
 - No spending estimates provided; and
 - No turnover forecast/impact test undertaken.
- Concerns with the proposed spatial layout of the provided concept plan.
- The proposal is not consistent with the City's Commercial Activity Centre Strategy and Local Planning Strategy.
- The expansion to the activity centre would have an impact on the economic viability of existing activity centres and will result in the deterioration in the level of service currently provided to the local community via diluting activity at existing centres.
- A detailed retail sustainability assessment (RSA) should be prepared to appropriately justify the demand for the increase in retail floor space and to establish the impact it will have on established centres.

Recommendations in response to each of the submissions is detailed in the 'Schedule of Submissions' which is included as Attachment No. DCS501B. Full copies of the actual submissions are available to Council upon request.

LEGISLATIVE/POLICY IMPLICATIONS:

Planning and Development Act 2005:

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

Planning and Development (Local Planning Schemes) Regulations 2015:

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

City of Greater Geraldton Local Planning Scheme No. 1:

The subject land is currently zoned 'Residential R5' under Local Planning Scheme No. 1 and the amendment proposes to rezone the land to 'Commercial'.

The objectives of the 'Commercial' zone are to:

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

The amendment is considered to be consistent with these objectives. The subject area directly abuts an identified and appropriately zoned neighbourhood centre. The increase in the commercial zone will support a range of uses commensurate with a neighbourhood centre, will not compromise the planned hierarchy of the centre and will facilitate a lot size that will support a viable and functional centre.

Draft State Planning Policy 4.2 Activity Centres (SPP 4.2)

The draft policy aims to ensure planning and development adequately considers the distribution, function and broad land use options for activity centres to meet local community needs, and provide social, economic and environmental benefits to all Western Australians.

Draft SPP 4.2 directly relates to activity centres within Metropolitan (Perth), Peel and Greater Bunbury Regional Scheme areas. However the objectives, outcomes and measures may be applied outside of these areas to guide the preparation and review of local planning proposals.

Draft SPP 4.2 requires that the responsible authority ensure precinct structure plans and development proposals support the established and planned activity centre hierarchy. It requires that proposals that either depart from the hierarchy or are considered 'major development' (being over 5,000m²) prepare a Needs Assessment and an Impact Test (previously known as a Retail Sustainability Assessment).

In this instance, the proposed rezoning of 2,036m² of land to 'commercial' zone in order to support the intended development, is not considered to depart from the City's adopted activity centre hierarchy and it is also not considered to be 'major development'. Therefore, additional information such as a Needs Assessment and/or an Impacts Test to justify the proposal, is not considered warranted.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.4	A desirable and sustainable built and natural environment responsive to community aspirations.

REGIONAL OUTCOMES:**Local Planning Strategy:**

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

The general location of the Strathalbyn activity centre has been identified in the Strategy as a 'Neighbourhood Centre'. The Strategy lists a number of commercial strategies and actions, the most relevant being:

Strategies:

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

Actions:

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

The amendment is considered to be consistent with the strategies and actions as it proposes to rezone land abutting a commercial centre and will create a lot size that is considered adequate to support a mix of land uses within the neighbourhood centre.

Commercial Activity Centres Strategy:

This Strategy provides a strategic planning framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres. The Strategy informs the City and proponents of the potential scale for future retail and commercial development in existing and planned activity centres via an activity centre hierarchy. It provides the starting point for activity centre planning, whereby developments that sit within this range are considered to be conforming, whilst proposals outside are not discounted but are required to provide greater justification.

The subject area adjoins an activity centre identified in the Strategy as the Strathalbyn neighbourhood centre. The Strategy proposes retail floorspace for neighbourhood centres to be in the range of 4,000m² – 6,000m² and states their role is to:

have a greater focus on servicing the daily and weekly household shopping needs of residents and providing community facilities and a small range of other convenience services. Their relatively small scale and catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchment.

A status is assigned to each activity centre which provides guidance as to which centres the City has identified as priority for intervention. The Strathalbyn neighbourhood centre is a 'status 3' centre meaning that while it is not a centre that the City will actively intervene in it has potential to maintain its current role or transition into an alternative use.

The rezoning of Lot 156 (being 2,036m² in area) to commercial zone will create a combined site area of 1.036ha and will support the proposed increase in retail floorspace from the originally proposed 3,370m² to 3,960m². This is not considered a significant increase in either commercial zoned land or retail floorspace and is below the floorspace range afforded to neighbourhood centres under the Strategy being 4,000m² – 6,000m². This proposal will support a mix of land uses which are considered appropriate within a neighbourhood centre and not available in other nearby centres. The scheme amendment report demonstrates how the amendment and intended development meets the eight guiding principles set out in the Strategy to guide the growth and maintenance of activity centres. The amendment is therefore considered consistent with and will not alter the role, function or hierarchy of the Strathalbyn neighbourhood centre under the Strategy.

While there are questions around some aspects of the technical note, its inclusion is to broadly demonstrate that the proposed land uses have merit as there is a general need within the current and future area. Given that the proposed increase to land and floorspace is not significant, is fully compliant with the City's adopted Strategy and not considered major development (proposed development over 5,000m²), there is no requirement for additional justification in the form of a Retail Needs Assessment or Impact Assessment (Sustainability Assessment). It is therefore considered that the technical note contained within the scheme amendment report is adequate for its intended purpose.

RISK MANAGEMENT:

There are no inherent risks to the City in resolving to proceed with this amendment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered that the proposed amendment is consistent with the local planning framework and direction for commercial activity in Greater Geraldton.

The subject lot directly abuts an identified and zoned neighbourhood centre and the expansion of the commercial area will support the inclusion of a medical centre and create a more functional centre layout. The increase in the commercial zone and intended increase in retail floorspace will not compromise the hierarchy, role or function of the Strathalbyn neighbourhood centre.

Given these reasons, the option to refuse is not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter. In any event, the Planning and Development (Local Planning Schemes) Regulations 2015 states that the local government must pass a resolution on the amendment and provide it to the WA Planning Commission no later than 60 days after the advertising period (being 21 September 2021). The WA Planning Commission have been advised of this slight delay.

COUNCIL DECISION

MOVED MAYOR, SECONDED CR TANTI

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

- 1. DETERMINE the submissions as outlined in the ‘Schedule of Submissions’;**
- 2. SUPPORT Local Planning Scheme Amendment No. 17 to Local Planning Scheme No. 1, without modification; and**
- 3. SEEK approval of the amendment from the Minister for Planning.**

CARRIED 10/1

Time: 5:13 PM

Not Voted: 2

No Votes: 1

Yes Votes: 10

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	NO
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

DCS502 DISPOSAL OF VACANT LAND ASSETS

AGENDA REFERENCE:	D-21-095451
AUTHOR:	B Robartson, Manager Land and Regulatory Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	1 September 2021
FILE REFERENCE:	A18296 - A18297, A18300 - A18301, A18143 – A18152, A16879, A16880, A16885, A16886, A13141 – A13145, A13374, A18720, A30097
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to dispose of 45 residential and commercial freehold vacant land lots by private treaty or auction.

Under changes to Delegated Authority endorsed by Council at its August 2021 meeting, disposal of land assets is required to be specified in the Annual Budget or by Council resolution.

EXECUTIVE RECOMMENDATION:

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

1. DISPOSE of Lots 286, 287, 289, 290 and 291 McAleer Drive, Mahomets Beach and Lots 294, 295, 296, 297, 298, 299, 300, 301, 302 and 303 Willcock Drive, Mahomets Beach;
2. DISPOSE of Lots 92, 93, 99, Marri Court, Rangeway and Lot 98 Utakarra Road, Rangeway;
3. DISPOSE of Lots 58, 60, 61, 62 Craine Place, Spalding, Lot 59 Tamblyn Street, Spalding and Lot 54 Mitchell Street, Spalding;
4. DISPOSE of Lot 231 Bonamia Road, Utakarra;
5. DISPOSE of Lot 56 Pass Street, Wonthella;
6. DISPOSE of Lots 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 9001 Avro Drive, Moonyoonooka (Airport Technology Park) and Lots 14, 15, 17, 18, 19 and 20 Anson Link, Moonyoonooka (Airport Technology Park); and
7. DELEGATE authority to the Chief Executive Officer to set the reserve price.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City is in freehold ownership of 45 vacant land residential and commercial properties. It is considered that the economic and market condition is suitable for disposal of these land assets.

Council at its meeting of the 24 August 2021 (Item No. CCS623 - Annual Review of Delegations To The Chief Executive Officer) by an Absolute Majority pursuant to Section 5.42 and 5.46 of the Local Government Act 1995 resolved to:

1. *ENDORSE the review of delegations in accordance with Section 5.46 of the Local Government Act 1995; and*
2. *DELEGATE to the CEO the exercise of local government powers and the discharge of local government duties as recorded in the Delegation Register 2021-2022.*

Under the authority of delegation and in particular – sub delegation 1.1.19 *Disposing of Property*, was presented by Officers with an amendment under *Council Conditions on the Delegations* – as follows:

- a. *Disposal of land or building assets is limited to either matters specified in the Annual Budget or by Council resolution.*

Council is advised that Officers working under the former delegation – Disposing of Property 1.1.16 have proceeded to dispose of properties by listing for sale with a local real estate agency a number of lots. Those lots are listed in Item 2, 3 and 4 of the Executive Recommendation.

As a consequence of the amended delegation as advised above, Council approval is now sought to dispose of properties as listed below.

Lots 286, 287, 289, 290 and 291 McAleer Drive, Mahomets Beach and Lots 294, 295, 296, 297, 298, 299, 300, 301, 302 and 303 Willcock Drive, Mahomets Beach are shown below.



Lots 92, 93, 99, Marri Court, Rangeway and Lot 98 Utakarra Road, Rangeway



Lots 58, 60, 61, 62 Craine Place, Spalding, Lot 59 Tamblyn Street, Spalding



Lot 54 Mitchell Street, Spalding



Lot 231 Bonamia Road, Utakarra



Lot 56 Pass Street, Wonthella



Lots 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 18, 19, 20, 23, and 9001
Airport Technology Park, Moonyoonooka



COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The support and subsequent disposal of the subject lots would provide opportunity for community investment with housing and business development over the vacant land.

Economy:

There is economic stimulus relating to this proposal.

Environment:

There are no adverse environmental impacts as the vacant land lots are located in built up residential areas and approved commercial development at the technology park.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City disposes of freehold vacant land from time to time when economic and market conditions suit. Council resolved on the 25 May 2010 (Item No. CE104 - Acquisition - Reserve 29846), 22 March 2011 (Item No. CE139 - Acquisition and Disposal of Various Reserves) and 28 July 2015 (Item No. DRS220 - Acquisition and Disposal of Various Crown Reserves) to acquire

the following Crown reserves as listed under Section 20A “Public Recreation” Reserves Policy Guidelines for 5% of the unimproved land valuation from the Crown.

The below lots are now in freehold ownership of the City and are currently listed on the market for disposal with a local real estate agency:

- Lot 71 & Lot 2857 Bayly Street, Wonthella – Note: Lot 71 Bayly Street, Wonthella is now currently under REIWA contract for purchase for \$80,000;
- Lot 3086 Eastern Road, Geraldton – is now currently under REIWA contract for purchase for \$160,000;
- Lot 2890 Quarry Street, Geraldton – is now currently under REIWA contract for purchase for \$90,000;
- Lot 2737 Drew Street, Spalding is listed for sale \$85,000;
- Lot 2514 Houston Street, Spalding is listed for sale \$55,000; and
- Lot 596 Woodman Street, Utakarra is listed for sale \$80,000.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillor consultation on available land assets held by the City has been discussed at Concept Forums by Officers.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process for 'disposing' of property.

Sub Delegation 1.1.19 – Disposing of Property. Council Conditions on the Delegations -

- a. *Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.*
- b. *Value of property that may be disposed under this delegation for any single project or where not part of a project but part of a single transaction shall not exceed \$500 000 including plant and assets with a depreciated value not exceeding \$500 000, in accordance with the provisions of section 5.43(d) of the Local Government Act 1995.*

FINANCIAL AND RESOURCE IMPLICATIONS:

As per the Council endorsed Long Term financial Plan, the City will continue in its effort to realise sales from property disposal over the life of the plan with timing dependent on market conditions and any revenue generated will be applied to either increasing the level of capital renewal or replacement expenditure, fund new and high prioritised emergent capital projects and major initiatives. With the recent upturn in the property market the City is currently releasing a portion of its portfolio to replenish its cash inflows impacted by COVID-19 and as a provision to deal with a notable price hike in construction contracting services.

Net proceeds from the disposal of properties that have been acquired from the Crown under Section 20A "Public Recreation" Reserves Policy Guidelines for 5% of the unimproved land valuation are to be transferred to the City's POS Cash Reserve for the improvement of public open space and recreational facilities in the near vicinity.

The expectation is that the City will part realise the sale of lots that have been market listed in this financial year however, depending on market conditions, it is likely that it will be a longer term exercise to realise full disposal.

An estimated lot value is indicated below:

- Lot 286 McAleer Drive, Mahomets Beach - \$140,000
- Lot 287 McAleer Drive, Mahomets Beach - \$140,000
- Lot 289 McAleer Drive, Mahomets Beach - \$145,000
- Lot 290 McAleer Drive, Mahomets Beach - \$145,000
- Lot 291 McAleer Drive, Mahomets Beach - \$150,000
- Lot 294 Willcock Drive, Mahomets Beach - \$190,000
- Lot 295 Willcock Drive, Mahomets Beach - \$190,000
- Lot 296 Willcock Drive, Mahomets Beach - \$190,000
- Lot 297 Willcock Drive, Mahomets Beach - \$190,000
- Lot 298 Willcock Drive, Mahomets Beach - \$200,000
- Lot 299 Willcock Drive, Mahomets Beach - \$190,000

- Lot 300 Willcock Drive, Mahomets Beach - \$190,000
- Lot 301 Willcock Drive, Mahomets Beach - \$190,000
- Lot 302 Willcock Drive, Mahomets Beach - \$190,000
- Lot 303 Willcock Drive, Mahomets Beach - \$190,000
- Lot 92 Marri Court, Rangeway - \$37,500 – under REIWA contract currently.
- Lot 93 Marri Court, Rangeway - \$37,500 - under REIWA contract currently.
- Lot 99 Marri Court, Rangeway - \$40,000
- Lot 98 Utakarra Road, Rangeway - \$32,000
- Lots 58 Craine Place, Spalding - \$42,000
- Lot 60 Craine Place, Spalding - \$40,000
- Lot 61 Craine Place, Spalding - \$40,000
- Lot 62 Craine Place, Spalding - \$40,000
- Lot 59 Tamblyn Street, Spalding - \$45,000
- Lot 54 Mitchell Street, Spalding - \$57,000 - under REIWA contract currently.
- Lot 231 Bonamia Road, Utakarra - \$21,000 - under REIWA contract currently.
- Lot 56 Pass Street, Wonthella - \$400,000; and Airport Technology Park lots -
- Lot 1 Avro Drive, Moonyoonooka – \$640,000
- Lot 2 Avro Drive, Moonyoonooka – \$340,000
- Lot 4 Avro Drive, Moonyoonooka – \$350,000
- Lot 5 Avro Drive, Moonyoonooka – 190,000
- Lot 6 Avro Drive, Moonyoonooka – 190,000
- Lot 7 Avro Drive, Moonyoonooka – 190,000
- Lot 8 Avro Drive, Moonyoonooka – 190,000
- Lot 9 Avro Drive, Moonyoonooka – 200,000
- Lot 11 Avro Drive, Moonyoonooka – 220,000
- Lot 12 Avro Drive, Moonyoonooka – 270,000
- Lot 13 Avro Drive, Moonyoonooka - \$190,000
- Lot 14 Anson Link, Moonyoonooka - \$210,000
- Lot 15 Anson Link, Moonyoonooka - \$660,000
- Lot 17 Anson Link, Moonyoonooka - \$210,000
- Lot 18 Anson Link, Moonyoonooka - \$190,000
- Lot 19 Anson Link, Moonyoonooka - \$190,000
- Lot 20 Anson Link, Moonyoonooka - \$190,000 and
- Lot 9001 Avro Drive , Moonyoonooka - \$1,170,000

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.5	Our competitive advantages are built upon and our business success is celebrated.

Strategic Direction: Environment	Aspiration: Our natural environment has a voice in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well-being.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision – making.
Outcome 4.2	Decision making is ethical, informed and inclusive.

REGIONAL OUTCOMES:

Western Australia is currently experiencing a shortage of housing both in the sales and in rental markets. Geraldton is also experiencing a lack of affordable accommodation. The opportunity exists for residential development to be built on these lots if released for disposal.

RISK MANAGEMENT:

Ensuring that Delegated Authority protocols and conditions align to legislative requirements in relation to the disposal of land assets.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options considered by Officers.

Cr Parker moved the Motion proposing an amendment to point 1 accepting auction offers starting at \$100,000.

During the debate, Cr Tanti foreshadowed the Executive Recommendation should this motion be lost.

During the debate, the Mayor moved an amendment to the motion to delete the words 'accepting auction offers starting at \$100,000'.

MOTION**MOVED CR PARKER, SECONDED CR FIORENZA**

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

- 1. DISPOSE of Lots 286, 287, 289, 290 and 291 McAleer Drive, Mahomets Beach and Lots 294, 295, 296, 297, 298, 299, 300, 301, 302 and 303 Willcock Drive, Mahomets Beach, accepting auction offers starting at \$100,000;***
- 2. DISPOSE of Lots 92, 93, 99, Marri Court, Rangeway and Lot 98 Utakarra Road, Rangeway;***
- 3. DISPOSE of Lots 58, 60, 61, 62 Craine Place, Spalding, Lot 59 Tamblyn Street, Spalding and Lot 54 Mitchell Street, Spalding;***
- 4. DISPOSE of Lot 231 Bonamia Road, Utakarra;***
- 5. DISPOSE of Lot 56 Pass Street, Wonthella;***
- 6. DISPOSE of Lots 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 9001 Avro Drive, Moonyoonooka (Airport Technology Park) and Lots 14, 15,***

- 17, 18, 19 and 20 Anson Link, Moonyoonooka (Airport Technology Park); and**
7. DELEGATE authority to the Chief Executive Officer to set the reserve price

Note: The above Motion is not the final decision of Council.

Council considered the amendment to the motion.

AMENDMENT TO MOTION

MOVED MAYOR, SECONDED CR DOUGLAS

That the words 'accepting auction offers starting at \$100,000' be deleted from point 1.

CARRIED 9/2

Time: 5:30 PM

Not Voted: 2

No Votes: 2

Yes Votes: 9

Name	Vote
Cr. Douglas	YES
Cr. Parker	NO
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	NO
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

As the amendment to the motion was endorsed, point 1 was updated, and Council considered the substantive motion as presented by the Executive.

COUNCIL DECISION

MOVED CR PARKER, SECONDED CR FIORENZA

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

- 1. DISPOSE of Lots 286, 287, 289, 290 and 291 McAleer Drive, Mahomets Beach and Lots 294, 295, 296, 297, 298, 299, 300, 301, 302 and 303 Willcock Drive, Mahomets Beach;**
- 2. DISPOSE of Lots 92, 93, 99, Marri Court, Rangeway and Lot 98 Utakarra Road, Rangeway;**
- 3. DISPOSE of Lots 58, 60, 61, 62 Craine Place, Spalding, Lot 59 Tamblyn Street, Spalding and Lot 54 Mitchell Street, Spalding;**
- 4. DISPOSE of Lot 231 Bonamia Road, Utakarra;**
- 5. DISPOSE of Lot 56 Pass Street, Wonthella;**

6. **DISPOSE** of Lots 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 9001 Avro Drive, Moonyoonooka (Airport Technology Park) and Lots 14, 15, 17, 18, 19 and 20 Anson Link, Moonyoonooka (Airport Technology Park); and
7. **DELEGATE** authority to the Chief Executive Officer to set the reserve price.

CARRIED 10/1

Time: 5:33 PM

Not Voted: 2

No Votes: 1

Yes Votes: 10

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	NO
Mayor Van Styn	YES

12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES**CCS632 COUNCIL POLICY 4.12 USE OF DRONES WITHIN CITY BOUNDARIES**

AGENDA REFERENCE:	D-21-097791
AUTHOR:	A Gartner, Airport Administration Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	12 August 2021
FILE REFERENCE:	GO/14/0008
ATTACHMENTS:	Yes (x1)
	Council Policy 4.12 Use of Drones Within City Boundaries, version 2

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.12 Use of Drones within City Boundaries, version 2.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.12 Use of Drones within City Boundaries, version 2.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 4.12 Use of Drones within City Boundaries was last reviewed by Council on 27 August 2019. Within the biennial review process for the Council Policy Manual the policy was due for review prior to 24 August 2021. Version 2 is now prepared for Council approval.

The policy covers Council's approach to the management of drones which is largely held under legislation administered by Government agencies. There has been no significant change to this external legislation other than the requirement to register drones over 500g from 28 January 2021.

The current policy still aligns with Council's community values and no changes were identified during the review process. The Customer Service Database and its internet links remain up to date.

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

There are no adverse community impacts. Application of the policy will increase protection of people and property from injury or loss of quality of life due to drone activity.

Economy:

There are no adverse economic impacts. This Council Policy encourages responsible drone use and the resulting photographic or video record, often shared through social media, can be seen to promote the City of Greater Geraldton.

Environment:

There are no adverse environmental impacts.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council review or amend Council Policies as and when required. On 27 July 2021, Council Policy 4.19 Corporate Partnerships, version 3 was approved by Council (Item No. CCS615).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillor consultation for Council Policy reviews is not required unless there are significant changes to the policy. There are no significant changes proposed to Council Policy 4.12 Use of Drones within City Boundaries, as such endorsement is sought via this Item.

LEGISLATIVE/POLICY IMPLICATIONS:

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

2.7. Role of council***(1) The council —***

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

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

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

- 1. APPROVE Council Policy 4.12 Use of Drones within City Boundaries, version 2.**

CARRIED 11/0

Time: 5:36 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES

Mayor Van Styn	YES
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CCS633 GERALDTON AIRPORT LEASE – PORTION OF BREARLEY TERMINAL – GH COUNTRY COURIER

AGENDA REFERENCE:	D-21-098286
AUTHOR:	A Gartner, Airport Administration Officer
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	5 August 2021
FILE REFERENCE:	PM/6/0006-003
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to enter into a new lease agreement with GH Country Courier for 74.5 square metres of office space within the Brearley Terminal Building for a period of five (5) years with a further term option of five (5) years.

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a lease agreement with R. Proudlove Pty Ltd – Trading as GH Country Courier;
2. SET the conditions as follows;
 - a. Enter into a five (5) year lease agreement with an option of a five (5) year further term;
 - b. Commence the lease on the 1 September 2021;
 - c. Set the commencement lease fee at \$15,645 (plus GST) per annum;
 - d. Adjust the lease fee annually as at 1 July in line with the preceding March Consumer Price Index for Perth;
 - e. Conduct a current ground market valuation prior to the further term option to determine the lease fee;
3. MAKE the determination subject to an advertising notice period of not less than 14 days inviting public submissions;
4. ADVISE the lessee they are responsible for separately paying;
 - a. All applicable rates, taxes and other utilities;
 - b. All other costs associated with the lease; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROponent:

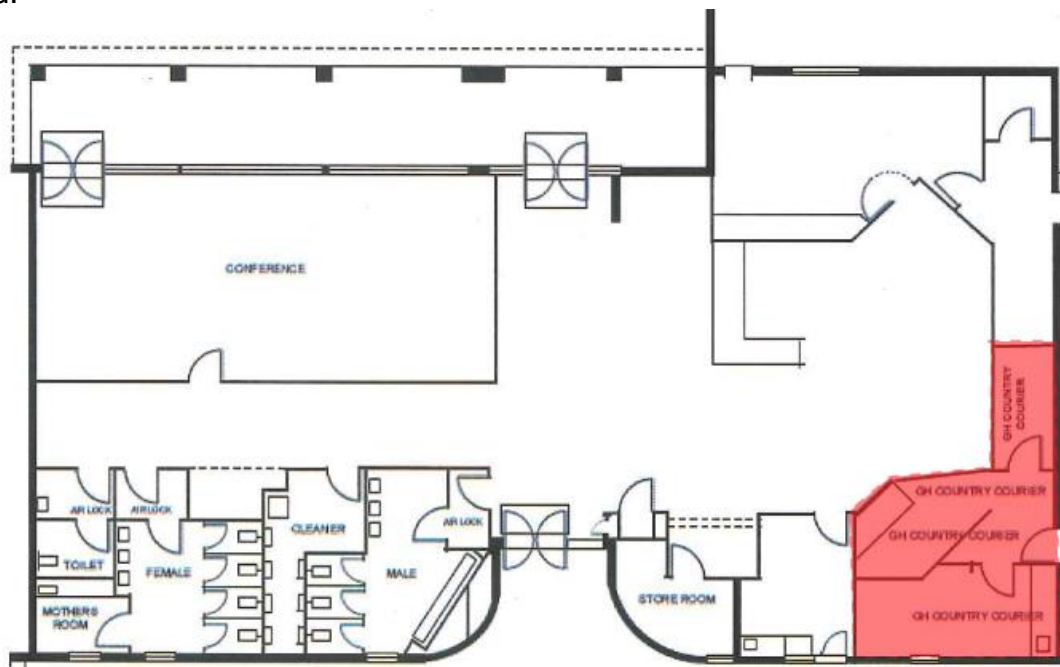
The proponent is R. Proudlove Pty Ltd - Trading as GH Country Courier.

BACKGROUND:

GH Country Courier is a commercial transport logistics business that provide time critical delivery such as regional same day service, overnight to Perth and express air freight.

GH Country Courier have been operating out of the Brearley Terminal at Geraldton Airport since 2006. As the current lease expired on 31 August 2021 the proponent has requested to enter into a new lease agreement for a term of five (5) years with an option of a five (5) year further term.

The below diagram shows the proposed lease area of 74.5m² highlighted in red.



COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Income generated from the proposed disposal of property (lease) forms part of and contributes to the City's general revenue base which is applied to providing whole of community services.

Economy:

Supporting local businesses in the community stimulates, strengthens and benefits the local economy.

Environment:

There are no adverse environmental impacts.

Leadership:

A lease is part of the formal structure that assists with the governance and management of the City and its assets.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City currently leases commercial office space to individuals and companies for aviation related purposes. At the Ordinary Meeting of Council on 26 February 2019, Council resolved to enter into a new lease agreement with Shine Aviation Services for a portion of the General Aviation Terminal building – Item No. CCS399.

COMMUNITY/COUNCILLOR CONSULTATION:

Should council support the proposal to enter into a new lease agreement with GH Country Couriers, local public notice inviting submissions on the disposal will be advertised and received for a period of not less than 14 days pursuant to section 3.58 of the Local Government Act 1995.

LEGISLATIVE/POLICY IMPLICATIONS:

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

1) *In this section –*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

...

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*

(a) *it gives local public notice of the proposed disposition –*

(i) *describing the property concerned; and*

(ii) *giving details of the proposed disposition; and*

(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include –*

(a) *the names of all other parties concerned; and*

(b) *the consideration to be received by the local government for the disposition; and*

(c) *the market value of the disposition –*

(i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

(ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

FINANCIAL AND RESOURCE IMPLICATIONS:

A market valuation of the Brearley Terminal was conducted in May 2021 which established the lease fee for office space at \$210.00 per square metre, per annum plus GST. Pursuant to Section 3.58(4)(c)(i) of the Local Government Act 1995, the market value of the disposition may be ascertained by a valuation carried out not more than 6 months before the proposed disposition.

Therefore the lease fee based on \$210.00 per square metre per annum for an area of 74.5 square metres would equate to \$15,645 per annum plus GST.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Outcome 2.2	Efficient and accessible intrastate and interstate connectivity.

REGIONAL OUTCOMES:

Air freight makes up a small but important part of Australia's overall freight task and is predominantly used to transport high-value and time-critical goods such as parcels and seafood. The provision of air freight services in Geraldton is an essential component of the regional and national economy.

RISK MANAGEMENT:

There are no specific risks to the City regarding this proposal to renew the lease.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The other option for consideration by Council is to not approve the lease and reject the proposal. This is not supported as GH Country Courier require close proximity to the Airport to collect freight from the air express carriers, for the service they provide to the community.

For continuation of services to the business and general community, continuation of lease of the relatively small floor area to the Air Express agent in Geraldton is considered essential.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR TANTI**

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

- 1. ENTER into a lease agreement with R. Proudlove Pty Ltd – Trading as GH Country Courier;**
- 2. SET the conditions as follows;**

- a. Enter into a five (5) year lease agreement with an option of a five (5) year further term;
- b. Commence the lease on the 1 September 2021;
- c. Set the commencement lease fee at \$15,645 (plus GST) per annum;
- d. Adjust the lease fee annually as at 1 July in line with the preceding March Consumer Price Index for Perth;
- e. Conduct a current ground market valuation prior to the further term option to determine the lease fee;
3. MAKE the determination subject to an advertising notice period of not less than 14 days inviting public submissions;
4. ADVISE the lessee they are responsible for separately paying;
 - a. All applicable rates, taxes and other utilities;
 - b. All other costs associated with the lease; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received.

CARRIED 11/0

Time: 5:37 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

CCS634 RATES EXEMPTION APPLICATION – MIDWEST DISASTER RELIEF
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AGENDA REFERENCE:	D-21-098419
AUTHOR:	S Russell, Coordinator Rates
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	20 August 2021
FILE REFERENCE:	RV/4/0003-003
ATTACHMENTS:	Yes (x4)
	A. Statutory Declaration
	B. Australian Charities and Not-for-profits Certificate
	C. Model Rules and Guidance Notes
	D. Aerial Map of Properties

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to grant a rates exemption to Midwest Disaster Relief, based on the charitable land use of Rates A13660 being Lot 16 (58) Flores Road, Webborton and Rates A13661 being Lot 17 (60) Flores Road, Webborton. Midwest Disaster Relief are currently leasing both properties for a period of 24 months with a commencement date 1 July 2021, and are responsible for the rates and charges.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE a rates exemption to Midwest Disaster Relief on the properties being Lot 16 (58) Flores Road, Webborton (Rates A13660) and Lot 17 (60) Flores Road, Webborton (Rates A13661), on the basis they are being used exclusively for a charitable purpose; and
2. APPROVE the exemptions to take effect from the date of application being 27 July 2021, and to remain in force for the duration of the current use of the property.

PROPONENT:

The proponent is Midwest Disaster Relief.

BACKGROUND:

Midwest Disaster Relief is a not for profit charitable organisation which relies on the community for donations and support for its operations.

The organisation receives donated goods, repairs them where needed, recycles and provides at no cost or low cost household and other goods to the wider community. The Charity is committed to helping victims of disaster, veterans and their families, unemployed persons, pre/post release offenders and their families, people with disabilities, chronic and terminal illness, homeless, and financially disadvantaged.

Both properties are privately owned and are currently being leased to Midwest Disaster Relief for a period of 24 months commencing 1 July 2021, for the purpose of 'retail goods for charity'. Under the terms and conditions of the lease, the Lessee is responsible for the payment of the Local Authority rates, therefore Council may approve a rates exemption as per section 6.26 of the Local Government Act 1995.

The City periodically review properties previously classified as exempt to ensure that the use of land still qualifies as used for charitable purposes.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Midwest Disaster Relief provide household items in emergencies and sell household items at low cost to members of the community in need.

Economy:

There are no adverse economic impacts.

Environment:

Donated items are Reclaimed, Recycled and Up-cycled to decrease landfill.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

The most recent Council approved rates exemption on the basis of charitable purposes was at the Ordinary Meeting of Council on 27 July 2021 – Item No. CCS609, Rates Exemption Application – Senses Australia.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

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

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

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

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

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

Both property assessments are currently rateable and the total loss of revenue for the full financial year would be \$8,260.62.

Exempt properties are still required to pay the Emergency Services Levy and rubbish collection charges.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.5	The opportunity for all to reach their potential exists.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

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

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

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

1. **APPROVE** a rates exemption to Midwest Disaster Relief on the properties being Lot 16 (58) Flores Road, Webberton (Rates A13660) and Lot 17 (60) Flores Road, Webberton (Rates A13661), on the basis they are being used exclusively for a charitable purpose; and
2. **APPROVE** the exemptions to take effect from the date of application being 27 July 2021, and to remain in force for the duration of the current use of the property.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

CCS635 STATEMENT OF FINANCIAL ACTIVITY TO 31 AUGUST 2021

AGENDA REFERENCE:	D-21-099422
AUTHOR:	J Bagshaw, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	8 September 2021
FILE REFERENCE:	FM/17/0009
ATTACHMENTS:	Yes (x2) A. Monthly Management Report for period ended 31 August 2021 B. Statement of Financial Activity 2021-22 – Budget Amendments

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 August 2021.

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

EXECUTIVE RECOMMENDATION:**Part A**

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 2021 to 31 August 2021, as attached – Attachment No. CCS635A.

Part B

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

1. APPROVE the proposed budget amendments detailed in the attached Statement of Financial Activity – Attachment No. CCS635B.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of August 2021 is detailed in the attached report and summarised as follows, the variances between Year-to-Date (YTD) budgeted forecasts and actuals (including commitments):

Operating Income	\$	60,177	0.1%	over YTD Budget	☑
Operating Expenditure	\$	176,158	0.9%	under YTD Budget	☑
Net Operating	\$	236,336	0.6%	over YTD Budget	☑
Capital Expenditure	\$	12,621	0.2%	over YTD Budget	☒
Capital Revenue	\$	19,832	1.9%	over YTD Budget	☑
Cash at Bank – Municipal				\$	46,493,363
Cash at Bank – Reserve				\$	29,694,362
Total Funds Invested				\$	75,229,163
Current Rates Collected to August 2021					60.51%
Current Rates Collected to August 2020					63.98%
Rates Arrears Collected to August 2021					14.82%
Rates Arrears Collected to August 2020					17.67%

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 August financials show a YTD positive variance of \$236,336 in the net operating surplus/(deficit) result (this takes into account commitments).

The following budget amendments are required to meet the current workload demands, while we hold vacant positions.

There is no overall impact to the Net Operating Deficit or closing position.

- Reallocate \$200,000 unused employment expenses to contractor fees to outsource work due to current vacancies

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Financial Management Regulations require presentation each month of a Statement of Financial Activity accompanied by other supporting information that is considered relevant. In addition to the compliance requirements, the purpose of regularly reporting on the financial activities of the City is to enable

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:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR KEEMINK****Part A**

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 2021 to 31 August 2021, as attached – Attachment No. CCS635A.**

Part B

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

- 1. APPROVE the proposed budget amendments detailed in the attached Statement of Financial Activity – Attachment No. CCS635B.**

CARRIED BY ABSOLUTE MAJORITY 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

12.3 REPORTS OF INFRASTRUCTURE SERVICES

IS243	CLUB NIGHT LIGHTS PROGRAM – GERALDTON SOFTBALL ASSOCIATION
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AGENDA REFERENCE:	D-21-088669
AUTHOR:	D Emery, Manager Sport and Leisure
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	7 September 2021
FILE REFERENCE:	RC/12/0018
ATTACHMENTS:	Yes (x2) 1 x Confidential
	A. CNLP Application – Geraldton Softball Association
	B. Confidential - GSA Supporting Documentation

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council consideration for the Department of Local Government, Sport and Cultural Industries (DLGSC), Club Night Lights Program (CNLP) application from the Geraldton Softball Association (GSA).

The GSA is seeking \$29,419 (excl. GST) to renew its current floodlighting luminaires with energy efficient LED floodlights.

The total project cost is \$88,258 (excl. GST).

The City of Greater Geraldton (City) received two applications for FY2022-23 CNLP. The other application is to be considered in a separate report to Council.

EXECUTIVE RECOMMENDATION:

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

1. SUPPORT the Geraldton Softball Association (GSA) CNLP Grant Application for \$29,419 (excl. GST) and APPROVE the priority ranking of this project;
2. MAKE provision in the FY2022/23 Annual Budget for this project,
 - a. SUBJECT to a successful State Government funding outcome of this application; and
 - b. SUBJECT to the approval of a Self-Supporting Loan (SSL) application.

PROPONENT:

The proponent is the Geraldton Softball Association.

BACKGROUND:

In June 2021, the Minister for Sport and Recreation announced the establishment of a new capital works fund called the Club Night Lights

Program. The CNLP will provide \$10 million over four years to fund sport floodlighting projects at community sporting venues.

The State Government, through the DLGSC, administers multiple funding programs. These programs provide financial assistance to community groups and Local Governments to develop basic, sustainable infrastructure for sport and recreation.

Softball has been played in Geraldton for many years. The GSA was formed over 60 years ago with games being played at multiple venues throughout Geraldton including Queens Park, Greenough Oval, Eadon Clarke and the current premise Utakarra Ball Park.

The GSA season is played from September to April, with the local competition comprised of over 400 members between six clubs each fielding men, women and junior teams.

Application Summary – Geraldton Softball Association

The GSA are seeking funds for the following:

- Supply of 16 energy efficient LED luminaires to suit the required Australian Standard of 250 lux;
- Installation of lighting infrastructure, including wiring and control gear on the existing 22 metre lighting towers;
- Mobilisation and transportation of lifting equipment; and
- Commissioning and alignment with luminaire lux compliance level test and report.

The project was identified by the GSA Committee following a strategic planning meeting to focus on the renewal of current assets. It was identified that lighting infrastructure played an integral part of the association's game management. Softball being played during summer can be difficult, as day time temperatures peak, the UV index can be extreme, resulting in appropriate fatigue management being required.

Additionally, the GSA have aligned their operations to be more sustainable to become a more energy friendly association. The current lighting luminaires are outdated and no longer fit for purpose. New energy efficient LED technologies will provide considerable savings for the GSA and are keeping with the committees focus on being sustainable. The GSA propose to utilise costs saved from the upgrade, via the expected decrease in electrical consumption resulting in lower utility costs, by depositing these savings into a sinking fund to ensure these assets are renewed as and when they have reach end of asset life.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The aim of the CNLP is to increase physical activity, participation in sport and recreation and to ensure the rational development of good quality, well designed and well utilised facilities.

The GSA lighting project will enable the Club to schedule night games and this will assist in managing the environmental impacts on players and umpires.

Economy:

Each year, the GSA host the June Carnival which is held over the June long weekend. The carnival has been recognised as the biggest softball event of its type in Regional Western Australia. Running for over 40 years, the event boasts 53 teams, over 700 players, 200 officials and their supporters from around the state coming together in Geraldton for a three day carnival.

The event adds a significant economic benefit for the City with players, families and officials attending each year.

Environment:

The proposed project is within the GSA's current lease Reserve 24508. The Club's lease is due to expire in 2038.

LED lighting is the most energy-efficient and environmentally-friendly lighting technology available. By converting to LED lighting the Club will see a reduction in energy use ultimately reducing the GSA's carbon footprint.

Leadership:

The assessment and prioritisation of applications by the Local Government is an essential element of the CNLP application process. If Council is to support the project, this application will be forwarded to the DLGSC for formal assessment.

Two applications have been received for the CNLP as detailed in this report, and are prioritised in the following table:

Ranking	Applicant	Project	Rating	City Contribution	Total Project Cost
1	Geraldton Softball Association	Lighting	A	\$29,419	\$88,258
2	Geraldton Bowling Club	Lighting	A	\$42,750	\$128,250

The applications are assessed by a minimum of two City Officers with relevant experience in projects, finance and sport.

The Midwest Sports Federation provided an application evaluation for the GSA and commended the Club for wanting to become more energy efficient.

The GSA scored 152.5 out of a maximum of 200 in the evaluation process placing them first in the project prioritisation table.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has supported the following successful grant applications related to floodlighting infrastructure:

- Upgrade to Eighth Street West floodlighting in FY2019-20;
- Upgrade to Woorree Park BMX floodlighting in FY2019-20; and
- Upgrade to Wonthella Oval floodlighting in FY2013-14.

COMMUNITY/COUNCILLOR CONSULTATION:

Club delegates have met and discussed their project with Officers from the City and the DLGSC Midwest Regional Manager.

The GSA members discussed their project with Councillors at the September 2021 Concept Forum.

LEGISLATIVE/POLICY IMPLICATIONS:

City Officers can confirm that the GSA application meets the City's Community Funding Program Guidelines.

Council Policy 1.8 – Community Funding Programs provides the following guidelines (extract 6):

6. CSRFF

CSRFF Funding: The City will accept applications as part of the CSRFF program and process applications in line with the Department of Local Government, Sport and Cultural Industries guidelines. Each eligible application will be assessed by the City administration. Recommendations and priority listings will be presented to Council for consideration.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City's Finance team have reviewed the financial statements provided by the GSA and confirmed the Club is in a viable financial position and will be able to proceed with the project should their funding application be successful.

The GSA have advised City Officers of their intention, should they be successful with the State, to apply to the City for a self-supporting loan of up to 50% of the Clubs contribution, valued at approximately \$15,000.

Whilst the Club have available funds and a reasonable cash flow, and could allocate \$30,000 to this project, City Officer's recommendation would be for the Club to consider a SSL application. This would allow the GSA cash reserves for operations and other expenditure requirements and also enable the Club to ensure they are building the appropriate sinking fund for future capital renewal.

The GSA have been advised that a formal application for a SSL is required should their project be supported by Council and successful for State funding. Officers are recommending to make provision in the FY2022-23 annual budget to support this project.

The GSA have been advised any shortfall for the project will be the Club's responsibility to fund.

Over the last five years, City Officers have been renewing City owned sporting light towers. These improvements are in keeping with the 23 January 2018 Report to Council (Item No. IS167). Officers are undertaking preparatory work to enable the City to consider submitting Geraldton Recreation Ground and Eadon Clarke lighting improvements in a future grant round.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion
Outcome 1.2	Active living and recreation is encouraged
Outcome 1.3	A strong sports culture exists through well-planned facilities

REGIONAL OUTCOMES:

Supporting this application will assist the Club continue hosting their regional June Carnival and increase the opportunity to host further State level competitions.

RISK MANAGEMENT:

Each year, City Officers engage qualified electricians to undertake audits on lighting infrastructure on City owned and leased facilities. The GSA lighting will be audited yearly to ensure it is compliant and safe.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following option was considered by City Officers:

1. NOT SUPPORT the Geraldton Softball Association (CSA) CNLP application for \$29,419 (excl. GST); and
2. RECOMMEND the GSA work with City Officers to progress their application to seek funding in future CNLP rounds.

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

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

- 1. SUPPORT the Geraldton Softball Association (GSA) CNLP Grant Application for \$29,419 (excl. GST) and APPROVE the priority ranking of this project;**
- 2. MAKE provision in the FY2022/23 Annual Budget for this project,**
 - a. SUBJECT to a successful State Government funding outcome of this application; and**
 - b. SUBJECT to the approval of a Self-Supporting Loan (SSL) application.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

IS244	CLUB NIGHT LIGHTS PROGRAM – GERALDTON BOWLING CLUB
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AGENDA REFERENCE:	D-21-091380
AUTHOR:	D Emery, Manager Sport and Leisure
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	7 September 2021
FILE REFERENCE:	RC/12/0018
ATTACHMENTS:	Yes (x2) 1 x Confidential
	A. CNLP Application – Geraldton Bowling Club
	B. Confidential - GBC Supporting Documentation

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council consideration for the Department of Local Government, Sport and Cultural Industries (DLGSC), Club Night Lights Program (CNLP) application from the Geraldton Bowling Club (GBC).

The GBC is seeking \$42,750 (excl. GST) for the upgrade of floodlighting on two bowling greens. The installation includes energy efficient LED technology, replacement poles and upgraded fixtures and wiring.

The total project cost is \$128,250 (excl. GST).

The City of Greater Geraldton (City) received two applications for FY2022-23 CNLP. The other application is to be considered in a separate report to Council.

EXECUTIVE RECOMMENDATION:

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

1. SUPPORT the Geraldton Bowling Club (GBC) CNLP Grant Application for \$42,750 (excl. GST) and APPROVE the priority ranking of this project; and
2. MAKE provision in the FY2022-23 Annual Budget for this project;
 - a. SUBJECT to a successful State Government funding outcome of this application.

PROPONENT:

The proponent is the Geraldton Bowling Club.

BACKGROUND:

In June 2021, the Minister for Sport and Recreation announced the establishment of a new capital works fund called the Club Night Lights Program. The CNLP will provide \$10 million over four years to fund sport floodlighting projects at community sporting venues.

The State Government, through the DLGSC, administers multiple funding programs. These programs provide financial assistance to community groups

and Local Governments to develop basic, sustainable infrastructure for sport and recreation.

The GBC was formed in 1910, over 110 years ago, with the Club originating where the current police station is situated. The Club was very popular and in the early 1960's agreed with the Council at the time, to expand and relocate to the current premise on Onslow Street. The current location consist of three fully maintained grass bowling greens utilised for general play, club competitions, pennants and championship events. Additionally, the Club host social, commercial and barefoot bowls competitions.

Application Summary – Geraldton Bowling Club

The GBC sought quotations from two local electricians, for the design, supply and installation of LED lighting on two of the Club's greens. The lighting is to be compliant with Australian Standards specified for 'Outdoor Bowling Greens'.

The GBC have opted to remove the existing lighting infrastructure and install new poles and LED luminaires.

The GBC's preferred design proposal includes the following works:

- Removal and disposal of the existing poles and lighting infrastructure;
- Installation of cabling and conduit, including trenching and backfilling from the switch boards to the lighting poles;
- Installation of circuit protection and switch gear;
- Excavation of existing footings, installation of rag bolt cage and concreting;
- Installation of six break back poles with LED luminaires on each pole;
- Installation of pole counterweights; and
- Commissioning and alignment with luminaire lux compliance as per design.

The total project cost is \$128,250 for both greens.

The option for break back poles was selected by the Club to enable simplified access requirements to maintain and repair the poles in future.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The aim of the CNLP is to increase physical activity, participation in sport and recreation and to ensure the rational development of good quality, well designed and well utilised facilities.

The GBC lighting project will enable the Club to undertake afternoon/night games. This will assist in managing the impacts on players from UV and heat. As the Club has indicated an ageing demographic, it is important to ensure the wellbeing of players.

Economy:

The GBC host an annual June long weekend carnival, with the 75th carnival being held in 2021. 36 teams from across the state attended the event, contributing economic benefit for the City.

Environment:

The proposed project is within the GBC current lease located on Lot 580 and Reserve 22382. The Club's lease term is due for review in 2035.

LED lighting is the most energy-efficient and environmentally-friendly lighting technology available. By converting to LED lighting the Club will see a reduction in energy use ultimately reducing the GBC carbon footprint.

Leadership:

The assessment and prioritisation of applications by the Local Government is an essential element of the CNLP application process. If Council is to support the project, this application will be forwarded to the DLGSC for formal assessment.

Two applications have been received for the CNLP as detailed in this report, and are prioritised in the following table:

Ranking	Applicant	Project	Rating	City Contribution	Total Project Cost
1	Geraldton Softball Association	Lighting	A	\$29,419	\$88,258
2	Geraldton Bowling Club	Lighting	A	\$42,750	\$128,250

The applications are assessed by a minimum of two City Officers with relevant experience in projects, finance and sport.

The Midwest Sports Federation provided an application evaluation for the GBC, noting the project was sound and indicated the project will significantly increase the use of the bowling greens during the late afternoons and night times.

The GBC scored 150.25 out of a maximum of 200 in the evaluation process placing them second in the project prioritisation table.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has supported the following successful CSRFF grant applications related to floodlighting infrastructure:

- Upgrade to Eighth Street West floodlighting in FY2019-20;
- Upgrade to Woorree Park BMX floodlighting in FY2019-20; and
- Upgrade to Wonthella Oval floodlighting in FY2013-14.

COMMUNITY/COUNCILLOR CONSULTATION:

Club delegates have met and discussed their project with Officers from the City and the DLGSC Midwest Regional Manager.

Club delegates have undertaken site visits at similar sporting facilities and consulted with industry specialists to identify the needs of their project.

The GBC members discussed their project with Councillors at the September 2021 Concept Forum.

LEGISLATIVE/POLICY IMPLICATIONS:

City Officers can confirm that the GBC application meets the City's Community Funding Program Guidelines.

Council Policy 1.8 – Community Funding Programs provides the following guidelines (extract 6):

6. CSRFF

CSRFF Funding: The City will accept applications as part of the CSRFF program and process applications in line with the Department of Local Government, Sport and Cultural Industries guidelines. Each eligible application will be assessed by the City administration. Recommendations and priority listings will be presented to Council for consideration.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City's Finance team has reviewed the financial statements provided by the GBC and confirmed the Club is in a viable financial position and will be able to proceed with the project should their funding application be successful.

Officers are recommending to make provision in the FY2022-23 annual budget to support this project.

The GBC have been advised any shortfall for the project will be the Club's responsibility to fund.

Over the last five years, City Officers have been renewing City owned sporting light towers. These improvements are in keeping with the 23 January 2018 Report to Council (Item No. IS167). Officers are undertaking preparatory work to enable the City to consider submitting Geraldton Recreation Ground and Eadon Clarke lighting improvements in a future grant round.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion
Outcome 1.2	Active living and recreation is encouraged
Outcome 1.3	A strong sports culture exists through well-planned facilities

REGIONAL OUTCOMES:

The GBC has previously hosted regional bowling championships. Supporting this application will enable the Club opportunities to host future tournaments, improving its ability to host during the evening and night.

RISK MANAGEMENT:

The lighting design proposed is to provide the Club with compliant competition lighting to ensure the sport is played in a safe environment.

Officers note the Club location is likely to require an assessment of AS 4282 Obtrusive Lighting to ensure any impacts to residential properties and the nearby highway are compliant.

In addition, each year City Officers engage qualified electricians to undertake audits on lighting infrastructure on City owned and leased facilities. The GBC lighting will be audited yearly to ensure it is compliant and safe.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following option was considered by City Officers:

1. NOT SUPPORT the Geraldton Bowling Club (GBC) CNLP application for \$42,750 (excl. GST); and
2. RECOMMEND the GBC work with City Officers to progress their application to seek funding in future CNLP rounds.

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

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

1. **SUPPORT the Geraldton Bowling Club (GBC) CNLP Grant Application for \$42,750 (excl. GST) and APPROVE the priority ranking of this project; and**
2. **MAKE provision in the FY2022-23 Annual Budget for this project;**
 - a. **SUBJECT to a successful State Government funding outcome of this application.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

IS245 BUSHFIRE MITIGATION PLANNING

AGENDA REFERENCE:	D-21-098975
AUTHOR:	W Ellis, Coordinator Emergency Management
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	13 September 2021
FILE REFERENCE:	ES/8/0011
ATTACHMENTS:	Yes (x3)
	A. 2021-22 Emergency Management Mitigation Planning Timeline Report
	B. Minister's Response – Preparation for Annual Firebreak
	C. City of Greater Geraldton Treatments – Priority Map and Costs

EXECUTIVE SUMMARY:

Rainfall patterns experienced this year have resulted in significant vegetation growth. In combination with green waste debris derived from ex-Tropical Cyclone Seroja, this has contributed significantly to bushfire mitigation workload on City owned and managed land.

Officers have commenced early season preparation to progress with ensuring the City is compliant with its annual bushfire preparation requirements.

Subsequent to Council's endorsement of the City Bushfire Risk Management Plan, officers submitted an application for grant funding through the Mitigation Activity Fund (MAF) to allow for additional works on land vested to the City by way of management order. The costs for works identified in the MAF funding application is beyond the extra budget sought for in this item.

The purpose of this report is for Council to receive an update on the City's bushfire mitigation preparation activities, and to seek approval for additional funding required to complete this season's bushfire mitigation activities on City owned and managed land. The additional City Funding sought is \$106,100.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the 2021-22 Emergency Management Mitigation Planning Timeline Report;
2. APPROVE the proposed FY2021-22 budget amendments and AUTHORISE any unauthorised expenditure and revenue as detailed below:
 - a. Bushfire Mitigation operational budget expenditure increase from \$60,000 to \$500,100; and
 - b. Increase Operating Grants budget by \$334,000 (Mitigation Activity Fund Funding).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

This year has seen a pattern of prolonged summer rains, including ex-Tropical Cyclone Seroja and above average winter rainfall, which has resulted in extremely favourable vegetation growing conditions.

A significant volume of green waste has also been generated from ex-Tropical Cyclone Seroja. This was stockpiled temporarily on rural road reserve verges, during efforts to clear the roads quickly and provide access for emergency services following the event. Road verges are continuing to be cleared, funded by Disaster Recovery Funding Arrangements Western Australia (DRFAWA). However, other post-cyclone emergency response efforts have caused a backlog in the clearance activities due to resourcing shortages.

The significant vegetation growth, cyclone debris, and the increase of land parcels requiring bushfire mitigation activities, has resulted in increased bushfire loads both in excess and extent of those usually experienced at this time of year. As a result, substantially greater mitigation efforts are required to make the City owned properties compliant.

City Officers have been meeting since July 2021 to forward plan preparation for the upcoming bushfire season and to identify opportunities to achieve that. This has included:

- Liaison with Department of Fire and Emergency Services Officers to coordinate preparation efforts and seek assistance in ex-Tropical Cyclone Seroja clear-up work;
- Writing to State Departments who have land holdings in the City of Greater Geraldton to highlight the importance of firebreak compliance and bushfire preparedness;
- Requests for regular updates from ARC infrastructure on the implementation of their bushfire management plan the rail corridors in the City;
- Contingency planning in the event the City's Mowing, Slashing, Mulching, and Firebreak Service contractor does not have capacity/availability to complete works;
- Preparation and submission of a Mitigation Activity Fund grant application to undertake bushfire mitigation works;
- Planning and implementing a multi-media campaign highlighting the need to have all properties compliant to City firebreak standards by 5 October; and
- Holding Community events in Mullewa and Geraldton to promote the City's firebreak message with bushfire ready conversations.

Bushfire Risk Mitigation Planning

The City's Emergency Management (EM) team organise mitigation works on all City owned or managed properties, excluding parks and Public Open Space. Planning commenced in July 2021 to ensure the City is prepared for the increased mitigation works required this year.

Regular planning meetings have been held between the Director Infrastructure Services, Manager Engineering Services, Manager Maintenance Operations and Coordinator Emergency Services.

A report regarding the status of this season's Bushfire Mitigation Planning Timeline is attached (Attachment No. IS245A). This report includes the parcels of land that the City is undertaking mitigation works on.

Mitigation Activity Fund Funding

In May 2021, Council endorsed a Bushfire Risk Management Plan (BRMP) approved by the Office of Bushfire Management (OBRM) for the City. This plan provides a bushfire risk rating for all land parcels vested to, or under management order to the City. As a result, a number of land parcels were identified as requiring mitigation treatments that had not previously formed part of the City's annual bushfire mitigation program.

An example of land owned by the City is the 1.7Ha property at 17 Kempton Street. This block of land is not eligible for MAF funding and therefore any mitigation works need to be funded operationally by the City. In contrast, the 478Ha reserve R46907 at 20 Malley Street in Mullewa is vested to the City by the State of WA, by way of a management order, for the purpose of water and landscape protection. This block of land is eligible for MAF funding.

With an endorsed Bushfire Risk Management Plan, the City is now able to request funding support for additional mitigation works to be undertaken, on the land vested to the City by way of management order, and with a risk rating of Extreme, Very High or High. The 2021 MAF Funding Round 2 opened in September 2021 and the City has submitted a \$334,000 grant application for submission. Per funding guidelines, successful submissions will receive allocated funds in November.

MAF funding also allows the City to undertake additional works over and above the City-wide firebreak compliance requirements. These activities focus on the mitigation of bushfire risk through:

- Installation of additional firebreaks;
- Selective reduction and removal of wattle biomass;
- Biodiversity burns;
- Weed management and reduction providing positive biodiversity outcomes.

MAF has two funding rounds open per calendar year in April and September, with Local Governments able to apply once per calendar year. The City was not in a position to request funding during the first round, since the City's Bushfire Risk Management Plan had not been endorsed by Council at that time.

It is envisaged that from calendar year 2022 onwards, the City will be making an annual application in April to ensure that the required funding is received prior to undertaking annual mitigation activities.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Through the forward planning work, additional bushfire mitigation activities arising from ex-Tropical Cyclone Seroja and the high seasonal rainfall have been identified. To maintain the safety of the community through the upcoming bushfire season, City Officers have critical activities being undertaken now utilising the existing operational budget of \$60,000. This will enhance community safety during the upcoming and future bushfire seasons.

Economy:

Mitigation activities are completed by local contractors.

Environment:

Bushfire mitigation activities for places such as the Chapman River Regional Park and Greenough River have considered environmental outcomes in coordination with achieving the required level of community safety. This will help ensure that these important natural areas are protected and resilient to bushfire.

Leadership:

The planned, and additional, bushfire mitigation activities have been considered in accordance with the Council endorsed Bushfire Risk Management Plan.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There are no relevant precedents. The City's operational budget '*Fire Prevention - Clear Council Land*', since its creation in FY2014-15 has not been subject to a budget amendment. This operational budget was increased in FY2018-19 from \$46,000 to \$60,000 as part of Council's adoption of the annual budget. The significant and sustained seasonal rainfall and associated vegetation growth and green waste generated from the cyclone this year has resulted in this request for a budget amendment

COMMUNITY/COUNCILLOR CONSULTATION:

A firebreak notice is sent each year with the rates notice. In addition, this year, a media campaign was established to raise awareness and improve firebreak compliance before the 5 October 2021 deadline. Emergency Management Officers and local Bushfire Brigades undertook two community awareness events to promote improved firebreak compliance and bushfire readiness.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 33 of the *Bushfires Act 1954* allows the City to stipulate the standard to which all properties within the City are maintained, to reduce the impact and severity of bushfires. The City specifies this through the First and Final Firebreak Notice, which is applied to City properties and all private properties across the Local Government Area.

FINANCIAL AND RESOURCE IMPLICATIONSCurrent Budget

The current operational budget is \$60,000 for bushfire mitigation activities in FY2021-22.

Proposed Budget

It is proposed to increase the bushfire mitigation operational budget FY2021-22 from \$60,000 to \$500,100 as summarised in the table below:

Proposed Budget Breakdown	Amount
Current Budget	\$60,000
Additional City Contribution	\$106,100
Mitigation Funding (to be confirmed)	\$334,000
New Proposed Budget	\$500,100

The proposed increase (\$60,000 to \$166,100) to the operational budget will enable the City to complete priority and additional bushfire mitigation works on City-owned land parcels while awaiting the outcome of the funding submission.

Priority works include key mitigation works on four reserves that are eligible for MAF funded. However, works are required immediately for community safety, and to allow the City's contractor to safely complete further mitigation works in November 2021. The four reserves are:

- Chapman River Regional Park;
- Sutherland Drive public open space;
- Cape Burney Settlement; and
- Hill River Way.

If the City is successful in its \$334,000 mitigation funding submission, this will enable us to undertake additional works over and above the City-wide firebreak compliance requirements. If unsuccessful, expenditure would be contained to the City's revised contribution of \$166,100.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.2	We are a community accountable for our actions
Outcome 1.4	Community safety, health and well-being is paramount
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being
Outcome 3.5	An integrated emergency and land management approach
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.5	A culture of safety, innovation and embracing change

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The increased risk to the City and its community anticipated for the upcoming bushfire season has been managed through the establishment of a technical working group in July 2021, which has met regularly to ensure bushfire mitigation planning is in place early, to ensure preparedness for the upcoming bushfire season. The working group focussed on prioritisation, communication, funding, and compliance.

Prioritisation:

The technical working group identified priority land parcels for mitigation treatments. The prioritisation process focussed on parcels of land in close proximity to human populations or critical infrastructure. The City of Greater Geraldton Treatments - Priority and Cost Estimate (Attachment No. IS245C), provides a prioritised list of City properties to be treated. Priority 1 works commenced on 10 September 2021 and are approximately 60% complete.

Communication:

The technical working group developed a communication program to raise risk awareness in addition to that provide in the standard firebreak notice. This included media and on-ground campaigns with key-messaging for community preparedness.

Funding:

Through the prioritisation process, the technical working group identified the value of the mitigation works required against the existing budget:

- Grant Funding. Based on the City's BRMP, land parcels eligible for MAF funding have been identified. A grant application for bushfire mitigation treatments to the value of \$334,000 has been submitted to DFES.
- Operational Funding. Priority land parcels that require mitigation treatments have been identified and quotes for the work received. This item outlines the additional \$106,100 required to treat the priority land parcels.

Compliance:

The technical working group has:

- Through the prioritisation, communication and funding of bushfire mitigation works, ensured that it complies with the provisions of the Section 33 of the *Bushfires Act 1954*.
- Through the media and on-ground campaigns the City has raised awareness to improve community compliance with Section 33 of the *Bushfires Act 1954*.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Complete works within the current \$60,000 budget limit for non-MAF fundable mitigation works. The remainder of the works to be left unattended during this bushfire season with the budget to be reconsidered next financial year. This option is not recommended due to inherent risks associated with this seasons fuel loads.

COUNCIL DECISION

MOVED CR CLUNE, SECONDED CR THOMAS

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

1. **RECEIVE** the 2021-22 Emergency Management Mitigation Planning Timeline Report;
2. **APPROVE** the proposed FY2021-22 budget amendments and **AUTHORISE** any unauthorised expenditure and revenue as detailed below:
 - a. Bushfire Mitigation operational budget expenditure increase from \$60,000 to \$500,100; and
 - b. Increase Operating Grants budget by \$334,000 (Mitigation Activity Fund Funding).

CARRIED BY ABSOLUTE MAJORITY 11/0

Time: 5:43 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES

Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

IS246	LOCAL ROADS AND COMMUNITY INFRASTRUCTURE ROUND 3 GRANT FUNDING PROJECT NOMINATIONS
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AGENDA REFERENCE:	D-21-088139
AUTHOR:	P Neethling, Manager Project Delivery
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	9 September 2021
FILE REFERENCE:	GS/1/0011
ATTACHMENTS:	Yes (x1) Talis Asset Management Plan

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to allocate the forthcoming Local Roads and Community Infrastructure Program Round 3 (LRCIP 3) Grant Funding to undertaking a Major Culverts Replacement and Renewal Program.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE allocation of LRCIP 3 Grant Funding to a Major Culverts Replacement and Renewal program of works;
2. APPROVE the following proposed 2021-22 budget amendments and AUTHORISE any unauthorised expenditure and revenue:
 - a. Increase to Capital Expenditure Budget of \$2,646,504; and
 - b. Increase to Non-Operating Grants of \$2,646,504.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Following strong community and local government support, the Australian Government has committed to Phase 3 of the Local Roads and Community Infrastructure (LRCI) Program.

This program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic. LRCI Program Phase 3 will continue to support local jobs and businesses at the time it is needed most.

From 1 January 2022, councils will be able to access funding through LRCI Program Phase 3, with projects under the Program to be delivered by 30 June 2023.

The City has been advised it will be offered a funding allocation of \$2,646,504 to be utilised for delivery of projects that meet the eligibility requirements of the Program.

The City is currently undertaking an asset re-valuation exercise that is required to be completed by 30 June 2022 and requiring a number of key infrastructure condition assessments to be undertaken in order to determine their current value.

A key component of the re-valuation exercise has been the condition assessment and development of an Asset Management Plan for the City's Bridges, Major Culverts and Floodway's. This exercise included a visual inspection of eight (8) bridges and 34 culverts across the City of Greater Geraldton's road network by Talis Consulting Engineers. These investigations identified a significant number of serious condition and maintenance issues that require immediate attention, particularly across the rural road network.

Funding required to undertake these works has not currently been budgeted for by the City and it is considered that the recommended program of works meets the eligibility requirements of the LRCIP 3 Program.

Subject to Council approval of the Executive Recommendation, Officers will utilise the condition assessment data that has been compiled to develop a prioritised asset renewal program of work within the available LRCIP 3 funding budget.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Community safety and well-being is paramount with assets required to be constructed and maintained in accordance with Australian Standards and Codes in order to provide a safe and efficient road transport network.

Economy:

Council approval of the Executive Recommendation will likely see expenditure of the LRCIP 3 Program funding flowing into the local economy in keeping with the intention of the Program.

Environment:

A number of the aging / failing culverts are now significantly inhibiting water flow and not performing as intended. Renewal of these assets will greatly improve performance and reduce localised scouring and ongoing maintenance requirements.

Leadership:

The proposed Program of works aligns with the objectives of Council Policy 4.5 Asset Management.

RELEVANT PRECEDENTS:

Council previously approved:

- LRCIP 1 - \$1.3m program for delivery of new footpaths infrastructure; and

- LRCIP 2 - \$1.9m program for delivery of new footpath infrastructure and road renewals.

COMMUNITY/COUNCILLOR CONSULTATION:

Council were presented with a proposed strategy for delivery of the annual Capital Program at the September 2021 Concept Forum. The presentation included the concept of expenditure of the LRCIP 3 Grant Funding as recommended due to challenges with delivering a suite of additional capital projects, resultant of recent state and federal grant funding announcements.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government Act 1995* and the City's Procurement Policy CP4.9 will be observed during the project execution process. Occupational Health, Safety and Environmental management of the project will be in line with legislative requirements and implemented during delivery of the contract.

FINANCIAL AND RESOURCE IMPLICATIONS:

The capital works program for FY2021-22 is heavily subscribed, including a number of projects carried over from FY2020-21. The extended timeframe (18 months) available for delivery of the LRCIP 3 Grant Funding, allows project planning to be completed this calendar year with construction to commence in early 2022 when the funding becomes available.

Funding for the project of **\$2,646,504** excluding GST has been offered by the Department of Infrastructure, Transport, Regional Development and Communications. The impact to the Annual Budget bottom line is zero, as the increase in capital expenditure is fully offset by LRCIP grant funding.

Officers intend to deliver the project utilising in house Project Management that will oversee the delivery of the planning and design works by consultant engineers and construction by suitably qualified and experienced contractors.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.2	Efficient and accessible intrastate and interstate connectivity.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.3	A well maintained, SMART, sustainable, liveable City valued by the community.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and

	well informed decision-making.
Outcome 4.1	A culture of safety, innovation and embracing change.

REGIONAL OUTCOMES:

The construction of appropriate community infrastructure further demonstrates the City's commitment to providing a high quality, safe and well managed road network to cater for businesses, residents and tourists visiting the region.

RISK MANAGEMENT:

LRCIP 3 Grant Funding is provided on a 'use it or lose it' basis and projects must be delivered within the required timeframe to capitalise fully on the available funding. In order to meet the required timeframes, the City will undertake project planning activities in mid FY2021-22 ready for commencement of construction in early 2022 when the funding becomes available.

Officers intend to deliver the project utilising in house Project Management that will oversee the delivery of the planning and design works by suitably qualified consultant engineers and construction by experienced contractors.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following option was considered by City Officers:

- Council could consider allocating the LRCIP 3 to alternative capital works projects. Officers have considered this option and believe that if the funding opportunity is to be fully realised, the Executive Recommendation provides the best opportunity to capitalise on the available funding to deliver a program of works that is both unfunded and required.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR THOMAS**

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

1. **APPROVE** allocation of LRCIP 3 Grant Funding to a Major Culverts Replacement and Renewal program of works;
2. **APPROVE** the following proposed 2021-22 budget amendments and **AUTHORISE** any unauthorised expenditure and revenue:
 - a. Increase to Capital Expenditure Budget of \$2,646,504; and
 - b. Increase to Non-Operating Grants of \$2,646,504.

CARRIED BY ABSOLUTE MAJORITY 11/0

Time: 5:47 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES

Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

12.4 REPORTS OF OFFICE THE CEO**CEO079 FEDERAL GOVERNMENT INQUIRY RURAL HEALTH**

AGENDA REFERENCE:	D-21-100189
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	13 September 2021
FILE REFERENCE:	GO/6/0012-007
ATTACHMENTS:	Yes (x2)
	A. WALGA Info Page – Senate Inquiry
	B. CGG Draft Submission

EXECUTIVE SUMMARY:

The Senate Community Affairs References Committee (The Committee) is conducting an inquiry into the provision of general practitioner and related primary health services to outer metropolitan, rural, and regional Australians. The committee will be examining the state of GP and related services in outer metropolitan, rural and regional areas.

The purpose of this report is to raise issues associated with rural and regional medical services and seek Council approval to submit the attached submission to the Inquiry.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the attached submission to the Senate Community Affairs References Committee's Inquiry.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The inquiry will consider Government reforms to the existing Stronger Rural Health Strategy, geographical classification systems, GP training and Medicare rebates, as well as the impact of the COVID-19 pandemic on doctor shortages.

The Inquiry's Terms of Reference are as follows:

The provision of general practitioner (GP) and related primary health services to outer metropolitan, rural, and regional Australians, with particular reference to:

- a. *The current state of outer metropolitan, rural, and regional GP and related services;*

- b. *Current state and former Government reforms to outer metropolitan, rural and regional GP services and their impact on GPs, including policies such as:*
 - i. *The stronger Rural Health Strategy;*
 - ii. *Distribution Priority Area and the Modified Monash Model (MMM) geographical classification system;*
 - iii. *GP training reforms;*
 - iv. *Medicare rebate freeze;*
- c. *The impact of the COVID-19 pandemic on doctor shortages in outer metropolitan, rural, and regional Australia; and*
- d. *Any other related matters impacting outer metropolitan, rural, and regional access to quality health services.*

The City's draft submission has been provided to WALGA who are also making a submission on behalf of the sector. WALGA advise they have received eighteen (18) submissions and that the priority themes emerging are consistent with the City's submission.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The provision of robust health services in rural and regional areas is critical to retaining existing residents and encouraging growth.

Economy:

The City with the cooperation of local partners (Progress Midwest) has developed the Geraldton Jobs and Growth Plan. The provision of quality health services is critical to seeing this plan become a reality.

Environment:

There are no adverse environmental impacts.

Leadership:

Provides opportunity to advocate on behalf of the Community.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The Council regularly makes submissions to Federal and State Inquiries and Reviews. Recent examples include the City's submission to the State's Outer By-Pass route and the Abrolhos Island Plan.

COMMUNITY/COUNCILLOR CONSULTATION:

The Senate Committee is seeking submissions from a wide range of people and organisations, including individuals with first-hand experience delivering or accessing GP and related health services in outer metropolitan, rural and regional areas of Australia.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications with making this submission. The Federal Government is encouraging submissions.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial implications to the Council by making a submission into the inquiry. The council does provide resources to the Mullewa GP as part of the agreed attraction package approved by Council in 2015. The City's submission states that it would like the Federal and State Governments, who are responsible for the provision of health services, to take over or at least reimburse councils for their expenditures in this area.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.3	The voice of the community is heard at regional, state and national forums.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

The inquiry is a nationwide survey that includes the Midwest.

RISK MANAGEMENT:

There are no risks to the City in making a submission to the inquiry. The City may receive reputational damage if it does not make a submission on an issue that is critical to the wellbeing of the local community.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The Council may determine not to make a submission to the Inquiry or determine to submit an amended submission.

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

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

- 1. APPROVE the attached submission to the Senate Community Affairs References Committee's Inquiry.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

CEO080 REGIONAL TELECOMMUNICATIONS REVIEW

AGENDA REFERENCE:	D-21-100192
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	13 September 2021
FILE REFERENCE:	GO/6/0012-007
ATTACHMENTS:	Yes (x2)
	A. Regional Telecommunications Issue Paper July 2021
	B. CGG Draft Submission

EXECUTIVE SUMMARY:

A Regional Telecommunications Independent Review Committee (the Committee) is established every three years under Part 9B of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* to conduct a review into telecommunications services in regional, rural and remote parts of Australia.

The purpose of this report is to raise issues associated with regional telecommunications and seek Council approval to lodge the attached submission.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the attached submission to the Regional Telecommunications Independent Review Committee.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Committee for the 2021 Regional Telecommunications Review (the Review) was appointed on 1 June 2021. The Committee will consider:

- The impact of Government policies and programs to improve regional connectivity and digital inclusion;
- Insights from COVID-19 on the changing digital needs of regional, rural and remote areas;
- Service reliability issues which impact regional communities and options for mitigating them;
- The role of emerging technologies in delivering telecommunications services in regional Australia;
- Ways of encouraging further investment in regional telecommunications;
- The role of telecommunications in supporting broader regional development goals;

- Ways to improve co-ordination between government and industry in telecommunications investment; and
- Consumer awareness and education regarding telecommunications options in regional areas.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The provision of reliable telecommunication services in rural and regional areas is critical to ensure the safety of residents and to allow our agricultural industry to remain competitive in a global market.

Economy:

Cyclone Seroja demonstrated the fragility of the region's Electricity and Telecommunications Systems. Improvements to these systems is critical to the growth of the economy.

Environment:

There are no adverse environmental impacts.

Leadership:

Provides opportunity to advocate on behalf of the community.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The Council regularly makes submissions to Federal and State Inquiries and Reviews. Recent examples include the City's submission to the State's Outer By-Pass route and the Abrolhos Island Management Plan.

COMMUNITY/COUNCILLOR CONSULTATION:

The Committee has invited regional communities, businesses and governments to engage directly with the Review over recent months through face-to-face and on-line consultations. The Deputy Mayor, CEO and Director of Development and Community Services participated in an on-line session on 20 August 2021.

Written submissions are due on 30 September 2021. The Committee will report to the Minister for Regionalisation, Regional Communications and Regional Education by 31 December 2021.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications with making this submission. The Federal Government is encouraging submissions.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial implications to the Council by making a submission into the inquiry. The Council does provide use of its facilities (e.g. Aquarena, Airport) for the installation of telecommunications antenna.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.3	The voice of the community is heard at regional, state and national forums.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

The Review is nationwide and provides an opportunity for the City to highlight the issues affecting the Greater Geraldton region, therefore ensuring inclusion in the Committee's examination of current and emerging services, technologies, programs, policies and future needs.

RISK MANAGEMENT:

There are no risks to the City in making a submission to the inquiry. The City may receive reputational damage if it does not make a submission on an issue that is critical to the wellbeing of the local community.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The Council may determine not to make a submission or determine to submit an amended submission.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR FIORENZA**

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

- 1. APPROVE the attached submission to the Regional Telecommunications Independent Review Committee.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

12.5 REPORTS TO BE RECEIVED**RR29 REPORTS TO BE RECEIVED - SEPTEMBER**

AGENDA REFERENCE:	D-21-101874
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	17 September 2021
FILE REFERENCE:	GO/6/0012-007
ATTACHMENTS:	Yes (x2)
	A. DCSDDD174 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. Confidential – CCS636 – List of Accounts Paid Under Delegation August 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. DCSDDD174 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate and Commercial Services:
 - i. CCS636 – Confidential Report – List of Accounts Paid Under Delegation August 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, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR KEEMINK****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. DCSDD174 - Delegated Determinations and Subdivision Applications for Planning Approval.**

PART B

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

- 1. RECEIVE the following appended reports:**
 - a. Reports – Corporate and Commercial Services:**
 - i. CCS636 – Confidential Report – List of Accounts Paid Under Delegation August 2021.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 as amended, the motion was passed unopposed.

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

16 MEETING CLOSED TO PUBLIC

Pursuant to Section 5.2 (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.

No confidential discussion was required.

CCS637 RFT 2021 24 WEED CONTROL SERVICES

AGENDA REFERENCE:	D-21-098492
AUTHOR:	K Smith, Manager Maintenance Operations / C Bryant, Coordinator Procurement
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	13 August 2021
FILE REFERENCE:	FM/25/0226
ATTACHMENTS:	Yes (x1) 1 x Confidential Confidential – RFT 2021 24 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2021 24 Weed Control Services separable portions to the preferred tenderer. The contract is to run for a period of two years for delivery of budgeted weed control services.

The initial contract will be in place from 17 October 2021 to 16 October 2023 with the option for a one year extension exercisable at the discretion of the Principal.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract RFT 2021 24 Weed Control Services 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 24 Weed Control Services (RFT) was advertised in The West Australian on 3 July 2021 and in the Geraldton Guardian on 2 July 2021. The tender was also advertised on the City's TenderLink e-Tendering Portal. The RFT was closed on 26 July 2021.

Five suppliers registered to receive copies of the tender and two submissions were received. The tender assessment was undertaken by a panel of five officers with three voting and two non-voting. The recommended tenderer has an operation based locally.

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

There has previously been a two year contract for RFT 05 1718 Supply of Weed Control Services that included two separable portions – Portion A (Inner City Area) and Portion B (Rural Road Verges). Both portions were awarded to one tenderer.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Well maintained weed control for inner city areas such as road verges, carparks, shared pathways, parks, and rural road verges reduces the likelihood of accidents or injury caused to members of the public and property. Higher than average rainfall through the Greater Geraldton region during the 2021 calendar year has resulted in increased growth of weed species on road verges and rural roads in particular. Weed reduction and fire mitigation on rural road verges will be greatly assisted with the resources available through the award of this tender.

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 year supply contract also allows Maintenance Operations teams to carry out weed control services from proven accredited suppliers with planned costs.

Environment:

Weed control services works will be undertaken within a contract specification that includes measures to protect the natural environment. Environmental controls included with the contract specification include careful management of spraying in accordance with suitable weather conditions, using the lowest toxicity fit for purpose chemical available and the use of accredited experienced contractors providing the service in accordance with relevant standards. The recommended tenderer has the ability to provide weed control through steam treatment which will be included with the contract schedule for weed control near playgrounds and similar locations.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The Council previously awarded a two year services contract RFT 05 1718 Supply of Weed Control Services that included two separable portions – Portion A (Inner City Area) and Portion B (Rural Road Verges). Both portions were awarded to one tenderer (17 October 2017, Item No. IS160 and IS161). The initial contract was in place from 17 October 2017 to 16 October 2019, with an extension approved until 16 October 2020. Due to COVID-19, a further one year extension was enabled as per the direction of then Local Government Minister, the Hon. David Templeman, and subsequent Western Australian Auditor General's Report tabled 4 May 2020. The contract expiry date was extended to 16 October 2021.

COMMUNITY/COUNCILLOR CONSULTATION:

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

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

The approximate expenditure on weed control services is \$556,152.44 (excluding GST) per annum for both separable portions A and B combined. Assuming all extension periods are exercised, the estimated total contract value over three years is \$1,668,457.32 (excluding GST). These funds are sourced from the Parks and Gardens operational budget.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Environment	Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being
Outcome 3.6	The natural environment is valued, protected and

	celebrated.
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REGIONAL OUTCOMES:

To provide well managed weed control throughout the City to achieve aesthetic values road safety and fire mitigation programmes including:

- Rural Road verges twice per annum with additional treatments as required for fire and sight line clearance.
- Urban road verges and kerb lines twice per annum.
- Off street carparks twice per annum.
- Footpaths twice per annum.
- Parks and reserves as required.

RISK MANAGEMENT:

The works carried out under this contract will provide fire mitigation programmes and general weed control for road verges, carparks, shared pathways, parks, and rural road verges 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 option is considered by City Officers:

To comply with Legislative procurement requirements of the Local Government Act 1995, the alternative is to call individual quotations and tenders for specific weed control services works. This option is not supported due to the volume of administrative input this would require, and the potential to have higher costs through many smaller purchases.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR CLUNE**

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

1. **AWARD the contract RFT 2021 24 Weed Control Services separable portions to the preferred tenderer:**
 - a. **Separable Portion A – Inner City area being Bevano Nominees Pty Ltd ATF the Polain Family Trust T/A Midwest Pest Management;**
 - b. **Separable Portion B – Rural Road Verges being Bevano Nominees Pty Ltd ATF the Polain Family Trust T/A Midwest Pest Management;**
2. **RECORD the estimated annual contract value in the minutes:**
 - a. **Separable Portion A – Inner City Area being \$329,192.12 excluding GST; and**
 - b. **Separable Portion B – Rural Road Verges being \$226,960.32 excluding GST.**

CARRIED 11/0

Time: 5:59 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

CCS638 CEO REQUEST FOR RENEWAL OF CONTRACT

AGENDA REFERENCE:	D-21-100103
AUTHOR:	N Hope, Manager Organisational Development
EXECUTIVE:	P Radalj, Director Corporate and Commercial Services
DATE OF REPORT:	10 September 2021
FILE REFERENCE:	GO/6/0013-002
ATTACHMENTS:	Yes (x2) Confidential
	<u>FOR COUNCIL MEMBERS ONLY</u>
	A. Confidential - CEO Performance Review Committee Minutes - 7 September 2021
	B. Confidential – CEO Letter of Request

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement to offer a renewal of contract for a period of five (5) years to the current Chief Executive Officer, Mr Ross McKim.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.36 of the Local Government Act 1995, endorse the CEO Performance Review Committee recommendation, and RESOLVES to:

1. OFFER a renewal of contract to Mr Ross McKim for a period of five (5) years;
2. ENDORSE the contract being issued and effective from Wednesday 29 September 2021 until Thursday 29 October 2026; and
3. INFORM the CEO in writing of the Council decision and issue a new contract.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Council has a responsibility under the *Local Government Act 1995* (the Act), sections 5.36, 5.37 and 5.39.

In addition to the Act, the City also has responsibilities under the City of Greater Geraldton's Standards for CEO Recruitment, Performance and Termination.

Section 5.36. Local Government Employees

- (1) *A local government is to employ —*
 (a) *a person to be the CEO of the local government; and*

(b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

Section 5.37. Senior Employees

(4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

Section 5.39. Contracts for CEO and senior employees

(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

(2) A contract under this section —

(a) in the case of an acting or temporary position, cannot be for a term exceeding one year;

(b) in every other case, cannot be for a term exceeding 5 years.

...

(4) A contract under this section is to be renewable and subject to subsection (5), may be varied.

The ***City of Greater Geraldton's Standards for CEO Recruitment, Performance and Termination*** section 13, requiring recruitment to be undertaken, does not apply in this instance as the current CEO has not held the position for ten (10) or more consecutive years.

In August 2018, Mr Ross McKim was appointed as Chief Executive Officer (CEO) of the City of Greater Geraldton (the City). Mr McKim's contract of employment was signed for a term of five (5) years, with an expiring date being - 26 August 2022.

Mr McKim formally submitted a request in writing to the Mayor on 6 August 2021, requesting a renewal of contract.

As per Mr McKim's current employment contract - Section 2.3:

- The contract is renewable, and the term may be extended, by agreement between the parties.
- Mr McKim is required, not later than 12 months before the expiry of the term, to notify the Council in writing whether or not he seeks a renewal of this Contract and, if so, for what term.

The CEO's current employment contract also requires that the Council, within two (2) months of receiving that notification, advises Mr McKim in writing of the Local Government's intention to either advertise the position or to offer Mr McKim a renewal of this Contract and, if so, on what terms.

The CEO Performance Review Committee held a meeting on 7 September 2021 to review Mr McKim's request. Given Mr McKim's most recent and favourable performance review, it is the Committees recommendation to approve the contract renewal, effective immediately for a term of five (5) years.

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

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The role and responsibilities of a CEO are detailed in Section 5.41 of the Act and the position presents many unique challenges. The role of CEO is not only to advise Council in relation to the functions of a local government under the Local Government Act (1995) and other written laws, it is also to ensure that all advice and information is available to the council for informed decision making and manage the day to day operations of the local government.

CEO's are also responsible for the employment, management, supervision, direction and dismissal of other employees and proper keeping of records and documents of the local government.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

A CEO Performance Review Committee meeting was held on 7 September 2021 and the Committee have provided their recommendation to Council.

LEGISLATIVE/POLICY IMPLICATIONS:

Local Government Act 1995, sections 5.36, 5.37 and 5.39.

Local Government Administration Regulations 1996 Schedule 2.

The City of Greater Geraldton – Standards for CEO Recruitment, Performance and Termination.

FINANCIAL AND RESOURCE IMPLICATIONS:

There is no financial implications as the CEO position forms part of employment costs incorporated within the annual budget.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.2	We are a community accountable for our actions.
Outcome 1.5	The opportunity for all to reach their potential exists.

Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.3	Accountable leadership supported by a skilled and professional workforce.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Consideration is given to Mr McKim's current contract expiry date, 28 August 2022. Issuing a new contract effective immediately is regarded as a lesser risk than issuing a new five (5) year contract, in advance. The issuing of a new contract now with a commencement date in August 2022, has the potential to be challenged and may leave the City open to criticism. Legal advice received was this option may be viewed as the CEO, employed as a Senior Employee under the Act, as having been given a valid contract of a term of six-year, which is in breach of the Act.

It is also a recommendation that the requirement contained within the employment contract, for the CEO to inform the Council twelve (12) months out from the end of contract, should be lessened to six (6) months to avoid this issue in the future.

ALTERNATIVE OPTIONS CONSIDERED BY THE COMMITTEE:

There were no alternative options considered by the Committee.

CEO R McKim declared a Financial Direct interest in CCS638 CEO Request for the Renewal of Contract as the request is to renew his employment contract and left Chambers at 5.59pm.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR FIORENZA**

That Council by Absolute Majority pursuant to Section 5.36 of the Local Government Act 1995, endorse the CEO Performance Review Committee recommendation, and RESOLVES to:

- 1. OFFER a renewal of contract to Mr Ross McKim for a period of five (5) years;**
- 2. ENDORSE the contract being issued and effective from Wednesday 29 September 2021 until Thursday 29 October 2026; and**
- 3. INFORM the CEO in writing of the Council decision and issue a new contract.**

CARRIED BY ABSOLUTE MAJORITY 11/0

Time: 6:05 PM

Not Voted: 2

No Votes: 0

Yes Votes: 11

Name	Vote
Cr. Douglas	YES
Cr. Parker	YES
Cr. Caudwell	YES
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	NOT PRESENT
Cr. Fiorenza	YES
Cr. Elphick	YES
Cr. Hall	NOT PRESENT
Cr. Keemink	YES
Cr. Tanti	YES
Cr. Thomas	YES
Mayor Van Styn	YES

In accordance with section 5.23(2) of the Local Government Act 1995 and section 5.2(1) of Meeting Procedures Local Law, Item CCS538 and supporting attachments were confidential as they contain information relating to a contract entered into, or may be entered into by the local government and legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting,

Item CCS538 was provided to Council as a confidential item, but is now available for the public record. The attachments remain confidential.

CEO R McKim returned to Chambers at 6.06pm.

16.1 ACKNOWLEDGEMENTS

Prior to the closure of the meeting, the Mayor acknowledged the outgoing Council members being Cr Steve Douglas, Cr Sally Elphick and Cr David Caudwell. The Mayor thanked them for their service to Council during their terms.

The Mayor also wished those Council Members renominating all the best for the upcoming Local Government Elections, which are being held on 16 October 2021.

17 CLOSURE

There being no further business the Presiding Member closed the Council meeting at 6.08pm.

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/>