



ORDINARY MEETING OF COUNCIL

AGENDA

30 JANUARY 2024

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 30 JANUARY 2024 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

DISCLAIMER:

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

1 DECLARATION OF OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Cr S Cooper *Apology until leave is approved [refer to heading No. 7]*

Leave of Absence:

Cr J Critch

4 DISCLOSURE OF INTERESTS

Cr M Librizzi declared a Financial Direct interest in Item No. CS089 Item Geraldton Airport Lease – Portion Greenough RDP Terminal – Qantas Airways Limited (Qantaslink) as he and his immediate family members all have direct share holdings in Qantas.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

6 PUBLIC QUESTION TIME

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

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

7 APPLICATIONS FOR LEAVE OF ABSENCE**Existing Approved Leave**

Councillor	From	To (inclusive)	Date Approved
Cr J Critch	26 January 2024	1 February 2024	26/09/2023
Cr M Librizzi	15 March 2024	1 April 2024	31/10/2023

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

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

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Leave of Absence for:
 - a. Cr S Cooper for the period 30 January to 16 February 2024; and
 - b. Cr K Parker for the period 28 April to 5 May 2024.

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 19 December 2023, as previously circulated, be adopted as a true and correct record of proceedings.

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

DATE	FUNCTION	REPRESENTATIVE
20 December 2023	Filming for Council Update Videos - Outcomes of Council Meetings 2023	Mayor Jerry Clune
6 January 2024	4th Annual New Year's Cheer event - Pesona Indonesia	Deputy Mayor Cr Natasha Colliver
8 January 2024	Photo for Media Release – Meru Resources Recovery Station	Mayor Jerry Clune
8 January 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
8 January 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
9 January 2024	Regular Meeting - City of Greater Geraldton with Local Members Hon Sandra Carr MLC, Member for the Agricultural Region and Lara Dalton MLA, Member for Geraldton	Mayor Jerry Clune
10 January 2024	Geraldton Guardian Interview – Australia Day	Mayor Jerry Clune
12 January 2024	6PR Radio Interview – Australia Day	Mayor Jerry Clune
12 January 2024	Channel 7 Interview – Australia Day	Mayor Jerry Clune
12 January 2024	2024 WA Country Athletics Championships	Mayor Jerry Clune
15 January 2024	Channel 7 Interview – Meru Waste Management Facility	Mayor Jerry Clune
15 January 2024	Pre Meeting - Geraldton Soldiers, Sailors Memorial Trust	Mayor Jerry Clune
15 January 2024	Walkaway Tennis Club Meeting	Mayor Jerry Clune
16 January 2024	Menshed – Introductory Meeting	Mayor Jerry Clune
16 January 2024	Mid West Development Commission Meeting	Mayor Jerry Clune
16 January 2024	Triple M Radio – Meru Waste Management Facility	Mayor Jerry Clune
18 January 2024	Rotary Club of Greater Geraldton - Australia Day and Driver Education Program	Mayor Jerry Clune
18 January 2024	Meeting with Local Business Owner	Mayor Jerry Clune
19 January 2024	Review of Agenda Items for January 2024	Mayor Jerry Clune
19 January 2024	Triple M Radio – Sundays by the Sea	Mayor Jerry Clune
19 January 2024	Photo for Media Release – Australia Day Fireworks Sponsor Europcar	Mayor Jerry Clune
20 January 2024	Jaffle Shack Oceania Youth Wave Titles & Junior Windsurf camp - Titles and Presentation Night	Mayor Jerry Clune
22 January 2024	Geraldton Guardian Interview – Horizon Vandalism	Mayor Jerry Clune
22 January 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
22 January 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
22 January 2024	Channel 7 Interview – Horizon Vandalism	Mayor Jerry Clune
22 January 2024	Triple M Radio Interview – Horizon Vandalism	Mayor Jerry Clune
22 January 2024	Australia Day Catch Up	Mayor Jerry Clune
23 January 2023	Geraldton Guardian Interview – Horizon Vandalism	Mayor Jerry Clune
23 January 2023	Audit Committee Meeting	Mayor Jerry Clune
23 January 2023	Agenda Forum	Mayor Jerry Clune
24 January 2023	Geraldton Short Stay Accommodation - Announcement by the Hon Roger Cook MLA, Premier of Western Australia and the Hon John Carey MLA, Minister for Housing	Mayor Jerry Clune

24 January 2024	Official Opening of the Spalding Revitalisation Project by the Mayor and The Hon Roger Cook MLA, Premier of Western Australia; The Hon John Carey MLA, Minister for Planning; Lands; Housing; Homelessness; and Lara Dalton MLA, Member for Geraldton	Mayor Jerry Clune
24 January 2024	Rural Clinical School WA - Welcome to Medical Students of 2024	Mayor Jerry Clune
25 January 2024	Introductory Meeting with Superintendent Mid West-Gascoyne District Steve Post, WA Police Force	Mayor Jerry Clune
26 January 2024	Australia Day Celebrations – Community Breakfast and Awards Presentation - Mullewa	Mayor Jerry Clune
26 January 2024	Australia Day Citizenship and Community Citizen of the Year Awards Ceremony - Geraldton	Mayor Jerry Clune
26 January 2024	Surf Life Saving WA Country Carnival	Deputy Mayor Cr Natasha Colliver
26 January 2024	Rotary Club of Greater Geraldton - Seniors Afternoon Tea and Concert	Mayor Jerry Clune
29 January 2024	Mayor / CEO Regular Catch Up	Mayor Jerry Clune
29 January 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
30 January 2024	Ordinary Meeting of Council	Mayor Jerry Clune

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.

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES – Nil.

Nil.

12.2 REPORTS OF COMMUNITY AND CULTURE**CC009 COUNCIL POLICY 1.2 YOUTH**

AGENDA REFERENCE:	D-23-158637
AUTHOR:	J Steele, Coordinator Youth Development
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	30 January 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x2) A. Draft Council Policy 1.2 Youth (v4) B. Council Policy 1.2 Youth - Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of draft Council Policy 1.2 Youth, version 4.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 1.2 Youth, version 4.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 1.2 Youth version 4 has undergone a biennial review. Only minor changes have been made. The proposed amendments are detailed in Attachment No. CC009B comparison table, for Council consideration.

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

The policy highlights the role and responsibilities of the City regarding young people, including programs, service provision, engagement and advocacy on matters impacting young people.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council reviews Council Policies as required. Council Policy 1.2 Youth, version 3, was last approved by Council on 23 November 2021 (Item No. DCS509).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via Briefing Note on 23 November 2023 and provided with a draft copy of version four of the policy. Feedback was received and minor updates were incorporated into the policy, which are shown in Attachment No. CC009B.

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 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Outcome 1.5	The opportunity for all to reach their potential exists.
Outcome 1.6	Community capacity, innovation and leadership is encouraged.
Outcome 1.8	Active living and recreation is encouraged.

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 governance of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

12.3 REPORTS OF CORPORATE SERVICES

CS087	CITY OF GREATER Geraldton ANNUAL REPORT 2022-23
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AGENDA REFERENCE:	D-23-167727
AUTHOR:	P Kingdon, Acting Coordinator Communications and Tourism
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	13 December 2023
FILE REFERENCE:	GO/3/0002
ATTACHMENTS:	Yes (x1) City of Greater Geraldton Annual Report 2022-23

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council acceptance of the City of Greater Geraldton Annual Report 2022-23.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.54 of the *Local Government Act 1995* RESOLVES to:

1. ACCEPT the City of Greater Geraldton Annual Report 2022-23 (including Audited Financial Report and Auditor's Report);
2. REQUEST the Chief Executive Officer to make the Annual Report publicly available; and
3. GIVE NOTICE of an Annual Meeting of Electors to be held on 27 February 2024 pursuant to section 5.27(2) of the Act.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

The Annual Report 2022-23 (Attachment No. CS087) has been prepared in accordance with section 5.53 of the *Local Government Act 1995* and includes the Audited Annual General Purpose Financial Statements.

The document highlights the City's achievements in 2022-23, and also reports on services delivered as well as major goal areas contained in the Strategic Community Plan and Corporate Business Plan actions.

The City recorded a surplus result from operating activities on the back of a greater percentage (close to 100%) in the prepayment of annual Financial Assistance Grants for 2023-24 and improved revenue generated from both user pays fees and charges, and interest earnings from investments due to higher than forecasted cash rates. Also, the City's operating expenditure was slightly under the budgeted forecast.

The City continued its focus on "delivering for the community" while meeting the challenges associated with cost of living increases. Great outcomes continued to be delivered for the community, while keeping activation and vibrancy at the

forefront. The City's financial planning has been based on meeting the challenges of expenditure pressures stemming from demand for greater wage increases to combat rising costs of living and inflationary impacts on goods and services, and at the same time, sustainably deliver the assets and services required by the community in a fiscally responsible manner.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The Annual Report provides the community with information on how the City has been performing over the last financial year in relation to financial performance and in meeting the actions in our Strategic Community Plan "Community" pillar.

Economy:

The Annual Report provides the community with information on the initiatives undertaken to meet the actions in our Strategic Community Plan "Economy" pillar.

Environment:

The Annual Report provides the community with information on the initiatives undertaken to meet the actions in our Strategic Community Plan "Environment" pillar.

Leadership:

The Annual Report provides the community with information on the initiatives undertaken to meet the actions in our Strategic Community Plan "Leadership" pillar.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Each year the Annual Report is provided to Council for acceptance. The Annual Report 2021-22 was accepted by Council on 20 December 2022 (Item No. CS004). The Annual Report for 2020-21 was accepted by Council on 21 December 2021 (Item No. CCS662).

COMMUNITY/COUNCILLOR CONSULTATION:

The Audit Committee has reviewed the Annual Financial Report and recommends it be accepted.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 5.27 of the *Local Government Act 1995* requires a general meeting of electors to be held once every financial year, on a day selected by the local government but not more than 56 days after accepting the Annual Report.

Section 5.53 requires the preparation of an Annual Report for each financial year and details what the report is to contain. The Annual Report is to include the financial report and auditor's report for the financial year.

Section 5.54 requires the Annual Report for a financial year to be accepted by absolute majority no later than 31 December after that financial year, or within two (2) months of receiving the auditor's report. The auditor's report was received on 15 December 2023.

Section 5.55 requires the Chief Executive Officer (CEO) to give local public notice of the availability of the Annual Report once it is accepted by the local government authority.

Section 5.55A requires the CEO to publish the Annual Report on the Council website once accepted.

Section 6.4 requires the preparation of an Annual Financial Report for each financial year.

Section 7.2 requires the Annual Financial Report to be audited.

FINANCIAL AND RESOURCE IMPLICATIONS:

Provision for the preparation of the Annual Report and Annual Financial Report including Audited Annual General Purpose Financial Statements is included in 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.
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.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.4	Healthy financial sustainability that provides capacity to respond to change in economic conditions and community priorities.
Outcome 4.6	A community that is genuinely engaged and informed in a timely and appropriate manner.
Outcome 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Accepting the Annual Report is a requirement of the *Local Government Act 1995* and doing so ensures compliance with timelines and content as outlined in the legislation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

CS088	AUDIT COMMITTEE ANNUAL REPORT OF ACTIVITIES
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AGENDA REFERENCE:	D-23-170418
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	GO/11/0022-002
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is for the Council to receive a report of Audit Committee activities for the period 1 July 2022 to 30 June 2023.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the Audit Committee Annual Report of Activities for the period 1 July 2022 to 30 June 2023.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

In accordance with the *Local Government Act 1995* section 7.1A(1):

A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

The provisions of the City of Greater Geraldton Audit Committee Terms of Reference require the below:

5.2 The Committee shall report annually to the Council summarising its activities during the previous financial year.

At the Audit Committee meeting held on 12 December 2023, Item No. AC134 the Audit Committee resolved to:

1. *ENDORSE the summary of the Audit Committee activities for the period 1 July 2022 to 30 June 2023*
2. *SUBMIT the summary of Audit Committee activities for the period 1 July 2022 to 30 June 2023 to Council as the Audit Committee Annual Report of Activities.*

For the purpose of reporting, a summary of those activities for the period 1 July 2022 to 30 June 2023 is provided in the following table:

Audit Committee Meeting – 13 December 2022

Report Number	Title	Decision
AC121	Exit interview OAG and RSM	<ol style="list-style-type: none"> 1. RECEIVE the Office of Auditor General overview of the audit findings for the year ended 30 June 2022 (as outlined in the Audit Closing Report); and 2. PROVIDE FEEDBACK to the Office of Auditor General on the findings and any other matter related to the audit.
AC122	2021-22 Annual Financial Report	<ol style="list-style-type: none"> 1. RECEIVE the Annual Financial Report for the financial year ended 30 June 2022; 2. RECEIVE the Audit Report for the financial year ended 30 June 2022; 3. NOTE that the Auditor has provided an unqualified audit opinion for the Annual Financial Report year ended 30 June 2022; 4. RECOMMEND to Council the adoption of the audited Financial Report for the year ended 30 June 2022; 5. NOTE the findings identified during the Audit and REQUEST they be listed for review until completed.
AC123	External Audit of Work Health & Safety Systems	<ol style="list-style-type: none"> 1. RECEIVE the LGIS Worksafe Plan Tier 3 Safety Audit; and 2. REQUIRE an update on the status of the City of Greater Geraldton 2023-2024 Work Health & Safety Strategy at the next Audit committee.
AC124	Risk Management Update	<ol style="list-style-type: none"> 1. NOTE the status of the City of Geraldton Geraldton's risk management profile. 2. NOTE the review of the City's Risk Management Framework & Policies. 3. REQUIRE the CEO to report back to the Audit Committee the ongoing status of the City's risk profile.
AC125	Audit Committee Annual Report to Council	<ol style="list-style-type: none"> 1. ENDORSE the summary of the Audit Committee activities for the period 1 July 2021 to 30 June 2022. 2. SUBMIT the summary of Audit Committee activities for the period 1 July 2021 to 30 June 2022 to Council as the Audit Committee Annual Report of Activities.
AC126	Progress Report on Management Actions from Audit Reports	<ol style="list-style-type: none"> 1. RECEIVE the Progress Reports on the current status of management actions related to internal audits.
AC127	IT Audit Reports – Progress on Actions	<ol style="list-style-type: none"> 1. NOTE the audit recommendations actioned or in-progress to uplift the City's cybersecurity and information security posture and reduce IT risk.
AC128	Council Policy 4.28 Managing	<ol style="list-style-type: none"> 1. NOTE the information provided below in relation to Council Policy 4.28 Managing Unreasonable Customer Conduct.

Report Number	Title	Decision
	Unreasonable Customer Conduct	2. REQUIRE the CEO to report back annually to the Audit Committee at the first meeting held after the close of the relevant financial year.
AC129	Fraud and Corruption Control Plan	1. ENDORSE the Fraud and Corruption Control Plan 2022.

Audit Committee Meeting – 14 March 2023

Report Number	Title	Decision
AC130	Compliance Audit Return	1. REVIEW the results of the Compliance Audit Return 2022. 2. REPORT to Council the results of the Audit Committee review of the Compliance Audit Return 2022, at the Ordinary Meeting of Council on 28 March 2023.

Audit Committee Meeting – 26 April 2023

Report Number	Title	Decision
AC131	Audit Entrance Meeting with OAG and RSM	Noted. The Committee Received the Audit Planning Memorandum for the year ending 30 June 2023.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The Audit Committee plays an important oversight role in enhancing the credibility and objectivity of internal and external audit functions.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Audit Committee Terms of Reference clause 5.2 requires that the Committee shall provide an annual report to the Council summarising its activities during the previous financial year.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The 2021-22 Audit Committee Annual Report of Activities was reviewed by the Audit Committee on 13 December 2022, Report No. AC125, and the Council on 31 January 2023 (Item No. CS012).

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 4.2	Decision making is ethical, informed and inclusive.
Outcome 4.7	Council understands its roles and responsibilities and leads by example

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The primary objective of the Audit Committee is to assist the Council in fulfilling their oversight responsibilities in relation to risk management, internal control, compliance with legislative provisions, and financial and performance reporting. The Audit Committee Annual Report of Activities enables Council to review the annual activities of the Committee and corresponding recommendations and is a requirement under clause 5.2 of the Audit Committee Terms of Reference.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

CS089	GERALDTON AIRPORT LEASE – PORTION GREENOUGH RPT TERMINAL – QANTAS AIRWAYS LIMITED (QANTASLINK)
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AGENDA REFERENCE:	D-23-170762
AUTHOR:	A Gartner, Airport Administration Supervisor
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	19 December 2023
FILE REFERENCE:	PM/6/0006-005
ATTACHMENTS:	Yes (x1) Greenough RPT Terminal Lease Area

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to enter into a new lease agreement with Qantas Airways Limited for portion of the Greenough Regular Public Transport (RPT) Terminal for the purpose of flight check in and associated facilities at the Geraldton Airport.

Cr M Librizzi declared a Financial Direct interest in Item No. CS089 Geraldton Airport Lease – Portion Greenough RDP Terminal – Qantas Airways Limited (Qantaslink) as he and his immediate family members all have direct shareholdings in Qantas.

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 Qantas Airways Limited for approximately 26m² of the Greenough RPT Terminal;
2. SET the conditions as follows:
 - a. Enter into a five (5) year lease agreement with a further term option of five (5) years by mutual agreement, commencing 1 February 2024;
 - b. Set the commencement lease fee at \$32,083.20 (inc. GST) per annum;
 - c. Adjust the lease fee annually in line with the preceding September Perth Consumer Price Index (CPI);
 - d. Obtain a market rent valuation prior to the expiration of the initial five (5) year term and before the extended term option is executed;
3. MAKE the determination subject to an advertising notice period of not less than 14 days inviting public submissions;
4. REFER the item back to Council should any objecting submissions be received;
5. ADVISE lessee is responsible for separately paying:
 - a. All applicable rates, taxes and other utilities; and
 - b. All other costs associated with the preparation of the lease.

PROPONENT:

The proponent is Qantas Airways Limited (Qantas).

BACKGROUND:

Qantas have been leasing portion of the Greenough RPT Terminal since 1 November 2011. The respective lease expired on 31 October 2021. The tenant has utilised the Holding Over provision in their lease while waiting for the endorsement of a new lease agreement.

Attachment No. CS089 is a floor plan of Greenough RPT Terminal with the agreed lease zone highlighted in yellow. The blue sections represent shared areas utilised by all other airlines and are not included within the leased area.

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

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

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:

The City currently leases land at the Geraldton Airport to individuals and companies for aviation related purposes. At the Ordinary Meeting of Council on 27 June 2023, Council resolved to enter into a new lease agreement with Aviair Pty Ltd trading as Nexus Airlines Pty Ltd for portion of the Charlie Terminal Building (Item No. CS049).

COMMUNITY/COUNCILLOR CONSULTATION:

Should Council support the proposal to enter into a lease agreement with Qantas Airways Limited, 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* details the process for disposing (in this case by lease) of property.

FINANCIAL AND RESOURCE IMPLICATIONS:

A current market rental valuation was conducted in accordance with section 3.58(4)(c)(ii) of the *Local Government Act 1995*.

The annual lease fee for the proposed lease area (26m²) was determined to be \$32,083.20 including GST.

The levied rates on the leased area under the current arrangement amounted to \$3,864 in 2023-24. Once the new lease is formalised by both parties it will be submitted to Landgate for an updated valuation which will determine the new rates to be levied.

The proponent is also responsible for other costs associated with preparation and issue of the lease agreement.

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.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit

REGIONAL OUTCOMES:

The continued establishment of QantasLink at the Geraldton Airport is an essential regional service that provides ongoing support to all sectors of the community.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

CS090 WRITE OFF OUTSTANDING DEBT – PINDAN PROJECTS

AGENDA REFERENCE:	D-24-002671
AUTHOR:	T Machukera, Financial Accountant
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	4 January 2024
FILE REFERENCE:	FM/9/0024
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to write off the outstanding debt for Pindan Projects WA Pty Ltd amounting to \$33,327.87.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 6.12(1)(c) of the *Local Government Act 1995* RESOLVES to:

1. APPROVE the write off of the outstanding debt for Pindan Projects WA Pty Ltd, amounting to \$33,327.87.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Pindan Projects purchased water (via CGG standpipes) from the City on credit between February 2021 and May 2021. The majority (90%) of these purchases occurred in the two months of February and March. In May 2021, a Circular to Creditors was received from Ernst & Young (the administrators) informing the City that the directors of Pindan Group had placed the company under voluntary administration, meaning the company was insolvent and was unlikely to pay its debts.

At the time of being placed under voluntary administration, Pindan Group owed the City a total of \$36,845.34, through its two subsidiaries (Pindan Projects WA Pty Ltd, \$33,686.94 & Pindan Asset Management Pty Ltd, \$3,158.40).

Over the course of administration, Pindan Asset Management was successfully disposed and the entire debt of \$3,158.40 was recovered. Pindan Projects WA Pty Ltd was liquidated and out of the outstanding debt of \$33,686.94, the City received a final dividend of \$359.07 (1.07 cents in the dollar) resulting in the balance of \$33,327.87 becoming uncollectable.

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

Income from water sales is part of Council's general revenue base that goes towards operations of our standpipes network that services a range of community projects and programs.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The debt is irrecoverable due to the liquidation of the company, therefore needs to be written off.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council have previously approved the write off of debts where there is minimal chance of recovering the debt (Confidential Item No. CS007 - Write Off Lease and Administration Fees on 20 December 2022).

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.12(1)(c) of the *Local Government Act 1995*:

6.12. Power to defer, grant discounts, waive, or write off debts

(1) *Subject to subsection (2) and any other written law, a local government may —*

- (a) *when adopting the annual budget, grant* a discount, or other incentive for the early payment of any amount of money; or*
- (b) *wave or grant concessions in relation to any amount of money; or*
- (c) *write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

Council Policy 4.22 Fraud Control, Write-Off Debts, Waive Fees and Charges:

2.4 *Any writing off of debts over \$ 10,000 must be approved by Council.*

FINANCIAL AND RESOURCE IMPLICATIONS:

The value of the debt to be written off is \$33,327.87. A provision for doubtful debts was made in the 2020-21 financial statements.

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 specific risks related to this write off.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

As the company was under administration and has been liquidated, there were no alternative options to recover the debt.

CS091	COUNCIL POLICY 4.28	MANAGING UNREASONABLE CUSTOMER CONDUCT
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AGENDA REFERENCE:	D-24-002732
AUTHOR:	N Hope, Manager Organisational Development
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	15 December 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x1) Draft Council Policy 4.28 Managing Unreasonable Customer Conduct (v3)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of reviewed Council Policy 4.28 Managing Unreasonable Customer Conduct, version 3. No changes to the intent of the policy have been made, only administrative updates to reflect structure change.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.28 Managing Unreasonable Customer Conduct, version 3.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 4.28 Managing Unreasonable Customer Conduct was endorsed by Council as a new policy on 24 September 2019 (Item No. CCS443). The policy is now due for its biennial review and has been amended without significant change. Version 3 is presented for Council approval, Attachment No. CS091.

This policy covers all employees, volunteers, Council Members, community members and customers of the City. Given local government has no established guidelines or legislation to deal with vexatious, repetitive or nuisance complainants/customers, the City originally sought legal advice with the development of a policy, ensuring alignment with the WA Ombudsman and the City's statutory compliance with the legislation referenced below:

- Ombudsman WA – Managing unreasonable complainant conduct: Practice manual;
- Ombudsman WA – Guidelines: Dealing with unreasonable complainant conduct;
- *Equal Opportunity Act 1984* (WA)
- *Work Health and Safety Act 2020* (WA); and
- *Local Government Act 1995* and Regulations (WA).

The objectives of this policy are to provide principles and guidance as the basis for a fair, equitable and transparent mechanism for dealing with unreasonable conduct by customers that will achieve an effective balance between:

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

Council Policy 4.28 Managing Unreasonable Customer Conduct is further supported with Operational Policy 030 Unreasonable Customer Conduct, which provides the processes and templates by which the City achieves a consistent approach to managing unreasonable customer conduct.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

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

Economy:

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

Environment:

There are no adverse environmental impacts.

Leadership:

Council endorsement of the Executive Recommendation demonstrates our ongoing commitment to the health, safety and wellbeing of employees, volunteers and elected members by providing a safe working environment. As well as ensuring a safe experience for customers of the City.

This policy supports the City's *Safety Management Plan HS-PLN-039* and the pending regulations contained within the *Work Health and Safety Act 2020*.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council Policy 4.28 Managing Unreasonable Customer Conduct, version 1 was originally adopted by Council on 24 September 2019 (Item No. CCS443).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillor consultation for policy reviews is not required unless there are significant changes to a policy. The current Council Policy 4.28 Managing Unreasonable Customer Conduct has been reviewed without any significant change and only administrative updates made to the draft policy. As there are no significant changes proposed Officers seek endorsement 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 Polices:

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 1.2	We are a community accountable for our actions.
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
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.1	Meaningful customer experiences created for the people we serve.
Outcome 4.5	A culture of safety, innovation and embracing change.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Council Policy 4.28 and its associated processes is wholly associated with mitigating the risk to City employees and the users or attendees at City facilities.

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.

CS092	STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 31 DECEMBER 2023
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AGENDA REFERENCE:	D-24-005811
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	8 January 2024
FILE REFERENCE:	FM/17/0013
ATTACHMENTS:	Yes (x1)
	Monthly Management Report for period ended 31 December 2023

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 December 2023.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. RECEIVE the monthly Statement of Financial Activity for the period ended 31 December 2023, as attached; and
2. RECEIVE the monthly Statement of Financial Position as at 31 December 2023, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

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

Operating Income	\$	1,914,477	2.6%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	385,702	0.8%	over YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	1,528,775	5.7%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	6,365,890	23.4%	under YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	853,835	21.3%	over YTD Budget	<input checked="" type="checkbox"/>

Cash at Bank – Municipal	\$	9,092,445
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Total Funds Invested	\$	65,297,028
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Current Rates Collected to December 2023	83.08%
Current Rates Collected to December 2022	83.56%
Rates Arrears Collected to December 2023	37.85%
Rates Arrears Collected to December 2022	31.46%

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 performance presented in the December financials show a YTD positive variance of \$1,528,775 in the net operating surplus/(deficit) result.

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 a relevant statement of financial position. In addition to the compliance requirements, the purpose of regularly reporting on the financial activities of the City is to enable Council Members to monitor and review the allocation of financial and other resources against the budget. Reporting on a regular basis 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, reporting on the revenue and expenditure as set out in the adopted annual budget.

Regulation 35 of the *Local Government (Financial Management) Regulations 1996* also requires the local government to prepare a statement of financial position as at the last day of the previous month.

A statement of financial activity, statement of financial position 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 statements relate.

FINANCIAL AND RESOURCE IMPLICATIONS:

As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

12.4 REPORTS OF INFRASTRUCTURE SERVICES – Nil.

Nil.

12.5 REPORTS OF OFFICE THE CEO**CEO116 COUNCIL POLICY 4.4 OPERATION OF ADVISORY COMMITTEES**

AGENDA REFERENCE:	D-24-004061
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	18 January 2024
FILE REFERENCE:	GO/6/0009
ATTACHMENTS:	Yes (x2) A. Draft Council Policy 4.4 Operation of Advisory Committees (v3) B. Draft Council Policy 4.4 Operation of Advisory Committees - Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.4 Operation of Advisory Committees, version 4.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.4 Operation of Advisory Committees, version 4.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 4.4 Operation of Advisory Committees, version 4, has undergone a biennial review. Changes made reflect the updates to legislation, a tidy up of wording to align with the *Local Government Act 1995* terminology and the Council Meeting process and policies.

Advisory Committees do not have delegated powers, therefore any recommendations from Committees are to be determined by Council. There is one exception. Council at its meeting of 27 June 2023 (Item No. CS048) approved the delegation of some powers and duties to the Behaviour Complaints Committee.

Three new points have been added to the Policy, which are summarised below:

Point 3.4 - to ensure that any changes to membership are to be submitted by the Committee to Council for consideration.

Point 6.2 - requests to attend committee meetings by electronic means is to be approved by the Mayor.

Point 9.1.3 - two new bullet points have been added to ensure that a record is kept of all disclosures and leave requests. Also a record of attendance by electronics means. As Per 14C.(3) of the Local Government (Administration) Regulations 1996, the Mayor cannot authorise a member to attend a meeting by electronic means if the meeting would result in the member attending more than half of the committees in the 'relevant period', which means the period of 12 months.

The proposed amendments are detailed on the comparison table Attachment No. CEO116B, for Council consideration.

As part of the Local Government Reforms, a uniform set of council meeting procedures are being developed to ensure that local government meetings operate in a comparable way. When published, any changes affecting Council Policy 4.4. will be incorporated and submitted to Council via the review process.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The establishment of Committees allows the views of community members to be heard on key focus areas.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Council is demonstrating leadership and good governance by reviewing its policies regularly.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council Policy 4.4 Operation of Advisory Committees was last reviewed by Council on 23 March 2021 (Item No. CEO075).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via a Briefing Note on 4 January 2024 and provided with a draft copy of version 4 of the policy. Feedback was received and relevant updates were incorporated into the policy, which are shown in Attachment No. CEO116B.

The following feedback was received and responses are provided below:

Feedback/question	Response
Point 3.2 (now 3.3) – Due to the impending State Government changes to standard meeting practices, could we please remove point 3.3 and further review once we know what the State Government changes are.	Point 3.3 will be removed, as there is no legislation to enforce this. However, Council Members should note that absences are recorded, reported and impact quorums.
Point 6.2 - Electronic attendance - does it need to include how many committee meetings can be attended by electronic means?	This will be updated to show the number of meetings that can be attended by electronic means. The Support Staff of the Committee keep a record also. (Point 9.1.3).
Point 9.1.3 - leave from meetings. More of a question really, if leave has been approved for the 'main' meetings (Tuesday concept/agenda/ordinary) and the committee meet falls during these dates, does a leave application need to be submitted for the committee meets as well?	Yes – and approved by that Committee. The Committee will approve leave of absence for Committee meetings. Leave requests for Council Members, approved at a Council Meeting, is for Council meetings only, as per s.2.25 of the <i>Local Government Act 1995</i> . It is recommended that committee meetings are held where all members can attend, to ensure a quorum, but like a Council Meeting, Members can request leave for the meeting that is scheduled, but would be noted as an apology until leave is approved.
Point 9.2.1 - councillor representing council on external board. Do we need to include that the councillor does not have the authority to make a commitment on CGG behalf	Whilst it is not mentioned in this Policy, Council Members are bound by Council Policy 4.2 – Code of Conduct for Council Members Committee Members and Candidates section 8.(2)(b). “A council or committee member: must comply with all policies, procedures and resolutions of the Local Government”.
Any resignations from committee would be dealt with in 9.1.4. First dot point, I assume?	Yes
9.1.4, third and final dot point. Is it necessary to have a biannual review when some committees meet infrequently ?	This will be changed to note that Council are to review each Committee’s purpose prior to the re-establishment of council committees.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to section 2.7 of the *Local Government Act 1995* the role of the 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.*

Section 5.8 of the *Local Government Act 1995* allows Council to establish Committees to assist it in discharging its duties under the Act.

FINANCIAL AND RESOURCE IMPLICATIONS:

A significant amount of Officer time is committed to preparing for and administering these Committees.

From 1 January 2024, changes to LG Act (Section 5.100) makes provision and permits for payments to committee members who are not council members or employees. A new policy is in draft that will outline the fees to be paid and the expenses the City will reimburse to members if incurred in their capacity as a Committee Member.

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 4.7	Council understands its roles and responsibilities and leads by example.

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 effective government of the City of Greater Geraldton.

This policy provides clarity when conducting Committee Meetings.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

CEO117 COUNCIL POLICY 4.14 PAYMENTS TO EMPLOYEES IN ADDITION TO CONTRACT OR AWARD

AGENDA REFERENCE:	D-23-168152
AUTHOR:	N Jane, Chief Financial Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	2 January 2024
FILE REFERENCE:	GO/14/0008
ATTACHMENTS:	Yes (x1) Draft Council Policy 4.14 Payments to Employees in Addition to Contract or Award (v4)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.14 Payments to Employees in Addition to Contract or Award, version 4.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.14 Payments to Employees in Addition to Contract or Award, version 4.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

Council Policy 4.14 Payments to Employees in Addition to Contract or Award was last reviewed by Council on 26 October 2021 (Item No. CCS642) and is due for biennial review. The policy has been reviewed and no changes have been made.

The objective of this policy is to meet the requirements of section 5.50 of the *Local Government Act 1995* which requires a Council Policy that sets out the circumstances when an employee who is ceasing employment with the City may be paid an amount in addition to their entitlements under an award, contract of employment, industrial instrument, or as ordered by a Court or Tribunal.

The policy provides payments to employees who commenced their employment prior to 1 July 2011 and continues with provisions that were made by the Shire of Mullewa and City of Geraldton-Greenough.

City Officers have reviewed the policy and propose no amendments to the previously approved version 3.

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

The policy supports transparency of the City's operations in relation to additional payments to employees when ceasing employment.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

It is a mandatory legislative requirement that a local government prepare and adopt a Payments to Employees in Addition to Contract or Award policy.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council Policy 4.14 was initially adopted on 24 January 2017 and last reviewed by Council on 26 October 2021 (Item No. CCS642).

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation as no changes to the policy are proposed.

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.*

Section 5.50 of the *Local Government Act 1995* requires Council to prepare a policy for this purpose:

5.50 Payments to employees in addition to contract or award

- (1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out -*
 - (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and*
 - (b) the manner of assessment of the additional amount.*

FINANCIAL AND RESOURCE IMPLICATIONS:

At the time of the previous policy review in 2021, there were 85 employees who had commenced employment prior to 1 July 2011 and therefore, potentially eligible for payments under this policy. Currently, 69 employees are potentially eligible for payments under this policy.

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 4.7	Council understands its roles and responsibilities and leads by example.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

This policy ensures compliance with the requirements of section 5.50 of the *Local Government Act 1995* and provides clear guidance as to how any additional amounts will be calculated and when they will be paid.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Officers considered that the policy be amended so that no payments in addition to contract or award be made, however this was not supported given that the policy only provides payments to a limited number of employees (only those employed prior to 1 July 2011) and it provides both a prior commitment and recognition of the service of these long term employees and a continuation of payments made by the Shire of Mullewa and City of Geraldton-Greenough prior to amalgamation.

12.6 REPORTS TO BE RECEIVED**RR55 REPORTS TO BE RECEIVED – DECEMBER 2023**

AGENDA REFERENCE:	D-24-007870
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	19 January 2024
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x4)
	A. DSDD015 - Reports to be Received - Delegated Determinations and Subdivision Applications for Planning Approval
	B. CS093 - Audit Committee Meeting Minutes - 12 December 2023
	C. CS094 - List of Accounts Paid Under Delegation - December 2023
	D. CS095 - Report to be Received List of Payments by Employees via Purchasing Cards - December 2023

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD015 - Reports to be Received - Delegated Determinations and Subdivision Applications for Planning Approval; and
 - b. Reports – Corporate Services:
 - i. CS093 - Audit Committee Meeting Minutes - 12 December 2023.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS094 - List of Accounts Paid Under Delegation - December 2023; and
 - ii. CS095 - Report to be Received List of Payments by Employees via Purchasing Cards - December 2023.

PROPONENT:

The proponent is the City of Greater Geraldton (the City).

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.
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Outcome 4.3	Accountable leadership supported by a skilled and professional workforce
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REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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

16 MEETING CLOSED TO PUBLIC

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

Livestreaming will be turned off if required.

CS096	RFT 2324 10 GERALDTON AIRPORT SECURITY SCREENING SERVICES
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AGENDA REFERENCE:	D-23-170730
AUTHOR:	A Freers, Manager Geraldton Airport
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	13 December 2023
FILE REFERENCE:	FM/25/0296
ATTACHMENTS:	Yes (x1) Confidential Confidential – RFT 2324 10 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award RFT 2324 10 to a qualified and experienced contractor to manage and supply staff for the mandatory aviation security screening services at Geraldton Airport.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.57 of the *Local Government Act 1995* RESOLVES to:

1. AWARD the contract RFT 2324 10 Geraldton Airport Security Screening Services to the preferred tenderer for the period of 19 February 2024 to 19 February 2027 with the option for a further two year period at the absolute discretion of the City; and
2. RECORD the tendered rates for RFT 2324 10 in the minutes.

PROponent:

The proponent is the City of Greater Geraldton (the City).

BACKGROUND:

The current contract for security screening services at Geraldton Airport is due to expire on 18 February 2024. RFT 2324 10 sought tender prices to undertake mandatory aviation security screening services at Geraldton Airport. The tender specification term of contract is three (3) years with an option for a further two (2) years commencing 19 February 2024.

Geraldton Airport, classified as a Category 3 (Tier 2) security-controlled airport, is dedicated to upholding the security standards for passengers, aircraft, and the general public accessing and utilising the airport facilities.

The ownership and operation of Geraldton Airport rest with the City of Greater Geraldton. As the designated Screening Authority for Geraldton Airport, the City

is bound by mandatory statutory obligations. The consistent provision of Regular Public Transport (RPT) services along the Perth-Geraldton route relies on QantasLink and Nexus Airlines (for Geraldton-Perth and inter-regional flights) utilising 74 to 180 seat aircraft, with a key dependency on the implementation of passenger and baggage screening services for each outbound flight.

Mandated by legislation, security screening of departing passengers, hand luggage, and checked baggage on all RPT flights must adhere to the *Aviation Transport Security Act 2004*, the *Aviation Transport Security Regulations 2005*, and the Geraldton Airport Transport Security Program approved by the Department of Home Affairs.

The RFT was advertised in the Geraldton Guardian newspaper on 29 September 2023, the West Australian newspaper on 30 September 2023 and the City of Greater Geraldton TenderLink e-tendering portal. The tender closing date was 12 noon Monday 27 November 2023.

A single tender proposal was received, submitted by Aerodrome Management Services Pty Ltd (AMS). The tender evaluation was conducted by a panel comprising four Officers, with three voting members and one non-voting member. The recommended tenderer possesses extensive experience in aviation security screening, inclusive of a locally based screening supervisor and team familiar with Geraldton Airport.

The evaluation report (Confidential Attachment No. CS096) outlines the methodology applied to assess the price, compliance, and qualitative criteria to determine the recommended successful tenderer.

The preferred tenderer presented a price schedule based on a staffing level of six per shift and supervisor for conducting security screening operations. The evaluation panel unanimously concluded that maintaining a minimum of six staff per shift and supervisor, based on existing security screening staffing levels, adequately fulfills regulatory obligations and ensures efficient functionality in screening passengers.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts as long as a security screening services contract is in effect. The absence of such a contract would result in the discontinuation of RPT services, leading to adverse social connectivity consequences for individuals visiting their families and friends, as well as patients seeking medical services in Perth.

Economy:

There are no adverse economic impacts provided that there is a security screening services contract in effect. The absence of such a contract would result in the discontinuation of RPT services, causing adverse effects for business travellers and the tourism sector.

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:

RFT 07 1819 Geraldton Airport Security Screening Services, 22 January 2019 (Item No. CCS395)

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Regulatory compliance under *Aviation Transport Security Act 2004*, the *Aviation Transport Security Regulations 2005* and Geraldton Airport's Transport Security Plan.

Airports that have RPT services where the seat capacity of an airplane is greater than 40 are required to provide screening services.

FINANCIAL AND RESOURCE IMPLICATIONS:

Annually, the Council establishes a security screening fee for outbound Regular Public Transport (RPT) passengers through its budget fees and charges schedule for the airport. This fee is calculated to cover the expenses associated with providing security screening services. A review of the unit rate of this fee which is currently \$26.00 per outbound passenger will be undertaken and will be based on the annual forecast outbound passengers for 2024-25. The level of revenue generated is based on covering the costs of the screening service, annual software licensing and annual depreciation expense of the screening equipment. This fee is charged directly to the airlines who require screening of passengers.

For the financial year 2022-23, the total cost for contractor security screening services amounted to \$910,269 exclusive of GST. For 2023-24, the budget allocation for screening services was increased to \$1,400,000 on the knowledge that there would be an increase to both the cost (per previous RFT) and the servicing level requirements.

In 2022-23, this contract annually serviced 508 outbound flights. Based on current weekly schedule, this contract will now annually service 1,404 outbound flights.

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 2.2	Efficient and accessible intrastate and interstate connectivity.

REGIONAL OUTCOMES:

The provision of professional and reliable screening services enhances regional outcomes through confidence in regional airline travel.

The presence of these security screening contractors, while not locally headquartered, still creates job opportunities in a specialised field for local residents, contributing to economic growth. The establishment of a local team signifies a commitment to engaging with the community. This approach, where the contractors maintain a base in Geraldton, allows for the transfer of specialised skills and knowledge to the local workforce.

RISK MANAGEMENT:

In order to adhere to legislation, the contract must be granted and fully operational by 19 February 2024, as Regular Public Transport (RPT) flights cannot proceed without the necessary security screening services. Failing to provide security screening that meets stringent regulatory standards for each RPT screening shift poses a significant risk to the continuation of outbound RPT services from Geraldton. This risk is particularly pronounced due to the heightened compliance standards set by the Department of Home Affairs.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers. Aviation Security Screening requires specialist capabilities, not available in house, and the outsourcing of services to a competent contractor through tender process is considered the appropriate method.

City Officers considered readvertising the request for tender to allow for more submissions. However, this option was discarded to ensure timely implementation of enhanced security measures. Delaying the decision could have posed security risks and potential disruptions to airport operations. The decision to proceed with only one submission, AMS, was made based on their unique qualifications, expertise and alignment with the airport's specific requirements. Other submissions, if any, may not have demonstrated the same level of specialisation or efficiency.

17 CLOSURE

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

Attachments and Reports to be Received are available on the City of Greater Geraldton website at: <https://www.cgg.wa.gov.au/council-meetings/>