



ORDINARY MEETING OF COUNCIL
MINUTES

31 JANUARY 2023

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 31 JANUARY 2023 AT 5.03pm
CHAMBERS, CATHEDRAL AVENUE

MINUTES

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 5.03pm.

Meeting commenced at the conclusion of the Annual Meeting of Electors.

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

In accordance with the Local Government (Administration) Regulations 1996 regulation 14C(2)(b) the Mayor authorised Cr T Thomas and Cr N Colliver to attend this meeting by electronic means.

Present:

Mayor S Van Styn

Cr J Clune

Cr N Colliver (*by electronic means*)

Cr S Cooper

Cr J Critch

Cr R D Hall

Cr M Librizzi

Cr S Keemink

Cr K Parker

Cr M Reymond

Cr V Tanti

Cr T Thomas (*by electronic means*)

Officers:

R McKim, Chief Executive Officer
P Melling, Director of Development Services
P Radalj, Director of Corporate Services
C Lee, Director of Infrastructure Services
S Moulds, PA to the Chief Executive Officer
L Pegler, Executive Support Secretary
T Gray, Coordinator Communications
B Pearce, Manager Corporate Compliance and Safety
C Edwards, Manager Project Delivery and Engineering
L Macleod, Coordinator Land and Leasing
A Maple, Senior ICT Support Officer

Others:

Members of Public: 1
Members of Press: 1

Apologies:

F Norling, Director of Community and Culture

Leave of Absence:

Nil

4 DISCLOSURE OF INTERESTS

Cr M Librizzi declared a Financial Indirect interest in Item No. IS276 RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 RFT, as one of the tenderers is a client of the Elected Member.

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 5.05pm.

Peter Nelson, President Champion Bay Surf Life Saving Club [CBSLSC], 17 Forrest Street, Geraldton

Question

The Board of Management (BOM) of the Champion Bay SLSC is seeking procedural clarification for the assessment of our intended submission for the permanent club facilities on the foreshore. In the past council staff advised us to make a submission regarding Foreshore Policy 1.5, the club made a submission, council staff advised council not to make any changes, council voted 10/0 not to make changes. The CBSLSC intends to make a submission to council in April 2023. Please advise how council will evaluate this submission if it won't make any changes to the policy.

Response

The Foreshore Use & Development Policy is a guiding document to assist the City when it considers the many requests for the foreshore. The Champion Bay Surf Life Saving Club has been advised previously that Council would formally consider a request from the club for a permanent facility and would give "due regard" to the policy as part of its deliberations. Officer's suggest the club's first step may be to present their proposal to a Concept forum and obtain councillor feedback.

Question

In the Geraldton Guardian dated 16th Dec 2022, The Mayor is quoted as saying "The city has spoken to the club about the possibility of the yarning circle as a location for the club buildings" Is this an actual offer or just another suggestion similar to Cr Cooper's that we could move into the Yacht Club, or that of Cr Raymond that we could build a jetty off Champion Beach and build our club rooms on the end of that. Please clarify.

Response

I have no authority to make formal offers for leasing land on the Foreshore. It is ultimately the State Government that has the power to lease land, managed by the City, and only with the support of Council. The suggestion by me was made during a Council meeting however as a result of a prompt refusal by yourself and no formal request by the CBSLC board to entertain the idea, we have not taken the idea any further. The Geraldton Yacht Club was interested in having a discussion with you about their possible location. Cr Cooper was merely the deliverer of the message. Cr Reymond was also trying to assist by floating a further idea to you, but again it was met with a prompt refusal. The Council's understanding is that you have not taken up this offer for a discussion.

Question

Can the City please advise on the roll out of the BEN SIGN installation, when the installation is expected to be completed, the approximate date for completion of the audit and the procedure for activation of the Beach Closed feature of these signs.

Response

79 Geraldton BEN signs have been installed under a State Government program led by the Department of Primary Industries and Regional Development (DPIRD). The installation of the Geraldton BEN signs was completed in December 2022 and provide a unique coding system designed to improve emergency response times by installing signs with unique numbers at beach access points.

The BEN sign audit process involves photographing each installation site and confirming the GPS location of each BEN sign. This will be completed by the end of February 2023 and the information forwarded to DPIRD.

The City has an existing process for the closure of a beach following a shark sighting which it will apply to the BEN signs. If notification of a shark sighting is received, officer's visit the location to confirm the sighting and if necessary, the BEN signs will be changed to 'Beach Closed' status and a customer service announcement made.

Summary of verbal supplementary question from Mr Nelson

Mr Nelson advised that they have been in contact with DPIRD and had received quite a bit of information. They have had two incidents and there were concerns that the location on the BEN signs caused confusion for the ambulance attendance. It has been clarified that it wouldn't have caused an issue as the name of the beach isn't included in the information. Australia Day, a lady was injured. Location opposite Dean Street/Adam Street – there was an issue there with the location information for that particular sign – is opposite Dean Street, it was actually opposite Adam Street.

Response

The City has not been made aware of any issues. The City can't speak on behalf of DPIRD. There may be some teething issues perhaps with the audit not being completed as yet. That is in process and due to be completed in February 2023. So once the GPS mapping/locations have been finalised that may alleviate any further issues.

Public question time concluded at 5.13pm.

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

Councillor	From	To (inclusive)	Date Approved
Nil			

Any new leave requests will be published in the final agenda.

**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 J Critch for the period 21 June to 4 July 2023; and
 - b. Cr M Librizzi for the period 29 March to 6 April 2023.

COUNCIL DECISION

MOVED CR KEEMINK, SECONDED CR HALL

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 J Critch for the period 21 June to 4 July 2023; and
 - b. Cr M Librizzi for the period 29 March to 6 April 2023.

CARRIED 12/0

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

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 20 December 2022, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

MOVED CR CRITCH, SECONDED CR KEEMINK

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 20 December 2022, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 12/0

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
21 December 2022	Geraldton Guardian Interview - End of Year	Mayor Shane Van Styn
23 December 2022	ABC Interview - Rental Bidding position	Mayor Shane Van Styn
23 December 2022	Geraldton Amateur Basketball Association (GABA) Stadium Tour	Mayor Shane Van Styn
28 December 2022	Channel 7 Interview – Car Fatality	Mayor Shane Van Styn
6 January 2023	Geraldton Guardian Interview - Cruise Ship Visits to Geraldton	Mayor Shane Van Styn
10 January 2023	AIDamar (formerly Aidasol) Cruise Ship - Plaque Presentation for Inaugural Visit	Mayor Shane Van Styn
12 January 2023	Geraldton Guardian Interview – Qantas Flight Schedule	Mayor Shane Van Styn
12 January 2023	Channel 7 Interview – Qantas Flight Schedule	Mayor Shane Van Styn
13 January 2023	WA Cruise Shipping Strategic Plan 2023 – 2032 - Telephone consultation	Mayor Shane Van Styn
13 January 2023	Triple M Radio Interview – Qantas Flight Schedule	Mayor Shane Van Styn
13 January 2023	Photo for Media Release - Europcar WA Australia Day fireworks Sponsorship	Mayor Shane Van Styn
16 January 2023	Mayor / CEO Regular Catch up	Mayor Shane Van Styn
16 January 2023	Marketing & Media Regular Catch up	Mayor Shane Van Styn
16 January 2023	Pump and Jump Track Update	Mayor Shane Van Styn
19 January 2023	Mayor's Prayer Breakfast - Planning	Mayor Shane Van Styn
19 January 2023	ABC Radio Interview – Bulk Verge Pickups	Mayor Shane Van Styn
23 January 2023	Mayor / CEO Regular Catch up	Mayor Shane Van Styn
23 January 2023	Marketing & Media Regular Catch up	Mayor Shane Van Styn
23 January 2023	Development WA Meeting – General Update	Mayor Shane Van Styn
24 January 2023	Agenda Forum	Mayor Shane Van Styn
25 January 2023	Meeting with Resident - Discuss Aboriginal Housing	Mayor Shane Van Styn
25 January 2023	Triple M Radio - Batavia Motor Inne Update	Mayor Shane Van Styn
26 January 2023	Australia Day Celebrations and Community Citizen Awards - Mullewa	Mayor Shane Van Styn
26 January 2023	Australian Citizenship Ceremony and Australia Day Awards 2023 - Geraldton	Mayor Shane Van Styn
30 January 2023	Mayor / CEO Regular Catch up	Mayor Shane Van Styn
30 January 2023	Marketing & Media Regular Catch up	Mayor Shane Van Styn
30 January 2023	Sailors & Soldiers Trust AGM	Mayor Shane Van Styn
31 January 2023	Annual Meeting of Electors	Mayor Shane Van Styn
31 January 2023	Ordinary Meeting of Council	Mayor Shane Van Styn

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

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

DS009	LEASE – MARINE RESCUE GERALDTON INCORPORATED
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AGENDA REFERENCE:	D-23-003095
AUTHOR:	L MacLeod, Coordinator Land and Property Services
EXECUTIVE:	P Melling, Director Development Services
DATE OF REPORT:	3 January 2023
FILE REFERENCE:	A20081
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to agree to surrender the current lease over portion of Reserve 2562 located adjacent to Bob Davies Park, Marine Terrace, Point Moore, and enter into a lease with the Marine Rescue Geraldton Incorporated for a portion of the Geraldton Multipurpose Centre (GMC) located on Reserve 50100.

EXECUTIVE RECOMMENDATION:

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

1. AGREE to surrender the current lease over portion of Reserve 2562 if/ when a managed retreat is implemented;
2. ENTER into a new lease agreement for portion of the Geraldton Multi-Purpose Centre located on Reserve 50100 if/ when a managed retreat is implemented;
3. COMMENCE the lease on a date agreed and determined in accordance with the Managed Retreat should the event occur;
4. SET the conditions as follows:
 - a. Enter into a one year lease agreement with two further term options of one year;
 - b. Commence the lease fee at \$18,000 per annum plus GST;
5. MAKE the determination subject to consent from the Minister for Lands; and
6. ADVISE the lessee that all legal and survey expenses associated with the preparation, execution and registration of the lease and surrender of lease will be their responsibility.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Marine Rescue Geraldton Incorporated is affiliated with Marine Rescue WA and is formally approved under the Department of Fire and Emergency Services Act.

At the Council meeting held 30 August 2022 a report (Item No. IS264 Geraldton Volunteer Marine Rescue Building) was presented informing Council of the current impact that storm surges have had on the Geraldton coastline especially at the Point Moore beach where the Geraldton Marine Rescue building is located above the City's public ablution block. The report stated:

This situation now threatens the immediate future of the building and associated infrastructure, placing it at extreme risk from both erosion and inundation.

The purpose of this report is to seek Council approval to initiate managed retreat measures and to commence planning as required for relocation, and the ongoing provision of volunteer marine rescue services, should the current building become too hazardous to occupy.

City Officers met with representatives from Marine Rescue at the Geraldton Multipurpose Centre to view and discuss the Boardroom for short term suitability.

It was agreed in principle that the room would be suitable to continue their operations should the Marine Rescue Geraldton building be affected by coastal erosion to the extent that a managed retreat is implemented. Marine Rescue support the proposed lease fee of \$18,000 per annum plus GST inclusive of utilities and twice weekly cleaning. The lease will include an early exit clause should a purpose built facility become available to Marine Rescue Geraldton prior to the termination of the lease term.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The Marine Rescue Geraldton are a not for profit organisation that has been supporting the local community since 1988. They maintain a 24/7 marine radio listening watch to provide rapid assistance to those in need and assist the Western Australia Police (WAPOL) to search for missing people or vessels.

Economy:

There are no adverse economic impacts associated with this proposal as the lease fee will negate the loss of income otherwise received from hiring the Boardroom. The lease fee will be provided via grant funding from the Department of Fire and Emergency Services to Marine Rescue Geraldton.

Environment:

There are no adverse environmental impacts associated with the proposal to lease a portion of the Geraldton Multipurpose Centre, however there are environmental impacts in relation to the existing Marine Rescue facility.

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:

At the 25 May 2021 meeting Council endorsed Item No. DCS493 to surrender the lease and enter into a new lease with Geraldton Athletics Centre Incorporated. At the 28 January 2020 meeting, Council endorsed Item No. DCS436 to surrender the lease and enter into a new lease with Brigades Football Club Inc.

COMMUNITY/COUNCILLOR CONSULTATION:

Item No. IS264 - Geraldton Volunteer Marine Rescue Building was presented to Council on 30 August 2022 identifying the current erosion situation impacting the Marine Rescue Geraldton building and the City's public ablution block at Point Moore.

LEGISLATIVE/POLICY IMPLICATIONS:

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

A lease fee of \$18,000 per annum plus GST has been agreed. The lease fee will assist to offset the income loss from hiring the Boardroom. The lease fee will also include outgoing's such as power, water, cleaning, security, etc.

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 3.2	Regional leader in adapting to climate change.
Outcome 3.5	An integrated emergency and land management approach

REGIONAL OUTCOMES:

Providing an interim facility for Marine Rescue Geraldton ensures the continuation of this vital service to the community until a permanent site can be secured.

RISK MANAGEMENT:

There are no risks identified with this proposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

COUNCIL DECISION**MOVED CR HALL, SECONDED CR REYMOND**

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

- 1. AGREE to surrender the current lease over portion of Reserve 2562 if/ when a managed retreat is implemented;**
- 2. ENTER into a new lease agreement for portion of the Geraldton Multi- Purpose Centre located on Reserve 50100 if/ when a managed retreat is implemented;**
- 3. COMMENCE the lease on a date agreed and determined in accordance with the Managed Retreat should the event occur;**
- 4. SET the conditions as follows:**
 - a. Enter into a one year lease agreement with two further term options of one year;**
 - b. Commence the lease fee at \$18,000 per annum plus GST;**
- 5. MAKE the determination subject to consent from the Minister for Lands; and**
- 6. ADVISE the lessee that all legal and survey expenses associated with the preparation, execution and registration of the lease and surrender of lease will be their responsibility.**

CARRIED 12/0

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.

DS010 ROAD WIDENING MARINE TERRACE - CBH/PORT ENTRY

AGENDA REFERENCE:	D-23-003260
AUTHOR:	L MacLeod, Coordinator Land and Property Services
EXECUTIVE:	P Melling, Director Development Services
DATE OF REPORT:	9 January 2022
FILE REFERENCE:	A18402
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's approval to accept a 2,404 square metre area of Crown Reserve 25300 being a portion of Lot 502 and Lot 503 on Deposited Plan 57801 being 298 Marine Terrace, and portion of Lot 504 on Deposited Plan 57801 being 398 Marine Terrace for the purpose of road widening.

EXECUTIVE RECOMMENDATION:

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

1. AGREE to accept 2,404 square metres of Crown Reserve 25300 land for the purpose of road widening on Marine Terrace, West End.

PROPONENT:

The proponent is the Mid West Ports Authority.

BACKGROUND:

On Friday 13th May 2022, the State Government announced major funding approval of \$332M for Mid West Ports Authority's (MWPA) Port Maximisation Project (PMaxP) which will enable the Port to facilitate a significant increase in demand in the region.

With a projected 67% increase in throughput, MWPA have now commenced PMaxP with a plan to execute the project over the next 4 years. The projected increase in throughput is expected to see heavy vehicle traffic entering and exiting the port through Geraldton double over the coming years. Accordingly, MWPA are proposing to construct a roundabout on Marine Terrace, near the southern end of Cream Street and Gillam Road, to improve traffic flow and the safety of all road users in the area.

The City has provided a letter of in principle support for the proposed roundabout project on the basis of MWPA's commitment to the project as follows:

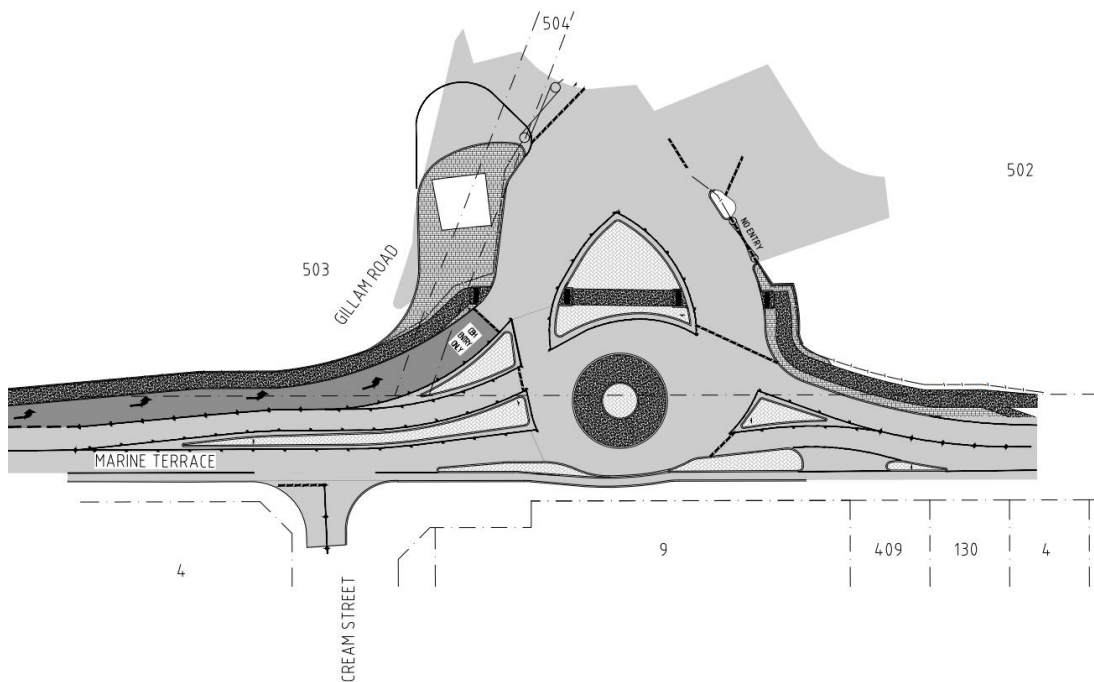
1. MWPA shall be responsible for sole funding the Roundabout Project under the State Government's Royalties for Regions Program and ongoing maintenance in accordance with Item 2 below; and

2. Except for the ongoing maintenance of drainage, footpaths and vegetation (pruning and watering) which shall be the responsibility of the City, all ongoing maintenance of the new road pavement (including line marking) shall be the responsibility of MWPA.

Subsequently, MWPA have engaged Hille, Thompson and Delfos (HTD) Surveyors and Planners to facilitate a road widening out of the Port Reserve adjacent to Marine Terrace for the purpose of wholly accommodating the proposed roundabout within the road reserve.

As Marine Terrace is dedicated and under the City's jurisdiction, a resolution of Council agreeing to the road widening is required. This resolution will then form part of the application to the Department of Planning Lands and Heritage who will undertake the formal process of creating the widening of the road reserve.

PROPOSED NEW INTERSECTION



COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts as the widening and proposed access and egress into the Port will alleviate traffic flow congestion to the current intersection and improve safety for motorists.

Economy:

There are no adverse economic impacts.

Environment:

The City is strongly of the opinion that a significant 24/7 increase in heavy haulage traffic fundamentally changes the nature of the road environment along Portway, between the proposed roundabout and John Willcock Link, from that of a Local Distributor to a Primary Distributor.

The City currently has maintenance responsibility for this section of road however, Officers believe a fundamental change in road environment to that of a Primary Distributor, means the road should be vested with Main Roads W.A. for the ongoing maintenance and completion of the link to the Port.

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 has several precedents of road widening reports approved by Council such as, Item No. DCS431 in November 2019.

COMMUNITY/COUNCILLOR CONSULTATION:

MWPA presented to Council at the 4 October 2022 Concept Forum and provided an update on the Port Maximisation Project which included details about the proposed roundabout project.

The City has also strongly advocated for MWPA to undertake appropriate community consultation given the potential impacts to local community members and stakeholders. MWPA have committed to this by way of letter drops and communication via regular updates to their website during the project.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

All costs associated with the construction of the proposed project will be the responsibility of the Mid West Ports Authority. It is proposed that in due course, a Maintenance Agreement be entered into between MWPA and the City to formally document the terms around ongoing maintenance. The Agreement would take effect as of the date both parties have signed and would run for the duration the roundabout remains in place.

INTEGRATED PLANNING LINKS:

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 wellbeing.

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 4.9	Collaboration and strategic alliances with Local Government partners delivers results for common aspirations.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks identified with this proposal as the proposed road widening will improve safe ingress and egress at the Port and alleviate traffic congestion to the immediate area.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

COUNCIL DECISION**MOVED CR CRITCH, SECONDED CR LIBRIZZI**

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

- 1. AGREE to accept 2,404 square metres of Crown Reserve 25300 land for the purpose of road widening on Marine Terrace, West End.**

CARRIED 12/0

Time: 5:24 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

12.2 REPORTS OF COMMUNITY AND CULTURE

Nil.

12.3 REPORTS OF CORPORATE SERVICES

CS008	GERALDTON AIRPORT LEASE – LOT 3 GORDON GARRATT DRIVE AND PORTION OF GREENOUGH TERMINAL – TERRY TRUCK RENTALS PTY LTD TRADING AS HERTZ RENTALS
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AGENDA REFERENCE:	D-23-002464
AUTHOR:	A Gartner, Airport Administration Supervisor
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	13 December 2022
FILE REFERENCE:	PM/6/0006-004
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to enter into a new lease with Terry Truck Rentals Pty Ltd trading as Hertz Rentals for Lot 3, Gordon Garratt Drive and portion of the Greenough Terminal located at Geraldton Airport.

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a new lease with Terry Truck Rentals Pty Ltd trading as Hertz Rentals for Lot 3 Gordon Garratt Drive and Greenough Terminal Car Hire Booth No. 4;
2. SET the proposed conditions as follows:
 - a. Enter into a five (5) year lease agreement with a further five (5) year option commencing on the date of execution of the lease;
 - b. Set the commencement lease fee for Lot 3 Gordon Garratt Drive at a square metre rate of \$11.00 plus GST per annum (which equates to \$25,124 plus GST per annum);
 - c. Set the commencement lease fee for Greenough Terminal Car Hire Booth No.4 as 6% plus GST of the gross revenue generated for total car hire fees levied;
 - d. Adjust the lease fee annually in line with the preceding March Perth Consumer Price Index (CPI);
 - e. Obtain a market rent valuation at the expiration of every three (3) years and adjust the lease fees accordingly;
3. MAKE the determination subject to an advertising notice period of not less than 14 days inviting public submissions;
4. REFER the matter back to Council for final consideration if any objecting submissions are received;
5. ADVISE lessee is responsible for separately paying:
 - a. All applicable rates, taxes and other utilities; and
 - b. All costs associated with the lease.

PROPONENT:

The proponent is Terry Truck Rentals Pty Ltd trading as Hertz Rentals.

BACKGROUND:

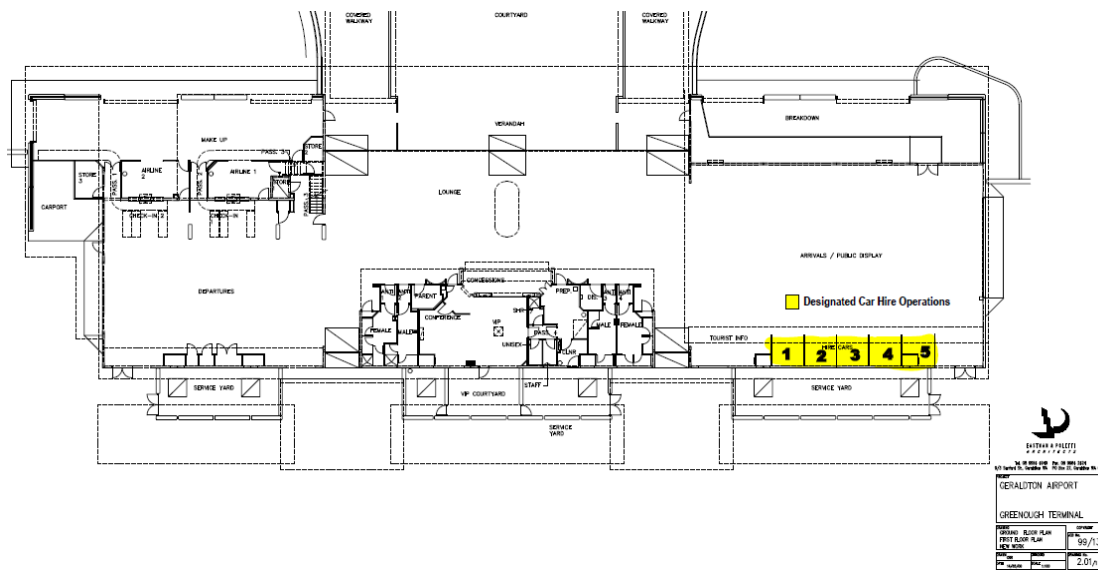
On 22 May 2012 (Item No. CE042) Council resolved to enter into a five (5+5) year lease agreement with Terry Truck Rentals trading as Hertz Rentals for the purpose of car hire operations.

The respective lease expired on 30 June 2022. The lessee is exercising the Holding Over clause contained within their lease pending the endorsement of a new lease agreement.

The below picture shows the proposed land lease area being Lot 3, Gordon Garratt Drive.



The below picture shows the proposed leased area within the Greenough Terminal being Car Hire Booth No.4.



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

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

Economy:

This proposal supports the local tourism industry and its recovery from the impacts of COVID-19.

Environment:

There are no adverse environmental impacts relating to this report as the Hertz Rentals facility is already established.

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 30 August 2022, Council resolved to enter into a new lease agreement with Bumbler Aviation Pty Ltd for portion of Hangar 117 – Item No. CCS713.

COMMUNITY/COUNCILLOR CONSULTATION:

Should Council grant approval to enter into a lease agreement with Terry Truck Rentals Pty Ltd trading as Hertz Rentals, public submissions will be invited for a period of 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 way of lease) of property.

FINANCIAL AND RESOURCE IMPLICATIONS:

Geraldton Airport engaged the services of a licenced valuer during May 2022 to provide a market valuation report for another car hire operator for the purpose of exercising their further term option.

The market valuation report determined the indicative market rental range for Lot 3 Gordon Garratt Drive to be between \$11.00 and \$13.00 plus GST per square metre, per annum. To ensure consistency between all car hire operators at Geraldton Airport, the proposed rate is \$11.00 plus GST per square metre, per annum (which equates to \$25,124 plus GST per annum).

The lease fee for Lot 3 Gordon Garratt Drive would be subject to annual CPI increases and a current market valuation every triennium.

The commencement lease fee of 6% plus GST of the gross revenue generated for total car hire fees levied for Greenough Terminal car hire booth space is consistent with all current car hire operators at Geraldton Airport.

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.
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.

REGIONAL OUTCOMES:

This proposal will enable the continuation of car hire facilities at the Geraldton Airport thereby providing an ongoing service to patrons.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered by City Officers.

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR CRITCH

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

1. **ENTER** into a new lease with Terry Truck Rentals Pty Ltd trading as Hertz Rentals for Lot 3 Gordon Garratt Drive and Greenough Terminal Car Hire Booth No. 4;
2. **SET** the proposed conditions as follows:
 - a. Enter into a five (5) year lease agreement with a further five (5) year option commencing on the date of execution of the lease;
 - b. Set the commencement lease fee for Lot 3 Gordon Garratt Drive at a square metre rate of \$11.00 plus GST per annum (which equates to \$25,124 plus GST per annum);
 - c. Set the commencement lease fee for Greenough Terminal Car Hire Booth No.4 as 6% plus GST of the gross revenue generated for total car hire fees levied;
 - d. Adjust the lease fee annually in line with the preceding March Perth Consumer Price Index (CPI);

-
- e. Obtain a market rent valuation at the expiration of every three (3) years and adjust the lease fees accordingly;
 3. MAKE the determination subject to an advertising notice period of not less than 14 days inviting public submissions;
 4. REFER the matter back to Council for final consideration if any objecting submissions are received;
 5. ADVISE lessee is responsible for separately paying;
 - a. All applicable rates, taxes and other utilities; and
 - b. All costs associated with the lease.

CARRIED 12/0

Time: 5:26 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

CS009 COUNCIL POLICY 2.8 GERALDTON CITY CENTRE VIBRANCY

AGENDA REFERENCE:	D-23-003001
AUTHOR:	P Vorster, Coordinator Economic Development
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	9 January 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2)
	A. Draft Council Policy 2.8 Geraldton City Centre Vibrancy (v4)
	B. Comparison Table - Geraldton City Centre Vibrancy Policy

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 2.8 Geraldton City Centre Vibrancy, version 4. No changes to the intent of the Policy have been made. Minor amendments including a change to the policy number are detailed in the attached Comparison Table.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 2.8 Geraldton City Centre Vibrancy, version 4.

PROONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

A successful City Centre for retail, commerce, hospitality, community and civic life, is important for Geraldton as the Mid West's regional capital. It links to infrastructure, tourism, reducing leakage from the local economy, employment, local pride, and overall liveability.

A continued focus and momentum with regards to City Centre vibrancy is required to ensure that the City Centre grows its importance as a distinctive and magnetic place for residents, businesses, and visitors. It aims to position the City Centre as an active destination embracing Geraldton's nautical history and assets.

City Centre Vibrancy initiatives are guided by performance criteria included in the following City of Greater Geraldton (City) documents:

- Geraldton Jobs and Growth Plan 2020 – 2023
- Strategic Community Plan
- Geraldton City Centre Revitalisation Plan
- City of Greater Geraldton Events Strategy 2020 - 2025
- Geraldton City Centre Vibrancy Policy

The performance criteria include:

- Enabling the ongoing collaboration of key entities that invest in/contribute to the City Centre,
- Creating a lively and active City Centre and streets throughout the day into evening,
- Developing the City Centre as a leading Mid West destination with diverse uses and occupants,
- A place where people have access to, engage in and celebrate arts, culture, education and heritage,
- Ensuring that local business is empowered and supported,
- Expanding Geraldton's City Centre role beyond a business district, to become the tourist/ entertainment precinct in the Mid West and a core residential, innovation and community hub,
- Supporting the local economy by a coordinated and balanced calendar of diverse events increasing visitation to the region; and
- Creating efficient and effective processes that to ensure that the City of Greater Geraldton is a user friendly event location.

Keeping these in mind, the City commissioned Euphorium, a Geraldton based community organisation, to do research and provide guidelines as to the best way of including and empowering the community to be actively involved in City Centre Revitalisation.

The City is currently working in conjunction with Euphorium on a follow up phase to promote the outcomes stated above. For this initiative we are following guidelines as provided by the Town Team Movement Model (<https://www.townteammovement.com>) which are based on the collaborative and inclusive principles of placemaking. These include promoting relationships, finding common ground, shared goals and working collaboratively to further common interests.

The process includes a number of initiatives which is a move away from the City being solely responsible for activating spaces and more about the City opening up opportunities and assisting the general, business and artistic community to get involved in creating vibrancy. These include:

Providing support for the establishment of a Town Team:

The Town Team model is based on the creation of an independent body, with wide stakeholder representation, whereby Councils do not drive the process, but are regarded as a stakeholder that becomes involved as and when required. Euphorium's mandate includes the coordination and provision of secretarial services for a Town Team until such time as it functions independently, or the conclusion of their contract with the City.

Actions toward making City facilities such as Rocks Laneway and GRAG Park accessible to community organisations and members, businesses and practitioners in the creative and wellbeing industries include:

- Communicating with the community about the availability and processes to access Rocks Laneway and Geraldton Regional Art Gallery (GRAG) Park,
- Coordinating 'foundational events' to provide opportunities for local small businesses and community organisations to promote themselves and
- Organising events to make the spaces more active and promote increased community based activations.

These initiatives are complementary to other City initiatives including GRAG, Library and QPT programs and City lead events, and also takes into consideration projects undertaken by other stakeholders such as the planned Blue Heelers City Node.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The City Centre is a strong focus area for community activities, with assets including the GRAG, Museum of Geraldton, Yamatji Art Centre, Foreshore, Queens Park Theatre and Rocks Laneway. This Policy highlights the importance of the City Centre and the opportunities, diverse attractions and events it provides in a comfortable and creative environment.

Economy:

Geraldton is a significant transport and services hub, the point of arrival for most tourists and also a focus for community activities. Revitalising the City Centre is an important focus of the Geraldton Jobs and Growth Plan 2020 – 2023 and significant improvements have been made to the City Centre to reflect its important role as a hub for the City of Greater Geraldton.

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:

Council Policy 1.7 Geraldton City Centre Vibrancy (v3) was reviewed and approved by Council on 23 June 2020 (Item No. CCS509).

COMMUNITY/COUNCILLOR CONSULTATION:

The Geraldton Jobs and Growth Plan 2020 – 2023 was developed in consultation with major stakeholders in the Mid West region. This plan identifies the City Centre as the heart of the region and highlights the need to create a lively and active City Centre and a leading Mid West destination with diverse uses and occupants.

An Economic Development/ Tourism survey was sent out to Councillors in November 2022 to gather feedback on the role of the City of Greater Geraldton in the City Centre. The feedback emphasised the need for continued activation of the City Centre together with the establishment and improvement of relationships with stakeholders in the City Centre.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to Section 2.7 of the *Local Government Act 1995* the role of Council includes the 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:

Funds are allocated annually within the City's operating budget to support activation activities.

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 2.3	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
Outcome 2.5	Our competitive advantages are built upon and our business success is celebrated.
Outcome 2.6	A diverse and globally recognised regional capital.

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 good government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers as this Policy supports the importance of the Geraldton City Centre as identified in the Growing Greater Geraldton Jobs and Growth Plan 2020 – 2023.

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

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

- 1. APPROVE Council Policy 2.8 Geraldton City Centre Vibrancy, version 4.**

CARRIED 12/0

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.

CS010	NEW COUNCIL POLICY 4.31 COUNCIL MEMBER FEES, ALLOWANCES, REIMBURSEMENTS AND BENEFITS
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AGENDA REFERENCE:	D-23-006024
AUTHOR:	R Doughty, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	13 January 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x1) Draft Council Policy 4.31 Council Member Fees, Allowances, Reimbursements and Benefits

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval for a new proposed Council Policy 4.31 Council Member Fees, Allowances, Reimbursements and Benefits.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE new Council Policy 4.31 Council Member Fees, Allowances, Reimbursements and Benefits.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Salaries and Allowances Tribunal (the Tribunal) issue a determination annually in relation to the salaries and allowances of local government chief executive officers (CEOs) and elected members, in line with its statutory requirements. The determination takes effect from 1 July the following financial year.

The Tribunal note that each local government must set remuneration within the band to which it is allocated. Any increase, within the bands, must be determined by each local government through its own assessment of whether changes are justified.

This new Council Policy 4.31 Council Member Fees, Allowances, Reimbursements and Benefits (the Policy) will aid in automating the Council Member remuneration setting as part of the Annual Budget process.

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:

This policy supports and streamlines application of Section 5.98 and 5.99 of the *Local Government Act 1995* that outlines Fees and Allowances entitlements for council members.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council from time to time consider reviewed and new draft council policies for approval.

COMMUNITY/COUNCILLOR CONSULTATION:

Council Members were consulted via Briefing Note and at Concept Forum on 6 December 2022. No requests for amendments were received.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to Section 2.7 of the *Local Government Act 1995* the role of Council includes the 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 for this current financial year as the remuneration has been set as part of the 2022-23 Annual Budget. In future financial years, if the Policy is approved, the remuneration of the Council Members will be set as per the Policy and in line with the Salaries and Allowances Tribunal determination.

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 4.7	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 good government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No other options were considered. The City at present has no council policy in relation the setting of council member's remuneration.

COUNCIL DECISION**MOVED CR CRITCH, SECONDED CR REYMOND**

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

1. **APPROVE new Council Policy 4.31 Council Member Fees, Allowances, Reimbursements and Benefits.**

CARRIED 12/0

Time: 5:29 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

CS011 REPRESENTATION REVIEW – LOCAL GOVERNMENT REFORM

AGENDA REFERENCE:	D-23-168135
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	18 January 2023
FILE REFERENCE:	GO/4/0001-002
ATTACHMENTS:	Yes (x1) Confidential Confidential - Public Submissions

EXECUTIVE SUMMARY:

The purpose of this report is to consider submissions received regarding the review of councillor representation and to formulate Council's recommendation to the Local Government Advisory Board (LGAB) of its preferred councillor representation model.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority under the provisions of clause 9 schedule 2.2 and section 2.18(3) of the *Local Government Act 1995* requests the Local Government Advisory Board to recommend to the Minister for Local Government that an order be made to:

1. REDUCE the number of offices of councillor, on the council of the City of Greater Geraldton, from twelve (12) councillors and a directly elected mayor to eight (8) councillors and a directly elected mayor;
2. AUTHORISE the Chief Executive Officer to prepare a report to be presented to the Local Government Advisory Board proposing that an order be made under section 2.18(3) of the *Local Government Act 1995* to reduce the number of elected members from twelve (12) and a directly elected mayor to eight (8) and a directly elected mayor, over two elections as follows:
 - a. 2023 ordinary election – reduce from twelve (12) to ten (10) councillors and a directly elected mayor (council of eleven); and
 - b. 2025 ordinary election – reduce from ten (10) to eight (8) councillors and a directly elected mayor (council of nine).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

On 20 September 2022 the Hon John Carey MLA, Minister for Housing; Lands; Homelessness and Local Government (the Minister), advised the City of Greater Geraldton (the City) of a package of reforms to the *Local Government Act 1995* (the Act) to strengthen democracy and increase community engagement. The reforms include:

- The introduction of optional preferential voting; and
- Councillor numbers based on population.

Following an initial review by the Department of Local Government, Sport and Cultural Industries (the Department), the City was identified as a local government which needed to make changes to councillor representation to align with the reform proposal.

In response to the Minister's advice on 25 October 2022 (Item No. CCS733) Council approved the 'Voluntary Pathway' for election transition arrangements. Council also approved implementation of the proposed changes to the number of offices of councillor in a staged approach over the two Ordinary Elections of Council to be held in 2023 and 2025.

The City is a Band 1 local government with a population of approximately 40,000. A Ward and Representation review was previously undertaken by the City in 2018 with the outcome being the discontinuance of the City's ward system, retention of a directly elected mayor, and a reduction of offices of councillor from fourteen (14) and a directly elected mayor to twelve (12) and a directly elected mayor.

The purpose of this representation review is to evaluate the City's current arrangements for representation, twelve (12) councillors and a directly elected mayor, and consider other options for representation as required by the tiered limits of the reform proposals below:

- Population between 5,000 and 75,000 – five to nine councillors (including the mayor/ president)

The City of Greater Geraldton district has 27,578 electors. In terms of the ratio of councillors to electors the current ratio is:

Number of councillors	Ratio of councillor to electors
12	1: 2298

A reduction in councillor numbers would see the ratio change to:

Number of councillors	Ratio of councillor to electors
8	1: 3447
6	1:4596

At its meeting held on 29 November 2022 (Item No. CCS737) Council resolved to:

1. *INITIATE a review of the City of Greater Geraldton's representation in accordance with Schedule 2.2 of the Local Government Act 1995;*
2. *GIVE local public notice of the intention to carry out a review of representation and invite submissions as required by clause 7(1) of Schedule 2.2; and*
3. *ENDORSE the Discussion Paper detailed as Attachment No. CCS737 for the purposes of public consultation.*

The discussion paper used for community consultation provided background to the issue, the criteria the City applied as part of the assessment and a number of options to assist with community input and discussion.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The fundamental role of an elected member is to serve the interests of their community as a whole and to set policy to plan for the current and future needs of the community.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Council of the City of Greater Geraldton is the decision-making body of the local government and therefore has a significant impact on the governance of the district. The system of representation, which incorporates the number of offices of councillor, will be most effective when the representation is aligned adequately with the requirements and population of the local government district, in accordance with the provisions of the local government reform proposals.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City previously considered submissions from a 2018 Ward and Representation review on 23 October 2018 (Item No. CCS370) and approved recommendations to the Minister for the making of an order with regard to ward boundaries and representation.

COMMUNITY/COUNCILLOR CONSULTATION:

A discussion paper was prepared to assist the community in understanding the representation review process. It detailed the current situation against the factors required to be considered and provided information on a number of potential options to assist with discussion. Three options were included:

- Eight (8) offices of councillor and a directly elected mayor (council of 9 members)
- Six (6) offices of councillor and a directly elected mayor (council of 7 members)
- Four (4) offices of councillor and a directly elected mayor (council of 5 members)

The options were developed on the basis that the City has a population of approximately 40,000 and therefore, within the tiered limits of the reform proposals, may have between five (5) and nine (9) offices of councillor including a directly elected mayor. The City currently has a directly elected mayor and a no ward system.

A public submission period commenced on 2 December 2022 for a period ending on 18 January 2023, with notices in the Geraldton Guardian on 2 December 2022, and the Midwest Times on 7 December 2022.

Notices were also placed on public notice boards at the Geraldton Civic Centre, the Geraldton Library and at the Mullewa District Office, and the City's website. Use was also made of social media including Facebook, and a media release to the local newspapers.

The City received four (4) hardcopy submissions and 59 online submissions during the seven week public comment period. Of the 63 submissions received:

- 42 or 66.7% of the number of submissions received were in favour of Option 1 – Eight (8) councillors and a directly elected mayor
- 16 or 25.4% favoured Option 2 – Six (6) councillors and a directly elected mayor
- Four (4) or 6.3% favoured Option 3 – Four (4) councillors and a directly elected mayor
- One (1) or 1.6% did not select an option

Some of the reoccurring arguments supporting the retention of eight (8) Councillors and the Mayor included:

- Broader viewpoints lead to better debate;
- Diversity of backgrounds/opinions provides better representation;
- Large area requires maximum representation to service constituents and share the workload;
- Better chance of reasonable decision making:
 - Less dominance by one group; and
 - Less chance a quorum cannot be reached.

All submissions received were circulated to Elected Members on 19 January 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

The local government reform proposals require that a local government who have approved the Voluntary Pathway for election transition must undertake a review of representation to be completed prior to 14 February 2023.

The *Local Government Act 1995* (the Act) schedule 2.2 makes provision for names, wards and representation.

- Clause 7 requires a local government to give local public notice advising that a review is being carried out and that submissions may be made in a period of not less than six weeks after the notice is given.
- Clause 9 requires a local government to make a report in writing to the Local Government Advisory Board (LGAB) on completing a review. A local government may propose to the Board the making of an order under section 2.18(3).

The Department advice (*A Guide of Local Governments - How to conduct a review of wards and representation for local governments with and without a ward system*) provides that the *Local Government Act 1995* does not specify criteria which must be considered when a local government with no wards undertakes a review of its system of representation. Therefore, it is for a local government to decide which criteria it applies as part of its assessment.

The criteria applied by the City as part of the assessment are:

- advantages and disadvantages of reducing the number of councillors, within the tiered limits
- The implications of any change to the councillor/elector ratio
- The effectiveness and efficiency of Council meetings
- Local government reforms

Proposals to the LGAB must consider the above criteria.

As a result of a review, a local government may recommend changing the number of offices of councillor on a Council.

After receipt of a review by a local government the LGAB in turn makes a recommendation to the Minister for Local Government who may then accept or reject the board's recommendation.

Section 2.18(3) provides that on the recommendation from the Minister the Governor may make an order changing the number of offices of councillor on a council.

The process to transition to a new system of representation is set out in the Act, which requires that near as is practical half the number of councillors of a local government are to retire at each election.

For the purposes of the local government reforms a local government may propose to transition a reduction in the number of offices of councillor over the 2023 and 2025 elections.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no material financial or resource implications, although should Council propose to reduce the number of councillors there is likely to be savings to members expenses.

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 4.6	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:

The City is required by the provisions of the *Local Government Act 1995* reform proposals, to undertake a representation review of the number of offices of councillor. Should the review not be undertaken or finalised by 14 February 2023 the number of offices of councillor will be set on the reform proposals, and all positions of councillor will be declared vacant at the 2023 election. If Council endorse a proposal to the LGAB for the making of an order in relation to councillor numbers, the decision of Council will be considered by the Board with a recommendation made to the Minister for consideration.

CONSIDERATION OF ISSUES AND OPTIONS:

The representation review process has involved consideration of the potential options as detailed in the discussion paper and possible outcomes. From the community consultation undertaken, and workshop with council members there is a preference for a council with eight (8) offices of councillor and a directly elected mayor. This is the maximum number of councillors allowed for a local government with a population of between 5,000 and 75,000.

The majority of responses received (66.7%) from the community favoured Option 1 and concern was also expressed regarding the potential workload on councillors if the number of offices of council was reduced to a lower number.

Potential outcomes of the review may be to have a council of eight (8) councillors and a directly elected mayor, or six (6) councillors and a directly elected mayor. A lesser number is not considered viable for the population of the district.

In terms of the criteria, a potential nine (9), or seven (7) member council – including a directly elected mayor:

Advantages and disadvantages of reducing the number of councillors, within the tiered limits

If the maximum allowable number of councillors, eight (8) and a directly elected mayor, for the City's population of approximately 40,000, is proposed by the Council, the cost of maintaining councillors may be reduced, by a third (four councillors). To reduce the number of councillors by a further two (2) to six (6) councillors would not impact significantly on costs.

A council of eight (8) and a directly elected mayor would ensure a sufficient number of councillors are available to encourage community participation, through contact with the community, and would also minimise the impact of an increased councillor workload. However, if the council were reduced to six (6) councillors and a directly elected mayor the impact of reduced community engagement and increased councillor workload would be more significant, as the number of councillors, not including the directly elected mayor, would be effectively reduced by 50% from the current level of representation.

As the City covers an area of 10,083 square kilometres and includes the rural townships of Mullewa, Greenough and Walkaway, it is important to retain sufficient representation to facilitate community engagement through councillor contact across a large rural region.

Although consultation with the community can be achieved through a variety of means in addition to individuals and groups contacting their local elected member, some of the rural parts of the district have reduced access to communication via Wi-Fi networks which limits the ability to communicate via alternative means.

The implications of any change to the councillor/ elector ratio

A reduction in councillor numbers to eight (8) councillors and a directly elected mayor, will reduce the level of councillor representation from one (1) councillor per 2,298 electors to one (1) councillor per 3,447 electors. This is a minimal decrease in representation in comparison to the effect of a reduction to six (6) councillors and a directly elected mayor, which would reduce representation to one (1) councillor per 4,596.

The effectiveness and efficiency of Council meetings

A reduction of offices of councillor to eight (8) and a directly elected mayor will create efficiencies for decision making, with fewer points of view for consideration, and may also foster team spirit and cooperation, amongst a smaller number of people. However, a reduction in the number of councillors to six (6) and a directly elected mayor may limit diversity of interests and the level of expertise at the council table, as this would effectively be a reduction of half the number of councillors from twelve (12) and a directly elected mayor, at present, to six (6) and a directly elected mayor.

Local government reforms

The number of offices of councillor under the provisions of the local government reforms must meet the tiered levels of councillor representation prescribed, between nine (9) and five (5) councillors, including a directly elected mayor, for a population of between 5,000 and 75,000. The City must therefore reduce the number of offices of councillor to within the tiered limits. As the City has a population of approximately 40,000 and currently has a council of twelve (12) councillors and a directly elected mayor, a reduction of offices of councillor to eight (8) and a directly elected mayor would meet the criteria of the reform provisions whilst maintaining a council of sufficient size to effectively represent the City population. A reduction to a council of six (6) elected members and a directly elected mayor may create an under representation by council for a population the size of Greater Geraldton and under resource the council for the workload and decision making required in the district.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

City Officers considered the following option:

That Council by Absolute Majority under the provisions of clause 9 schedule 2.2 and section 2.18(3) of the *Local Government Act 1995* requests the Local Government Advisory Board to recommend to the Minister for Local Government that an order be made to:

1. REDUCE the number of offices of councillor, on the council of the City of Greater Geraldton, from twelve (12) councillors and a directly elected mayor to eight (8) councillors and a directly elected mayor; and
2. AUTHORISE the Chief Executive Officer to prepare a report to be presented to the Local Government Advisory Board proposing that an order be made under section 2.18(3) of the *Local Government Act 1995* to reduce the number of elected members from twelve (12) and a directly elected mayor to eight (8) and a directly elected mayor, with the change to be implemented at the 2023 ordinary election.

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

That Council by Absolute Majority under the provisions of clause 9 schedule 2.2 and section 2.18(3) of the *Local Government Act 1995* requests the Local Government Advisory Board to recommend to the Minister for Local Government that an order be made to:

1. REDUCE the number of offices of councillor, on the council of the City of Greater Geraldton, from twelve (12) councillors and a directly elected mayor to eight (8) councillors and a directly elected mayor;
2. AUTHORISE the Chief Executive Officer to prepare a report to be presented to the Local Government Advisory Board proposing that an order be made under section 2.18(3) of the *Local Government Act 1995* to reduce the number of elected members from twelve (12) and a directly elected mayor to eight (8) and a directly elected mayor, over two elections as follows:

- a. **2023 ordinary election – reduce from twelve (12) to ten (10) councillors and a directly elected mayor (council of eleven); and**
 b. **2025 ordinary election – reduce from ten (10) to eight (8) councillors and a directly elected mayor (council of nine).**

CARRIED BY ABSOLUTE MAJORITY 11/1

Time: 5:39 PM

Not Voted: 0

No Votes: 1

Yes Votes: 11

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	NO
Cr. Tanti	YES
Cr. Thomas	YES

CS012	AUDIT COMMITTEE ANNUAL REPORT OF ACTIVITIES
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AGENDA REFERENCE:	D-22-167199
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	21 December 2022
FILE REFERENCE:	GO/11/0025
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 2021 to 30 June 2022.

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 2021 to 30 June 2022.

PROPONENT:

The proponent is the City of Greater Geraldton.

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.

Clause 5.2 of the City of Greater Geraldton Audit Committee charter requires:

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 13 December 2022 the Audit Committee resolved to:

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.*

Below is a summary of the activities of the Audit Committee for the period 1 July 2021 to 30 June 2022 for the purposes of providing the above-mentioned report to the Council:

Audit Committee Meeting – 28 September 2021

Report Number	Title	Decision
AC103	Interim Audit Report 2020-21	<ol style="list-style-type: none"> 1. Receive the Interim Audit Report for 2020-21; and 2. Endorse the Management Responses to those matters as contained within the report.
AC104	Progress Report – Management Actions on Audits	<ol style="list-style-type: none"> 1. Receive the Progress Report on management actions related to audits.
AC105	Strategic Internal Audit Plan 2021-2025	<ol style="list-style-type: none"> 1. Endorse the Strategic Internal Audit Plan for 2021-2025 as presented; and 2. Request an update on progress at the next Audit Committee meeting.
AC106	Financial Management Systems Review 2021	<ol style="list-style-type: none"> 1. RECEIVE the Financial Management Systems Review 2021 2. ENDORSE actions taken or proposed to be taken by staff to resolve items identified in the report; and 3. REQUIRE progress updates on implementation of the proposed management actions at the next Audit Committee Meeting.
AC107	Cybersecurity and Information Security	<ol style="list-style-type: none"> 1. NOTE the actions completed and planned to uplift the City's Cybersecurity & Information Security posture and reduce IT risk. 2. NOTE the City of Greater Geraldton's establishment of a Cybersecurity function and development of a Cybersecurity framework.
AC108	Work Health and Safety Update	<ol style="list-style-type: none"> 1. ACKNOWLEDGE receipt of the Internal Audit Safety Management Systems report: 2. REQUIRE the status of the Internal Audit Safety Management Systems Improvement Action Plan to be provided to the Audit Committee.
AC109	Application of Council Policy 4.28 Managing Unreasonable Customer Conduct	<ol style="list-style-type: none"> 1. NOTE the information provided below in relation to Council Policy 4.28 Managing 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.
AC110	Audit Regulation 17 Review 2021	<ol style="list-style-type: none"> 1. RECEIVE the Audit Regulation 17 Review 2021 2. ENDORSE actions taken or proposed to be taken by staff to resolve items identified in the report; and 3. REQUIRE progress updates on implementation of the proposed management actions at the next Audit Committee Meeting.
AC111	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 2020 to 30 June 2021. 2. SUBMIT the summary of Audit Committee activities for the period 1 July 2020 to 30 June 2021 to Council as the Audit Committee annual report of activities.

Audit Committee Meeting – 6 December 2021

Report Number	Title	Decision
AC112	Exit Meeting OAG and RSM	<ol style="list-style-type: none"> 1. RECEIVE the Office of Auditor General overview of the audit finding for the year ended 30 June 2021 (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.
AC113	Review of The Audit Committee Terms of Reference	<ol style="list-style-type: none"> 1. Endorse the Audit Committee Terms of Reference – 6 December 2021
AC114	2020-21 Annual Financial Report	<ol style="list-style-type: none"> 1. RECEIVE the Annual Financial Report for the financial year ended 30 June 2021. 2. RECEIVE the Audit Report for the financial year ended 30 June 2021. 3. NOTE that the Auditor has provided an unqualified audit opinion for the Annual Financial Report year ended 30 June 2021. 4. RECOMMEND to Council the adoption of the audited Financial Report for the year ended 30 June 2021. 5. NOTE the findings identified during the Audit and REQUEST they be listed for review until completed. <ol style="list-style-type: none"> a. Expand grant register to include all grant revenue including that recognised under AASB1058.

Audit Committee Meeting – 2 February 2022

Report Number	Title	Decision
AC115	Compliance Audit Return 2021	<ol style="list-style-type: none"> 1. REVIEW the results of the Compliance Audit Return 2021. 2. REPORT the results of the Audit Committee review of the Compliance Audit Return 2021, at the Ordinary Meeting of Council on 29 March 2022
AC116	Internal Audit Safety Management Systems Improvement Action Plan Update	<ol style="list-style-type: none"> 1. NOTE the update on the Internal Audit Safety Management Systems Improvement Action Plan update
AC117	Report on Management Actions Annual Financial Report and Audit Reports	<ol style="list-style-type: none"> 1. RECEIVE the progress Reports on the current status of management actions related to Internal Audits and the Annual Financial Report.
AC118	Fraud and Corruption Control Plan Audit 2021	<ol style="list-style-type: none"> 1. RECEIVE the Fraud and Corruption Control Plan Audit 2021 2. ENDORSE actions taken or proposed to be taken by the staff to resolve items identified in the report; and 3. REQUIRE progress updates on implementation of the proposed management actions at the next Audit Committee Meeting.

Audit Committee Meeting – 19 April 2022

Report Number	Title	Decision
AC 119	Audit Entrance Meeting with OAG and RSM	1. RECEIVE the Audit Planning Memorandum for the year ending 30 June 2022.
AC120	Risk Management Profile	1. NOTE the status of the City of Geraldton Geraldton's risk management profile. 2. REQUIRE the CEO to report back to the Audit Committee the ongoing status of the City's risk profile

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 financial reporting.

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 2020-2021 Audit Committee Annual Report of activities was reviewed by the Audit Committee on 28 September 2021, Item No. AC111, and by the Council on 26 October 2021, Item No. CCS641.

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.

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 Annual Report of Audit Committee 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.

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

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 2021 to 30 June 2022.

CARRIED 12/0

Time: 5:43 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

CS013	RATES EXEMPTION APPLICATION – DESERT BLUE CONNECT INC.
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AGENDA REFERENCE:	D-23-003187
AUTHOR:	S Russell, Coordinator Rates
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	13 December 2022
FILE REFERENCE:	RV/4/0003-003
ATTACHMENTS:	Yes (x4)
	A. Statutory Declaration
	B. Australian Charities & Not-for-profits Certificate
	C. Constitution and Rules of Desert Blue Connect (Inc.)
	D. Photographs of properties

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to grant a rates exemption to Desert Blue Connect Inc, based on the charitable land use of Rates Assessment Number A11740 being Lot 71 (26) Durlacher Street, Geraldton, and Assessment Number A11741 being Lot 2 (25) Chapman Road, Geraldton. Desert Blue Connect are currently leasing both of these properties for the purposes of Counselling and Health Services. As per the terms of the lease the tenant is 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 Desert Blue Connect Inc. on the leased properties Lot 71 (26) Durlacher Street, Geraldton, and Lot 2 (25) Chapman Road, Geraldton, on the basis that the properties are being used exclusively for a charitable purpose; and
2. APPROVE the exemption to take effect from the date of application being 27 July 2022 and to remain in force for the duration of the current use of the property.

PROPONENT:

The proponent is Desert Blue Connect Inc.

BACKGROUND:

Desert Blue Connect Inc. is a not-for-profit organisation and is a registered charity with the Australian Charities and Not-for-profits Commission (Attachment No. CS013B), which provides counselling, education and community building activities accessible and affordable to the benefit of all women, children and men free of charge or for very low costs

Desert Blue Connect Inc. have had a lease for A11741 being Lot 2 (25) Chapman Road, Geraldton in place since 2017 which expired 30 April 2022. This has now been renewed for a further term of three (3) years commencing 1 May 2022. The lease for A11740 being Lot 71 (26) Durlacher Street, Geraldton commenced 1 May 2021 and is for a period of four (4) years with an option to renew for a further three (3) years. As per the terms of both leases Desert Blue Connect Inc. are responsible for the rates and charges.

The permitted use under the leases is counselling and health services. Desert Blue Connect Inc. currently use the properties for the provision of counselling, education and community building activities, assessable and affordable to the benefit of all women, children and men in need. The purpose of the association is research and design, development and promotion of specialist domestic and family violence programs, and health and wellbeing services.

Counselling services provided by Desert Blue Connect Inc. are family violence, sexual assault, unplanned pregnancy and providing a crisis line. Other services include outreach and advocacy, family violence intervention, support and education to prevent family violence including education teacher training in child protection and abuse prevention.

The property is privately owned and is currently being rated, however, is now being leased and used for a charitable purpose with the Lessee being responsible for the payment of rates. The City has not previously received an application for exemption from Desert Blue Connect Inc., even though they have been leasing the properties for some time.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Desert Blue Connect Inc. provides essential services to the community and through comprehensive health promotion, health education practices and innovative programs aids to provide prevention and early intervention strategies. These services enable members of the community to increase their knowledge, skills and confidence to make informed choices in all areas of their health and wellbeing and develop strategies to enhance their own safety.

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:

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 25 October 2022 – Item No. CCS729, Rates Exemption – Community Housing Limited.

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:

The annual rates for A11740 being Lot 71 (26) Durlacher Street, Geraldton for the 2022-2023 financial year is \$6,330. The amount for the exempt period from 27 July 2022 to 30 June 2023 to be refunded would be \$5,879.

The annual rates for A11741 being Lot 2 (25) Chapman Road, Geraldton is \$9,127. The amount for the exempt period from 27 July 2022 to 30 June 2023 to be refunded would be \$8,477.

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

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 Desert Blue Connect Inc. 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 CR CRITCH, 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 Desert Blue Connect Inc. on the leased properties Lot 71 (26) Durlacher Street, Geraldton, and Lot 2 (25) Chapman Road, Geraldton, on the basis that the properties are being used exclusively for a charitable purpose; and**
- 2. APPROVE the exemption to take effect from the date of application being 27 July 2022 and to remain in force for the duration of the current use of the property.**

CARRIED 12/0

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.

CS014 MID-YEAR BUDGET REVIEW 2022-23

AGENDA REFERENCE:	D-23-005987
AUTHOR:	R Doughty, Chief Financial Officer
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	6 January 2023
FILE REFERENCE:	FM/6/0028
ATTACHMENTS:	Yes (x1) Mid-Year Budget Review 2022-23 – Financial Statements

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of proposed budget amendments following the Mid-Year Budget Review 2022-23.

The Mid-Year Review figures (effectively presenting a proposed revised budget) incorporate all budget amendments (current budget) previously authorised by Council since the original budget adoption, up to the period of the budget review.

The City has been successful in obtaining a significant number of capital grants this financial year for coastal adaptation and the Nangetty-Walkaway Bridge rebuild. This is positive for the community and organisation and will deliver much needed investment in community improvements.

The Mid-Year amendments result (excluding profit and loss on disposal of assets) is a \$721,729 improvement in the operating deficit from \$1,929,643 to \$1,207,914.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the proposed budget amendments, as detailed by nature and type in Attachment No. CS014 – Mid-Year Budget Review 2022-23 – Financial Statements and AUTHORISE any unauthorised expenditure and revenue detailed in the Financial Statements; and
2. APPROVE and AUTHORISE the revised transfers to/from Cash Reserves as detailed in Attachment No. CS014 - Mid-Year Budget Review 2022-23 – Financial Statements.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The following provides a summary of the significant movements from the current budget after completion of the Mid-Year Review. As part of the review the City's performance and financial position beginning 1 July and as at 31 December is considered alongside the tracking of forecast outcomes against budget for the remainder of the financial year.

During the 2022-23 financial year Council has endorsed a number of budget amendments resulting in the current budget. These amendments are listed below:

- Item No. CCS718 – Budget Amendments 2022-23 (30 August 2022).
- Item No. IS270 – Hotspot Coastal Adaptation and Protection Grant (25 October 2022).
- Item No. IS268 - Bridges Renewal Program Grant – Nangetty-Walkaway Road Bridge (25 October 2022).
- Confidential Item No. IS273 – Aquarena 50M Outdoor Pool Storm Damage (29 November 2022).
- Item No. IS275 – Meru Waste Disposal Facility Projects (20 December 2022).

The following provides a summary of the significant movements from the current endorsed budget after completion of the Mid-Year Review.

Statement of Financial Activity (refer Attachment No. CS014 - Mid-Year Budget Review 2022-23 – Financial Statements)

For terminology purposes a 'positive movement' means any change that increases the City's cash position and decreases are represented by 'negative movement' (excluding profit/ loss on sale and depreciation movements).

Operating Income:

Total operating income forecast for this financial year has increased by \$2,011,792 compared to the current endorsed budget. The movements as per type include:

Type of Income	Increase (Positive Movement)	Decrease (Negative Movement)
Rates	Nil	
Operating Grants & Subsidies	\$823,577	
Contributions, Reimbursements & Donations	\$101,223	
Fees & Charges	\$24,421	
Interest Earnings	\$1,006,500	
Other	\$88,019	
Profit on Sale		\$31,948
Net Movement	\$2,011,792	

Operating Income (material movements)**Operating Grants (\$823,000 increase)**

- \$540,000 RASI security screening grant (Qantas subsidy) no net gain, offsets in reduced fees & charges
- \$220,000 DFES funding for mitigation activity for firebreaks. No net gain as increase to material & contractors
- \$50,000 funding for fire PPE (offsets expenditure)

Contributions (\$101,000 increase)

- \$58,000 last insurance payout for TC Seroja
- \$16,000 private contributions for Big Sky

Fees & Charges (\$24,000 net increase)

- Meru increase by \$475,000 based on current years actuals and projections
- Airport increase \$80,000 for the landing diversion monthly fee (new revenue stream)
- \$135,000 net and combined increase to all other fees and charges
- Airport decrease \$90,000 passenger landings
- Aquarena \$50,000 decrease based on activity thus far and outdoor pool not opening this summer etc
- Decrease \$525,000 for the security screening funding offset (reduce fees from Qantas) as being funded and subsidised by the Commonwealth Government until March 2023

Interest (\$1mil increase)

- Based on higher cash levels and median Term Deposit rate sitting around 3% for the balance of the year

Other Income (\$88,000 increase)

- Sale of the Aquarena energy credits \$23,000
- Final Lehman Brothers investment payout realised \$60,000

Profit on Disposal of Assets (\$31,000 decrease)

- Impact of decreased disposal of fleet

Operating Expenditure:

Total operating expenditure forecast for this financial year has increased by \$1,775,698. The movements as per type include:

Type of Expenditure	Increase (Negative Movement)	Decrease (Positive Movement)
Employee Costs		\$308,499
Materials & Contractors	\$1,297,438	
Utilities		\$25,000
Interest / Borrowing Costs	Nil	
Insurances	Nil	
Other Expenses		\$160
Depreciation	\$350,000	
Contributions Donations & Grants	\$8,232	
Loss on sale	\$453,687	
Net Movement	\$1,775,698	

Operating Expenditure (material movements)**Employment exp (decrease \$300,000)**

- *Longstanding vacancies due to current job market pressures*

Materials & Contractors (\$1.3mil increase)

- *\$170,000 increase to landfill contract for remainder of the year. As per the contract annual rise and falls are calculated annually. The rise or fall is calculated by using a percentage of each category against the ABS index for automotive fuel, pay rates, maintenance and repair of vehicles, with the calculation this year resulting in an increase to costs.*
- *\$330,000 net increase for the new waste collection contract for the balance of the year*
- *\$220,000 increase for fire clearing and prevention (offset by DFES funding)*
- *\$70,000 increase to building operation costs based on contract prices increasing*
- *\$60,000 CGG commitment to cruise ships*
- *\$45,000 revenue review*
- *\$30,000 procurement review*
- *\$100,000 fuel due to significant unit rate increases*
- *\$30,000 complete asset infrastructure revaluation*
- *\$50,000 fire prevention PPE (offset by funding)*

Utilities

- *\$25,000 reduction to budget as tracking under forecast*

Depreciation (\$350,000 increase)

- *Capex expenditure throughout the year adding to depreciation including Meru Landfill Cell 5 coming activated.*

Loss on Disposal of Assets (\$453,000 increase)

- *Loss on disposal of land transactions and loss on disposal of buildings demolished:*

<i>Lester Avenue</i>	<i>\$120,800</i>
<i>Edward Road</i>	<i>\$276,000</i>
<i>Giles Park Ablutions</i>	<i>\$ 25,200</i>

Capital Revenue (Includes Reserves):

The budget allocation associated with this revenue stream has been decreased by \$4,830,158 of which \$2,516,825 represents the Capital Revenue decrease (not including Reserves).

Type of Revenue	Increase (Positive Movement)	Decrease (Negative Movement)
Capital Grants		\$2,521,689
Proceeds from Disposal of Assets	\$104,864	
Transfers to/from Reserves (Net Movements)	\$2,413,333	
Net Movement		\$3,492

Capital Grants (material movements)

Increases:

- *Lotterywest – GRAMS Upgrade final payment - \$225,000*
- *Main Roads Blackspot Funding – Final Payment Sandford Cathedral Roundabout - \$508,000*

Decreases:

- *Geraldton Airport Microgrid State and Federal Funding - \$2,666,000*
- *Dept of Local Govt, Sport & Cultural Industries – Outdoor Swimming Pool to be received next FY - \$187,000*
- *Portion of Bridge Replacement Program \$324,900 and Main Roads \$200,000 for Nangetty-Walkaway Bridge to be received next FY*

Transfers to/from Reserves (material movements)

Decreases in transfers from Reserve:

- *Net decrease of \$53,000 to Major Initiative Reserve (\$1.28mil transfer from for Meru Transfer Facility and \$1.33mil transfer from for Airport Microgrid removed as not required this FY)*

Increases in transfers to Reserve:

- *Balance of proceeds from land sales transferred to Major Initiatives Reserve - \$360,000*

- *In line with an improved operating position and reduction in capital projects expenditure, \$2,000,000 added to transfers to reserves.*

Capital Expenditure:

The overall decrease to capital expenditure of \$3,812,596 is impacted by the following movements in asset categories:

Type of Capital Expend	Increase (Negative Movement)	Decrease (Positive Movement)
Land		\$87,301
Buildings		\$3,658,414
Plant & Equipment		\$407,822
Furniture & Equipment		\$97,550
Roads		\$563,900
Meru	\$1,280,000	
Parks		\$32,979
Airports		Nil
Other Infrastructure (footpaths, parking)		\$244,630
Net Movement		\$3,812,596

Capital Expenditure:

Material Increases:

- \$323,300 – *Library air-conditioning system replacement*
- \$46,000 – *Greenough Museum toilet block*
- \$100,000 – *Chapman Road Revitalisation Project endorsed by Council*
- \$167,500 – *Increase in Bridges, Floodways & Major Culverts - Accounting entry to reclassify major culvert renewal works from Roads asset category*
- \$81,000 – *Geraldton Regional Art Gallery Park*
- \$104,000 – *Overall increased costs projected for footpath construction projects*
- \$1,280,000 – *Meru Transfer Station (previously approved by Council IS275 20 December 2022)*

Material Decreases:

- \$100,651 – *Purchase of Lot 100, 204 Lester Avenue*
- \$3,950,000 – *Deferral of Airport Microgrid project whilst funding is being sourced*
- \$70,000 – *Deferral of Geraldton Multi User Facility upgrade*
- \$417,800 – *Fleet renewals delayed due to supply challenges*
- \$90,000 – *Deferral of meeting room audio visual equipment replacement*
- \$396,400 – *Overall savings for road construction projects*

- \$167,500 – *Decrease in Roads - Accounting entry to reclassify major culvert renewal works to Bridges, Floodways & Major Culverts asset category*
- \$56,000 – *Deferral of Mullewa Youth Centre water diversion project*
- \$524,900 – *Nangetty-Walkaway Bridge reduced this financial year allocation from \$1,324,900 to \$800,000, this still leaves sufficient funds to commence planning and design phase of the project. Funding offset denoted above under Capital Revenue.*
- \$38,000 – *Beresford Foreshore Horizon Ball Replacement (adjustment to budget allocation to align with actual costs)*

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:

Carrying out the Mid-Year Review analysis allows the City to assess what has been achieved year to date, to highlight the current financial position and set the scene leading into the next year's Budget and the Long Term Financial Plan.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Each year Council undertakes a mid-year budget review in line with the requirements of legislation. The mid-year budget review last year was considered at the 25 January 2022 Ordinary Meeting of Council – Item No. CCS669, Mid-Year Budget Review 2022-23.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were presented with an overview of the Mid-Year Budget Review results by Briefing Note on 18 January 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

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

Local Government (Financial Management) Regulations 1996 regulation 33A requires that Council between 1 January and 31 March in each financial year, carry out a review of its annual budget for that year.

33A. Review of budget

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

FINANCIAL AND RESOURCE IMPLICATIONS:

As per Statement of Comprehensive Income (Attachment No. CS014), there has been a decrease in the net result of \$2,285,595 from \$14,362,277 to \$12,076,682 in the Mid-Year Review (MYR).

As shown in the Statement of Financial Activity there has been a decrease in the operating deficit from \$1,743,888 to \$1,507,794 in this review. The most significant proposed adjustments are outlined above.

The most significant proposed adjustments are to interest earnings based on higher cash levels than previous years and the interest rate returns increasing this financial year. The significant increase to material and contractors is mainly contributed to by the increase cost of rubbish collection and the Meru operations along with increased fuel costs.

The City's end of year unrestricted cash position (see Cash Flow Statement) is expected to increase from the original budget forecast of \$13,538,658 to revised forecast of \$18,441,676. Major factors impacting cash flow position are:

- Net capital reductions proposed in the MYR have been offset by transfers to reserves.
- Movements in cash flow between original budget and mid-year budget review have been aligned with forecast actual spend on major capital projects rather than expected commitments included in the budget.

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

REGIONAL OUTCOMES:

Delivery of programs and projects continue to deliver benefits for the region through capital expenditure, business support, employment opportunities and encouraging tourism.

RISK MANAGEMENT:

Undertaking this budget review meets the regulatory requirement to do so and thereby mitigates the risk of non-compliance. This review enables Council opportunity to formulate actions in response to identified budget impacts, thereby reducing the risk of an increase in the forecast deficit position.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

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

Proposed increase adjustments to particular expenditures were offset to the extent practicable by reducing expenditure allocations within the same function area of the budget.

Alternative Option:

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

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

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

1. **APPROVE** the proposed budget amendments, as detailed by nature and type in Attachment No. CS014 – Mid-Year Budget Review 2022-23 – Financial Statements and **AUTHORISE** any unauthorised expenditure and revenue detailed in the Financial Statements; and
2. **APPROVE** and **AUTHORISE** the revised transfers to/from Cash Reserves as detailed in Attachment No. CS014 - Mid-Year Budget Review 2022-23 – Financial Statements.

CARRIED BY ABSOLUTE MAJORITY 12/0

Time: 5:50 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

CS015 STATEMENT OF FINANCIAL ACTIVITY TO 31 DECEMBER 2022

AGENDA REFERENCE:	D-23-004987
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	9 January 2023
FILE REFERENCE:	FM/17/0011
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 31 December 2022

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 31 December 2022.

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

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly financial statement of activity for the period ending 31 December 2022, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of December 2022 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	\$	449,423	0.6%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	152,721	0.3%	over YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	296,702	1.3%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	81,693	0.4%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	813,949	70.3%	over YTD Budget	<input checked="" type="checkbox"/>

Cash at Bank – Municipal	\$	36,301,628
Cash at Bank – Reserve	\$	39,276,435

Total Funds Invested	\$	74,028,159
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Current Rates Collected to December 2022	83.56%
Current Rates Collected to December 2021	83.93%
Rates Arrears Collected to December 2022	31.46%
Rates Arrears Collected to December 2021	37.41%

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 December financials show a YTD positive variance of \$296,702 in the net operating surplus/(deficit) result (this takes into account commitments).

COMMUNITY, ECONOMY, ENVIRONMENTAL 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:

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.

COUNCIL DECISION

MOVED CR HALL, SECONDED CR LIBRIZZI

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

1. **RECEIVE** the monthly financial statement of activity for the period ending 31 December 2022, as attached.

CARRIED 12/0

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.

12.4 REPORTS OF INFRASTRUCTURE SERVICES

Note: Item No. IS279 RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 is under ‘16. Meeting Closed to Public’.

12.5 REPORTS OF OFFICE THE CEO

Nil.

12.6 REPORTS TO BE RECEIVED**RR45 REPORTS TO BE RECEIVED - JANUARY**

AGENDA REFERENCE:	D-23-008850
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	20 January 2023
FILE REFERENCE:	GO/6/0012-008
ATTACHMENTS:	Yes (x3) 1 x Confidential
	A. DSDD003 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. CS016 - Audit Committee Meeting Minutes - 13 December 2022
	C. Confidential - CS017 – List of Accounts Paid Under Delegation - December 2022

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. DSDD003 - Delegated Determinations and Subdivision Applications for Planning Approval; and
 - b. Reports – Corporate Services:
 - i. CS016 - Audit Committee Meeting Minutes - 13 December 2022.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS017 – Confidential Report – List of Accounts Paid Under Delegation - December 2022.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

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

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

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR CRITCH****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. DSDD003 - Delegated Determinations and Subdivision Applications for Planning Approval; and**
 - b. Reports – Corporate Services:**
 - i. CS016 - Audit Committee Meeting Minutes - 13 December 2022.**

PART B

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

- 1. RECEIVE the following appended reports:**
 - a. Reports – Corporate Services:**
 - i. CS017 – Confidential Report – List of Accounts Paid Under Delegation - December 2022.**

CARRIED 12/0

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

NM33 ROAD NAMING – MOONYOONOOKA

AGENDA REFERENCE:	D-23-008362
AUTHOR:	Deputy Mayor Cr J Clune
EXECUTIVE:	P Melling, Director Development Services
DATE OF REPORT:	19 January 2023
FILE REFERENCE:	GO/6/0008
APPLICANT/ PROPONENT:	Council
ATTACHMENTS:	No

COUNCIL MEMBER COMMENT:

In Moonyoonooka there is a section of a road/road reserve does not have a name.

The road/ road reserve runs off Abattoir Road and the eastern end of the road terminated at a location where the former Moonyoonooka siding was located. The widened railway reserve reflects the location of the former siding.

The siding was a focal point for local community, they used the siding for both inbound and outbound goods and farm produce/ fertilisers etc. I have suggested two possible naming options that address the historical relevance of the site to the Moonyoonooka community “Siding Road” and “Depot Road”.

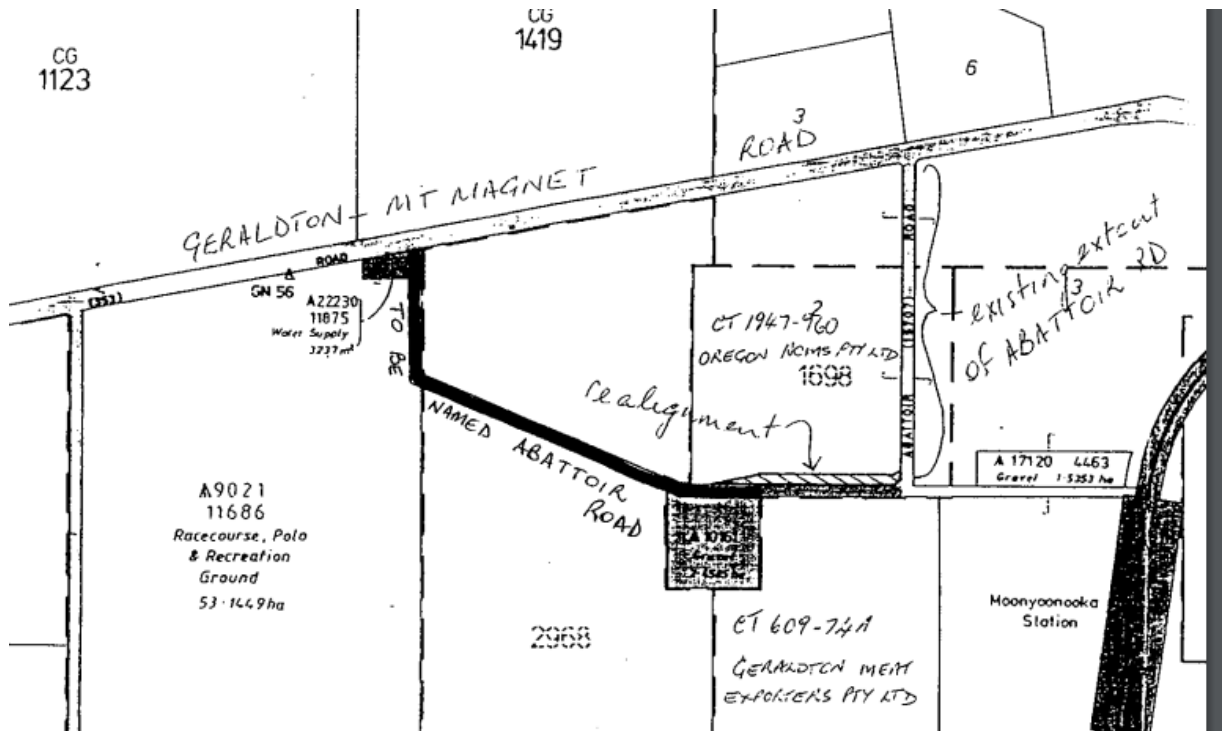
EXECUTIVE COMMENT:

The Executive support the use of the name “Siding Road” noting that from a historical perspective in Western Australia the term “Depot” is applied to a location where facilities such as a “Locomotive Depot”/ “Wagon Depot” existed. No such facility was provided at Moonyoonooka siding. The siding as the Councillor mentions was a place where trains collected and dropped off goods and the like for the local community.

City Officers have undertaken some initial investigations with Geographic Names (Landgate’s Location Services area) who advised the following:

“I can confirm that both names you have provided do pass our preliminary check.

As for the road in question, we have this recorded as Abattoir Road, per road extension lodged in 1998. See below. Given this is a disconnected road, we would still recommend the re-naming of this portion of road.”



In accordance with this advice, it suggested that the section of road reserve from near Watercorp’s Water tanks through to Moonyoonooka siding be named/renamed “Siding Road”. The name Moonyoonooka Siding Road would not meet Geographic Names policy due to the name Moonyoonooka already being utilised on several roads in this locality.

The road naming was also considered by the Council’s Heritage Advisory Committee and the two notations from the meetings in September and December 2022 are below:

8 September 2022

5.1 Moonyoonooka Road Names – Update

LC advised that she has liaised with KE who has advised on the road naming guidelines supplied by the Landgate. LC asked if HAC committee would like to put forward suggestions towards possible names or themes.

JC asked if we could name the road as per the purpose of the road or after a family who previously lived near the area.

KE advised that it may be possible to name a road as per its purpose, as long as it meets with Landgate requirements in regard to the number of roads with that name.

KE advised that Landgate have stricter guidelines in regard to commemorative names and the process takes longer to implement.

KE advised that there may be more than one road to name and suggested that we look at a theme and to maybe look naming the roads with consultation with the Aboriginal Community.

NC asked what the timeline is regarding the naming of the roads.

KE advised that this is unknown.

ACTION: HAC-032 to remain on the action log. KE to find out the scope and the timeline for the naming of the Moonyoonooka Roads.

8 December 2022

6.2 Moonyoonooka Road Names (JC/KE)

JC advised that a meeting was held with KA and LC last week to discuss suggestions to move forward with the road naming process. JC hopes that the original purpose of the road will be recognised in the naming. Historically the road provided access to the railway siding on the Mullewa line from 1894 to 1968. Locals can remember dropping tomatoes at the siding and utilising the stockyards. The road project has gained momentum due to being registered as a black spot area. JC suggests that Siding Road might be an appropriate name.

KE advised that geographic name requirements do exist and must be complied with. Often best practice is to select multiple names that could be investigated and recommended for consideration. Depot Road had also been raised as a suggestion. However, a railway enthusiast had provided advice that "Depot" referred to a bigger operation than a siding and so was not deemed appropriate.

NC queried whether an appropriate Aboriginal name might also be considered.

ACTION: DR will investigate further with Bundiyarra and any other relevant agencies.

The suggestion for an alternative Aboriginal name was put forward. At an Executive level, the use of an Aboriginal derived name does have merit but should be a part of a broader investigation into the use of Aboriginal referenced names for City roads. That broader investigation needs to be thoroughly investigated with Aboriginal groups and community and there is significant merit in this approach being applied to the City's road naming list. It would have relevance for new subdivisions which have a connection with the land areas concerned. This work would require extensive staff resources, time and funding to fully investigate and gain the necessary support.

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

COUNCIL MEMBER MOTION:

That Council by Simple Majority pursuant to Section 26A of the Land Administration Act 1997 RESOLVES to:

1. APPROVE the road name "Siding Road"; and
2. FORWARD the road name to the Minister for Lands for approval.
3. MAKES the determination on the following grounds:
 - a. to address the historical relevance of the site to the Moonyoonooka community.

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

That Council by Simple Majority pursuant to Section 26A of the Land Administration Act 1997 RESOLVES to:

1. APPROVE the road name "Siding Road"; and
2. FORWARD the road name to the Minister for Lands for approval.
3. MAKES the determination on the following grounds:
 - a. to address the historical relevance of the site to the Moonyoonooka community.

CARRIED 12/0

Time: 5:57 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

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.

CS018	RFT 2223 04 PAVEMENT MARKING & SPECIALISED BOLLARD SERVICES
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AGENDA REFERENCE:	D-23-002475
AUTHOR:	C Bryant, Coordinator Procurement B Pearce, Manager Corporate Compliance and Safety
EXECUTIVE:	P Radalj, Director Corporate Services, C Lee, Director of Infrastructure Services
DATE OF REPORT:	6 December 2022
FILE REFERENCE:	FM/25/0258
ATTACHMENTS:	Yes (x1) Confidential Confidential – RFT 2223 04 Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2223 04 Pavement Marking & Specialised Bollard Services to the preferred tenderer.

The contract is to run for a period of two years for supply and delivery of budgeted pavement marking & specialised bollard services.

The initial contract will be in place from 12 March 2023 to 11 March 2025 with the option for a one year extension exercisable at the discretion of the Principal.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract RFT 2223 04 Pavement Marking & Specialised Bollard Services the preferred tenderer; and
2. RECORD the estimated annual contract value in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The tender RFT 2223 04 Pavement Marking & Specialised Bollard Services (RFT) was advertised in the Geraldton Guardian on 4 November 2022, The West Australian on 5 November 2022, and the City's TenderLink e-Tendering Portal. The RFT closed on 21 November 2022.

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

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

There has previously been a two year contract for Pavement Marking Services RFT 20 1920.

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

Well maintained pavement marking, and specialised bollards support the community by enabling public spaces to be enjoyed and reduces the likelihood of accidents or injury caused to members of the public and property.

Economy:

Award of this tender will result in City funds flowing into the local economy through the employment of local community members and supporting local businesses for material supply requirements.

A two year services contract also allows the City to carry out pavement marking and specialised bollard services from proven suppliers with planned costs.

Environment:

All proposed pavement marking, and specialised bollard services will be undertaken with care for the environment in mind. Tenderers were asked to provide evidence of environmentally sustainable practices in their tender submission.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has previously awarded a two year services contract RFT 20 1920 Pavement Marking Services. The initial contract was in place from 20 March 2020 to 11 March 2022, with an extension approved until 11 March 2023.

Council has also previously awarded a two year services contract RFT 13 1617 Line Marking Services, 28 February 2017 - Item No. IS135 - Supply of Pavement Marking, Bollard and Guidepost Installation Services. The initial contract was in place from 13 March 2017 to 12 March 2019, with an extension approved until 11 March 2020.

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 Pavement Marking & Specialised Bollard Services is \$132,500 (excluding GST) per annum (including traffic management). The new contract rates represent overall a 12.5% increase compared to previous rates. Assuming all extension periods are exercised, the estimated total contract value over three years is \$397,500 (excluding GST). These funds are sourced from the Maintenance Operations and Project Delivery budgets.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Outcome 1.8	Active living and recreation is encouraged.
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.
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REGIONAL OUTCOMES:

This contract will ensure well maintained pavement marking and specialised bollards throughout the City of Greater Geraldton district, which enhances the comfort and safety of the community.

RISK MANAGEMENT:

The services carried out under this contract will ensure well maintained pavement marking and specialised bollards, reducing the likelihood of accidents or injury caused to members of the public and property. In addition, the successful tenderer shall have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

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

1. Call for individual quotations and tenders for specific maintenance and renewal projects. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Use the WALGA Preferred Suppliers Panel. Currently there are no local suppliers available on the WALGA Preferred Suppliers Panel for these services. The use of the WALGA Preferred Suppliers Panel would limit opportunities for local suppliers and is not supported.

COUNCIL DECISION**MOVED CR COOPER, SECONDED CR LIBRIZZI**

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

1. **AWARD** the contract RFT 2223 04 Pavement Marking & Specialised Bollard Services the preferred tenderer being The Trustee for the Sapphire Investment Trust (Westline Contracting); and
2. **RECORD** the estimated annual contract value in the minutes being \$132,500 excluding GST.

CARRIED 12/0

Time: 5:59 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES

Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

IS276	RFT 2223 14 SUNSET BEACH – GEOTEXTILE SAND CONTAINER (GSC) GROYNES AND SAND NOURISHMENT – STAGE 1
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AGENDA REFERENCE:	D-23-006026
AUTHOR:	C Edwards, Manager Project Delivery and Engineering
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	31 January 2023
FILE REFERENCE:	GO/6/0012-008
ATTACHMENTS:	Yes (x1) Confidential Confidential - RFT 2223 14 Tender Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 to the preferred tenderer.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 to the preferred tenderer; and
2. RECORD the estimated contract price in the Minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In late 2017, during the development of the City's CHRMAP report, City Officers engaged specialist coastal engineers, M P Rogers & Associates, to undertake an assessment of groyne-based adaptation options for the Sunset Beach Coastal Management Unit. This report identified the feasibility of a geotextile sand container (GSC) groyne field at this location.

An initial concept design was developed, consisting of seven groynes, with the ability for construction to be staged as funds and grant funding opportunities became available. A trial GSC groyne at the northern end of Sunset Beach was successfully installed in late 2019. After monitoring the performance of the trial groyne, a concept design and costing for Stage 1 of the GSC groyne field was developed to support grant funding opportunities such as the Department of Transport's (DoT) Hotspot Coastal Adaptation and Protection (H-CAP) grant.

The DoT H-CAP grant assists in the design and implementation of coastal adaptation works at Western Australia's coastal erosion hotspots as identified in the *Assessment of Coastal Erosion Hotspots in Western Australia* report (DOT, 2019). Sunset Beach is one of four Geraldton hotspots identified in this report. In May 2022 City Officers submitted a \$1,500,000 H-CAP grant

application for a project to construct GSC four groynes between Triton Place and Bosley Street, Sunset Beach. Grant funding is based on a 50/50 co-contribution whereby the State contributes \$750,000 and the Local Government contributes \$750,000.

The City was successful in its H-CAP grant application and entered into a funding agreement with DoT as per Council endorsed Item No. IS270 Hotspot Coastal Adaptation and Protection Grant - Sunset Beach. At the 25 October 2022 Ordinary Meeting, Council resolved to:

PART A

1. *DIRECT the CEO to Sign the Department of Transport Hotspot Coastal Adaptation and Protection Funding Agreement.*

PART B

1. *APPROVE and AUTHORISE a budget amendment for the expenditure of \$1,500,000 excluding GST to undertake the Sunset Beach Geotextile Sand Container Groyne Project in the 2022-23 financial year; and*
2. *APPROVE and AUTHORISE a budget amendment to transfer \$750,000 from the Major Initiatives Reserve in the 2022-23 financial year for the City's 50% co-contribution to the Project.*

On completion of planning, design and wave modelling components of the project by specialist coastal engineering consultants, the City issued a Request For Tender (RFT) to undertake the construction component of the Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1.

The RFT requested construction of up to four (4) GSC Groynes and Sand Nourishment within the available budget. The works are to be procured under a Schedule of Rates AS4000 contract with a Bill of Quantities included for guidance. This is to allow the City to reduce or add the number of groynes and volumes of sand nourishment to be undertaken in accordance with the budget.

The RFT was advertised in The West Australian on 10 December 2022 and in the Geraldton Guardian on 9 December 2022. The RFT was also advertised on the City's TenderLink e-Tendering Portal with the Tender closing on 6 January 2023.

Fifteen suppliers registered to receive copies of the tender and three submissions were received. The tender assessment was undertaken by a panel of four Officers, consisting of three with voting rights and the mandatory compliance representation without. Technical expertise was provided by the specialist coastal engineer consultant.

Two of the tenderers were local suppliers and therefore Council Policy CP4.11 Regional Price Preference was applied to their submissions.

All three submissions were deemed compliant and progressed to the qualitative and price evaluation on the basis that all compliance criteria had been met and

the evaluation panel were to discuss qualifications and departures nominated by a number of the tenderers.

The following qualitative and price criteria were applied to ensure the most advantageous tenderer who provided best value for money was selected:

- (a) Key resources and experience (including personnel and plant) (25%)
- (b) Demonstrated understanding including the ability to undertake and complete the works within the time period specified and quality assurance plan with inspection test plans (25%)
- (c) Price (50%)

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The Geraldton coast is highly valued by its community. It underpins the City's identity, prosperity and lifestyle, and accommodates a variety of recreation, conservation, residential, commercial and tourist uses.

Awarding these works will provide the community with confidence that the City is working on coastal management and adaptation to mitigate further risk to coastal assets from the increasing impacts of coastal erosion and inundation along our coastline.

The project is consistent with community feedback received during the development of the City's Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) in 2018 for the Sunset beach locality (sand nourishment, dune rehabilitation, geotextile containers and managed access).

Economy:

Awarding this tender will result in City funds flowing into the local economy as the recommended tenderer is a local company utilising local suppliers and employees.

Environment:

All works contained within the scope of works will be undertaken with environmental due diligence and controls implemented as part of the contract. The project is intended to provide resilience to the Sunset Beach coastline and is consistent with the Council endorsed CHRMAP long-term adaptation pathway for Sunset Beach.

Leadership:

Council approval of the Executive Recommendation will ensure works align with the objectives of Council endorsed CHRMAP long-term adaptation pathway for Sunset Beach.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council regularly awards tenders for the construction of various capital works projects in accordance with Council Policy 4.9 Procurement of Goods and Services.

COMMUNITY/COUNCILLOR CONSULTATION:

Previous community and Councillor consultation included feedback and endorsement of the City's Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) and Council endorsement at the Ordinary Meeting of Council of 25 October 2022 of Item No. IS270 Hotspot Coastal Adaptation and Protection Grant - Sunset Beach, to enter into H-CAP Funding Agreement and approve and authorise budget amendment for co-contribution towards the Sunset Beach GSC Groyne and Sand Nourishment Project.

Community consultation will occur as part of the Project Management when works commence.

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 implications associated with the Executive Recommendation as the City has allocated sufficient budget to undertake the works. Officers from the City Project Delivery team, with the appropriate skills and experience, will oversee delivery of the project in accordance with the specifications and construction management plans.

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 2.4	A desirable place to live, work, play, study, invest and visit.
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 3.2	Regional leader in adapting to climate change.

Outcome 3.6	The natural environment is valued, protected and celebrated.
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:

The coast and beaches of the City of Greater Geraldton provide a range of passive and active recreational attractions. Facilitating maintenance and ongoing coastal management and adaptation decreases the risk of erosion and inundation to at risk coastal infrastructure and property.

RISK MANAGEMENT:

The successful tenderer will be engaged under an AS4000 General Conditions of Contract providing industry standard mechanisms for managing risk during construction. Schedule of Rates also allows the Project Manager to manage the funds available and add or decrease the amount of sand nourishment works undertaken to ensure the scope of the works is maximised for the available budget. A specialist coastal engineer consultant has been procured for Quality Assurance (testing, inspections, technical guidance).

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

Cr M Librizzi declared a Financial Indirect interest in Item No. IS276 RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 RFT, as one of the tenderers is a client of the Elected Member and left Chambers at 6.00pm.

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

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

- 1. AWARD the contract RFT 2223 14 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 1 to the preferred tenderer being Red Dust Enterprises Pty Ltd T/A Red Dust Holdings (RDH); and**
- 2. RECORD the estimated contract price in the Minutes being \$1,066,227.99 excluding GST.**

CARRIED 11/0

Time: 6:01 PM

Not Voted: 1

No Votes: 0

Yes Votes: 11

Name	Vote
Mayor Van Styn	YES

Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	NOT PRESENT
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

Cr M Librizzi returned to Chambers at 6.01pm.

CS019	CONFIDENTIAL - POSSESSION OF LAND FOR UNPAID RATES & CHARGES IN EXCESS OF 3 YEARS (Public Version)
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AGENDA REFERENCE:	D-23-004536
AUTHOR:	S Russell, Rates Coordinator
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	6 January 2023
FILE REFERENCE:	RV/4/0027
ATTACHMENTS:	Yes (x2) Confidential
	A. Confidential - Aerial Map
	B. Confidential - Photographs of property

This item has been provided to Council under separate cover.

Note: This report to Council has been listed as confidential, as it deals with the personal affairs of any person (s.5.23(2)(b) Local Government Act 1995).

Whilst Item No. CS019 was not considered and determined by Council behind closed doors, only the Council Decision is available for the public record

COUNCIL DECISION

MOVED CR CRITCH, SECONDED CR HALL

That Council by Simple Majority pursuant to Section 6.64, 6.68, 6.74 and 6.12(1)(c) of the *Local Government Act 1995* RESOLVES to:

1. **APPROVE** taking possession of Lot 15 (22) Dalgety Street, Mullewa for unpaid rates and charges in excess of three (3) years pursuant to Section 6.64 of the *Local Government Act 1995*;
2. **APPROVE** taking possession of the land without the initiation of the process to recover money due on the land as there is reasonable belief that the cost of the proceedings will exceed the value of the land, pursuant to Section 6.68 of the *Local Government Act 1995*;
3. **MAKE** an application to the Minister, upon taking possession of the land, to have the land revested in the Crown, pursuant to Section 6.74 of the *Local Government Act 1995*; and
4. **APPROVE** to write-off the total of the rates and charges (including penalty interest) for Lot 15 (22) Dalgety Street, Mullewa prior to the transfer to the Crown.

CARRIED 12/0

Time: 6:03 PM

Not Voted: 0

No Votes: 0

Yes Votes: 12

Name	Vote
Mayor Van Styn	YES
Cr. Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES

Cr. Hall	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	YES

Item No. CS019 remains confidential as it contains the personal affairs of any person, as per Section 5.23(2)(b) of the Local Government Act 1995.

17 CLOSURE

There being no further business the Presiding Member closed the Council meeting at 6.03pm.

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/>