



ORDINARY MEETING OF COUNCIL
MINUTES

31 OCTOBER 2023

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 31 OCTOBER 2023 AT 5.00PM
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 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance by Electronic Means

In accordance with the Local Government (Administration) Regulations 1996 regulation 14C(2)(a)(iii) A member of a council or committee may attend a meeting by electronic means if the member is authorised to attend the meeting by electronic means by the mayor, president or council. The Mayor authorised Cr K Parker to attend the meeting by electronic means.

Present:

Mayor J Clune

Cr N Colliver

Cr J Critch

Cr J Denton

Cr P Fiorenza

Cr A Horsman

Cr S Keemink

Cr M Librizzi

Cr K Parker (*by electronic means*)

Cr V Tanti

Officers:

R McKim, Chief Executive Officer
F Norling, Director of Community and Culture
P Radalj, Director of Corporate Services
C Lee, Director of Infrastructure Services
R Hall, Director of Development Services
S Moulds, PA to the Chief Executive Officer
L Pegler, Executive Support Secretary
C Edwards Manager Project Delivery & Engineering
N Hope, Manager Organisational Development
T Cornish, Manager Libraries, Heritage & Gallery
A Gaze, Manager Regulatory Services
J Kopplhuber, Communications Officer - Engagement
D Melling, Systems Administrator

Others:

Members of Public: 1
Members of Press: 1

Apologies:

Cr S Cooper *Apology until leave was approved [refer to Heading No.7]*

Leave of Absence:

Refer to Heading No.7

4 DISCLOSURE OF INTERESTS

Cr M Librizzi declared an Impartiality interest in Item No. IS295 RFT 2324 02 Regional Roads Group (RRG) Funded Projects Package, as one of the tenderers is a past client of the Councillor's consultancy business and an Impartiality interest is disclosed as it has been a period of greater than 14 months since any financial engagement has occurred.

Cr M Librizzi declared an Impartiality interest in Item No. IS IS296 RFT 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 2, as one of the tenderers is a past client of the Councillor's consultancy business and an Impartiality interest is disclosed as it has been a period of greater than 14 months since any financial engagement has occurred.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were Taken on Notice at the Ordinary Meeting of Council held on 26 September 2023.

Sean Hickey, PO Box 2966, Geraldton, WA 6530

Question

From recent discussions with the City I am led to believe that Council is only obliged to keep for public access documents relating to Council business (minutes of meetings, reports and all aligned documents) for 10 years and only 7 years at the City Library.

If this is the case, would Council kindly explain why they consider this practice in line with good accountability and transparency?

Response

The City maintains records in accordance with the State Records Act (2000) and the standards published by the State Records Office. Council minutes are permanent state archives and retained as such, which includes in hard copy and in recent times also in digital format. Electronic copies dating back to 2011 are available on the City's website and hard copies can be viewed on request at the Civic Centre.

Question

Referring to the Worley Parsons and their report of September 2010. In general this document - a study of Greys Beach amongst other hot spot locations - referred to various data, reports, analysis of coastal inundation, vulnerability lines and coastal processes amongst other matters.

It reported on bringing about shoreline stability methods and suggested a Sea Wall /Revetment for the area Greys Beach.

The suggestion did not come lightly as it made suggestion of good predictable 'lead-up 'monitoring' to support the building of such a wall. It also referred to 'sand supplementation' both during construction and regularly thereafter.

Why hasn't Council been able to explain it's non-alignment with this recommendation.??

Response

The Council's coastal management occurs in accordance with the more recent Coastal Hazard and Risk Management Adaption Plan that is available on the City website. The Worley Parson's report was considered in the development of the City's CHRMAP.

Please visit the following link:

Worley Parson's Report:

https://www.cgg.wa.gov.au/Profiles/cgg/Assets/ClientData/Images/Infrastructure_Services/Beresford_Foreshore_Project/2010_WorleyParsons_CoastalProcessesStudy_Final_r_.pdf

Question

Given that the previously stable west side of Point Moore is now the erosion side of the Point and that the erosion on the South has turned to accretion - surely it is time to revisit and review all the aligned studies.

Why for example - isn't The Port Authority called upon to commit dollars for a greater sand supplementation program at this southern location. And, also to revisit the mammoth Sand Extraction at Southgates - that Council is supporting - and stop the extraction until the role of Southgates in the 'littoral drift' issue is understood.

Response

The Port Authority has a requirement to transport sand to the north that is currently prevented from doing so naturally because of the construction of the Port. The Port won't move sand south only to have to move it again. The erosion currently occurring at Pt Moore is as predicted by the CHRMAP report and is being monitored closely. Please refer to the Port's website for further information: [Northern Beaches Stabilisation Programme » Mid West Ports](#)

Ms Heather Beswick, 15 Reef Boulevard, Drummond Cove, WA 6532

Question

There is increasing sand dune damage at the Greenough river mouth. Will CGG place 'Keep off the dunes' signage at the river mouth where vehicles are off the main track and in the dunes, as soon as possible ?

Response

City Officers have identified several locations where 'dune under repair' signage or similar could be installed along the Greenough River mouth. An Aboriginal Cultural Heritage due diligence process will be undertaken first to ascertain whether a permit is required from the Yamatji Southern Regional Corporation for their installation.

Question

Motorbikes and quad bikes are moving through the bollards at the north bank near the boat shed and playground and picnic tables. The bikes travel along the walk track down onto the river mouth near the picnic table, obviously creating hazards. There is an access track for bikes and quad bikes elsewhere. I have experienced first hand while launching my kayak down there and nearly being cleaned up by quad bike riders and motorbike riders. Will CGG please place signage and or chains between the bollards to stop these bikes?

Response

The City doesn't support chains or similar barriers between bollards as they create an unacceptable trip hazard to all users. The extent of the open space adjacent to the river adds to the amenity of the local region and restrictions that limit access for motorbikes or quad bikes will both decrease the overall amenity and open space feel and may also restrict access for cyclists, people with mobility restrictions and people with water craft. We have also tried this approach at Drummond Cove without success as the chains are repeatedly cut. The City will install signage encouraging all users to respect and consider the safety of others in the area.

Question

Can the trail signage at the south bank at Greenough River mouth be moved so it's actually next to the track, where it used to be? I do understand from previous historical information that it did used to be there. People are confused and driving along the river bed into the dunes and

again, creating extensive damage. So keep off the dunes signs are required and again, it's a safety issue as well as protecting the dunes and the wildlife that lives in that area.

Response

The trail header signage had been moved due to flooding of the Greenough River. City Officers have identified a suitable location nearer the trail entrance and will arrange for the relocation of the signage. An Aboriginal Cultural Heritage due diligence process will be undertaken to ascertain whether a permit is required from the Yamatji Southern Regional Corporation for the installation.

These responses have been provided to Mr Hickey and Ms Beswick.

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.

There were no public questions.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr J Critch	5 January 2024	21 January 2024	26/09/2023
Cr J Critch	26 January 2024	1 February 2024	26/09/2023

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

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

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Leave of Absence for:
 - a. Cr S Cooper for the period 31 October to 10 November 2023;
 - b. Cr N Colliver for the period 9 November to 12 November 2023; and
 - c. Cr M Librizzi for the period 15 March to 1 April 2024.

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

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

1. **APPROVE Leave of Absence for:**
 - a. **Cr S Cooper* for the period 31 October to 10 November 2023;**
 - b. **Cr N Colliver for the period 9 November to 12 November 2023; and**
 - c. **Cr M Librizzi for the period 15 March to 1 April 2024.**

CARRIED 10/0

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.

Leave of Absence approved for this meeting:

Cr S Cooper*

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 26 September 2023 *and* the Special Meeting of Council held on 24 October 2023 as previously circulated, be adopted as a true and correct record of proceedings.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 26 September 2023 *and* the Special Meeting of Council held on 24 October 2023 as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 10/0

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
27 September 2023	Regional Economic Development Grant Round 6 - Announcement by Hon Punch MLA, Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing; Volunteering	Mayor Shane Van Styn
27 September 2023	Oakajee Strategic Industrial Area (SIA) Forum	Mayor Shane Van Styn
27 September 2023	Oakajee SIA Dinner	Mayor Shane Van Styn
28 September 2023	Photo for Media Release - Spalding Revitalisation Project - Asphaltting Roads	Mayor Shane Van Styn
28 September 2023	Triple M Interview – Fire Hazard Reduction	Mayor Shane Van Styn
28 September 2023	Big Sky Readers and Writers Festival, Opening Night	Mayor Shane Van Styn
29 September 2023	Police Remembrance Day	Mayor Shane Van Styn
29 September 2023	Geraldton Regional Art Gallery (GRAG) Opening Night - Behind the Lines 2022 - Genesis 2023	Mayor Shane Van Styn
1 October 2023	Sunshine Festival Official Opening	Mayor Shane Van Styn
1 October 2023	Judge of Geraldton Dog Rescue 'Pet Parade' at the Sunshine Festival	Mayor Shane Van Styn
1 October 2023	Geraldton Yacht Club - Dragon Boat Classic	Mayor Shane Van Styn
2 October 2023	Country Music Festival called The Valley Muster - Request for Sponsorship	Mayor Shane Van Styn
8 October 2023	Come and Ride - Geraldton Bike Month – Cycle from Dome to Seahaven Park	Cr Steve Cooper
8 October 2023	Geraldton Yacht Club Season Opening	Deputy Mayor Cr Jerry Clune
13 October 2023	Opening of the Aquarena Outdoor Pool Upgrade	Deputy Mayor Cr Jerry Clune
13 October 2023	Triple M Interview - Geraldton Aquarena Outdoor Pool	Mayor Shane Van Styn
18 October 2023	74th National Day of the People's Republic of China	Mayor Shane Van Styn
21 October 2023	Annual Bands Spectacular 2023	Cr S Keemink
Local Government Election – 21 October 2023		
23 October 2023	Local Government - Declaration of Ballot	Mayor Jerry Clune
23 October 2023	Media Interviews – Election of New Mayor with Channel 7, ABC, Geraldton Guardian and ABC Midwest and Wheatbelt	Mayor Jerry Clune
24 October 2023	Special Meeting of Council - To swear in Mayor, Councillors and Election of Deputy Mayor	Mayor Jerry Clune
24 October 2023	Agenda Forum	Mayor Jerry Clune
25 October 2023	Geraldton Guardian Interview - Meet and Greet New Elected Mayor	Mayor Jerry Clune
26 October 2023	Shane Love MLA, Leader of the Opposition, Member for Moore	Mayor Jerry Clune
26 October 2023	Central Regional TAFE - 2023 Scholarship Celebration Evening	Mayor Jerry Clune
28 October 2023	Mitchell Street Community Centre - Site Visit	Mayor Jerry Clune
30 October 2023	Citizenship Ceremony - October	Mayor Jerry Clune
30 October 2023	Mayor / CEO Regular Meeting	Mayor Jerry Clune
30 October 2023	Marketing and Media Regular Meeting	Mayor Jerry Clune
30 October 2023	Meet and Greet Development WA Board	Mayor Jerry Clune

DATE	FUNCTION	REPRESENTATIVE
31 October 2023	Ordinary Meeting of Council	Mayor Jerry Clune

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

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS
Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

DS021	NOMINATIONS FOR THE REGIONAL JOINT DEVELOPMENT ASSESSMENT PANEL
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AGENDA REFERENCE:	D-23-137115
AUTHOR:	R Hall, Director Development Services
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	12 October 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval for nominations for membership to the Regional Joint Development Assessment Panel (JDAP) for the term ending 26 January 2026.

The current appointment of all local government Development Assessment Panel members is due to expire on 26 January 2024. Former Mayor Shane Van Styn and Former Councillor Robert Hall are the current City representatives on the Regional Joint Development Assessment Panel and Former Councillor Jerry Clune [Elected Mayor October 2023] and Councillor Natasha Colliver are the alternate representatives.

Prior to the above expiry date and due to the local government elections on 21 October 2023, the City is required to nominate four (4) DAP members for appointment by the Minister for Planning.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* RESOLVES to:

1. ADVISE the Minister for Planning that it nominates:
 - a. Mayor/Cr _____;
 - b. Mayor/Cr _____, as the City of Greater Geraldton local government representatives on the Regional Joint Development Assessment Panel;
2. ADVISE the Minister for Planning that it nominates:
 - a. Cr _____; and
 - b. Cr _____, as the City of Greater Geraldton alternate local government representatives on the Regional Joint Development Assessment Panel.

PROPONENT:

The proponent is the Development Assessment Panel who reports directly to the Minister for Planning.

BACKGROUND:

On 1 July 2011, Development Assessment Panels (DAP) came into operation to determine development applications that meet a certain threshold value.

In the case of the City of Greater Geraldton for development applications with an estimated cost of \$10 M or more, it is mandatory that they are determined by a DAP. For applications between \$2 M and less than \$10 M, the applicant can choose whether the application is determined by a DAP or the local government.

Each DAP comprises five members (three specialist members, one of which is the presiding member and two local government members). Appointments of all current local government DAP members expire on 26 January 2024.

Council is requested to nominate four elected members (comprising two local members and two alternate local members) to sit on the JDAP as required.

Nominations have been requested by the DAP's secretariat to be received by 24 November 2023. Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for a term ending on 26 January 2026.

As part of the current State Government's commitment to OnBoardWA, which looks to increase the diversity of Government Boards and Committees along with the total number of women appointed, Council is encouraged to consider the diversity of representation when putting forward local government nominations to the JDAP. Further information about OnBoardWA can be sourced from: www.onboardwa.jobs.wa.gov.au

All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

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

Having Councillor representation on the JDAP Committee would provide benefits to the community in having a representative with local knowledge on planning applications, on the Committee.

Economy:

Development Applications are a key process for Council to support economic growth and development and to ensure a healthy thriving and resilient economy that provides opportunities for all, whilst protecting the environment and enhancing our social and cultural fabric.

Environment:

Councillor representation ensures that the local context of the natural environment has a voice at the table in all our decisions and ensures the City of Greater Geraldton as a leader in environmental sustainability.

Leadership:

Councillor representation demonstrates a strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Since 2011 Council has been represented on the JDAP. Most recently, Council at its meeting held on 26 October 2021 (Item No. DCS504) - Nominations For The Regional Joint Development Assessment Panel.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Part 11A of the *Planning and Development Act (2005)* introduced Development Assessment Panels into the Act and this is supported by the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The WA Government recently announced the *Planning and Development Amendment Bill 2023* which includes reforms to Development Assessment Panels including:

- Reduction in the number of panels from five to three (Metro-Inner; Metro-Outer; Regional) to improve consistency in decision-making;
- Appoint full-time, fixed term specialist members, retain a pool of sessional members and reduce perceptions of conflict of interest;
- Removal of previous mandatory thresholds of \$20 million for the City of Perth and \$10 million for the rest of the State, making the DAP system an opt-in pathway for any development proposal over \$2 million (including grouped or multi-dwellings but excluding single houses and ancillary structures); and
- Providing all community housing projects with the ability to opt into the DAP pathway regardless of the size or value of the proposal.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and budget implications. DAP members are entitled to be paid for their attendance at DAP training and at JDAP meetings.

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 well being.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

If Council fails to nominate any elected members, the Minister for Planning can appoint any representative of the local government who is an eligible voter and who the Minister considers has relevant knowledge or experience. This would further remove any decision making ability from Council.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The option not to nominate any elected members is not supported as the City is required, under Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, to nominate elected members to sit on the JDAP as required.

The option to defer is not supported as nominations have been requested by the DAP's secretariat to be received by 24 November 2023.

Prior to the meeting the following nominations were received:

*Mayor J Clune
Deputy Mayor Cr N Colliver
Cr S Keemink
Cr M Librizzi*

There were no further nominations.

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

That Council by Simple Majority pursuant to Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011 RESOLVES to:

- 1. ADVISE the Minister for Planning that it nominates:**
 - a. Mayor J Clune;**
 - b. Deputy Mayor Cr N Colliver, as the City of Greater Geraldton local government representatives on the Regional Joint Development Assessment Panel;**
- 2. ADVISE the Minister for Planning that it nominates:**
 - c. Cr S Keemink; and**
 - d. Cr M Librizzi as the City of Greater Geraldton alternate local government representatives on the Regional Joint Development Assessment Panel.**

CARRIED 10/0

Time: 5:08 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

DS022	DOG AMENDMENT (STOP PUPPY FARMING) ACT 2021 CONSULTATION PAPER
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AGENDA REFERENCE:	D-23-137202
AUTHOR:	A Gaze, Manager Regulatory Services
EXECUTIVE:	R Hall, Director Development Services
DATE OF REPORT:	12 October 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council of the current consultation process being undertaken by the Department of Local Government, Sport and Cultural Industries (DLGSC) into the development of Dog and Cat Regulations.

EXECUTIVE RECOMMENDATION:

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

1. ENDORSE a submission that supports the Stop Puppy Farming Consultation Paper Development of Dog and Cat Regulations subject to the following matters being addressed by the WA Government:
 - a. Communication, information material and financial resources be provided to support the community to implement the proposed changes;
 - b. Approvals for breeding are streamlined with any costs associated with the process set to ensure it is a user pays system;
 - c. That the Centralised Registration System (CRS) be designed to be efficient so that all required organisations can enter data directly and not solely rely on the Local Government;
 - d. That the Local Government is consulted by the State regarding any Supply Agency approvals so that they can provide comments on applications;
 - e. That pet shops have suitable plans in place for the care of and record keeping for all dogs in their care as part of their approval requirements; and
 - f. That financial support is provided by State Government to Local Governments either through a user pays based fee system or direct monetary funding to ensure that local governments can and are not financially encumbered by implementing the requirements of Dog Amendment (Stop Puppy Farming) Act 2021 and associated regulations.

PROPONENT:

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

BACKGROUND:

Ahead of the State election in 2017 the then Government announced several issues including:

- Introduction of a Centralised Registration System (CRS) to identify every dog or puppy;
- To transition pet shops into adoption centres; and
- To stop puppy farming.

The Dog Amendment (Stop Puppy Farming) Act 2021 (SPF) was passed by Parliament in December 2021 with the overall aim to:

- Increase the transparency of, and information on, the source of dogs;
- Enhance the ability of authorities to identify and detect puppy farms;
- Enhance the ability of authorities to prevent irresponsible breeders from breeding dogs;
- Decrease the number of puppies and dogs that are bred indiscriminately;
- Improve community understanding about responsible purchase and care of dogs; and
- Transition pet shops into adoption centres for unwanted dogs.

To achieve these aims the SPF Act removed some requirements regarding Greyhounds and brought about the following changes which are yet to commence:

- Dogs must be de-sexed by the age of two years unless exempt to prevent unplanned breeding or over breeding;
- Information on dogs (and cats) are to be held in a CRS to allow for information to be shared between local governments;
- People that wish to breed their dogs will need to apply for an approval to breed from their local government (this will enable breeders to be traced); and
- Pet shops that sell dogs will work with rescue organisations to transition to adoption centres which will provide more adoption opportunities for unwanted dogs.

The DLGSC is seeking comment from local governments, stakeholders and members of the community on how to introduce the proposals. The feedback provided will inform the:

- Development of draft regulations;
- Specifications and functionality needed in the CRS; and
- Resources needed by local government to implement and enforce the legislative requirements.

The consultation paper has been split into seven areas covering different aspects of the Regulations, from sterilisation to pet shop requirements. Consultation closes on 17 November 2023.

The paper has sought comment on over 100 specific questions concerning the proposals and introduction of the Act and Regulations. Many are of an administrative type seeking comment on the information needed for certain types of application.

The intent of the legislation and regulations to reduce puppy farming and indiscriminate breeding is supported however, the changes will have some potentially negative impacts on our community and considerable resource implications for local governments. The key issues and expected impacts have been highlighted below along with the City's proposed response:

Issue	Impact	Recommendation
Mandatory Sterilisation at 2 years. Applies to all unregistered dogs on commencement of Act and all dogs that reach the age of two.	Once a dog has reached two years of age it must be sterilised unless an approval to breed is obtained. This will reduce indiscriminate breeding. The main impacts will be on the ability (generally cost) of owners to sterilise their dogs and their willingness to comply. Lack of compliance will lead to enforcement action being needed to be taken by local governments leading to increased workloads and potentially increased numbers of dogs relinquished and needing rehoming.	That sufficient resources and awareness raising must be put in place by State to support the community to undertake these activities. Resources for these activities must be provided by the State rather than relying on Local Government or the community sector to support those most in need. These resources can take many forms but will need to be at a minimum access to affordable/reduced price sterilisation services for those in financial need. Even in remote areas desexing should be mandatory. To achieve this, resources need to be provided to e.g. the provision of regular and cost effective sterilisation services
Approval to breed	If a dog is not sterilised at the age of two then a person requires an approval to breed (irrespective of if they intend to breed) or if they intend to breed from a dog under two years.	That the process of approvals and compliance will be resource intensive. Fees associated must be consistent with the

	<p>Requiring approvals to breed will reduce the puppy farming possibilities but will be resource intensive in ensuring compliance is achieved. Those who are looking to 'puppy farm' will attempt to undertake their activities outside of the compliance regime and as such uncovering such activities will be resource intensive. Costs involved in seeking an approval have yet to be set.</p>	<p>cost of the service provided so that the service for those who choose to be approved is cost neutral so that the general community are not supporting those who either wish to or may breed. Even though not part of the consultation the approval to breed is a one-off approval and not dog dependant and this could lead to increased and uncontrolled breeding. This should be reconsidered by State government to be dog specific.</p>
Centralised Registration System (CRS)	<p>Migration of data from existing databases, accessibility of data, who can input information into the system and any costs associated with the system that may be passed onto local governments or other users.</p>	<p>The system will need to be user friendly, easily accessible by all who need to access it and this access should be available to all organisations involved in the process of breeding and selling dogs rather than relying on local governments to input information. Costs need to be kept to a minimum as local governments are already cost negative (income from fees compared to cost of services) in animal control activities.</p>
Dog supply approvals	<p>Only dog management facilities or refuge organisations (not for profit) can supply dogs to a pet shop for sale. Facilities must obtain a supply approval from the State Government if they want to supply dogs to pet shops.</p>	<p>The Local Government should be consulted with regard to any Supply Agency approval within their area prior to final determination by the State Government and that supply agencies</p>

		<p>must have plans in place if their supply approval was ever rescinded by State Government with regard to actions they would take with the dogs remaining in their care. Supply agencies also need access to the CRS to ensure that full details of dogs are uploaded and dogs can be traced through the system.</p>
<p>Pet shop approvals</p>	<p>Pet shops will need to be approved by the Local Government to sell dogs. They can only sell dogs from approved supply agencies.</p>	<p>Pet shops will need to have comprehensive management plans in place to ensure that they are able to care for and sell dogs. They should also have access to the CRS to upload details about animals they have sold and have minimum requirements placed upon them regarding the timelines they must undertake these activities.</p>

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

A reduction in puppy farming and indiscriminate breeding of dogs is a benefit to our community however, there are significant additional costs and burdens being placed on dog owners and some businesses to reduce the potential for puppy farming. These significant costs could lead to either non-compliance or additional financial burdens being placed on people. These requirements could also lead to non-compliance resulting in the City having to enforce the minimum legislative requirements.

Economy:

There are no adverse economic impacts to the City however this legislation does have the ability to have serious economic impacts for individuals and businesses due to the costs associated with compliance to the legislation.

Environment:

There are no adverse environmental impacts.

Leadership:

A considered and managed introduction of, and compliance with, the requirements of the SPF and associated regulations will allow the City to take a leadership role within the community. It will be essential that we are able to support those most in need to be compliant while also taking a firm stance on stamping out puppy farming and indiscriminate breeding.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

This is a consultation process undertaken by the DLGSC.

LEGISLATIVE/POLICY IMPLICATIONS:

Once the DLGSC has received responses to the consultation process they will address how the new Regulations will look. The outcome of this consultation process and subsequent decisions on how the regulations will be drafted and implemented will play a significant role in the resources needed by local government to manage the SPF.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are likely to be extensive resource implications for the City upon the introduction of the SPF and Regulations. The additional resources required will be both administrative and operational.

Operationally the impacts are likely to be additional compliance work for:

- Ensuring and monitoring the desexing of dogs;
- Inspection and monitoring of approval to breed permits;
- Inspections and monitoring pet shops;
- Dealing with increased complaint load as a result of the amended legislation; and
- Managing the potential increase in dogs being surrendered to the pound.

Administratively the impacts are likely to revolve around:

- Needing to provide additional permits for approvals to breed;
- Providing permits for pet shops;
- Administering the new CRS;
- Maintaining systems to ensure that inspections are undertaken and recorded; and
- Responding to the likely increased reporting requirements that will accompany the new Legislation.

Confirming accurate costings for these additional activities is not currently possible. As a minimum forecast based on the known impacts, there would be the need for 1 additional full-time equivalent (FTE) Ranger, an additional 0.5 FTE Administration Officer and improvement costs for animal facility infrastructure and security. The current financial estimate for this is \$240,000 per annum.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.

REGIONAL OUTCOMES:

This consultation process is Statewide. The only section of Legislation that may not be mandatory to the whole of the state is the desexing of dogs. The consultation paper is seeking comment on how remote areas, where veterinary services are not always present, can desex animals on a regular and cost-effective manner.

RISK MANAGEMENT:

Council can choose whether the City responds to this consultation process however, once the legislation and regulations are enacted the City will be required to undertake actions to ensure compliance. For Council to be able to influence the regulations and how they will impact the City, providing a response to the consultation process is considered essential.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

As the legislation is already approved not providing a response to the consultation paper is not recommended by City Officers. A submission of a response detailing the challenges specific to the City is considered essential.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR LIBRIZZI

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

- 1. ENDORSE a submission that supports the Stop Puppy Farming Consultation Paper Development of Dog and Cat Regulations subject to the following matters being addressed by the WA Government:**
 - a. Communication, information material and financial resources be provided to support the community to implement the proposed changes;**
 - b. Approvals for breeding are streamlined with any costs associated with the process set to ensure it is a user pays system;**

-
- c. That the Centralised Registration System (CRS) be designed to be efficient so that all required organisations can enter data directly and not solely rely on the Local Government;
 - d. That the Local Government is consulted by the State regarding any Supply Agency approvals so that they can provide comments on applications;
 - e. That pet shops have suitable plans in place for the care of and record keeping for all dogs in their care as part of their approval requirements; and
 - f. That financial support is provided by State Government to Local Governments either through a user pays based fee system or direct monetary funding to ensure that local governments can and are not financially encumbered by implementing the requirements of Dog Amendment (Stop Puppy Farming) Act 2021 and associated regulations.

CARRIED 10/0

Time: 5:10 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.2 REPORTS OF COMMUNITY AND CULTURE**CC007 GERALDTON REGIONAL ART GALLERY (GRAG) LARGE-SCALE MURAL AND COMMUNITY ART INITIATIVE**

AGENDA REFERENCE:	D-23-136132
AUTHOR:	T Cornish, Manager Libraries, Heritage and Gallery
EXECUTIVE:	F Norling, Director Community and Culture
DATE OF REPORT:	31 October 2023
FILE REFERENCE:	GO/6/0013-002
ATTACHMENTS:	Yes (x5) 4 x Confidential
	A. Artist Brief – Expression of Interest
	B. Confidential - Evaluation Summary – Large-Scale Mural and Community Art Initiative
	C. Confidential – Kyle Hughes-Odgers Artist Concept Design
	D. Confidential – George Domahidy Artist Concept Design
	E. Confidential – Imogen Palmer Artist Concept Design

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to commission an artist, from three (3) shortlisted artists, as per the Attachments No. CC007C–E Confidential Artist Design Concept submissions, to install a large-scale mural on the external rear walls of the Geraldton Regional Art Gallery (GRAG) and to lead a community art initiative project which would result in the installation of a smaller scale mural within the City, at a location yet to be determined.

EXECUTIVE RECOMMENDATION:

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

1. CONSIDER the three (3) Design Concepts submitted by the shortlisted artists;
2. ENDORSE the preferred Artist to undertake the installation of the large-scale mural and lead the community art initiative; and
3. COMMISSION the preferred Artist to undertake the installation of the large-scale mural and lead the community art initiative.

PROPONENT:

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

BACKGROUND:

In 2017 a large-scale mural project was proposed for the external rear wall of the Geraldton Regional Art Gallery, facing the Post Office carpark. A referral to the Department of Planning, Lands and Heritage (DPLH) confirmed that this

would be acceptable on this State Registered heritage site, as the walls which were to be painted were not part of the original fabric of the building.

The project was to be commissioned via an expression of interest (EOI) process, with the successful artist also required to lead a three (3) hour skills development workshop with the local community. The project idea was approved by the Geraldton Regional Art Advisory Committee in December 2017.

Additionally, Council at its meeting held on 27 February 2018 (Item No. DCS362 Public Art Project 2017-18) resolved as part of a motion on public art matters to consider the completion of a mural on the rear wall of the Art Gallery.

In August 2020 preliminary advice was sought from the DPLH regarding a proposed new toilet block and landscaping project in Art Gallery Park. At this time a proposed wrap around mural was also included in the project renders produced by project consultants UDLA. Construction of the new toilet block and renewal of the garden areas surrounding the Gallery were completed in August 2022.

In seeking funding for delivery of the mural project, it was nominated by Officers as part of the process of drafting the 2023-2024 Capital Works Program. Additionally, an external grant application (Regional Arts Fund Project Grant) was submitted to seek contribution of \$29,600 towards the costs, however this was unsuccessful. The adopted 23-24 budget includes an item to engage an artist through an EOI process to deliver the large-scale mural on the rear of the Art Gallery, along with the delivery of an up-skilling opportunity for the local community. The upskilling opportunity will lead to the installation of a smaller community mural at a different, yet to be determined. City owned or private location subject to approval. The location of the community mural is also likely to inform the final content for that artwork. Council will be consulted further as planning for the community mural progresses in the future. The large mural is to be approximately 103m² and the community mural approximately 40m². An Artist Brief to accompany the EOI was developed, based on theming from the City of Greater Geraldton Public Art Strategy 2020-2025. The endorsed budget for the project is \$50,000. The process to engage an artist to deliver the large-scale mural has been planned so that the mural may be completed, or at least well underway, to align with the Mid West Art Prize Gala Opening Event on Saturday 09 December 2023.

The EOI opportunity and Artist Brief was circulated on 27 July 2023 Attachment No. CC007A - Artist Brief Expression of Interest. In addition to outlining design and other considerations, the brief detailed the selection process, fees and selection criteria for two (2) stages of evaluation. On closing of the EOI process on 25 August 2023, a total of nineteen (19) responses were received from artists, both locally based and from across the State.

In Stage One (1), shortlisting evaluation considered:

- Response to the brief in relation to artistic practice and capacity to complete the works (40%); and

- Artistic excellence based on demonstration of previous works undertaken which exhibited artistic quality, exploration and rigour (60%).

Following Stage One (1) evaluation of EOI's by members of the Geraldton Regional Art Advisory Committee (GRAAC), five (5) submitters were shortlisted and invited to further submit detailed Concept Designs.

In Stage Two (2), the Concept Designs were evaluated against the following criteria:

- Artistic quality and originality (40%);
- Engagement with the City's Public Art Strategy 2020-2025 (40%);
- Durability and risk (10%); and
- Community upskilling opportunity (10%).

The Concept Designs were evaluated by members of the GRAAC, with the highest scoring three (3) Concept Design submissions forming the basis of this report seeking Council consideration. The scoring by Committee members to achieve a 'top three' ranking of submissions considering the criteria outlined above is contained in Confidential Attachment No. CC007B - Evaluation Summary – Large-Scale Mural and Community Art Initiative. The Concept Designs for the top three scoring artists' submissions are also supplied as Confidential Attachment No. CC007C-E Artist Concept Designs.

The identified three (3) highest ranking submissions are presented as suitable proposals for consideration by Council of a preferred Concept Design, leading to final selection and commissioning of the large-scale mural and community art initiative to be enacted by Officers.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Public works of art aim to enrich the community by evoking meaning and purpose in the public setting. Public art plays an important role in the community. Viewing public art is free and non-exclusive. Artwork which reflects the City's Public Art Strategy 2020-2025 gives voice to community sentiment and priorities regarding important themes for cultural expression and key locations for public art across Greater Geraldton.

Economy:

Artworks have the potential to become civic icons which are memorable and engaging and therefore an attraction to visitors and tourists. The community initiative will seek to upskill local artists, creating potential future employment opportunities for locals in this space.

Environment:

Public art humanises the built environment and invigorates public spaces. Places with strong public art expressions break the trend of "sameness" and gives communities a stronger sense of place and identity.

Leadership:

The framework of this proposal aligns with current best practice and City policies and procedures. Shortlisting of the submissions and recommendations have been provided to Council by the Geraldton Regional Art Advisory Committee (GRAAC).

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

- Item No. IS251 RFT 2122 05 Geraldton Regional Art Gallery Park and Toilet Construction – 26 October 2021
- Item No. DCS478 City of Greater Geraldton – Public Art Strategy 2020-2025 – 24 November 2020
- Item No. DCS373 Geraldton Regional Art Gallery Sculpture – 24 July 2018

COMMUNITY/COUNCILLOR CONSULTATION:

The large-scale mural and community art initiative was included as an agenda item for discussion at the meetings of the GRAAC held 1 December 2022, 16 March, 15 June and 14 September 2023. All members of the GRAAC were invited to participate in Stages One (1) and Two (2) of the evaluation process.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications. However, the concept was prioritised as an action in the City's endorsed Public Art Strategy 2020-2025. Further, within the endorsed Geraldton Regional Art Gallery (GRAAC) Strategic Plan 2023-2027, the areas of focus refer to the following Goals. The Geraldton Regional Art Gallery seeks to:

- Contribute to the vibrancy of the City and the quality of life in regional Western Australia, attracting visitation and economy to the Midwest; and
- Improve, promote and conserve the City's Art and Public Art Collections.

FINANCIAL AND RESOURCE IMPLICATIONS:

Budget has been allocated to this project in the City's Capital Works Program 2023-2024. It is anticipated that both the Large-Scale and Community murals will have lifespan durability of reasonable quality for a period of up to five (5) years, following which they may be decommissioned at the discretion of the City.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.3	Pride in place and a sense of belonging is

	commonplace.
Outcome 1.10	A place where people have access to, engage in and celebrate arts, culture, education and heritage.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit

REGIONAL OUTCOMES:

The Geraldton Regional Art Gallery (former Geraldton Town Hall, constructed 1907) is a Federation Academic Classical style building and is a State Heritage Registered place (Place Number 01058). According to the register entry for this place, the site has State cultural heritage significance for the following reasons:

- The place represents the development of civic life in Geraldton;
- It demonstrates the confidence experienced during the gold boom period of the State;
- It is a fine example of Federation Academic Classical architectural style;
- The place is highly valued for its cultural and social associations; and
- The place has landmark value and contributes to the Geraldton community's sense of place.

The Geraldton Regional Art Gallery (GRAG) is proud to present a diverse and stimulating exhibition program which attracts visitation to our region. The distinct and impressive double-story exhibition spaces provide a welcoming and accessible environment. Meanwhile, the external façade of the Gallery presents an outstanding opportunity and blank canvas to enliven Geraldton and showcase creative talent and expression, generating community discussion, promoting civic pride and appreciation of the arts, building upon the profile of the Gallery and existing Public Art Collection as a significant tourist attraction within regional WA, whilst providing an economic and upskilling opportunity for local artists.

RISK MANAGEMENT:

To minimise any potential negative community feedback, the Concept Design selected should appeal to the public, demonstrate artistic excellence and be delivered to a high standard. The rigorous evaluation process preceding this report to present three (3) options to Council for its consideration has adequately taken this into account, in addition to satisfying aspects relating to the ongoing durability and maintenance requirements.

Whilst it is unusual regarding public art selection to deliver an unanimously popular outcome, the City has had recent success, based on the example of Horizon, that has been widely embraced and acknowledged as iconic.

It is also acknowledged that some in the community have commented that they would prefer not to see a mural painted on the State registered heritage

building, however such expressed views are in the minority and will hopefully be influenced by an outcome which delivers another highly popular artwork.

Risks that will be managed through the Artist Agreement to be signed with the preferred Artist include clarity regarding roles and responsibilities to deliver the mural, confirmation of ownership by the City of the intellectual property relating to the graphic representation and physical manifestation of the final artwork and the need for compliance with the City's Safety Framework (both legislative and compliance processes).

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

An alternative could be for Council to reject the three (3) options for the Large-Scale Mural and Community Art initiative or choose not to proceed with delivery of this project, however Officers suggest that the extended planning period and thorough evaluation process undertaken for this project do not warrant consideration of such alternatives.

Cr K Parker moved the motion to endorse Imogen Palmer to undertake the installation of the large-scale mural and lead the community art initiative.

COUNCIL DECISION

MOVED CR PARKER, SECONDED CR CRITCH

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

1. **CONSIDER** the three (3) Design Concepts submitted by the shortlisted artists;
2. **ENDORSE** Imogen Palmer to undertake the installation of the large-scale mural and lead the community art initiative; and
3. **COMMISSION** Imogen Palmer to undertake the installation of the large-scale mural and lead the community art initiative.

CARRIED 9/1

Time: 5:24 PM

Not Voted: 1

No Votes: 1

Yes Votes: 9

Name	Vote
Mayor Clune	NO
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.3 REPORTS OF CORPORATE SERVICES

CS069	COUNCIL POLICY 4.12 USE OF DRONES WITHIN CITY BOUNDARIES
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AGENDA REFERENCE:	D-23-120954
AUTHOR:	D Hill, Manager Geraldton Airport
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	12 September 2023
FILE REFERENCE:	GO/14/0008
ATTACHMENTS:	Yes (x1) Draft Council Policy 4.12 Use of Drones within City Boundaries (v3)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council consideration to retire Council Policy 4.12 Use of Drones within City Boundaries, as their use on City land is now detailed in the Property Local Law 2020 and because their use is regulated by the Civil Aviation Safety Authority (CASA).

EXECUTIVE RECOMMENDATION:

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

1. RETIRE Council Policy 4.12 Use of Drones within City Boundaries.

PROPONENT:

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

BACKGROUND:

Council Policy 4.12 Use of Drones within City Boundaries was last reviewed by Council on 12 August 2021. Within the biennial review process for the Council Policy Manual the policy was due for review prior to 24 August 2023.

The policy covers Council's approach to the management of drones which is largely held under legislation administered by Government agencies. There has been no shift in policy or procedures around the management of drone activity by Government agencies overseeing aviation.

The use of drones, as with other aviation operations, is soundly governed and controlled by the Civil Aviation Safety Authority (CASA). CASA operate within a legislative framework made up of acts, regulations, associated legislative instruments and guidance material. CASA as the responsible agency also accept complaints on breaches of the drone safety rules.

In addition to CASA's rules which apply nationally, states and territories may also have rules about using drones in national parks or conservations reserves.

Since the policy was first approved, Council carried out a review of its local laws and adopted the City of Greater Geraldton Public Places and Local Government Property Local Law 2020 (Item No. CCS550, 24 November 2020). Whilst Federal and State legislation overrides local laws, clause 3.1(1)(s) of the new local law include provision if the City wished to control drone use from or on local government property in the future.

PART 3 - ACTIVITIES ON LOCAL GOVERNMENT PROPERTY REQUIRING A PERMIT

3.1 Activities requiring a permit

(1) A person must not without a permit –

...
 (s) fly or land a drone, balloon, unmanned aircraft or similar device from or on local government property;

Schedule 1
DETERMINATIONS

[Clause 2.1]

The following determinations are to be taken to have been made by the local government under clause 2.1.

...

PART 2 —APPLICATION

...
2.2 Motorised model aeroplanes, toys or ships

A person must not use, launch or fly a drone, motorised model aeroplane, toy, ship, glider or rocket that is propelled by mechanical, hydraulic, combustion or pyrotechnic means on or from local government property except in accordance with a permit or determination that specifies that particular local government property.

In the same manner that there is no policy for aviation operations, even for the airport, stands as a strong indicator that the current drone policy is superfluous. As the framework for regulating drone use already exists through CASA, Officers propose retirement of the Council Policy.

Drone use is typically divided into two types, recreational and commercial use. Australians can operate drones for recreational purposes without the need for certification, as long as they follow the safety guidelines outlined by CASA. This includes flying within visual line of sight and avoiding restricted areas. Commercial operations do require certification, CASA has well established processes for drone pilot certification. Drones may be used commercially in support of agriculture, Search and Rescue, environmental monitoring, survey and mapping as well as for entertainment purposes.

While not specific to drones, Australia has privacy laws that generally apply to the capture and use of images of individuals. As long as drone operators adhere to privacy laws and respect individuals' privacy rights, capturing images with drones should be legally acceptable. The lack of a Council drone policy will not impact on any elements of drone safety or personal privacy.

For community awareness and to facilitate compliance, the City will emphasise the need for drone operators to comply with CASA rules when operating within Greater Geraldton boundaries on the City's website. Links to CASA's website, their complaints process for impacted residents, and other relevant information published on the City's website will ensure the community are accessing the

most accurate information. This approach is taken by other local governments such as the City of Belmont and City of Fremantle.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council review or retire policies as and when required. On 26 April 2023, Council Policy 2.2 Establishing International Relations was retired by Council (Item No. CS032).

COMMUNITY/COUNCILLOR CONSULTATION:

Council Members were consulted via Briefing Note distributed on 6 October 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

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

2.7. Role of council

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The alternative option is for Council to retain the policy. The current policy still aligns with Council's community values and the only proposed amendments are the removal of clause 3, as provision is included in the *City of Greater Geraldton Public Places and Local Government Property Local Law 2020*, and administrative wording changes.

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

1. APPROVE draft Council Policy 4.12 Use of Drones within City Boundaries, version 3; and
2. MAKE the determination based on the following reason/s:
 - a. To be determined by Council.

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

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

1. **RETIRE Council Policy 4.12 Use of Drones within City Boundaries.**

CARRIED 10/0

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.

CS070 COUNCIL POLICY 4.17 CHILD SAFE AWARENESS

AGENDA REFERENCE:	D-23-135659
AUTHOR:	N Hope, Manager Organisational Development
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	9 October 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2) A. Draft Council Policy 4.17 Child Safe Awareness (v2) B. Draft City of Greater Geraldton Child Safety & Welfare Procedure

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council review and approval of the newly revised Council Policy 4.17 Child Safe Awareness, version 2.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.17 Child Safe Awareness, version 2; and
2. NOTE the City of Greater Geraldton Operational Procedure, Child Safety and Welfare, version 1.

PROPONENT:

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

BACKGROUND:

Council Policy 4.17 Child Safety & Welfare was developed in late 2020 and adopted by Council on 23 March 2021 (Item No. CCS579). At the time, the objectives of the policy were to ensure City of Greater Geraldton's (the City) commitment to creating a culture and environment where the safety and welfare of children is paramount. This was also supported by the Council's commitment to child safety following the Council decision on 26 May 2020 to participate in the National Redress Scheme – Item No. CCS501.

In 2020, when Council Policy 4.17 Child Safety & Welfare was developed, it was done so with little guidance for local governments, as to what should be included, however, the policy maintained a good balance of capturing the required process necessary for ensuring a child safe environment, and it was and remains a clear resource for the intended users today.

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) recognised local governments' role in community development and community safety, particularly roles that impact on child safety, and identified the opportunity to integrate their direct responsibilities to children with their wider role within the community.

The Royal Commission considered the role of local governments in assisting community-based institutions in their local area to become child safe, with support from government at the national, state and territory levels. In June 2022, the Department of Communities hosted a co-design process with more than 35 representatives from local government across the state to develop a draft policy template for local government regarding their role in fulfilling the functions of Recommendation 6.12 from the Royal Commission.

The Child Safety Awareness Policy template was developed and accepted for use by the Western Australian (WA) State Government. This Child Safe Awareness Policy specifically developed for local governments, builds on an existing commitment by local governments to promote safety in their community, whilst raising the profile of the rights of children and young people to be safe from harm and abuse.

With Council Policy 4.17 Child Safety & Welfare due for its biennial review this year and being timely with the release of the new template from the Government of WA, it is therefore proposed that the City adopt the new Child Safe Awareness template as our Council policy and move the current Child Safety & Welfare Policy to an operational procedure, as it contains a large amount of process, directed at City Officers and those identified as Persons Working with Children (PWWC).

The proposed draft policy and the City's Child Safety and Welfare procedure is in line with the WA Government's recommendation that local governments are strongly encouraged to develop operational documents to accompany their template policy.

Both the draft policy and the procedure will ensure the City of Greater Geraldton is committed to creating a culture and environment where the safety and welfare of children is paramount and will be mandatory for all persons working with children in relation to City activities.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The policy provides assurance to the community of the City's commitment to being a child safe organisation.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

Responsibility surrounding child safety within local governments lies with the head of the organisation (CEO) under the WA Ombudsman's Reportable Conduct Scheme. The City is therefore responsible for ensuring reporting compliance in line with this scheme and must provide information to the Ombudsman if the Ombudsman requests so in writing.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Item No. CCS579 – Council Policy 4.17 Child Safety & Welfare, version 1 was approved at the Ordinary Meeting of Council on 23 March 2021.

Item No. CCS501 - National Redress Scheme, participation endorsed at the Ordinary Meeting of Council on 26 May 2020 details a similar Council position in relation to child safety matters.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation on the Child Safe Awareness Policy for Local Government was undertaken with the local government sector to co-design a child safe policy to support local governments to introduce and integrate the recommended child safety functions into existing roles, as an alternative to establishing a designated position.

Councillors were consulted via Briefing Note on 21 September 2023, feedback from Councillors was positive with no requests for amendment received.

LEGISLATIVE/POLICY IMPLICATIONS:

The City has a duty to ensure a safe environment for children in its care. These duties and obligations are detailed in the following:

- Item No. CCS501 - National Redress Scheme Participation
- *Children and Community Services Act 2004*
- *Working with Children Screening Act 2004*
- National Principles for Child Safe Organisations
- Ombudsman WA – Reportable Conduct Scheme

FINANCIAL AND RESOURCE IMPLICATIONS:

This policy will have an impact on City resourcing in relation to child activities undertaken by the City. This is necessary to ensure adequate supervision and processes are undertaken for all such services. An example being staff or volunteers should not be on their own with a child.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
Outcome 4.5	A culture of safety, innovation and embracing change.

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.
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:

The implementation of the Child Safe Awareness policy is a critical risk mitigation strategy required for local governments. The City's previous child safety procedures are no longer suitable with the City's expanding obligations for ensuring a child safe organisation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No other alternative options considered by City Officers.

The policy in its draft revised form is recommended by the WA Government for use by local government. The operational procedure maintains a good balance of capturing the required process necessary for ensuring a child safe environment, and it is a clear resource for the intended users i.e., staff, volunteers and even children if required.

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

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

1. **APPROVE Council Policy 4.17 Child Safe Awareness, version 2; and**
2. **NOTE the City of Greater Geraldton Operational Procedure, Child Safety and Welfare, version 1.**

CARRIED 10/0

Time: 5:29 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES

Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

CS071 COUNCIL POLICY 4.19 CORPORATE PARTNERSHIPS

AGENDA REFERENCE:	D-23-133273
AUTHOR:	P Kingdon, Acting Coordinator Communications and Tourism
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	31 August 2023
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2) A. Draft Council Policy 4.19 Corporate Partnerships (v4) B. Comparison Table – Council Policy 4.19

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of Council Policy 4.19 Corporate Partnerships, version 4, which has been updated to streamline the process and policy to allow for better flexibility and ongoing transparency.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.19 Corporate Partnerships, version 4.

PROPONENT:

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

BACKGROUND:

Council Policy 4.19 Corporate Partnerships (the Policy) was last reviewed by Council on 27 July 2021 (Item No. CCS615). Within the biennial review process for the Council Policy Manual the policy is due for review. Originally adopted on 16 December 2014 (Item No. CC194, Corporate Partnerships Program), the aim of the Corporate Partnerships Policy has always been to:

- Form effective partnerships with the corporate sector that generate increased revenue to deliver initiatives that benefit the community, the City and corporate partners.
- Streamline the City's Corporate Partnerships process by making it more relevant and attractive in the current corporate environment.
- Establish a framework for managing partnerships that is clear, equitable and transparent.
- Ensure projects and initiatives considered for Corporate Partnerships are prioritised according to the Corporate Business Plan, the Long Term Financial Plan and have been through the rigours of the Project Management Framework where applicable.
- Ensure an equitable and consistent approach to seeking and recognising corporate partners.

There have been two previous revisions since the original iteration of the Policy, with the 2021 revision most notably addressing inconsistencies in approach and removing the “gold, silver and bronze” category recognition.

An audit of recent partnerships to inform the current review revealed that the “Everlasting Partnerships” agreement, used to formalise the partnership arrangement with the City, was being applied to a wide and diverse range of activities, from financial sponsorship and donations to in-kind support arrangements and activities by local community specific-interest groups. Officers responsible for managing the various partnership agreements acknowledged that there was confusion regarding the use and intent of an “Everlasting Agreement”. The internal working group that reviewed the policy consequently determined that clarifying the application of the Corporate Partnerships Policy for use in partnerships with the corporate sector and businesses would assist in a more consistent approach.

It is proposed that as a result of this review of the Policy, the term “Everlasting Partnership” will cease to be used and a clearer term aligned with the Policy of “Corporate Partnerships Agreement” will be implemented to formalise any such arrangements. Examples of when this will apply includes sponsorship or financial contributions by local businesses or the corporate sector to specific programs or events, such as Australia Day fireworks and support for the eternal flame at HMAS Sydney II Memorial.

At the same time, the internal working group identified the need to better coordinate the various arrangements with the not-for-profit sector and community groups that deliver activities with or on behalf of the City and the community. This is planned to be addressed through a review of current arrangements and development of a simpler agreement between the parties to encompass the specific nature of the support or activities. Examples of these include Friends of Geraldton Gardens Inc (FROGGS Inc), Geraldton and Districts Seniors Action Group Inc and Beachlands Community Inc.

The Policy is therefore now more clearly focussed on corporate and business partnerships that support community and City events, programming and initiatives.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The revision of the Policy better clarifies and reflects its application and use in partnerships with the corporate and business sector. Clarifying that a simpler arrangement is more appropriate with not-for-profit and community groups will make it easier for them to partner with the City and continue to deliver opportunities which have positive social outcomes for the community.

Economy:

The updated Policy continues to provide the City with opportunities to partner with local businesses and the corporate sector on projects, activities and events which have the potential to stimulate the local economy.

Environment:

This Policy gives potential to both support and leverage environmental opportunities and activities, in-line with the City's ongoing focus on environmental sustainability.

Leadership:

The amended Policy will continue to provide direction, greater flexibility and better tailored benefits for potential partnerships whilst maintaining transparency.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council initially adopted the Corporate Partnerships Policy (previously CP062) on 16 December 2014 (Item No. CC194, Corporate Partnerships Program). Council adopted the revised Corporate Partnerships Policy at the Ordinary Meeting of Council on 27 July 2021 (Item No. CCS615, Council Policy 4.19 Corporate Partnerships).

COMMUNITY/COUNCILLOR CONSULTATION:

Council Members were consulted via Briefing Note on 29 September 2023, with no requests for amendments received. Whilst feedback on the policy has not been sought directly from the community, the internal working group discussed the various experiences of organisations who had entered into Everlasting partnership with the City to inform the revision.

LEGISLATIVE/POLICY IMPLICATIONS:

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

2.7. Role of council

(1) *The council —*

(a) *governs the local government's affairs; and*

(b) *is responsible for the performance of the local government's functions.*

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

(a) *oversee the allocation of the local government's finances and resources; and*

(b) *determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Strategic Direction:	Aspiration: A healthy thriving and resilient

Economy	economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.4	A desirable place to live, work, play, study, invest and visit
Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.
Outcome 4.2	Decision making is ethical, informed and inclusive.
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 Corporate Partnerships Program provides a framework to manage the City's approach to partnering with the corporate sector and businesses, thus reducing the risk of a potential for the perception of lack of transparency and inequity.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

- To continue to provide the Corporate Partnerships Program in its current form, including the Everlasting Partnerships agreements. However, on reviewing the Policy as it currently stands, Officers considered that clarifying the intent of the policy to apply to business groups and the corporate sector would deliver a consistent and transparent approach whilst removing complexity for not-for-profit and community groups seeking to partner with the City.
- To retire the Policy. On review, Officers considered that a policy approach to seeking corporate sponsorship was still applicable in some circumstances, in particular where significant financial sponsorship is provided, in order to provide a framework to mitigate risk and maintain transparency.

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

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

1. APPROVE Council Policy 4.19 Corporate Partnerships, version 4.

CARRIED 10/0

Time: 5:30 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

CS072 2024 COUNCIL MEETING SCHEDULE

AGENDA REFERENCE:	D-23-112525
AUTHOR:	P Bennett, PA to Director Services
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	3 October 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of the proposed Council Meeting Schedule for the 2024 calendar year. The *Local Government Act 1995* (Act) and association regulations require the CEO to publish the meeting details for ordinary council meetings before the beginning of the year in which they are to be held.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the 2024 Council Meeting Schedule as follows:

2024	CONCEPT FORUM 1 st Tuesday (Closed to the public)	AGENDA FORUM Tuesday before OMC * unless otherwise indicated	ORDINARY MEETING OF COUNCIL Last Tuesday of month * unless otherwise indicated
JAN	No Concept Forum	23 January 2024	30 January 2024
FEB	6 February 2024	20 February 2024	27 February 2024
MARCH	5 March 2024	19 March 2024 ** MULLEWA at 1:30pm	26 March 2024
APRIL	2 April 2024	23 April 2024	30 April 2024
MAY	7 May 2024	21 May 2024	28 May 2024
JUNE	4 June 2024	18 June 2024	25 June 2024
JULY	2 July 2024	23 July 2024 ** WALKAWAY at 5:00pm	30 July 2024
AUGUST	6 August 2024	20 August 2024 ** MULLEWA at 1:30pm	27 August 2024
SEPT	3 September 2024	17 September 2024	24 September 2024
OCT	1 October 2024	22 October 2024	29 October 2024
NOV	5 November 2024	* Monday 18 November 2024	26 November 2024
DEC	3 December 2024	10 December 2024	* 17 December 2024
	Commencing 5:00 PM in the Civic Centre Function Room	Commencing 5:00 PM in Chambers, Cathedral Avenue, Geraldton ** unless otherwise indicated	

PROPONENT:

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

BACKGROUND:

Section 5.3 of the Act allows Council to hold ordinary and special meetings. It further requires ordinary meetings to be held not more than three (3) months apart.

Regulation 12 of the *Local Government (Administration) Regulations 1996*, requires the CEO to publish on the City's website the meeting details (date, time and place) for ordinary council meetings and committee meetings required or proposed to be open to the public.

The meeting details must be published before the beginning of the year in which the meetings are to be held, with any change to the meeting details published as soon as practicable after the change is made.

12. Publication of meeting details (Act s. 5.25(1)(g))

(1) *In this regulation —*

meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) *The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —*

(a) *ordinary council meetings;*

(b) *committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*

(3) *Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.*

City Officers propose that the following meetings be held in 2024:

- **Concept Forum** (closed to the public) on the first Tuesday of the month commencing at 5:00pm in the Civic Centre Function Room, Cathedral Avenue, Geraldton.
- **Agenda Forum** on the Tuesday before the Ordinary Meeting of Council commencing at 5:00pm in Council Chambers, Cathedral Avenue, Geraldton.
- **Ordinary Meeting of Council** on the last Tuesday of the month commencing at 5:00pm in Council Chambers, Cathedral Avenue, Geraldton.

Variations to the above meetings include:

- No Concept Forum to be held January 2024, due to the Christmas / New Year holiday period.
- March and August Agenda Forums to be held in Mullewa, commencing at 1:30pm.
- July Agenda Forum to be held in Walkaway, commencing at 5:00pm.
- November Agenda Forum to be held Monday 18 November 2024 as the HMAS Sydney II Anniversary is on Tuesday 19 November 2024.
- December Agenda Forum and Ordinary Meeting of Council brought forward by two weeks due to the Christmas / New Year holiday period.
- Council may wish to consider if they want to hold an Agenda Forum in December or simply hold a Concept Forum and an Ordinary Meeting of Council.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The City is committed to engaging with its community and recognises that providing opportunities for the community to attend council meetings will result in more informed and engaged residents.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

It is a requirement under regulation 12 of the *Local Government (Administration) Regulations 1996* for the meeting details of ordinary council meetings to be published.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The 2023 Meeting Schedule was approved by Council on 25 October 2022 (Item No. CCS730 – 2023 Council Meeting Schedule).

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were provided with the proposed meeting schedule for 2024 via Briefing Note on 4 October 2023.

LEGISLATIVE/POLICY IMPLICATIONS:

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires the CEO to publish on the local government's official website the meeting details of certain meetings before the beginning of the year in which the meetings are to be held.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Act and regulations no longer require meeting details to be published as a local public notice (on the website and at least three of the ways prescribed).

Officers will publish the meeting details on the City's official website as required, as well as noticeboards and social media. Savings by no longer advertising in the local newspaper is approximately \$730 per notice.

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:

It is a legislative requirement under regulation 12 of the *Local Government (Administration) Regulations 1996* to publish the meetings details for 2024 before the beginning of the year.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were 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. APPROVE the 2024 Council Meeting Schedule as follows:

2024	CONCEPT FORUM 1 st Tuesday (Closed to the public)	AGENDA FORUM Tuesday before OMC * unless otherwise indicated	ORDINARY MEETING OF COUNCIL Last Tuesday of month * unless otherwise indicated
JAN	No Concept Forum	23 January 2024	30 January 2024
FEB	6 February 2024	20 February 2024	27 February 2024
MARCH	5 March 2024	19 March 2024 ** MULLEWA at 1:30pm	26 March 2024
APRIL	2 April 2024	23 April 2024	30 April 2024
MAY	7 May 2024	21 May 2024	28 May 2024
JUNE	4 June 2024	18 June 2024	25 June 2024
JULY	2 July 2024	23 July 2024 ** WALKAWAY at 5:00pm	30 July 2024

AUGUST	6 August 2024	20 August 2024 ** MULLEWA at 1:30pm	27 August 2024
SEPT	3 September 2024	17 September 2024	24 September 2024
OCT	1 October 2024	22 October 2024	29 October 2024
NOV	5 November 2024	* Monday 18 November 2024	26 November 2024
DEC	3 December 2024	10 December 2024	* 17 December 2024
	Commencing 5:00 PM in the Civic Centre Function Room	Commencing 5:00 PM in Chambers, Cathedral Avenue, Geraldton ** unless otherwise indicated	

CARRIED 10/0

Time: 5:31 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

CS073	STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 30 SEPTEMBER 2023
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AGENDA REFERENCE:	D-23-137838
AUTHOR:	J McLean, Senior Management Accountant/Analyst
EXECUTIVE:	P Radalj, Director Corporate Services
DATE OF REPORT:	11 October 2023
FILE REFERENCE:	FM/17/0013
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 30 September 2023

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly statement of financial activity for the period ending 30 September 2023, as attached; and
2. RECEIVE the monthly statement of financial position as at 30 September 2023, as attached.

PROPONENT:

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

BACKGROUND:

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

Operating Income	\$	331,578	0.5%	over YTD Budget	<input checked="" type="checkbox"/>
Operating Expenditure	\$	230,561	1.1%	over YTD Budget	<input checked="" type="checkbox"/>
Net Operating	\$	101,017	0.2%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Expenditure	\$	814,679	9.6%	over YTD Budget	<input checked="" type="checkbox"/>
Capital Revenue	\$	351,232	62.3%	under YTD Budget	<input checked="" type="checkbox"/>

Cash at Bank – Municipal	\$	1,521,653
Cash at Bank – Reserve	\$	18,152,582

Total Funds Invested	\$	71,526,435
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Current Rates Collected to September 2023	64.22%
Current Rates Collected to September 2022	59.65%

Rates Arrears Collected to September 2023	21.34%
Rates Arrears Collected to September 2022	20.18%

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the budget. The financial performance presented in the September financials show a YTD positive variance of \$101,017 in the net operating surplus/(deficit) result.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

The Financial Management Regulations now require presentation each month of a Statement of Financial Activity and Statement of Financial Position 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, reporting on the revenue and expenditure as set out in the adopted annual budget.

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:

As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

COUNCIL DECISION

MOVED CR LIBRIZZI, SECONDED CR COLLIVER

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

1. **RECEIVE** the monthly statement of financial activity for the period ending 30 September 2023, as attached; and
2. **RECEIVE** the monthly statement of financial position as at 30 September 2023, as attached.

CARRIED 10/0

Time: 5:34 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT

Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.4 REPORTS OF INFRASTRUCTURE SERVICES

Refer to section '2. Meeting Closed to Public' for Items:

*IS295 RFT 2324 02 Regional Roads Group (RRG) Funded Projects Package; and
IS296 RFT 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes And
Sand Nourishment – Stage 2.*

12.5 REPORTS OF OFFICE THE CEO**CEO109 WALGA NORTHERN COUNTRY ZONE – APPOINTMENT OF COUNCIL DELEGATES**

AGENDA REFERENCE:	D-23-138807
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	16 October 2023
FILE REFERENCE:	GO/6/0009
ATTACHMENTS:	Yes (x1) WALGA Elected Member Prospectus - Becoming a Zone Delegate or State Councillor

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to appoint a Council Delegate and Deputy Delegate to the Northern Country Zone until their representation expires at the next ordinary election day being 18 October 2025 or as directed by the WA Local Government Association (WALGA).

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH representation to the WALGA Northern Country Zone; and
2. APPOINT the following elected members to represent Council at the Northern Country Zone of WA Local Government Association:
 - a. Council Member _____ as delegate; and
 - b. Council Member _____ as deputy delegate.

PROPONENT:

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

BACKGROUND:

The WALGA Northern Country Zone represents local government views for their region which can then be communicated to the State Council decision making table.

In order to ensure that Council's position on different aspects of its business is understood, Council appoints delegates to external groups. These delegates are to represent Council's views on relevant topics and to report back to Council on the outcomes of meetings held. When making decisions on behalf of Council at these meetings, members are to give regard to Council's Strategic Community Plan, Long Term Financial Plan, Corporate Business Plan and policies.

WALGA have requested that they be advised of Council's Zone delegates by 9am on Friday 3 November 2023. Refer to Attachment No. CEO109 Becoming a Zone delegate or State Councillor.

At the WALGA Northern Country Zone meeting of Monday 27 November 2023 at the Shire of Coorow, their first order of business is to elect State Council representative(s) and Deputy Representative(s), Zone Chair and Zone Deputy Chair. Nominees for these positions must be a council member and have been elected as a delegate to the Zone by a member Council.

WALGA Northern Country Zone meetings are held every two months, during office hours, and are currently held at various Local Government venues. The deputy delegate will be asked to attend meetings, at these locations, in the absence of the delegate, but can attend all meetings as an observer.

Northern Country Zone member Councils also include:

- Shire of Carnamah
- Shire of Chapman Valley
- Shire of Coorow
- Shire of Irwin
- Shire of Morowa
- Shire of Mingenew
- Shire of Northampton
- Shire of Perenjori
- Shire of Three Springs

Council at their Ordinary Meeting of Council being held on 28 November 2023 will re-establish Council Committees, seek nominations to sit on those committees and for representation on Boards, Committees and Groups external to Council.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

The re-establishment of representation to the WALGA Northern Country Zone provides social benefits to the community.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

Zone delegates are elected to represent the City of Greater Geraldton and make decision on behalf of Council, at a regional level.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council appointed representatives to this Committee on 26 October 2021 (Item No. CEO082). Cr J Clune was appointed the delegate, Mayor S Van Styn as the deputy delegate. Due to the WALGA timeline CEO109 is presented as a standalone item for consideration.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no councillor consultation, as this would normally commence at the November Concept Forum as part of the process to re-establish committees and representatives to external bodies. Due to the WALGA timeline CEO109 is presented as a standalone item for consideration.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative requirements on representation to external boards, committees and groups. Council Policy 4.4. Operation of Advisory Committees Section 9 references the role of Council when appointed to external bodies. Section 11.2 states that current sitting Council Members may remain on external committees, should they wish to continue as a delegate, but new appointments require a Council Resolution:

11.2. Representation on External Committees may remain unless there is a change in Elected Member. New appointments will require a Council Resolution.

FINANCIAL AND RESOURCE IMPLICATIONS:

Boards, committees and groups representation by Council may require allocation of Officer resources, for secretariat support, coordination and for preparation of necessary reports. There are minor travel cost implications in the appointment of delegates to external boards, committees and groups.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

Appointing a delegate to the WALGA Northern Country Zone provides a regional voice to issues affecting the region and the State.

RISK MANAGEMENT:

Not appointing delegates will alienate Council having an input on issues of importance affecting the region and the State.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered.

Prior to the meeting the following nominations were received:

Mayor J Clune as the delegate.

Cr J Critch as the deputy delegate.

There were no further nominations.

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

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

1. RE-ESTABLISH representation to the WALGA Northern Country Zone; and
2. APPOINT the following elected members to represent Council at the Northern Country Zone of WA Local Government Association:
 - a. Mayor J Clune as the delegate; and
 - b. Cr J Critch as the deputy delegate.

CARRIED 10/0

Time: 5:36 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

12.6 REPORTS TO BE RECEIVED**RR52 REPORTS TO BE RECEIVED - SEPTEMBER**

AGENDA REFERENCE:	DD-23-140735
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	20 October 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x3)
	A. DSDD012 - Delegated Determinations and Subdivision Applications for Planning Approval
	B. CS074 – List of Accounts Paid Under Delegation – September 2023
	C. CS075 - List of Payments by Employees via Purchasing Cards – September 2023

EXECUTIVE SUMMARY:

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

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development Services:
 - i. DSDD012 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS074 – List of Accounts Paid Under Delegation – September 2023; and
 - ii. CS075 - List of Payments by Employees via Purchasing Cards – September 2023

PROPONENT:

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

BACKGROUND:

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

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

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

There are no adverse community impacts.

Economy:

There are no adverse economic impacts.

Environment:

There are no adverse environmental impacts.

Leadership:

There are no adverse leadership impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Leadership	Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.
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 LIBRIZZI, SECONDED CR COLLIVER****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. DSDD012 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

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

1. RECEIVE the following appended reports:
 - a. Reports – Corporate Services:
 - i. CS074 – List of Accounts Paid Under Delegation – September 2023; and
 - ii. CS075 - List of Payments by Employees via Purchasing Cards – September 2023.

CARRIED 10/0

Time: 5:37 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

16 MEETING CLOSED TO PUBLIC

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

No confidential discussion was required.

IS295	RFT 2324 02 REGIONAL ROADS GROUP (RRG) FUNDED PROJECTS PACKAGE
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AGENDA REFERENCE:	D-23-138107
AUTHOR:	C Edwards, Manager Project Delivery
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	11 September 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Confidential Confidential - RFT 2324 02 Tender Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award RFT 2324 02 Regional Roads Group (RRG) Funded Projects Package to the preferred tenderers.

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 2324 02 Regional Road Group (RRG) Funded Projects Package – Separable Portions 1, 2 and 3 to the preferred tenderer;
2. AWARD the contract RFT 2324 02 Regional Road Group (RRG) Funded Projects Package – Separable Portion 4 to the preferred tenderer; and
3. RECORD the contract prices in the minutes.

PROPONENT:

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

BACKGROUND:

The Regional Roads Group (RRG) assists in funding local road projects identified in the Roads 2030 Regional Strategies for Significant Local Government Roads. Over the past six financial years, this funding has assisted in multiple projects, including:

- Pavement rehabilitating and resurfacing Goulds Road;
- Resealing and Shoulder Widening of over 5.7km of Nangetty-Walkaway Road; and
- Flores Road Rehabilitation Works.

The City has successfully obtained RRG funds for the 2023-24 financial year to continue these works on four separate roads, which will assist in maintaining the roads to a high standard.

The works on each of the four individual roads have separate funding and will be treated as individual projects. These four projects will be packaged and procured under an AS4000 Main Contract with Separable Portions for each site. Combining the four projects into one tender increases the overall contract price to attract more mid to high-tiered road construction companies within the market. The procurement approach also allows the four separable portions to be awarded to up to four contractors.

The Straight Line Kilometres (SLK) will be allocated as follows in each Separable Portion:

- Separable Portion 1 (SP1) - Goulds Road Reconstruction SLK 0.82 to 1.12;
- Separable Portion 2 (SP2) - Place Road Reconstruction SLK 0.34 to 0.46;
- Separable Portion 3 (SP3) - Flores Road- Renewal SLK 0.57 to SLK 0.97; and
- Separable Portion 4 (SP4) - Nangetty-Walkaway Road Renewal SLK 1.21 to 1.51.

Note that the above SLK's are approximate. The Project Team will endeavour to maximise the length of road repairs to closely match the approved budgets with the pricing received in submissions. The works have been tendered under a Schedule of Rates contract, allowing the City to scale the works according to the available budget.

Consultation with Main Roads Western Australia as the primary funding source will be required to proceed with the project with the adjustments to the project scopes.

The RFT was advertised in The West Australian on 14 July 2023 and the Geraldton Guardian on 15 July 2023. The RFT was also advertised on the City's Tender Link e-Tendering Portal with the closing date of 11 August 2023.

30 suppliers registered to receive the tender, and four submissions were received. Two of the tender submissions bid on one of the four separable portions, while two bid on all four of the separable portions.

The tender assessment was undertaken by a panel of four Officers, consisting of three with voting rights and the mandatory compliance representation without.

Three of the four tenderers qualified as local suppliers and Council Policy 4.11 Regional Price Preference was applied to their submissions.

All four submissions were deemed compliant and progressed for assessment against the following qualitative and price criteria:

- (a) Price (50%);
- (b) Key resources and experience, including personnel, plant and their availability (30%); and
- (c) Demonstrated understanding, including the ability to undertake and complete the works within the specified time (20%).

The above selection criteria were adopted to select the most advantageous tenderer.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

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

Economy:

Awarding this tender will result in City funds flowing into the local economy by employing local community members such as traffic controllers, contractors and suppliers. Well-maintained road networks also reduce tyre and vehicle wear and tear costs.

Environment:

All works within the scope of the RFT 2324 02 Regional Road Group (RRG) Funded Projects Package will be undertaken with environmental controls implemented as part of the contract.

Leadership:

Council approval of the Executive Recommendation will ensure that works align with the objectives of Council Policy 4.5 Asset Management.

Disclosure of Interest:

No Officer involved in preparing this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The City has tendered, procured, and constructed similar RRG-Funded Projects over the past five financial years as per the City's Policy 4.9 Procurement of Goods and Services.

COMMUNITY/COUNCILLOR CONSULTATION:

The RRG-Funded Projects form part of the annual road renewals and is identified from the Roads 2030 Regional Strategies for significant Local Government roads. All four projects contained within this RFT are included in the City's adopted budget for 2023-24FY. Councillors were consulted as part of the process for the approval of the adopted 2023-24FY budget.

Community consultation has yet to be undertaken for this project; however, consultation will be carried out before the commencement of construction activities.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Local Government Act 1995* and the City's Policy 4.9 Procurement of Goods and Services were observed when preparing and recommending the award of this tender. Council Policy 4.11 Regional Price Preference was applied to the submissions from local tenderers.

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:

There are no financial implications as the contract values of the recommended tenderers are less than the available budget of \$1.627 M. The City has the project management resources available to administer and manage the contract.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.
Outcome 2.2	Efficient and accessible intrastate and interstate connectivity.
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.
Title: Environment	2.3 Built Environment
Strategy 2.3.3	Providing a fit for purpose, safe and efficient infrastructure network.

REGIONAL OUTCOMES:

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

RISK MANAGEMENT:

The successful tenderer will be engaged under an AS4000 General Conditions of Contract, providing industry-standard mechanisms for managing risk during construction. Appropriate due diligence has been undertaken to ensure that the preferred tenderers have the necessary capability to undertake the project successfully. The Schedule of Rates basis of the Request for Tender provides

the mechanism to reduce or increase the scope of the contract works to ensure that the available budget is fully expended.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

City Officers considered awarding all four Separable Portions to a single contractor. This option was rejected as the award of Separable Portion 4 to another contractor resulted in the City being able to significantly extend the scope of that portion of work.

Cr M Librizzi declared an Impartiality interest in Item No. IS295 RFT 2324 02 Regional Roads Group (RRG) Funded Projects Package as one of the tenderers is a past client of the Councillor's consultancy business and an Impartiality interest is disclosed as it has been a period of greater than 14 months since any financial engagement has occurred. Cr Librizzi remained in Chambers during the debate.

COUNCIL DECISION

MOVED CR LIBRIZZI, SECONDED CR COLLIVER

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

1. **AWARD** the contract RFT 2324 02 Regional Road Group (RRG) Funded Projects Package – Separable Portions 1, 2 and 3 to the preferred tenderer being WCP Civil Pty Ltd;
2. **AWARD** the contract RFT 2324 02 Regional Road Group (RRG) Funded Projects Package – Separable Portion 4 to the preferred tenderer being Hawthorn Group Holdings Pty Ltd; and
3. **RECORD** the contract prices in the minutes being \$1,050,131.20 (excl GST) for Separable Portions 1, 2 and 3, \$301,776.00 (excl GST) for Separable Portion 4.

CARRIED 10/0

Time: 5:40 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

IS296	RFT 2324 03 SUNSET BEACH – GEOTEXTILE SAND CONTAINER (GSC) GROYNES AND SAND NOURISHMENT – STAGE 2
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AGENDA REFERENCE:	D-23-123689
AUTHOR:	C Edwards, Manager Project Delivery and Engineering
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	15 September 2023
FILE REFERENCE:	GO/6/0029
ATTACHMENTS:	Yes (x1) Confidential Confidential - RFT 2324 02 Tender Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 2 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 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 2 to the preferred tenderer; and
2. RECORD the estimated contract price in the Minutes.

PROPONENT:

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

BACKGROUND:

In late 2017, during the development of the City's CHRMAP report, City Officers engaged specialist coastal engineers M P Rogers to assess 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 designing and implementing 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 \$1.5 M H-CAP grant application for a project to construct the first three GSC Groynes between Triton Place and

Bosley Street, Sunset Beach. Grant funding was based on a 50/50 co-contribution whereby the State contributes \$750,000 and the Local Government contributes \$750,000. The three GSC Groynes were installed as Stage 1 of the groyne field from February to June 2023.

In May 2023, City Officers again submitted an H-CAP grant application for Stage 2 of the project to construct the remaining three GSC Groynes between Bosley Street and Swan Drive, Sunset Beach. The application has partially succeeded, with the City receiving H-CAP funding for \$615,000 of the \$750,000 requested. The funding pool made available to this tier of project in the DoT H-CAP fund has been reduced, hence the reduction in grant funding available to the City. The City has allocated \$750,000 to the project through the 2023-24FY capital works program, resulting in a total budget of \$1.365 M for Stage 2. The available funding will allow the City to construct up to three GSC Groynes and nourish sand providing medium to long-term stability for the Sunset Beach foreshore.

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 2.

The RFT requested the construction of up to three 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. Using the Schedule of Rates will allow the City to reduce or add the number of groynes and volumes of sand nourishment to be undertaken within the available budget.

The RFT was advertised in The West Australian on 5 August 2023 and in the Geraldton Guardian on 4 August 2023. The RFT was also advertised on the City's TenderLink e-Tendering Portal, with the tender closing on 1 September 2023.

13 suppliers registered to receive copies of the tender, and four 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.

Regional Price Preference was applied to each of the submissions in accordance with Council Policy 4.11.

All four submissions were deemed compliant and progressed to the qualitative and price evaluation because 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 that the most advantageous tenderer who provided the 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 Item No. IS276 awarded the RFT 2223 14 Sunset Beach Groynes - Stage 1 for the construction of the previous stage of GSC Groynes on Sunset Beach on 31 January 2023.

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 October 2022 Council Meeting Agenda Item No. IS270 to enter into the H-CAP Funding Agreement and approve and authorise budget amendment for co-contribution towards the Sunset Beach GSC Groyne and Sand Nourishment Project for the works completed on Stage 1 of the project in the 2022-23FY.

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 the 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. The 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). Confirmation has been obtained from the Department of Planning Lands and Heritage and the Yamatji Southern Regional Council that there are no Aboriginal Cultural Heritage implications for the site.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by the City's Officers.

Cr M Librizzi declared an Impartiality interest in Item No. IS IS296 RFT 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 2 as one of the tenderers is a past client of the Councillor's consultancy business and an Impartiality interest is disclosed as it has been a period of greater than 14 months since any financial engagement has occurred. Cr Librizzi remained in Chambers during the debate.

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

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

- 1. AWARD the contract RFT 2324 03 Sunset Beach – Geotextile Sand Container (GSC) Groynes and Sand Nourishment – Stage 2 to the preferred tenderer being Red Dust Enterprises Pty Ltd T/A Red Dust Holdings; and**
- 2. RECORD the estimated contract price in the Minutes being \$1,120,089.00 (excl GST).**

CARRIED 10/0

Time: 5:41 PM

Not Voted: 1

No Votes: 0

Yes Votes: 10

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	NOT PRESENT

Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

17 CLOSURE

There being no further business the presiding member closed the meeting at 5.41pm.

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/>