ORDINARY MEETING OF COUNCIL

MINUTES

30 JULY 2024

TABLE OF CONTENTS

1 DECLARATION OF OPENING 2

2 ACKNOWLEDGEMENT OF COUNTRY 2

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE 2

4 DISCLOSURE OF INTERESTS 3

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE 3

6 PUBLIC QUESTION TIME 3

7 APPLICATIONS FOR LEAVE OF ABSENCE 6

8 PETITIONS, DEPUTATIONS 7

9 CONFIRMATION OF MINUTES 7

10 ANNOUNCEMENTS BY THE CHAIR AND PRESENTATIONS 8

10.1 PRESENTATION TO MAYOR OF AWARDS 10

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS 11

12 REPORTS OF COMMITTEES AND OFFICERS 12

12.1 REPORTS OF DEVELOPMENT SERVICES 12

DS043 TELECOMMUNICATIONS LEASE – VOCUS PTY LTD 12
DS044 APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT – GENERAL INDUSTRY REZONING, TENINDEWA 17

12.2 REPORTS OF COMMUNITY AND CULTURE 29

CC019 APPOINTMENT OF THE HMAS SYDNEY II MEMORIAL WARDEN AND DEPUTY WARDEN 2024-2026 29

12.3 REPORTS OF CORPORATE SERVICES 33

CS139 VOTING DELEGATES – 2024 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) ANNUAL GENERAL MEETING 33
CS140 STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 30 JUNE 2024 37

12.4 REPORTS OF INFRASTRUCTURE SERVICES 41

12.5 REPORTS OF OFFICE THE CEO 42

CEO124 OWL FRIENDLY CITY 42
CEO125 GOVERNOR GENERAL OF COMMONWEALTH OF AUSTRALIA - INVITATION 46

12.6 REPORTS TO BE RECEIVED 50

RR61 REPORTS TO BE RECEIVED - JULY 50

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 53

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN 53

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING 53

16 MEETING CLOSED TO PUBLIC 54

CS143 RFT 2425 01 PLUMBING MAINTENANCE SERVICES 55

17 CLOSURE 59

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED 60

CITY OF GREATER GERALDTON

ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 30 JULY 2024 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

M I N U T E S

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 revision 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.

Livestreaming of meetings.
This meeting will be livestreamed with a recording available after the meeting on the City's website.

1 DECLARATION OF OPENING

The Presiding Member, Mayor J Clune, declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:
Mayor J Clune
Cr N Colliver
Cr S Cooper
Cr J Critch
Cr J Denton
Cr P Fiorenza
Cr A Horsman
Cr M Librizzi
Cr S Keemink
Cr K Parker
Cr V Tanti

Officers:
R McKim, Chief Executive Officer
R Hall, Director of Development Services
F Norling, Director of Community and Culture
P Radalj, Director of Corporate Services
C Lee, Director of Infrastructure Services
M Wilson, PA to Director of Development Services - Minute Secretary
S Moulds, PA to the Chief Executive Officer
L Pegler, Executive Support Secretary
M Adams, Manager Sport and Leisure
P Treharne, Manager Community & Cultural Development
N Jane, Chief Financial Officer
J Kopplhuber, Communications Officer – Engagement
Y Canelon, Community Development Officer
P Heiderova, Coordinator Community Development
D Melling, Systems Administrator

Others:
Members of Public: 14
Members of Press: 0

Apologies:
Nil.

Leave of Absence:
Nil.

4 DISCLOSURE OF INTERESTS

Cr M Librizzi declared a Financial Direct interest in Item No. DS044 Approval Of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa as he is actively engaging with the intended end user on potential project supply opportunities.

Cr S Keemink declared a Financial Direct interest in Item No. DS044 Approval of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa, as he is a minor shareholder.

Cr J Critch declared a Financial Direct interest in Item No. DS044 Approval of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa, as her farming business owns the land.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

6 PUBLIC QUESTION TIME

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

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

Public question commenced at 5:02pm.

Narelle Smith, 6474 Geraldton – Mt Magnet Road, Tenindewa

Question
Lack of endorsement is evidenced by the number of local landowner objections received in the feedback submissions.

Endorsement of all neighbours was not given & this was required by the current landowner before the option agreement was signed, and therefore for the proposal to progress.

Can the council please explain how or why, the vote on re-zoning can continue tonight with the knowledge of this, being that their decision will influence the development approval process?

Response
It is acknowledged that:

- the proponent engaged with surrounding landowners prior to the Scheme Amendment being initiated;
- the proponent made statements regarding the engagement with surrounding landowners in the proposed Scheme Amendment documentation;
- there are submissions received that clearly say these statements made by the proponent are not accurate; and
- the proponent was offered the opportunity to provide a response to those submissions, but did not provide any further information.

The Council is fully aware of the proposed Scheme Amendment and the submissions it has received, and the Council is now required to consider those submissions as set out in the Planning and Development Regulations 2015.

The Planning and Development Regulations 2015 do not require the surrounding landowners endorsement of a proposed Scheme Amendment for it to proceed.

Question
Regarding the second alternate option to be considered by Council.

A vote not in support of the proposed amendment, is not recommended.

Because the proponent has acknowledged the issues raised and that there is more assessments still being undertaken & information to be supplied.

The public have provided feedback on the proposal as advertised. The Council is making a judgement based on the information they know, as of tonight, not on unknown information yet to be supplied. How can the Council vote in support of Something they do not fully know about just because the WAPC has imposed a date?

Response
The are two points to this response. The first is, the Council has previously considered this amendment and resolved to initiate the amendment at their meeting of 26 April 2023 which commenced the process of State government approval being obtained for the proposal to be advertised.

Now that the amendment has been advertised the Council's job tonight is to read and consider those submissions and following that Council's resolution will be forward on to the State government for final determination.

Sean Hickey, 21 Eastcott Way, Tarcoola Beach

Question
Would Council please release the plan for this bikeway (Eastcott Way to Upton Way) that includes detail of the above mentioned issues and explain how this heavy usage pathway section 'special needs' have been considered over those conditions typically met and catered for in 'the integrated transport system' - which Council adopted back some years ago.

Response
As previously advised, the new path is grant funded and has been designed, and will be constructed, to meet current safety standards for a typical shared path in this environment, as the existing path does not. Further, the request for a new path to address safety concerns is largely associated with sightline and the potential for collision and was identified during the preparation of the City's cycling strategy, which was subsequently endorsed by Council.

Acknowledging that you have already been provided the opportunity to meet and discuss the project in a one-to-one setting for 90 minutes, a hard copy of the General Arrangement has been printed and handed to you this evening as requested.

Public question time concluded at 5:10pm.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr N Colliver	31 July 2024	7 August 2024	25/6/2024
Cr M Librizzi	~~5 August 2024~~ *Cancelled leave*	~~7 August 2024~~ *Cancelled leave*	25/6/2024
Cr J Critch	5 September 2024	16 September 2024	28/5/2024
Cr M Librizzi	1 October 2024	18 October 2024	26/6/2024

**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. Deputy Mayor Cr N Colliver for the period 15 August to 19 August 2024;
   b. Mayor J Clune for the period 31 August to 9 September 2024;
   c. Cr J Denton for the period 1 September to 6 September 2024;
   d. Deputy Mayor Cr N Colliver for the period 12 November to 29 November 2024; and
   e. Cr K Parker for the period 23 September to 30 September 2024.

COUNCIL DECISION
MOVED CR CRITCH, SECONDED CR LIBRIZZI
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. **Deputy Mayor Cr N Colliver for the period 15 August to 19 August 2024;**
   b. **Mayor J Clune for the period 31 August to 9 September 2024;**
   c. **Cr J Denton for the period 1 September to 6 September 2024;**
   d. **Deputy Mayor Cr N Colliver for the period 12 November to 29 November 2024; and**
   e. **Cr K Parker for the period 23 September to 30 September 2024.**

CARRIED 11/0

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

8 PETITIONS, DEPUTATIONS

There is none.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 25 June 2024, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION
MOVED CR COOPER, SECONDED CR COLLIVER
RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 25 June 2024, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 11/0

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

10 ANNOUNCEMENTS BY THE CHAIR AND PRESENTATIONS

Events attended by the Mayor or designated representative

DATE	FUNCTION	REPRESENTATIVE
26 June 2024	Triple M Interview - City of Greater Geraldton Budget	Mayor Jerry Clune
26 June 2024	St John WA in Geraldton Sundowner	Mayor Jerry Clune
27 June 2024	ABC Radio Interview - City of Greater Geraldton Budget	Mayor Jerry Clune
27 June 2024	WA College of Agriculture Morawa Open Day	Mayor Jerry Clune
30 June 2024	Radio Mama Interview - Local Matters	Mayor Jerry Clune
1 July 2024	Mayor/Deputy Mayor/Acting CEO Regular Catch up	Mayor Jerry Clune
1 July 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
1 July 2024	Filming for Council Update Videos - Coffee with a Councillor	Mayor Jerry Clune
2 July 2024	Meeting with Local Resident - Upton Way Bike Path	Mayor Jerry Clune
2 July 2024	ABC Radio Interview - Access and Inclusion Plan 2024- 2029	Mayor Jerry Clune
2 July 2024	Concept Forum	Mayor Jerry Clune
3 July 2024	Photo for Media Release QEII funding renewal - with Lara Dalton MLA Member for Geraldton	Mayor Jerry Clune
3 July 2024	Meeting with Local Resident - Wave Rally World Championships - January 2025	Mayor Jerry Clune
5 July 2024	Triple M Interview - E-waste recovery now regulated	Mayor Jerry Clune
5 July 2024	Geraldton Regional Art Gallery (GRAG) Exhibition Opening Night - A Matter of Making/Feline Good	Cr Jenna Denton
8 July 2024	Geraldton Regional Aboriginal Medical Service (GRAMS) National Aborigines and Islanders Day Observance Committee (NAIDOC) Morning Tea and Flag Raising Event	Mayor Jerry Clune
8 July 2024	Mayor/Deputy Mayor/CEO Regular Catch up	Mayor Jerry Clune
8 July 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
8 July 2024	Country Championships Jumper Presentation	Mayor Jerry Clune
9 July 2024	Nexus Airlines First Birthday Celebration	Mayor Jerry Clune
9 July 2024	NAIDOC Week Activity Day Photos	Mayor Jerry Clune
9 July 2024	Meeting with Local Resident - Olive Street Housing Proposal	Mayor Jerry Clune
10 July 2024	Triple M Interview - Mitchell Street Community Garden Relaunch	Mayor Jerry Clune
10 July 2024	Meeting with Geraldton Sporting Aboriginal Corporation (GSAC)	
11 July 2024	Mid West Development Commission Board Visit (MWDC) – Mount Magnet	Mayor Jerry Clune
12 July 2024	GSAC NAIDOC Week Celebration	Deputy Mayor Cr Natasha Colliver
13 July 2024	Mullewa Volunteer Fire and Rescue Services (VFRS) Captains Dinner and Awards – 50th Anniversary - Mullewa	Mayor Jerry Clune
15 July 2024	Mayor/Deputy Mayor/CEO Regular Catch up	Mayor Jerry Clune
15 July 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
15 July 2024	Regular Meeting - City of Greater Geraldton with Lara Dalton MLA, Member for Geraldton	Mayor Jerry Clune
16 July 2024	New Childcare Centre Ground Breaking - Magic Cottage Geraldton	Cr Steve Cooper
16 July 2024	Innovate Reconciliation Action Plan (RAP) Official Launch - City of Greater Geraldton	Mayor Jerry Clune
17 July 2024	Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) Networking Morning Tea	Mayor Jerry Clune
17 July 2024	Photo for Media Release - Geraldton Seniors Week Committee – New Fridge in QEII Upper Hall	Mayor Jerry Clune

18 July 2024	Geraldton Disability Expo	Mayor Jerry Clune
18 July 2024	Meeting with Raylene Bellottie Waalitj Hub - Aboriginal Business Opportunities	Mayor Jerry Clune
18 July 2024	Hon Martin Aldridge MLC, Member for the Agricultural Region - Matters Relating to Shadow Portfolio	Mayor Jerry Clune
18 July 2024	Geraldton Aboriginal Short Stay Accommodation Community Drop-in session	Mayor Jerry Clune
19 July 2024	Australian Citizenship Ceremony	Mayor Jerry Clune
19 July 2024	Meeting with Owners - 54 Fitzgerald Street Update	Mayor Jerry Clune
19 July 2024	Department of Communities – Introductory Meeting	Mayor Jerry Clune
22 July 2024	Mayor/Deputy Mayor/CEO Regular Catch up	Mayor Jerry Clune
22 July 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
22 July 2024	Blessing of the Fleet - Introduction and Future Plans	Mayor Jerry Clune
22 July 2024	Triple M Interview - Beresford Foreshore Left Over Funds and Jetty Business Case	Mayor Jerry Clune
22 July 2024	Introductory Meeting with Local Resident - Proposed Set Up of a Geraldton "Women's Shed"	Mayor Jerry Clune
23 July 2024	Blue Diamond Australia - Project Terra Update	Mayor Jerry Clune
23 July 2024	Australian Vanadium Limited - Introductory Meeting	Mayor Jerry Clune
23 July 2024	Agenda Forum – Walkaway	Mayor Jerry Clune
24 July 2024	Mix 94.5 Interview - Whale Removal from Greys Beach	Mayor Jerry Clune
24 July 2024	Introductory Meeting with Local Resident – Proposed “Cut Throat Conversations”	Mayor Jerry Clune
24 July 2024	Geraldton Guardian Interview – Agenda Forum Agenda in Walkaway	Mayor Jerry Clune
24 July 2024	Senator Fatima Payman, Senator for WA - Matters relating to Greater Geraldton	Mayor Jerry Clune
24 July 2024	Mid West Chamber of Commerce and Industry (MWCCI) – Introductory Meeting with Board	Mayor Jerry Clune
25 July 2024	John Hawes Foundation - Introduction and Update	Mayor Jerry Clune
25 July 2024	Heritage Advisory Committee Meeting	Mayor Jerry Clune
26 July 2024	ABC Interview - Jetty Business Case	Mayor Jerry Clune
26 July 2024	Geraldton Guardian Interview - Whale Removal from Greys Beach	Mayor Jerry Clune
26 July 2024	Latitude Young Jewellers Awards Night	Mayor Jerry Clune
27 July 2024	Netball WA Midwest Gascoyne Regional Championships	Mayor Jerry Clune
29 July 2024	Mayor/Deputy Mayor/CEO Regular Catch up	Mayor Jerry Clune
29 July 2024	Marketing & Media Regular Catch Up	Mayor Jerry Clune
29 July 2024	Regional Drought Resilience Planning (RDRP) Implementation Meeting	Mayor Jerry Clune
30 July 2024	Mayor and Councillor Mullewa Catch Up - Mullewa	Mayor Jerry Clune
30 July 2024	Rio Tinto Partnership – Introductory Meeting	Mayor Jerry Clune
30 July 2024	Ordinary Meeting of Council	Mayor Jerry Clune

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

10.1 Presentation to Mayor of Awards

Presentation to Mayor of Award received at the Australian Local Government Association (ALGA) Conference held on 4 July 2024 in Canberra.

Active Bystander Training – Speaking Out Against Disrespect – National Awards

City of Greater Geraldton received the top honours in Canberra on 4 July 2024 in recognition of the City's commitment to addressing gender inequality and power imbalances to eliminate violence against women and their children.

The City of Greater Geraldton (CGG) successfully delivered the Speaking Out Against Disrespect training through comprehensive face-to-face sessions across the organisation, addressing gender inequality and power imbalances to eliminate violence against women and children. Facilitated by the CGG Community Development Team, the training has full support from senior Management and now forms part of the City's Key Services Induction focusing on cultivating behavioural skills, introducing new perspectives for thinking and acting, and enriching staff knowledge. Throughout 2023, the City conducted 18 sessions across all departments, successfully training over 268 staff members.

By training a significant portion of City workforce and integrating this program into the induction process for new and existing employees, the City has initiated vital conversations and raised awareness. This widespread engagement serves as a catalyst, actively contributing to the development of a culture and community deeply rooted in respect, inclusion, and gender equality.

The Active Bystander Training forms part of the City's commitment to the Desert Blue Connect Community Respect Equality initiative. The City is an original signatory of the initiative and actively engages with Desert Blue Connect in its ongoing development.

The Mayor was presented with the Award by Pavlina Heiderova, Coordinator Community Development and Yenifer Canelon, Community Development Officer, who delivered the Active Bystander Training to City Staff.

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

There is none.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT SERVICES

DS043 TELECOMMUNICATIONS LEASE – VOCUS PTY LTD

AGENDA REFERENCE:	**D-24-081579**
AUTHOR:	**S Pratt-King, Coordinator Land and Leasing**
EXECUTIVE:	**R Hall, Director Development Services**
DATE OF REPORT:	**10 July 2024**
FILE REFERENCE:	**GO/6/0029**
ATTACHMENTS:	**Yes (x2)** **A. Lease Plan** **B. Lease Area**

EXECUTIVE SUMMARY:
The purpose of this report is for Council to consider a lease to Vocus Pty Ltd for a portion of Lot 1 Lovers Lane, Mullewa for telecommunications infrastructure.

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

1. ENTER a commercial lease agreement with Vocus Pty Ltd for a 395m^2 portion of Lot 1 Lovers Lane, Mullewa for a telecommunications facility;
2. SET the proposed lease conditions as:
   a. Twenty (20) year lease term, commencing on the date of execution;
   b. Commence the lease fee at $8,000 excluding GST per annum;
   c. Adjust the lease fee annually by 3%;
3. MAKE the determination subject to:
   a. An advertising notice period of fourteen (14) days, inviting public submissions;
   b. Lessee obtaining all development and regulatory approvals.
4. ADVISE the lessee they are responsible for separately paying:
   a. All applicable rates, taxes, and insurance;
   b. All costs associated with:
      i. The preparation and execution of the lease;
      ii. Survey plan; and
5. REFER the matter back to Council for final consideration should any objecting submissions be received.

PROPONENT:
The proponent is Vocus Pty Ltd (Vocus).

BACKGROUND:
Lot 1 Lovers Lane, Mullewa is owned Freehold by the City of Greater Geraldton (the City) and includes the Mullewa Caravan Park, Pilbara Resources worker's accommodation camp and the CSIRO communications facility.

Established in 2008, Vocus is a licensed telecommunications carrier who owns and operates an extensive national and international optic fibre network across Australia and the Indo-Pacific region. As a critical infrastructure provider to various government levels, Vocus ensures secure digital connectivity nationwide.

Project Horizon is a major infrastructure project by Vocus to establish a new 2,000km fibre route from Perth to Port Headland via Mullewa, completing the national fibre backbone connecting all mainland capitals. Project Horizon is regarded as a project of State Significance, receiving Case Management status from the Western Australian Department of Jobs, Tourism, Science, and Innovation in December 2022.

Council resolved on 28 March 2023 (Item No. DS012), to enter into a new lease agreement with Vocus Pty Ltd. Vocus approached the City in May 2024, requesting revised terms to ensure the successful delivery of Project Horizon, as outlined in the following table:

Terms	Original Proposal	Revised Proposal
Term	10 years	20 years
Further Term	10 years at the sole discretion of Council	No Further Term
Rent	$5,000 (excluding GST) per annum	$8,000 (excluding GST) per annum
Rent Review	3% annual increase	3% annual increase
Lease Area	230m^2	395m^2

The revisions are required for the following reasons:

- Vocus has advised that Project Horizon requires certainty of the full 20 year period.
- The initial area was estimated; the increased area reflects the actual design and layout of the facility as per Attachment No. DS043A – Lease Plan.
- The lease consideration value has been increased to reflect the additional lease area.
- The original location has been revised in consultation with Vocus to minimise the impact on the adjacent camp and any future development.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:

Project Horizon is revolutionising Australia's digital connectivity. This will be the first competitive fibre backbone between Perth and Port Hedland, offering internet providers a significant increase in connectivity opportunities and potential for growth.

Vocus as founders of the Telco Together Foundation unites technology companies in support of charities focussing on mental health, homelessness, refugees and Indigenous communities.

Economy:
Using a small portion of the City's land in Mullewa will benefit all internet users.

Project Horizon will also interconnect with two high-capacity submarine cables in Port Hedland, establishing Australia's north as a new hub for domestic and international data.

Environment:
The land identified comprises sparsely populated small shrubs and any clearing required will cause minimal environmental impact. Vocus actively manages its social and environmental impact. To offset the global carbon emissions from data centres, Vocus has set a target to achieve net zero emissions across its operations by 2025.

Leadership:
Active management of leases is essential for demonstrating good governance and reinforces accountable leadership by managing resources effectively.

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

RELEVANT PRECEDENTS:
Council resolved on 28 March 2023 (Item No. DS012), to enter into a new lease agreement with Vocus Pty Ltd.

COMMUNITY/COUNCILLOR CONSULTATION:
Should Council approve the requested lease term amendments, a public notice will be advertised for fourteen (14) days, inviting public submissions under Section 3.58 of the *Local Government Act 1995.*

LEGISLATIVE/POLICY IMPLICATIONS:
Section 3.58 of the *Local Government Act 1995* details the process for disposing of property (in this case, leasing).

Section 136 of the *Planning and Development Act 2005* requires approval from the Western Australian Planning Commission for leases on portions of freehold land that exceed 20 years.

FINANCIAL AND RESOURCE IMPLICATIONS:
In accordance with section 3.58(a)(c) of the *Local Government Act 1995*, a ground market rent valuation was undertaken in March 2023. The proposed rent exceeds the market valuation and will have a positive impact on the City’s budgeted financial position.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	**Aspiration: Our Culture and heritage are 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: 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:
Installing telecommunication infrastructure in regional areas improves digital connectivity, enhances communication opportunities and serves the broader population. The City recognises the benefit to the Greater Geraldton region through increasing connectivity and networking.

RISK MANAGEMENT:
The City's reputation could be impacted if Council decides not to approve the Proponent's request to amend the lease terms. Vocus has indicated that Project Horizon cannot proceed under the original lease terms of ten (10) years with an additional ten (10) year term - at the sole discretion of Council.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
City Officers considered the following options:

1. Decline the requested amendments to the lease terms endorsed by Council as per Item No. DS012. Officers do not recommend rejecting the request as the amendments are essential for Project Horizon's success and improving regional telecommunications.
2. Further negotiate terms for the lease. Officers do not recommend further negotiation as the revised proposal is considered satisfactory whilst meeting the requirements of the proponent.

COUNCIL DECISION
MOVED CR LIBRIZZI, SECONDED CR COLLIVER
That Council by Simple Majority pursuant to Section 3.58 of the *Local Government Act 1995* RESOLVES to:

1. **ENTER a commercial lease agreement with Vocus Pty Ltd for a 395m^2 portion of Lot 1 Lovers Lane, Mullewa for a telecommunications facility;**
2. **SET the proposed lease conditions as:**
   a. **Twenty (20) year lease term, commencing on the date of execution;**
   b. **Commence the lease fee at $8,000 excluding GST per annum;**
   c. **Adjust the lease fee annually by 3%;**
3. **MAKE the determination subject to:**
   a. **An advertising notice period of fourteen (14) days, inviting public submissions;**
   b. **Lessee obtaining all development and regulatory approvals.**
4. **ADVISE the lessee they are responsible for separately paying:**
   a. **All applicable rates, taxes, and insurance;**
   b. **All costs associated with:**
      i. **The preparation and execution of the lease;**
      ii. **Survey plan; and**
5. **REFER the matter back to Council for final consideration should any objecting submissions be received.**

CARRIED 11/0
Time: 5:20 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

DS044	APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT – GENERAL INDUSTRY REZONING, TENINDEWA
AGENDA REFERENCE:	**D-24-085289**
AUTHOR:	**H Martin, Manager City Growth**
EXECUTIVE:	**R Hall, Director Development Services**
DATE OF REPORT:	**8 July 2024**
FILE REFERENCE:	**LP/14/0018**
ATTACHMENTS:	**Yes (x2)** **A. Scheme Amendment No. 18** **B. Schedule of Submissions**

EXECUTIVE SUMMARY:
The purpose of this report is for Council to consider the submissions relating to Local Planning Scheme Amendment No.18 (the Amendment).

The Amendment proposes to rezone a portion of Lots 40 & 41 Geraldton-Mt Magnet Road, Tenindewa from 'Rural' to the 'General Industry' zone and insert additional site and development requirements; to enable the development of the site as a vanadium processing plant.

Council at its meeting held on 26 April 2023 (Item No. DS013) resolved to initiate the Amendment for the purpose of public advertising.

The advertising period has now concluded with 16 submissions being received.

Council must now advise the Minister for Planning whether it supports the Amendment (with or without modification) or does not support the Amendment.

It is recommended that Council support the Amendment with modifications to address matters raised in submissions.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Part 5 Division 2 r.41 (2) and (3) of the *Planning and Development (Local Planning Scheme) Regulations 2015* RESOLVES to:

1. CONSIDER the 16 submissions received as a result of Public Advertising;
2. SUPPORT Local Planning Scheme Amendment No. 18 to Local Planning Scheme No. 1 with the following modifications to address issues raised in the submissions:
   a. The Amendment be modified to update Section 3.1 of the report to appropriately demonstrate through technical assessment and modelling the applicable impact area, separation distance and buffer zone as required in accordance with State Planning Policy 2.5 – Rural Planning and State Planning Policy 4.1 – Industrial Interface.
   b. The Amendment be modified to correct statements within Table 3.4 which states Wyalong homestead is the closest sensitive receptor.

c. The Amendment be modified to update Figure 1.6 to identify the correct number and location of surrounding residences and homesteads.
d. The Amendment be modified to update Table 3.5 with any relevant Bushfire Management Plan recommendations and detail how these have been addressed.

PROPONENT:
The proponent is Land Insights on behalf of Australian Vanadium Limited. The owner of the subject land is Wyalong Pastoral Co. Pty Ltd.

BACKGROUND:
The proposed Amendment relates to a project by Australian Vanadium Limited (AVL) to establish a vanadium processing plant at Lots 40 & 41 Geraldton-Mt Magnet Road, Tenindewa (the Site).
The processing plant is not a permissible use within the current zoning under the City's Local Planning Scheme No. 1 (the Scheme) and therefore an amendment to the Scheme has been proposed to allow the development to be considered.

The Site:
The area subject to the Amendment is a portion of Lots 40 & 41 Geraldton-Mt Magnet Road, Tenindewa. The processing plant is proposed to occupy 40% of these lots, being an area of approximately 800 hectares, and the Amendment applies to this portion of Lots 40 & 41.

The Site is located approximately 65km east of Geraldton and approximately 35km south-west of Mullewa. The Site is well connected to freight routes, located to the south of the Geraldton-Mt Magnet Road at the south-eastern corner of Erangy Springs Road, while the Mullewa to Geraldton narrow gauge railway runs east-west along the northern boundary of the Site.

The Site is currently used for agricultural and incidental purposes; being partially planted for cereal cropping. A small informal airstrip and apron has been cleared.

The Site is surrounded by large rural landholdings, used for extensive agricultural production, and farm settlements. The Site and surrounding area are zoned 'Rural' under the Scheme, except for two adjacent areas reserved for the purpose of 'Environmental Conservation'.

The Amendment:
Under the Scheme the Site is zoned 'Rural' and the processing plant would be considered an 'Industry' land use. An 'Industry' land use cannot be considered within the Rural zone. An amendment to the scheme was therefore required to allow the proposed development to be considered.

The Amendment proposes to rezone a portion of Lots 40 & 41 from the 'Rural' zone to the 'General Industry' zone. An 'Industry' land use is permitted within this zone which allows the proposed processing plant to be considered. The

Amendment also proposes to insert additional site and development requirements specific to the Site and the proposed processing plant within the Scheme.

Council at its meeting held on 26 April 2023 (Item No. DS013) resolved to initiate an amendment to the Scheme for the purpose of undertaking public advertising.

An excerpt of the Scheme Amendment No. 18 Report which demonstrates the proposed amendment area and the additional site and development requirements is included as Attachment No. DS044A.

Council's resolution will be forwarded to the WA Planning Commission (WAPC) with the matter to be determined by the Minister for Planning. If the Minister directs modifications to the amendment be re-advertised, Council may be required to consider any additional submissions and provide another recommendation to the Minister.

A development application for the proposed vanadium processing plant is currently with the Significant Development Assessment Unit (SDAU) within the Department of Planning, Lands and Heritage (DPLH) for determination. It is expected that a Certification of Design Compliance will be required for the application for a building permit.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
Various issues and objections were raised by the community during the public advertising period. The main concerns relate to the potential impacts of the proposed processing plant on the enjoyment and rural amenity of the area, and potential contamination and adverse impacts of the productive agricultural land surrounding the Site. A comprehensive overview of the issues raised is provided in the Community/Councillor Consultation section of this report.

Economy:
There are potential economic benefits relating to this proposal. The Amendment seeks to rezone land to 'General Industry' to enable the consideration of a proposed vanadium processing plant at the Site.
The processing plant is expected to provide an estimated 450 jobs during construction and 95 jobs during operation and maintenance (including transport).

AVL's Australian Vanadium Project (being the combined processing plant and vanadium mine proposed near Meekatharra) was awarded major project status by the Federal Government in 2019 for its national strategic significance due to:

- Economic growth of the Australian vanadium market for steel and battery markets;
- Economic growth of the Mid-West region through direct and in-direct jobs including opportunities for regional and national suppliers;

- Significant new job creation for the Mid-West region of Australia; and
- Vanadium being on the critical minerals list for Australia and the US.

Environment:
A number of environmental related concerns were raised as part of the public comment period, and these are outlined in the Community/Councillor Consultation section below.

In April 2022 AVL self-referred the proposed processing plant to the Environmental Protection Authority for assessment under Part IV of the *Environmental Protection Act 1986*. In July 2022, the EPA advised that the referral had been examined and determined that assessment under Part IV was not required. The explanation of decision is provided below:

> *"The EPA considered that the likely environmental effects of the proposal are not so significant as to warrant formal assessment. The EPA is of the view that the potential impacts of the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documents, and the proponent's management and mitigation measures. The EPA considered that potential impact of the proposal can be dealt with under other statutory decision-making processes."*

As per the EPA advice, further assessment and approvals will be required such as a Works Approval and licence, Clearing of Native Vegetation and a 5C Groundwater Licence to take water.

The development application process via the SDAU will also review necessary land use planning conditions to ensure any environmental impacts applicable to the development application stage are appropriately dealt with.

Leadership:
The City demonstrates leadership by considering the Amendment and the submissions received as part of the public comment period in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
Disclosure of Interest:
No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:
Council at its meeting held on 26 April 2023 (Item No. DS013) resolved to initiate the Amendment for the purpose of public advertising.

COMMUNITY/COUNCILLOR CONSULTATION:
The Amendment was publicly advertised in accordance with the provisions of Part 5 Division 2 r. 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Amendment was advertised concurrently with the development application for the processing plant submitted with the SDAU. The joint advertising period was for 68 days (commencing on 14 February 2024 and concluding 23 April 2024) and involved the following:

- All landowners within 2km of the subject land were written to and advised of the Amendment and development application;
- The Amendment and development details were made available on the City's website and the DPLH consultation hub;
- The Amendment and development application documents were made available for public inspection at both the City's Mullewa and Civic Centre office;
- Officers from the City and the SDAU team made themselves available in Geraldton and Mullewa on 14 and 15 March for community and landowner meetings; and
- The Amendment was referred to the following agencies:
  - ATCO Gas
  - Department of Biodiversity, Conservation and Attractions,
  - Department of Energy, Mines, Industry Regulation and Safety,
  - Department of Fire and Emergency Services,
  - Department of Health,
  - Department of Jobs, Tourism, Science and Innovation,
  - Department of Primary Industries and Regional Development,
  - Department of Water and Environmental Regulation,
  - Main Roads WA,
  - Mid West Development Commission,
  - Telstra,
  - Water Corporation,
  - Western Power,
  - Yamatji Marlpa Aboriginal Corporation; and
  - Yamatji Southern Regional Corporation.

As a result of advertising a total of 16 submissions were received; 10 from servicing agencies and government departments and 6 from surrounding landowners and their representatives. Of those six (6) landowner's submissions, five (5) objected to the Amendment with one (1) supporting the Amendment subject to a more suitable site being selected.
Listed below is a summation of the main issues/concerns raised during the public comment period:

- The compatibility of the proposed industrial land use and the agricultural production of crops, grain and livestock for human consumption. Food production is subject to strict biosecurity, chemical residue and traceability certifications within Australia and overseas. Contamination or the proximity of the development Site may prevent the sale or export of crops which impacts food security and devalues goods, land and assets.
- The potential noise, dust, light, visual impacts and potential airborne contamination that will be experienced by the broader rural community and specifically the two closely located residences.
- Incorrect statements and mapping within the report regarding the number and location of residences in proximity to the Site.

- Planning in Bushfire Prone Areas requirements not being addressed in accordance with State Planning Policy 3.7
- Proposal is inconsistent with the State Planning Strategy 2050 as it does not protect existing and future land suitable for food production from encroachment and further fragmentation.
- Concerns regarding access to water and the potential for contamination of water sources.
- The safety of Geraldton Mt Magnet Road and additional heavy vehicle numbers and movements.
- Concerns regarding additional competition in attracting staff.
- Setting a potential precedence for additional industrial development within the area or other Rural areas.
- Statements within the report misrepresenting the amount of consultation undertaken by the proponents and the support of surrounding residents.
- Incorrect information included within the documents used as part of the prior Environmental Protection Authority assessment and referral process.

A schedule of submissions has been compiled that summarises, considers and provides a recommendation on the components of each submission in detail, as per Attachment No. DS044B.

Following the consideration of the submissions within the schedule of submissions four (4) issues were identified as needing to be addressed via modifications to the Amendment. These are provided in detail below:

Compatibility of land use and potential impacts:

Multiple submissions raised concerns regarding the potential impacts (contamination, noise, dust, air quality, visual amenity, light) from the proposed land use and the compatibility with agricultural production, residences and the general rural amenity.

State Planning Policy 2.5 – Rural Planning (SPP 2.5) and *State Planning Policy 4.1 – Industrial Interface* (SPP 4.1) provide guidance on the type of information that should be provided to ensure that industrial interface concerns and considerations of land use impacts with rural zones are addressed. This can be met a number of ways including, the modelling of impact areas, separation distances and potential buffer zones.

The Amendment Report is accompanied by an Environmental Impact Assessment (EIA). The EIA makes general statements that investigations have confirmed that no impacts from the processing plant will encroach beyond the boundaries of Lots 40 & 41. However, this has not been appropriately demonstrated by the provision and evidence of technical assessments and modelling as detailed by SPP 2.5 and 4.1.

The Amendment must demonstrate that there is a suitable separation distance from the plant to any sensitive land uses (including land for food production) and whether any statutory buffers are required to be included as part of this rezoning.

Recommendation:
The Amendment be modified to update Section 3.1 of the report to appropriately demonstrate through technical assessment and modelling the applicable impact area, separation distance and buffer zone as required in accordance with State Planning Policy 2.5 – Rural Planning and State Planning Policy 4.1 – Industrial Interface.

Statements within Table 3.4 – closest residence
A number of submissions raised concerns regarding statements within Table 3.4 that the closest sensitive human receptor to the proposed development is Wyalong homestead being 3.2km from the proposed Site. The statements within Table 3.4 are incorrect as there are a number of residences located closer to the proposed Site.

Recommendation:
The Amendment be modified to correct statements within Table 3.4 which states Wyalong homestead is the closest sensitive receptor.

Known residences missing from Figure 1.6
Similar to comments raised on Table 3.4, a number of submissions raised concerns regarding Figure 1.6 of the report which identified residences and homesteads in the surrounding area. Submitters identified a number of known residences that had been excluded from this map, particular concern was raised regarding two residences most closely located to the proposed Site that were not shown on this map.

Recommendation:
The Amendment be modified to update Figure 1.6 to identify the correct number and location of surrounding residences and homesteads.

Addressing Bushfire Hazard Requirements
The Department of Fire and Emergency Services (DFES) provided comment that the Amendment does not address *State Planning Policy 3.7 - Planning in Bushfire Prone Areas* (SPP 3.7). DFES advised that a Bushfire Management Plan (BMP) has been submitted as part of the development application and DFES had already provided comment.

As per comments raised by DFES, a portion of the Site is located in a bushfire prone area and SPP 3.7 requires strategic planning proposals to consider and address high order bushfire hazard. The updated BMP will provide guidance on these specific requirements.

Recommendation:
The Amendment be modified to update Table 3.5 with any relevant Bushfire Management Plan recommendations and detail how these have been addressed.

Proponent Response to Identified Issues:
The proponent was provided a copy of the compiled schedule of submissions and provided the following comment on the issues identified as needing to be addressed:

- **Compatibility of land use and potential impacts**
  The latest up-to-date version of the air quality assessment report has now been provided to the City (with the advice that a further updated version will be issued within the next few weeks – noting that the report outcomes will not change with the updates, but rather design improvements will be reflected). The air quality assessment report is highly technical and will be assessed as part of a future Part V environmental approvals process by DWER. To assist with the planning processes, AVL's environmental consultant, Umwelt, prepared a summary report as part of their EIA Assessment document – a copy of which was attached to the Scheme Amendment Report recognising the City interest in air emissions.

  The report identifies the current WA DWER assessment criteria, along with the maximum off-site air quality emissions at ground level at the cadastral boundaries of Lots 40/41.

  The report shows that air quality emissions from the processing facility are significantly lower than the DWER assessment criteria, and substantially lower than the existing background emissions for dust and NO_2. This therefore means insignificant increases in current sources of particulate matter and NO_2 when assessing potential crop contamination in the adjacent farmlands.

  As we also discussed, there are several other mineral processing sites located around Western Australia where there are industrial processing facilities adjacent to rural activities, for example:

  - *Ravensthorpe Nickel (Mining Act approvals)*
  - *Wagerup Alumina Refinery (State Agreement)*
  - *Eneabba Mineral Sands (State Agreement).*

  In each of these cases the same issue of proximity to crops and food production would have been considered within a broader economic context and so in our opinion, the requirements of SPP2.5 and SPP 4.1 have been similarly met in this context and thus Section 3.1 of the scheme amendment should not require further updates.

- **Corrections within Table 3.4 and Figure 1.6**
  It is agreed that the report needs to be modified to reflect all nearby receptors, and their descriptions. Since the amendment report was prepared, further work has been undertaken to identify all potential nearby sensitive receptors (including currently uninhabited houses). The description of nearby receptors, and accompanying plans, are being amended and will be consistent across all reports associated with the project.

  Note this is in addition to the amendment report, and will concurrently include the SDAU report, air emissions, noise and other technical report documents.

- **Addressing Bushfire Hazard Requirements**
  The BMP is currently being reviewed to address DFES comment. This will be provided to the City within the next week.

It is acknowledged that additional studies in relation to the proposal has continued during the processing of the Amendment. The submission of the updated reports, plans and mapping outlined by the proponent is likely to satisfy many of the concerns raised. Should Council resolve to support the Amendment with modifications and the Western Australian Planning Commission (WAPC) supports that position, City Officers will continue to work with the WAPC to see that Council's concerns are satisfactorily addressed. This would include reviewing and providing comment to the WAPC on any updated or new documentation provided by the proponent.

It is noted that the justification provided by the proponent relating to farming occurring in proximity to the other industrial processing facilities does not meet the requirement for demonstrated evidence. The proponent would need to provide additional information to address this requirement.

Following consideration of these comments, no change to the recommended modifications is proposed.

LEGISLATIVE/POLICY IMPLICATIONS:

Planning and Development Act 2005:

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

Planning and Development (Local Planning Schemes) Regulations 2015:

Part 5, Division 2, Regulation 41 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that the Local Government consider all submissions in relation to a proposed complex amendment lodged with the Local Government.

This regulation also requires that before the end of the consideration period (or a later date approved by the WAPC), the Local Government must pass a resolution to:

a. Support the Amendment without modification;
b. Support the Amendment with modification to address issues raised in the submissions; or
c. Not to support the Amendment.

The consideration period for the Amendment concludes 23 July 2024 however, the WAPC has supported an extension until 2 August 2024.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	**Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential**
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	**Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric**
Outcome 2.1	Local business is empowered and supported.
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 3.1	A City that is planned, managed and maintained to provide for environmental and community well being.
Strategic Direction: Leadership	**Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well informed decision-making.**
Outcome 4.2	Decision making is ethical, informed and inclusive.

REGIONAL OUTCOMES:
Supporting the amendment will allow for the consideration of the proposed processing plant which will contribute to the development of industry within the region.

RISK MANAGEMENT:
In considering the Amendment Council should ensure that there is suitable evidence to demonstrate that the proposed rezoning and potential industrial land use is suitable and compatible in the identified location.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
City Officers considered the following alternative options:

1. Support the proposed Amendment without modification. This option is not recommended as issues have been raised during the public consultation period relating to bushfire hazard information, incorrect statements and mapping and concerns relating the potential emissions and compatibility with the proposed land use. It is considered that these issues need to be addressed.
2. Not to support the proposed Amendment. This option is not recommended as the proponent has acknowledged the issues raised and has advised that additional technical assessment is currently being undertaken. The proponent has confirmed that this will be provided to the City for assessment. This resolution provides no opportunity for the proponent to address the concerns raised.

3. Defer the proposed Amendment subject to further information. This option is not recommended as *the Planning and Development (Local Planning Schemes) Regulations 2015* states that the Local Government must pass a resolution prior to 2 August 2024 to either:
   a. Support the proposed Amendment without modification;
   b. Support the proposed Amendment with modification to address issues raised in the submissions; or
   c. Not to support the proposed Amendment.

Cr M Librizzi declared a Financial Direct interest in Item No. DS044 Approval of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa as he is actively engaging with the intended end user on potential project supply opportunities and left Chambers at 5:20pm.

Cr S Keemink declared a Financial Direct interest in Item No. DS044 Approval of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa, as he is a minor shareholder and left Chambers at 5:20pm.

Cr J Critch declared a Financial Direct interest in Item No. DS044 Approval of Local Planning Scheme Amendment – General Industry Rezoning, Tenindewa as her farming business owns the land and left Chambers at 5:20pm.

During the debate Cr Horsman foreshadowed a motion different from the Executive Recommendation Point 2, to not support Local Planning Scheme Amendment No.18 to Local Planning Scheme Amendment No.1, should the motion be lost.

COUNCIL DECISION
MOVED MAYOR, SECONDED CR COOPER
That Council by Simple Majority pursuant to Part 5 Division 2 r.41 (2) and (3) of the *Planning and Development (Local Planning Scheme) Regulations 2015* RESOLVES to:

1. **CONSIDER the 16 submissions received as a result of Public Advertising;**
2. **SUPPORT Local Planning Scheme Amendment No. 18 to Local Planning Scheme No. 1 with the following modifications to address issues raised in the submissions:**
   a. **The Amendment be modified to update Section 3.1 of the report to appropriately demonstrate through technical assessment and modelling the applicable impact area, separation distance and buffer zone as required in accordance with State Planning Policy 2.5 – Rural Planning and State Planning Policy 4.1 – Industrial Interface.**
   b. **The Amendment be modified to correct statements within Table 3.4 which states Wyalong homestead is the closest sensitive receptor.**
   c. **The Amendment be modified to update Figure 1.6 to identify the correct number and location of surrounding residences and homesteads.**

d. The Amendment be modified to update Table 3.5 with any relevant Bushfire Management Plan recommendations and detail how these have been addressed.

CARRIED 5/3
Time: 5:40 PM
Not Voted: 3
No Votes: 3
Yes Votes: 5

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

Cr Librizzi, Cr Keemink and Cr Critch returned to Chambers at 5:40pm.

12.2 REPORTS OF COMMUNITY AND CULTURE

CC019	APPOINTMENT OF THE HMAS SYDNEY II MEMORIAL WARDEN AND DEPUTY WARDEN 2024-2026
AGENDA REFERENCE:	**D-24-076494**
AUTHOR:	**M Adams, Manager Sport and Leisure**
EXECUTIVE:	**F Norling, Director Community and Culture**
DATE OF REPORT:	**30 July 2024**
FILE REFERENCE:	**GO/6/0029**
ATTACHMENTS:	**No**

EXECUTIVE SUMMARY:
The purpose of this report is to seek Council approval on the appointment of the HMAS Sydney II Memorial Warden and Deputy Warden for the two year term of 2024-2026.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 3.18 of the *Local Government Act 1995* RESOLVES to:

1. APPOINT Peter (Spike) Jones to the role of HMAS Sydney II Memorial Warden;
2. APPOINT Warren Nathan to the role of HMAS Sydney II Memorial Deputy Warden;
3. COMMENCE both appointments on 19 November 2024 for a period of two years ending 19 November 2026; and
4. SET the role and responsibilities of the Warden as per the HMAS Sydney II Memorial Conservation Framework.

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

BACKGROUND:
The Warden's role is focused on the commemorative space as defined in the Conservation Framework and offer the following support and advice to City Officers:

- Attend to all matters of customs, traditions and protocols for the overall conduct of commemorative ceremonies;
- Consult with the City on any concerns regarding maintenance or any significant issues arising from daily care; and
- Assist in determining approval for any requests from ex-service organisations wishing to honour the men of HMAS Sydney II.

The Conservation Framework, which guides the management of the Memorial, previously recommended the annual appointment of a Warden. In early 2018, the then HMAS Sydney II Memorial Advisory Committee (the Committee) reviewed the process for recommending the appointment of a Warden and Deputy Warden. The outcome of the review was that future nominations for

Warden should be advertised to the public and that two year appointments would be more efficient.
In October 2022 (Item No. IS269) Council appointed Peter (Spike) Jones to the role of HMAS Sydney II Memorial Warden and Warren Nathan to the role of HMAS Sydney II Memorial Deputy Warden for a two year period ending 19 November 2024.

As per the Conservation Framework:
"Wardens may be re-appointed at the discretion of CGG".

Both Peter (Spike) Jones and Warren Nathan have indicated their interest in being reappointed to their current roles for a further two year period. Whilst the review suggested a formal EOI process, both Peter (Spike) Jones and Warren Nathan have indicated an interest to continue and the City has received positive feedback from external stakeholders, including the Naval Association Australia (NAA), Returned and Services League Geraldton Sub Branch (RSL) and Geraldton Voluntary Tour Guides Association (GVTG). Officers therefore recommend that an EOI process is not required and both should be reappointed for a further two year term, acknowledging their good service and providing certainty to both.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
The HMAS Sydney II Memorial is a source of great pride in the community with a strong level of community ownership and interest. The Conservation Framework acknowledges the social value of the Memorial and includes avenues for continued community involvement, one such avenue being the appointment of a Warden and Deputy Warden.

Economy:
The economic value of heritage tourism is recognised globally. As the major tourism attraction for Geraldton, the HMAS Sydney II Memorial attracts a significant number of visitors to the region annually.

Environment:
The Memorial is a significant heritage site of military importance.

Leadership:
The HMAS Sydney II Memorial Conservation Framework governs the HMAS Sydney II Memorial, including the protocols for the appointment of the Warden and Deputy Warden.

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

RELEVANT PRECEDENTS:
Council at its meeting held on 25 October 2022 (Item No. IS269) resolved to appoint the current wardens and set their roles and responsibilities according to the Memorial Conservation Framework.

COMMUNITY/COUNCILLOR CONSULTATION:
When appointing the Warden, the Conservation Framework recommends consulting with the Naval Association of Australia (NAA), Geraldton Sub Section and the Returned and Services League Geraldton Sub Branch (RSL).

The NAA, RSL and Geraldton Voluntary Tour Guides Association (GVTG) were consulted and all expressed support for the current position holders to be appointed for a further two year term. They reported that the current Warden and Deputy Warden act with respect and integrity, whilst ensuring the significance and dignity of the memorial are preserved.

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: Community	**Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.**
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: Leadership	**Aspiration: A strong local democracy with an engaged community, effective partnerships, visionary leadership and well-informed decision-making.**
Outcome 4.1	Meaningful customer experiences created for the people we serve.

REGIONAL OUTCOMES:
The HMAS Sydney II Memorial is recognised as a significant national asset. It attracts attention to the Mid West region and Geraldton, bringing tourism and associated benefit.

RISK MANAGEMENT:
Whilst the City retains primary responsibility for the overall care, control and management of the Mount Scott Site, appointment of a Warden assists the City with the daily care and administration of the Memorial and serves as an avenue to consult on any concerns regarding maintenance or other significant issues.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
The Executive Recommendation is based upon the experience and value that the applicants have brought to their roles. Council could however choose to readvertise the position(s) and appoint an alternative Warden and/or Deputy Warden.

COUNCIL DECISION
MOVED CR COLLIVER, SECONDED CR LIBRIZZI
That Council by Simple Majority pursuant to Section 3.18 of the *Local Government Act 1995* RESOLVES to:

1. **APPOINT Peter (Spike) Jones to the role of HMAS Sydney II Memorial Warden;**
2. **APPOINT Warren Nathan to the role of HMAS Sydney II Memorial Deputy Warden;**
3. **COMMENCE both appointments on 19 November 2024 for a period of two years ending 19 November 2026; and**
4. **SET the role and responsibilities of the Warden as per the HMAS Sydney II Memorial Conservation Framework.**

CARRIED 11/0
Time: 5:43 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
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

CS139	VOTING DELEGATES – 2024 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) ANNUAL GENERAL MEETING

AGENDA REFERENCE:	**D-24-078305**
AUTHOR:	**P Radalj, Director Corporate Services**
EXECUTIVE:	**P Radalj, Director Corporate Services**
DATE OF REPORT:	**1 July 2024**
FILE REFERENCE:	**GR/11/0056-013**
ATTACHMENTS:	**No**

EXECUTIVE SUMMARY:
The purpose of this report is for Council to appoint two Voting Delegates and two Proxy Voting Delegates to represent the City of Greater Geraldton at the Annual General Meeting of the Western Australian Local Government Association (WALGA), being held in Perth on 9 October 2024.

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

1. APPOINT Mayor Jerry Clune and Deputy Mayor Cr Natasha Colliver to represent the City of Greater Geraldton as Voting Delegates at the 2024 WALGA Annual General Meeting; and
2. APPOINT [Name] and [Name] to represent the City of Greater Geraldton as Proxy Voting Delegates at the 2024 WALGA Annual General Meeting.

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

BACKGROUND:
The Annual General Meeting (AGM) for WALGA will be held from 2:30pm on Wednesday, 9 October 2024. Member Local Governments are entitled to be represented by up to two Voting Delegates. In the event one or both of the registered Voting Delegates are unable to attend, provision is made for up to two Proxies to also be registered.

Only registered Voting Delegates or Proxies will be permitted to exercise voting entitlements at the AGM. Voting Delegates and Proxies may be Council Members or Officers.

WALGA has requested that Voting Delegates and Proxies are registered by Friday 27 September 2024.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
When considering their vote on behalf of the City of Greater Geraldton, delegates will ensure motions are in line with the City's Strategic Community Plan and Corporate Business Plan.

Economy:
The WALGA AGM is an opportunity to provide input and leadership into economic development within the region.

Environment:
There are no adverse environmental impacts.

Leadership:
The WALGA AGM includes debate, discussion, and decision making on matters that directly impact upon the management and operations of regional local governments.

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

RELEVANT PRECEDENTS:
Council at its meeting of 23 July 2023 (Item No. CS054), appointed then Cr J Clune, Cr N Colliver as Voting Delegates and Cr T Thomas, Cr S Keemink as Proxies, for the 2023 WALGA Annual General Meeting.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no community consultation. Council Members were consulted at the Concept Forum held 2 July 2024.

LEGISLATIVE/POLICY IMPLICATIONS:
Pursuant to the WALGA Constitution, each Member Local Government is entitled to be represented by two delegates at any Annual General Meeting.

Council Members registered to attend are to refer to Council Policy 4.1 Council Member Continuing Professional Development & Travel.

FINANCIAL AND RESOURCE IMPLICATIONS:
Attendance at the AGM is free for all Council Members and Officers from Member Local Governments. The approximate cost of attendance is between $1,200 to $1,500 for travel and accommodation per delegate.

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:
The WALGA AGM provides an opportunity to represent the Greater Geraldton region in a forum which deals with common interests and emerging issues concerning Local Governments in Western Australia.

Member Local Governments are asked to register the attendance of Voting Delegates and Proxies in advance. If delegates are not appointed, the City will not have voting entitlements at the WALGA AGM.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
No alternative options have been considered.

The Mayor advised Council that nominations for Proxy Voting Delegates were received from Cr J Denton and Cr J Critch. No further nominations were received.

COUNCIL DECISION
MOVED MAYOR, SECONDED CR COOPER
That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **APPOINT Mayor Jerry Clune and Deputy Mayor Cr Natasha Colliver to represent the City of Greater Geraldton as Voting Delegates at the 2024 WALGA Annual General Meeting; and**
2. **APPOINT Cr Jenna Denton and Cr Jennifer Critch to represent the City of Greater Geraldton as Proxy Voting Delegates at the 2024 WALGA Annual General Meeting.**

CARRIED 11/0
Time: 5:45 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	**YES**
Cr. Colliver	**YES**
Cr. Cooper	**YES**
Cr. Critch	**YES**
Cr. Denton	**YES**

Name	Vote
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

CS140 STATEMENT OF FINANCIAL ACTIVITY AND STATEMENT OF FINANCIAL POSITION FOR THE PERIOD ENDED 30 JUNE 2024

AGENDA REFERENCE:	**D-24-086450**
AUTHOR:	**J McLean, Senior Management Accountant/Analyst**
EXECUTIVE:	**P Radalj, Director Corporate Services**
DATE OF REPORT:	**11 July 2024**
FILE REFERENCE:	**FM/17/0013**
ATTACHMENTS:	**Yes (x1) Monthly Management Report for period ended 30 June 2024**

EXECUTIVE SUMMARY:
The purpose of this report is to provide Council with a comprehensive report on the City's finances to 30 June 2024.

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

1. RECEIVE the monthly Statement of Financial Activity for the period ended 30 June 2024, as attached; and
2. RECEIVE the monthly Statement of Financial Position as at 30 June 2024, as attached.

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

BACKGROUND:
The financial performance and position at the end of June 2024 is detailed in the attached report.

Note – this is only an interim version of the City's financial position and performance for the year ending 30 June 2024. Figures will change and the final position will only be known once the end of year (EOY) "close-out" has occurred and the final accounts audited.

Summarised below are the variances between Year-to-Date (YTD) budgets and actuals:

Operating Income	$	518,448	0.5%	under YTD Budget	☒
Operating Expenditure	$	4,267,474	4.6%	under YTD Budget	☑
Net Operating	$	3,749,026	315.5%	over YTD Budget	☑
Capital Expenditure	$	17,727,914	30.6%	under YTD Budget	☑
Capital Revenue	$	6,438,691	35.2%	under YTD Budget	☒

Cash at Bank – Municipal	$14,224,164
Cash at Bank – Reserve	$ 22,754
Current Investments	$45,046,502

Once EOY reconciliations including reserve movements are finalised, the amount recognised as being held in Reserves will be materially lower than what is currently shown.

Current Rates Collected to June 2024	96.94%
Current Rates Collected to June 2023	96.72%
Rates Arrears Collected to June 2024	52.03%
Rates Arrears Collected to June 2023	48.43%

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 June financials show a YTD positive variance of $3,749,026 in the net operating surplus/(deficit) result. As denoted in the Monthly Management Report (Attachment No. CS140), once all June invoices and expenditure accruals are finalised and processed, the final net surplus operating result is expected to significantly reduce.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
There are no adverse community impacts.

Economy:
There are no adverse economic impacts.

Environment:
There are no adverse environmental impacts.

Leadership:
The Financial Management Regulations require presentation each month of a statement of financial activity accompanied by other supporting information that is considered relevant and a statement of financial position. In addition to the compliance requirements, the purpose of regularly reporting on the financial activities of the City is to enable Council Members to monitor and review the allocation of financial and other resources against the budget. Reporting on a regular basis evidences the ongoing financial management and performance of the accounting systems. The monthly report provides a summary of the organisation's liquidity and going concern status.

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

RELEVANT PRECEDENTS:
Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:
Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require the local government to prepare a statement of financial activity, reporting on the revenue and expenditure as set out in the adopted annual budget.

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:
As disclosed in the attached report.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:
There are no impacts to regional outcomes.

RISK MANAGEMENT:
The provision of monthly financial reports to Council fulfils the 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 COOPER, SECONDED CR LIBRIZZI
That Council by Simple Majority pursuant to Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* RESOLVES to:

1. **RECEIVE the monthly Statement of Financial Activity for the period ended 30 June 2024, as attached; and**
2. **RECEIVE the monthly Statement of Financial Position as at 30 June 2024, as attached.**

CARRIED 11/0
Time: 5:46 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
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

There is none.

12.5 REPORTS OF OFFICE THE CEO

CEO124 OWL FRIENDLY CITY

AGENDA REFERENCE:	**D-24-087669**
AUTHOR:	**R McKim, Chief Executive Officer**
EXECUTIVE:	**R McKim, Chief Executive Officer**
DATE OF REPORT:	**13 July 2024**
FILE REFERENCE:	**GO/6/0029**
ATTACHMENTS:	**Yes (x2)** **A. Just Raptor's Information Pack** **B. Australian Pesticides and Veterinary Medicines Authority information**

EXECUTIVE SUMMARY:
The purpose of this report is to seek Council approval to encourage the community to adopt Owl Friendly City principles and practices through using first generation rodenticides rather than second generation rodenticides.

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

1. NOTE the City's existing Owl Friendly principles and practices within its operations;
2. ENCOURAGE local businesses and residents to only use, as far as practicable, Owl Friendly rodenticide treatments;
3. SUPPORT Owl Friendly community education and engagement activities;
4. ENCOURAGE other local governments to adopt Owl Friendly Practices; and
5. DIRECT the CEO to write to the Australian Pesticides and Veterinary Medicines Authority in support of placing restrictions on Second Generation Anti-Coagulant Rodenticides (SGARs).

PROPONENT:
The proponent is the Just Raptors community group (a rehabilitation centre for injured birds of prey located in Geraldton).

BACKGROUND:
Attached to this report is the information kit provided to Council by the Just Raptors community group in support of their campaign to reduce the number of unnecessary deaths of local native wildlife through the use of Second-Generation Anti-Coagulant Rodenticides, particularly the unnecessary death of local Owls.

Also attached is an extract from the Federal Government's Australian Pesticides and Veterinary Medicines Authority (APVMA) which provides details on the different types of rodenticides, how they work, their implications and where their application is best suited.

According to an on-line WAToday article by Claire Ottaviano (5 July 2024 – 10:12am), a recent WA delegation went to Canberra to demand stronger restrictions on the sale and use of second-generation anticoagulant rodenticides that are available from big brand hardware stores. The delegation included zoologists, ecologists and environmental scientists from Edith Cowan University, Deakin University and the University of Tasmania. According to the article, Australia is one of the last countries to ban or tightly regulate the use of first and second generation anticoagulant rodenticides.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
This proposal has been generated by passionate local community members.

Economy:
There are no adverse economic impacts.

Environment:
A recent peer-reviewed scientific study identified that SGARs have been detected in every nocturnal predatory owl species (powerful owls, tawny frogmouths, southern boobooks, and barn owls) analysed in the study. Concentrations of SGARs were at levels where potential toxicological or lethal impacts would have occurred in 33% of powerful owls, 68% of tawny frogmouths ides, 42% of southern boobooks and 80% of barn owls. First-generation anticoagulant rodenticides (FGARs) were rarely detected, except pindone at low concentrations in powerful owls.

Supporting the officer recommendation will have a positive environmental outcome by reducing one of the vectors currently killing native wildlife.

Leadership:
The City employs a qualified pest contractor to undertake pest management activities on behalf of the Council. The contractor uses a product called Selontra soft baits which contains Cholecalciferol, which is favoured due to its significantly lower secondary poisoning profile.

By making this decision, the Council is showing leadership. Adopting the officer recommendation will support the protection of local wildlife to ensure it can be enjoyed by future generations.

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

RELEVANT PRECEDENTS:
Local governments in Margaret River, Fremantle and Mundaring are adopting “owl friendly” programs. The City of Fremantle Council voted in June 2024 to use alternative methods of pest control to protect pets and native wildlife.

COMMUNITY/COUNCILLOR CONSULTATION:
The Just Raptor's community group are currently undertaking a community education campaign. This campaign has included a presentation to the June 2024 Northern Country Zone Western Australia Local government Association attended by Midwest Mayors and Chief Executive Officers and a follow up presentation to the City of Greater Geraldton Concept Forum held on 2 July 2024. The Mayor was updated on the use of FGARs and SGARs in City operations by e-mail on 6 June 2024.

LEGISLATIVE/POLICY IMPLICATIONS:
There are no legislative implications. The proposal is in keeping with the City's Strategic Community Plan by protecting the region's native animals so that they can be enjoyed by future generations.

FINANCIAL AND RESOURCE IMPLICATIONS:
There are no financial implications. The required actions can be undertaken through the City's existing operational budget allocations.

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	**Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.**
Outcome 1.2	We are a community accountable for our actions.
Outcome 1.6	Community capacity, innovation and leadership is encouraged.
Strategic Direction: Environment	**Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.**
Outcome 3.4	A desirable and sustainable built and natural environment responsive to community aspirations.
Outcome 3.6	The natural environment is valued, protected and celebrated.

REGIONAL OUTCOMES:
By adopting the Officer's recommendation, the Council has the opportunity in a small way to protect our native wildlife regionally.

RISK MANAGEMENT:
There are minimal risks to the City and its operations by adopting the Officer's recommendation. There may be some sellers and users of Second Generation Anti- Coagulant Rodenticides (SGARs) that are not supportive of the proposed recommendation. However, the recommendation is not advocating to ban the use of Second Generation Anti- Coagulant Rodenticides in particular situations where they may be warranted (mouse plague), rather it is advocating to restrict its use and to use First Generation Rodenticides where their application is similarly effective such as in normal domestic applications.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
The Council may determine not to support the Officer recommendation or to adopt an amended position.

COUNCIL DECISION
MOVED MAYOR, SECONDED CR FIORENZA
That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **NOTE the City's existing Owl Friendly principles and practices within its operations;**
2. **ENCOURAGE local businesses and residents to only use, as far as practicable, Owl Friendly rodenticide treatments;**
3. **SUPPORT Owl Friendly community education and engagement activities;**
4. **ENCOURAGE other local governments to adopt Owl Friendly Practices; and**
5. **DIRECT the CEO to write to the Australian Pesticides and Veterinary Medicines Authority in support of placing restrictions on Second Generation Anti-Coagulant Rodenticides (SGARs).**

CARRIED 11/0
Time: 5:50 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
Cr. Critch	YES
Cr. Denton	YES
Cr. Fiorenza	YES
Cr. Horsman	YES
Cr. Keemink	YES
Cr. Librizzi	YES
Cr. Parker	YES
Cr. Tanti	YES

CEO125 GOVERNOR GENERAL OF COMMONWEALTH OF AUSTRALIA - INVITATION

AGENDA REFERENCE:	**D-24-087698**
AUTHOR:	**R McKim Chief Executive Officer**
EXECUTIVE:	**R McKim Chief Executive Officer**
DATE OF REPORT:	**13 July 2024**
FILE REFERENCE:	**GO/6/0029**
ATTACHMENTS:	**Yes (x2)** **A. Prime Minister Press Release** **B. ABC News Article**

EXECUTIVE SUMMARY:
The purpose of this report is to seek Council approval to write to Australia's new Governor General, Her Excellency the Honourable Ms Sam Mostyn AC Governor-General of the Commonwealth of Australia, inviting her to visit Geraldton and the Midwest. The visit would provide an opportunity for the Governor General to meet local community members, to learn more about the region and our issues and build social cohesion.

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

1. DIRECT the Chief Executive Officer to invite Her Excellency the Honourable Ms Sam Mostyn AC Governor-General of the Commonwealth of Australia to visit Geraldton and the Midwest; and
2. DIRECT the Chief Executive Officer to approach the Northern Country Zone of the Western Australian Local Government Association seeking support from the surrounding Midwest Shires for a joint invitation to be sent from the region.

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

BACKGROUND:
Representatives from various Midwest local governments recently attended the Australian Local Government Association Annual Congress in Canberra. The aim of the congress is for the sector to present its requests and concerns directly to the Federal Government and to hear responses directly from them.

At the Congress, Her Excellency the Honourable Ms Sam Mostyn AC Governor-General of the Commonwealth of Australia gave her first public speech after being appointed to the position by the Federal Government earlier in the week. During the speech, the Governor General advised that she had been listening to former Governor Generals and the Australian community to determine the focus of her term, which will be "CARE, KINDNESS, RESPECT".

The Governor General acknowledged that local government is the closest level of government to the people, that we do a great deal with the little we receive and that it is the level of government that repeatedly has the highest level of community trust. She expressed the sentiment that the local government sector was seeking empathy from the Federal Government for its financial situation.

An opportunity exists to invite Her Excellency to the region early in her term of office. It may be possible to arrange the visit to coincide with a significant local event such as the annual HMAS Sydney II Memorial Service, the Wildflower season, or the annual harvest.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
A visit by Her Excellency the Honourable Ms Sam Mostyn AC Governor-General of the Commonwealth of Australia would represent a significant opportunity for the community and the Governor General to exchange ideas and increase knowledge.

Economy:
There are no adverse economic impacts.

Environment:
There are no adverse environmental impacts.

Leadership:
By working with its local government neighbours in sending the invitation, the Council is again demonstrating its leadership and desire to see the best for the region.

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

RELEVANT PRECEDENTS:
Visits by significant people to the region are fondly remembered and discussed for years after.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no community/councillor consultation. A very brief conversation with the President of WALGA occurred at the Congress regarding this proposal.

LEGISLATIVE/POLICY IMPLICATIONS:
There are no legislative or policy implications. Working with its local government neighbours and sending an invitation to the AC Governor-General is in keeping with the City's Strategic Community Plan goals.

FINANCIAL AND RESOURCE IMPLICATIONS:
It is anticipated that there would be an expense in arranging the visit and suitable events should the visit eventuate. An estimate of this cost is not known at this stage.

INTEGRATED PLANNING LINKS:

Strategic Direction: Economy	**Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.**
Outcome 2.3	The voice of the community is heard at regional, state and national forums.
Outcome 2.6	A diverse and globally recognised regional capital.
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:
A visit by Australia's Governor General to the regional would have a very positive impact drawing the nation's focus briefly towards the Midwest.

RISK MANAGEMENT:
No significant risks have been identified.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
The Council may determine not to send an invite or to send an invite without the input of the surrounding Shires.

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. **DIRECT the Chief Executive Officer to invite Her Excellency the Honourable Ms Sam Mostyn AC Governor-General of the Commonwealth of Australia to visit Geraldton and the Midwest; and**
2. **DIRECT the Chief Executive Officer to approach the Northern Country Zone of the Western Australian Local Government Association seeking support from the surrounding Midwest Shires for a joint invitation to be sent from the region.**

CARRIED 11/0
Time: 5:53 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	**YES**
Cr. Colliver	**YES**
Cr. Cooper	**YES**
Cr. Critch	**YES**

Name	Vote
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

RR61 REPORTS TO BE RECEIVED - JULY	
AGENDA REFERENCE:	**D-24-089862**
AUTHOR:	**R McKim, Chief Executive Officer**
EXECUTIVE:	**R McKim, Chief Executive Officer**
DATE OF REPORT:	**19 July 2024**
FILE REFERENCE:	**GO/6/0029**
ATTACHMENTS:	**Yes (x3)** **A. DSDD021 - Delegated Determinations and Subdivision Applications for Planning Approval** **B. CS141 – List of Accounts Paid Under Delegation – June 2024** **C. CS142 - List of Payments by Employees via Purchasing Cards – June 2024**

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. DSDD021 - 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. CS141 – List of Accounts Paid Under Delegation – June 2024; and
      ii. CS142 - List of Payments by Employees via Purchasing Cards – June 2024.

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 COOPER, SECONDED CR LIBRIZZI
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. **DSDD021 - 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. **CS141 – List of Accounts Paid Under Delegation – June 2024; and**
      ii. **CS142 - List of Payments by Employees via Purchasing Cards – June 2024.**

CARRIED 11/0
Time: 5:54 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
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

There is none.

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Cr A Horsman gave notice of the following question:

Question

What was the total cost including Council employees, facilities and contract services in the removal of the Large Whale from Greys beach recently, and were other options for removal considered?

Response

There have been three whales washed up on the City of Greater Geraldton coastline so far this season. They have been managed in accordance with their circumstances.

Two small whales have washed up. One near Cape Burney and one near the Surf Life Saving club at Mahomets. These were both removed by Council officers and equipment. An estimate for each is $3,000.

The large whale between Separation Point and Point Moore was initially left in place while we obtained advice and approvals and investigated options. We also hoped that it would wash back out by itself or get reduced in size by nature. In the end we followed State advice and commissioned a local contractor to remove the carcass. I am very grateful that the local contractor was able to jump into action on short notice and had the required equipment in Geraldton. We received their invoice at 4:20pm this afternoon, just before the meeting, so I can tell you the exact figure was for $42,730, which is in line with the estimates provided to the media by the CEO and the Mayor.

If you add up the three whales and include some officer time, we have spent close to $50,000 to date. These costs have been booked against the City's Animal Carcass removal budget. The amount provided is $22,800.

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

There is none.

16 MEETING CLOSED TO PUBLIC

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

No confidential discussion was required.

CS143 RFT 2425 01 PLUMBING MAINTENANCE SERVICES

AGENDA REFERENCE:	**D-24-085750**
AUTHOR:	**C Bryant, Coordinator Procurement, B Pearce, Manager Corporate Compliance and Safety**
EXECUTIVE:	**P Radalj, Director Corporate Services**
DATE OF REPORT:	**23 April 2024**
FILE REFERENCE:	**FM/25/0304**
ATTACHMENTS:	**Yes (x1) Confidential Confidential – RFT 2425 01 Evaluation Report**

EXECUTIVE SUMMARY:
The purpose of this report is to seek Council approval to award tender RFT 2425 01 Plumbing Maintenance Services separable portions to the recommended tenderers.

The contracts are to run for a period of two years for the delivery of budgeted plumbing maintenance services works.

The initial contract will be in place from 1 October 2024 to 30 September 2026 with the option for a one-year extension exercisable at the discretion of the Principal (the City).

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 2425 01 Plumbing Maintenance Services separable portions to the recommended tenderers; and
2. RECORD the estimated annual contract values in the minutes.

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

BACKGROUND:
Tender RFT 2425 01 Plumbing Maintenance Services (RFT) was advertised in The West Australian on 4 May 2024, in The Geraldton Guardian on 3 May 2024, and the City's TenderLink e-Tendering Portal. The RFT closed on 24 May 2024.

Eight interested parties registered to receive copies of the tender and two tender submissions were received. The tender assessment was undertaken by a panel of five Officers with three voting and two non-voting.

The RFT has a two-year duration commencing from 1 October 2024 and has a one-year extension option at the absolute discretion of the City. The City has adopted a two-year supply contract period for a variety of goods and services used in the maintenance programs.

There has previously been a two-year contract for RFT 2021 22 Supply of Plumbing Maintenance Services.

COMMUNITY, ECONOMY, ENVIRONMENT AND LEADERSHIP ISSUES:

Community:
Well maintained plumbing in City buildings, public ablutions, parks, reserves, and Mullewa sewerage system reduces the likelihood of accidents or injury caused to members of the public and property.

Economy:
Awarding this tender will result in City funds flowing into the local economy through the employment of local contractors.

Environment:
All proposed plumbing maintenance works will be undertaken with care for the environment in mind. Environmental controls are implemented as part of the individual maintenance programs. Tenderers were asked to provide evidence of environmentally sustainable practices in their tender submission.

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

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

RELEVANT PRECEDENTS:
A two-year supply contract was previously awarded RFT 2021 22 Supply of Plumbing Maintenance Services on 15 September 2021. The initial contract was in place from 1 October 2021 to 30 September 2023, with an extension to contract approved until 30 September 2024.

A two- year supply contract was also awarded RFT 03 1819 Supply of Plumbing Maintenance Services on 12 September 2018. The initial contract was in place from 1 October 2018 to 30 September 2020, with a one-year extension approved until 30 September 2021.

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

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

FINANCIAL AND RESOURCE IMPLICATIONS:
The approximate expenditure on Plumbing Maintenance Services for all three separable portions is $191,885 (excluding GST) per annum (no traffic management required for this contract). Assuming all extension periods are exercised, the estimated total contract value over three years is $575,655 (excluding GST). These funds are sourced primarily from Maintenance Operations and Facilities Management budgets and any cost movement will be accounted for, and adjustments will be made in both Annual Budgets and the Long-Term Financial Plan (LTFP).

INTEGRATED PLANNING LINKS:

Strategic Direction: Community	**Aspiration: Our Culture and heritage is recognised and celebrated. We are creative and resilient. We can all reach our full potential.**
Outcome 1.1	Enhanced lifestyle through spaces, places, programs and services that foster connection and inclusion.
Outcome 1.4	Community safety, health and well-being is paramount.
Strategic Direction: Economy	**Aspiration: A healthy thriving and resilient economy that provides opportunities for all whilst protecting the environment and enhancing our social and cultural fabric.**
Outcome 2.1	Local business is empowered and supported.
Strategic Direction: Environment	**Aspiration: Our natural environment has a voice at the table in all our decisions. We are a leader in environmental sustainability.**
Outcome 3.1	A City that is planned, managed and maintained to provide for environmental and community well being.

REGIONAL OUTCOMES:
Awarding this tender will facilitate well maintained plumbing in City buildings, public ablutions, parks, reserves, and Mullewa sewerage system throughout the City of Greater Geraldton which enhances the comfort and safety of the community.

RISK MANAGEMENT:
The works carried out under this contract will allow the plumbing in City buildings, public ablutions, parks, reserves, and Mullewa sewerage system throughout the City to be maintained at their optimal standard, reducing accidents and risk of injury to members of the public and property. In addition, the successful tenderers as detailed above shall have documented management plans in place to ensure the safety and protection of workers and the community in relation to this service.

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

1. Call for individual quotations and tenders for specific plumbing maintenance services. This option is not supported and was discounted due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.

COUNCIL DECISION
MOVED CR LIBRIZZI, SECONDED CR COOPER
That Council by Simple Majority pursuant to Section 5.20 of the *Local Government Act 1995* RESOLVES to:

1. **AWARD the contract RFT 2425 01 Plumbing Maintenance Services separable portions to the recommended tenderer:**
   a. **Separable Portion A – Plumbing Maintenance Services to CGG Buildings being Garraway Plumbing Pty Ltd;**
   b. **Separable Portion B – Plumbing Maintenance Services to CGG Public Ablutions being Garraway Plumbing Pty Ltd;**
   c. **Separable Portion C - Plumbing Maintenance Services to CGG Parks and Reserves, Mullewa sewerage system (septic tank effluent disposal system), and backflow device (RPZ and air gap) testing and replacement being Garraway Plumbing Pty Ltd;**
2. **RECORD the estimated annual contract values in the minutes being:**
   a. **Separable Portion A - $65,665 excluding GST;**
   b. **Separable Portion B - $41,600 excluding GST; and**
   c. **Separable Portion C - $74,260 excluding GST.**

CARRIED 11/0
Time: 5:58 PM
Not Voted: 0
No Votes: 0
Yes Votes: 11

Name	Vote
Mayor Clune	YES
Cr. Colliver	YES
Cr. Cooper	YES
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 Council meeting at 5:59pm.

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/