



ORDINARY MEETING OF COUNCIL
MINUTES

23 JULY 2019

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 23 JULY 2019 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

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

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Mayor S Van Styn
Cr G Bylund
Cr J Clune
Cr N Colliver
Cr J Critch
Cr S Douglas
Cr S Elphick
Cr R D Hall
Cr S Keemink*
Cr N McIlwaine
Cr M Reymond*
Cr V Tanti
Cr T Thomas

Officers:

R McKim, Chief Executive Officer
P Melling, Director of Development & Community Services
P Radalj, A/Director of Corporate and Commercial Services
C Lee, Director of Infrastructure Services
S Moulds, PA to the Chief Executive Officer / Minute Secretary
E Enright, Personal Assistant to Director, Infrastructure Services
B Robartson, Manager Land and Regulatory Services
F Norling, Manager Community and Cultural Development
J Kopplhuber, Communications Officer - Engagement

Others:

Members of Public: 1
Members of Press: 1

Apologies:

Cr D J Caudwell

Leave of Absence:

Cr L Freer

4 DISCLOSURE OF INTERESTS

Mayor S Van Styn declared an Impartiality Interest in DCS416 RFT 19 1819 Lot 200 Greenough River Road, Cape Burney Subdivision Works. He has spent an extensive amount of time fishing with one of the tenderers during the tender period and feels he must not be present for the item to ensure and appearance of bias does not exist.

Cr N McIlwaine a Financial Indirect Interest in DCS416 RFT 19 1819 Lot 200 Greenough River Road, Cape Burney Subdivision Works as he is a salaried employee of a material supplier to various Tenderers.

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 time commenced at 5.01pm.

Sean Hickey, PO Box 2966, Geraldton 6531Question

In my question to Council May 2019 I asked 'What has happened to discussions specifically about this introduction of compulsory L.G Election and benefits of this...'???

Councils response (your reply) gave no indication of answering this specific question. Would you respond to this question with a definite answer. Thank you.

Response

Thank you for your question.

As you are aware, the State Government is currently conducting a review of the Local Government Act. The City of Greater Geraldton's submission into the review was adopted at the Council's March 2019 meeting which is available on the city's website for review. With respect to the specific issue of compulsory local government elections, as provided in writing in the City's May 2019 meeting minutes, the City did not form an opinion on this issue.

Question

Again I refer to Question to Council May 2019.

My question to Council as written referred to material to be considered in answering the question concerning sand extraction of the mobile sand dune system – 'Southgates'!

Council's requirement that the question be condensed/verbalised in brief has caused the presentation of a poor question-answer response.

For example the matter of the report by the Department of Mines some years ago was omitted from a response – a report that indicates significant reduction in the volumes of sand remaining in the system. The remainder of the question considered the like issues of the probability of reduced sand supply due to the likelihood of considerably reduced natural sand production in light of ocean warming & climate change.

I, as one of many again ask you and the Council to reconsider the support of sand mining – that this process – is removing from a natural marine aligned environment & sand that not only has an immediate value but future natural value.

Please consider this sand as of and [part of] our natural environment – not as a commodity.

What is being mined is part of the environment on a fragile coastal fringe, not a cheap answer to soil problems in agriculture.

Response

The sand being extracted from the site is being taken from the dune areas that are actually moving in a north-easterly direction and not directly depositing back into the sea. If left unchecked the sand would eventually move over the Brand Highway. This has been previously confirmed by a site specific sediment feed analysis study for Southgates Dunes undertaken by coastal engineering experts. Your continuous objection to the sand extraction operations are well known to Council and, should the proponent wish to continue operations the renewal of the application will be considered by Council in September/October 2019.

Question

What ergonomic information and studies support further expansion of residential blocks and suburbs in and around Geraldton?

The nature of sprawled suburban development is one full of realised problems that are all too obvious to see throughout Australia.

The huge oversupply of existing housing presents problems that are social and economic.

Mt Tarcoola is the latest area to feel the effect of sprawled development. Once a "go to suburb with amenities", it, like every area in Geraldton need revitalization.

It's time to look after those of this Community who have invested in stable community but now have that being eroded. Please stop the sprawl.

Response

The City's Local Planning Strategy (which is a State Government endorsed strategy) takes a long-term planning view based on sustaining a population of 80-100,000 which was a key land use planning recommendation from the community-based '2029 and Beyond project'. The Community Strategic Plan also reinforces the need to effectively plan for 80-100,000 people. Although no 'ergonomic' studies were undertaken the Local Planning Strategy is underpinned by a number of residential, commercial, biodiversity and economic studies (all of which are available on the City's web site). It should also be noted that the City has in place an 'Urban Growth Boundary' that can sustain the 80-100,000 population target, thereby effectively containing future growth areas and eliminating urban sprawl beyond the defined boundary.

Public Question time concluded at 5.12pm.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr S Keemink*	17 June 2019	23 July 2019	28/05/2019
Cr M Reymond*	1 July 2019	25 July 2019	28/05/2019
Cr L Freer	2 July 2019	31 July 2019	26/03/2019
Cr G Bylund	25 July 2019	5 August 2019	26/02/2019

**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.

**Cr S Keemink and Cr M Reymond are noted as having approved leave of absence, but attended this meeting.*

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR HALL

Cr V Tanti requests for leave of absence for the period 11 August 2019 to 29 August 2019 be approved.

Cr N McIlwaine requests for leave of absence for the period 24 July to 6 August 2019 be approved.

CARRIED 13/0

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

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 25 June 2019, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR HALL

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 25 June 2019, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 13/0

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

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

DATE	FUNCTION	REPRESENTATIVE
26 June 2019	Budget Breakfast 2019	Mayor Shane Van Styn
26 June 2019	Spirit Radio Interview - Outcomes of Council Meeting	Mayor Shane Van Styn
27 June 2019	DIAB Engineering – Tour of Site	Mayor Shane Van Styn
27 June 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
28 June 2019	Mid West Development Commission (MWDC) Board Meeting	Mayor Shane Van Styn
28 June 2019	Geraldton Fishermen's Co-op/ MWDC Meeting - Midwest Crayfish and Food Festival & General Business	Mayor Shane Van Styn
29 June 2019	The Rocky Monster Show by St Lawrence's School	Mayor Shane Van Styn
2 July 2019	Pension Document Signing	Mayor Shane Van Styn
2 July 2019	Sunset promotions – Discuss New Event Reef & Beef	Mayor Shane Van Styn
2 July 2019	Funding & Safety Discussion	Mayor Shane Van Styn
2 July 2019	ABC Interview – Corellas	Mayor Shane Van Styn
2 July 2019	Museum of Geraldton Exhibition Opening – From Another View	Mayor Shane Van Styn
3 July 2019	Franchise Council Australia - Introduction	Mayor Shane Van Styn
4 July 2019	Citizenship Ceremony	Mayor Shane Van Styn
4 July 2019	500 Chinese Tourists - Welcome	Mayor Shane Van Styn
6 July 2019	Multi-Cultural Concert and Banquet	Mayor Shane Van Styn
8 July 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
8 July 2019	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
8 July 2019	National Aborigines and Islanders Day Observance Committee (NAIDOC) Week - Raising of Flag and Mayor's Morning Tea	Mayor Shane Van Styn
8 July 2019	Progress Midwest Board Meeting	Mayor Shane Van Styn
10 July 2019	Regional Capitals Alliance Western Australia (RCAWA) Meeting - Karratha	Mayor Shane Van Styn
10 July 2019	Hon. Peter Tinley, Minister for Housing; Veterans Issues; Youth; Asian Engagement – Announce Community Garden and Update on Spalding Development	Cr Steve Douglas
11 July 2019	Hon. Peter Tinley, Minister for Housing; Veterans Issues; Youth; Asian Engagement – Matters in Common	Cr Steve Douglas
13 July 2019	Geraldton Combined Equestrian Show Jumping Classic Event and Dinner	Cr Jerry Clune

13 July 2019	Rotary Club of Geraldton Annual Dinner	Cr Natasha Colliver
15 July 2019	Fusion Village Meeting	Mayor Shane Van Styn
15 July 2019	Seniors Bowls	Mayor Shane Van Styn
15 July 2019	Regular Catch up - Marketing & Media	Mayor Shane Van Styn
15 July 2019	Presentation of Lotterywest Grant Funding for QPT by Hon Laurie Graham MLC	Mayor Shane Van Styn
16 July 2019	Welcome of Easy Going Travel AFL Themed Chinese Group Tour	Mayor Shane Van Styn
16 July 2019	Abraham St – Photo for Media Release	Mayor Shane Van Styn
16 July 2019	Room Dedication to Elizabeth Cobley - Walkaway	Mayor Shane Van Styn
16 July 2019	Agenda Forum - Walkaway	Mayor Shane Van Styn
19 July 2019	Australian Cultural and Creative Activity Project: Geraldton - Interview	Mayor Shane Van Styn
21 July 2019	Radio Mama Interview	Mayor Shane Van Styn
22 July 2019	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
22 July 2019	Regular Catch up - Marketing & Media	Mayor Shane Van Styn
22 July 2019	Photo for Media Release – Introduction of Compostable Poo Bags	Mayor Shane Van Styn
23 July 2019	Abra (Galena) Mining Project - Update	Mayor Shane Van Styn
23 July 2019	Ordinary Meeting of Council	Mayor Shane Van Styn

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS415 AMENDMENT TO THE 'CITY CENTRE' LOCAL PLANNING POLICY – CAR PARKING CASH-IN-LIEU
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AGENDA REFERENCE:	D-19-045633
AUTHOR:	M Connell, Manager Urban and Regional Development
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	3 July 2019
FILE REFERENCE:	LP/8/0001
ATTACHMENTS:	Yes (x2)
	A. Centre Car Parking Management Plan – Section 6.10 Cash-in-lieu
	B. Policy pages to be amended

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to adopt the draft (amended) 'City Centre' local planning policy for the purpose of public advertising.

The amendment to the policy proposes to alter the cash-in-lieu rate for car parking to 75% of the estimated cost of providing a public parking bay, in accordance with the recently adopted City Centre Car Parking Management Plan.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Schedule 2, Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. ADOPT the 'City Centre' local planning policy (version 10) as a draft for the purpose of public advertising;
2. ADOPT the local planning policy for final approval should no objections be received during the advertising period; and
3. REQUIRE a further report to Council should there be any objections received during the advertising period.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council at its meeting held on 28 May 2019 adopted the update to the City Centre Car Parking Management Plan and also endorsed implementation of Stage One of the Plan. One of the recommendations from the Plan is to set the cash-in-lieu rate for car parking at 75% of the estimated cost of providing a public parking bay.

An extract from the Management Plan report regarding cash-in-lieu is included as Attachment No. DCS415A, which provides further information on cash-in-lieu. Given below are several key points identified in the plan:

3. *Set the developer costs for cash-in-lieu at 75% of the cost to the CGG. This discount is to:*
 - *Provide a financial incentive for developers to contribute to the creation of strategically located public parking facilities.*
 - *Recognise that the CGG will be able to recover some of the costs through user fees.*
 - *Recognise that parking spaces are not allocated to specific users on a reserved basis, although the general supply will be available to meet demand.*
 - *Recognise that the contributor will not have an ownership interest in the public parking facilities.*
 - *Recognise that the parking may not be as conveniently located to a specific development compared to on-site or other nearby parking facilities.*
 - *Recognise that all or a portion of the parking may not be constructed at the same time as the development.*
 - *Recognise that the developer will not have any control over parking fees and use regulations.*

Cash-in-lieu of parking can provide an attractive alternative to developers with regard to satisfying parking requirements. The current cash-in-lieu policy requires developers to pay the full cost of the parking bay and land area, which generally results in little or no uptake of the offer. This is because the value of a parking bay which the developers do not own or control has less value than the cost of building one on their own land over which they then have full control.

It is important to note that the success of cash-in-lieu parking arrangements can be substantially compromised if the City approves parking concessions in order to relieve owners from their obligation to provide car parking according to the planning requirements. Concessions should only be approved where the applicant can clearly demonstrate that the parking requirement exceeds the likely generation of the development.

The relevant pages of the policy that need to be amended are included as Attachment No. DCS415B.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Paying cash-in-lieu instead of providing on-site parking can benefit the wider community through the supply of publicly and equitably managed parking for the use of high-value or highest-need parkers.

Environment:

There are no adverse environment impacts.

Economy:

The discount may provide a financial incentive for developers to contribute to the creation of strategically located public parking facilities.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council at its meeting held on 28 May 2019 adopted City Centre Car Parking Management Plan.

COMMUNITY/COUNCILLOR CONSULTATION:

Local planning policies (including amendments to them) are required to be advertised for a period of 21 days with a notice in a newspaper.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:**Planning and Development (Local Planning Schemes) Regulations 2015:**

These regulations sets out the requirements and procedure for preparing and amending a local planning policy.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the municipality. A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies. In making a determination under the Local Planning Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

Local Planning Scheme No. 1:

The Scheme specifically allows for cash-in-lieu for parking as follows:

4.15 Cash-in-lieu for parking requirements

- 4.15.1 If the local government is satisfied that adequate parking exists or is to be provided in close proximity to a proposed development, notwithstanding the requirements of this Scheme and any applicable local planning policy, it may accept a cash payment in lieu of the provision of any or all types of parking spaces as required under clause 4.14.*

It is important to acknowledge that the local government has the complete discretion to refuse the cash-in-lieu option where it is of the opinion that there is insufficient parking in the vicinity of the development.

FINANCIAL AND RESOURCE IMPLICATIONS:

It is proposed that the cash-in-lieu charge for car parking in the city centre be reduced from \$32,000 to \$24,000 per car parking bay and from \$3,600 to \$2,700 per motorcycle / scooter parking bay.

No changes are proposed to the cash-in-lieu rate for bicycle parking given the relatively minor amount currently charged (\$650 per 2 bays).

INTEGRATED PLANNING LINKS:

Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

REGIONAL OUTCOMES:

Integrated Transport Strategy:

The purpose of the Strategy is to provide a 'blueprint' for capital and operational prioritised investment into transport infrastructure to support growth of Greater Geraldton up to a population of 100,000. It guides expenditure on integrated transport assets on a priority basis and clearly communicates these priorities to internal and external stakeholders.

The Strategy contains a specific section on 'Parking' which recognises the recommendations made in the City Centre Car Parking Management Plan.

RISK MANAGEMENT:

There are no inherent risks involved with amending the local planning policy.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Cash-in-lieu of parking can provide an attractive alternative to developers with regard to parking requirements. The current cash-in-lieu policy requires developers to pay the full cost of the parking bay and land area, which generally results in little or no uptake of the offer.

Council at its meeting held on 28 May 2019 adopted the update to the City Centre Car Parking Management Plan. One of the recommendations from the Plan is to set the cash-in-lieu rate for car parking at 75% of the estimated cost of providing a public parking bay, and therefore options to refuse or defer are not supported.

Council has the option to set an alternative rate to the 75%.

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

That Council by Simple Majority pursuant to Schedule 2, Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

- 1. ADOPT the 'City Centre' local planning policy (version 10) as a draft for the purpose of public advertising;**
- 2. ADOPT the local planning policy for final approval should no objections be received during the advertising period; and**
- 3. REQUIRE a further report to Council should there be any objections received during the advertising period.**

CARRIED 13/0

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

DCS416 RFT 19 1819 - LOT 200 GREENOUGH RIVER ROAD, CAPE BURNEY SUBDIVISION WORKS
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AGENDA REFERENCE:	D-19-045316
AUTHOR:	B Robartson, Manager Land and Regulatory Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	3 July 2019
FILE REFERENCE:	LP/5/0002 & A64179
ATTACHMENTS:	Yes (x1) Confidential Confidential Attachment - RFT 19 1819 Tender Evaluation Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 19 1819 - Lot 200 Greenough River Road, Cape Burney – Contract to construct road, drainage, sewer, water, power and lighting for subdivision of Lot 200 Greenough River Road, Cape Burney.

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 19 1819 - Lot 200 Greenough River Road, Cape Burney – Contract to construct road, drainage, sewer, water, power and lighting for subdivision of Lot 200 Greenough River Road, Cape Burney to the preferred tenderer; and
2. RECORD the Lump Sum contract value in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council at its meeting on the 27 February 2018 (DCS358 Lot 200 Gaskin Drive, Cape Burney – Subdivision) resolved the following:

MOVED CR HALL, SECONDED CR CLUNE That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. *GIVE local public notice of the intent to subdivide portion of Lot 200, Gaskin Drive Cape Burney to create 23 residential lots and dispose of by private treaty;*
2. *MAKE the determination subject to:*
 - a. *The purchase price of each proposed residential lot is set as per the adopted values contained in the financial implications schedule of this report;*
 - b. *All subdivision, construction, surveyor costs and project management costs are included in the adopted land values;*
 - c. *All works being subject to and compliant with any necessary town planning, building compliance and other relevant statutory approvals;*

- d. All purchasers of residential lots are required to enter into a Contract of Sale that provides for the following:
- i. Two payments: (1) On or before the 1 July 2018 their portion of subdivision cost being \$60,000 inclusive of GST; and (2) being the balance owing at project completion and settlement of individual lot title as per financial implications schedule;
 - ii. Conveyancing and Landgate fees to be met by the purchaser;
 - iii. Acceptance of risks of tendered subdivision costs – rise and fall that allows for no reimbursement to the purchaser of the actual tendered development costs;
 - iv. That the City accepts the risk of development costs tendered over the estimates provided for the adopted land values; and
3. TERMINATE those leases as of the 30 June 2019 that do not take up the option to acquire a freehold titled lot.

The below photograph depicts the leasehold lots at Gaskin Drive, Cape Burney.



RFT 19 1819 sought tenders to engage a contractor to construct road, drainage, sewer, water, power and lighting for subdivision of Lot 200 Greenough River Road, Cape Burney. The successful contractor will be required to construct road and drainage infrastructure in accordance with the applicable Australian Standards and Institute of Public Works Engineering Australasia (IPWEA) Land Development Guidelines.

The installation of all services are required to comply with the utility providers standards such as; Underground Electrical Network in accordance with the Western Power SAA UDS Electrical Specification (August 2018) REV F for power and street lighting.

The scope includes forward works, construction and the provision of all quality assurance and as constructed documents to enable the titles creation of Western Australian Planning Commission (WAPC) 156225. The works require completion in accordance with the contract requirements and the documents issued as part of the tender; plus any revisions or additional documents issued thereafter.

The relocation of Telstra infrastructure is required however this will be completed by a third party. The contractor is to allow for the liaison and co-ordination of their work with the third party. Internal lot sewer connections, and septic tank decommissioning and electrical wiring from lot boundaries to the dwelling is required, however this will be undertaken by a third party. Drawing and specification reference to internal lot plumbing does not require consideration under this contract. The contractor is to allow for the liaison and coordination of their work with any third parties for internal service connection.

Awarding this tender will allow the City to engage a contractor in accordance with legislative procurement requirements under the Local Government Act 1995. RFT 19 1819 was advertised in The West Australian on Wednesday 12 June 2019 and the City's TenderLink e-Tendering Portal. The closing date was 28 June 2019 at 12.00 noon. Thirty-four (34) suppliers registered to receive copies of the tender. Four (4) submissions were received.

The tender assessment was undertaken by a panel of six (6) people with three (3) voting and three (3) non-voting members providing probity and compliance review and technical advice.

Three (3) submissions were deemed compliant against the City's compliance criteria and were assessed against the following qualitative criteria:

- Tenderer's Resources and Experience – 15%
- Price from Bill of Quantities – 50%
- Occupation Safety Health and Environment (OSHE) and Quality Management – 10%
- Demonstrated Understanding – 15%
- Local Economic & Social Benefit – 10%

RFT 19 1819 - Confidential Tender Evaluation Report is attached as Attachment No. DCS416.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The proposal to subdivide the existing leasehold lots will provide the lessees with freehold residential title and enable them to have the continued use and the passive enjoyment of the public amenity of Lot 200. The City recognises that there is social heritage in the current leasehold community.

Environment:

Detailed environmental studies were undertaken as part of the rezoning of the land in 2012. The City's recently completed Cape Burney to Greys Beach Inundation & Coastal Processes Study shows that the land is not affected by coastal erosion process within a 100 year timeframe.

However, the land is potentially, but only marginally, affected by coastal inundation caused by storm surge. Although the land is not affected by the 100 year Average Recurrence Interval (ARI) the State Planning Policy 2.6 requires development to plan and manage for risk associated with a 500 year ARI storm surge event plus the maximum predicted extent of sea level rise.

The result of this worst case scenario (which statistically only has an 18% chance of occurrence over the 100 year planning horizon) is that the land is generally not affected at the year 2030 and is only marginally affected at year 2110, with potential inundation depths of generally less than one (1) metre. Nevertheless it will be prudent at the subdivision stage to recommend a notification on the certificates of title for the lots advising of the possible hazard.

It is advised that the leaseholders are aware of the requirement of the above notification on the certificate of title and is in fact covered in the Application for Subdivision and is also contained in the proposed Contract of Sale for the purchase of portion of Lot 200 for each individual new lot purchase.

Economy:

This subdivision provides a framework for an immediate financial return to the City whilst opening up future development and dedicated public open space on the balance of the lot through partial subdivision.

Governance:

The City's appointed project consultant was engaged during the tender evaluation phase to assist in the evaluation assessment of individual tenders. The contract will be managed under AS4000, General Conditions of Contract.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

There are no relevant precedents known to the author of undertaking a subdivision over existing leasehold City freehold land as per this proposal.

COMMUNITY/COUNCILLOR CONSULTATION:

The future of Cape Burney lease holding was presented at a Council meeting on 22 April 2014 (SC145) and 22 March 2016 (DRS251). It was further discussed and updates provided at Council Concept Forums on 4 March 2014 and 7 October 2014 and by way of Councillor Briefing Note on the 16 April 2019.

Officers have worked with representatives from Cape Burney leaseholders and individual consultants to achieve the agreed proposal since the commencement of the project in early 2016.

It is noted that the project was commenced by the former Shire of Greenough in 2005.

LEGISLATIVE/POLICY IMPLICATIONS:

The Local Government Act and the City's procurement policy were adhered to when preparing and awarding this tender. Safe work methods and environmental management in line with legislative requirements will be implemented in accordance with the preferred tenderers submission.

FINANCIAL AND RESOURCE IMPLICATIONS:

The approved budget (2019-20) for this construction phase of the project, as endorsed by Council, is \$1,560,000 plus GST. \$86,690 has been expended to date as part of the planning and design phase.

The preliminary opinion of probable costs for the subdivision was used as the basis for the budget that includes costs estimates provided by Western Power and Water Corporation. It is advised that 22 out of the possible 23 leaseholders have entered into contract with the City leaving one lot (Lot 220) that will remain in the City's name on title and disposed of accordingly when market conditions suit. Individual prepayments of \$60,000 each have been paid by the leaseholders with the exception of two leaseholders. Applications were received by the two leaseholders who reported that they could not obtain finance by banks as they had no interest in their property apart from a lease arrangement.

One lot has made a prepayment of \$30,000 and the other Lot has made a prepayment of \$10,000 made. The Chief Executive Officer approved both applications on the 31 July 2018 and 29 August respectively. In total, \$1,240,000 in revenue from leaseholders has been raised to date as a contribution towards the design, construction and development phases.

INTEGRATED PLANNING LINKS:

Title: Environment	2.3 Built Environment
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

A potential risk was identified in relation to leaseholders seeking reimbursement from the City should the final tendered subdivision costs come in less than the projected estimate of costs for the subdivision works. To mitigate against that risk an agreement was reached with current lease holders for no reimbursement should that situation arise. This was on the basis that conversely the City is taking the overall risk on the projects development and the City had also accepted that should the tender costs exceed the estimated amount it would not seek additional funds from lessee.

This was reinforced via the resolution of Council of the 27 February 2018 (DCS358 Lot 200 Gaskin Drive, Cape Burney – Subdivision) – Part 2 d. iii and iv resolved to:

- iii. 'Acceptance of risks of tendered subdivision costs – rise and fall that allows for no reimbursement to the purchaser of the actual tendered development costs; and*
- iv. That the City accepts the risk of development costs tendered over the estimates provided for the adopted land values'.*

The executed Contract of Sale provides for this in its wording with each leaseholder.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The tender assessment and evaluation process has identified and ascertained the preferred tenderer. No other options have been considered by Officers as due process has been followed.

As the Mayor and Deputy Mayor are unable to perform the functions of a Presiding Member due to their disclosures of interest, Council can appoint a Councillor to perform the function of a Presiding Member as per s.5.35(b) of the Local Government Act 1995.

The Mayor nominated Cr Hall.

PROCEDURAL MOTION

MOVED MAYOR, SECONDED CR COLLIVER

That Council RESOLVES to APPOINT Cr Hall to Chair in the absence of the Mayor and the Deputy Mayor due to their disclosure of interests.

CARRIED 13/0

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

Cr Hall took the Chair.

Mayor S Van Styn declared an Impartiality Interest in DCS416 RFT 19 1819 Lot 200 Greenough River Road, Cape Burney Subdivision Works. He has spent an extensive amount of time fishing with one of the tenderers during the tender period and feels he must not be present for the item to ensure and appearance of bias does not exist and left Chambers at 5.19pm.

Cr N McIlwaine a Financial Indirect Interest in DCS416 RFT 19 1819 Lot 200 Greenough River Road, Cape Burney Subdivision Works as he is a salaried employee of a material supplier to various Tenderers and left Chambers at 5.19pm.

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

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

- 1. AWARD the contract RFT 19 1819 - Lot 200 Greenough River Road, Cape Burney – Contract to construct road, drainage, sewer, water, power and lighting for subdivision of Lot 200 Greenough River Road, Cape Burney to the preferred tenderer BMD Urban Pty Ltd; and**
- 2. RECORD the Lump Sum contract value in the minutes of \$1,193,952.33 inclusive GST.**

CARRIED 11/0

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

Mayor S Van Styn and Cr N McIlwaine returned to Chambers at 5.24pm and Mayor S Van Styn resumed the Chair.

12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES

CCS429 POTENTIAL ALLIANCE BETWEEN THE CITY OF GREATER GERALDTON AND NANJING GULOU DISTRICT IN JIANGSU PROVINCE OF CHINA

AGENDA REFERENCE:	D-19-045409
AUTHOR:	Han Jie Davis, Economic Development Officer
EXECUTIVE:	Paul Radalj, Acting Director Corporate and Commercial Services
DATE OF REPORT:	4 July 2019
FILE REFERENCE:	ED/2/0005
ATTACHMENTS:	Yes (x2) A. Proposed Letter of Intent B. Introduction of Nanjing Gulou District

EXECUTIVE SUMMARY:

This report seeks Council endorsement to investigate further the opportunity to establish a formal and collaborative alliance between the City of Greater Geraldton and Gulou District of Nanjing City in the Jiangsu Province of China.

EXECUTIVE RECOMMENDATION:

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

1. AUTHORISE the Mayor to sign the Letter of Intent (Cooperation) on behalf of the City of Greater Geraldton;
2. NOTE this Letter of Intent (Cooperation) is a non-binding agreement;
3. ENDORSE the Mayor to investigate further the prospect of establishing a strategic alliance between the City of Greater Geraldton and Nanjing Gulou District; and
4. NOTE no formal and/or binding arrangement is to be entered into until investigation is completed and reported to Council for consideration.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City of Perth has an established Sister City relationship with Nanjing City in Jiangsu Province of the People's Republic of China and they celebrated the 30 year anniversary of this relationship in 2018.

To further strengthen the reach of friendship with our State, the Gulou District of Nanjing City has proposed a Letter of Intent (Attachment No. CCS429A) initiating collaboration between their District Government and the City.

Gulou District is a thriving economic centre under the jurisdiction of Nanjing City, with a permanent resident population of 1.3 million and Gross Regional Product (GRP) of AUD 26.7 billion in 2017 (Attachment No. CCS429B).

As with existing sister city relationships and strategic partnerships, further investigation will focus on potential benefits via collaboration that could be realised in the areas of economic development, trade and tourism.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

Possible economic or tourism benefits that may be realised through a collaborative alliance.

Governance:

As no binding agreement is being entered into at this time, only the proposed signing of a non-binding Letter of Intent, there are no significant governance impacts.

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

The City has a formal Sister City relationship with Zhanjiang City, in Guangdong Province of China, and Strategic Partnerships with Zhoushan City in Zhejiang Province and Linfen City in Shanxi Province.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

The relevant Council Policy for this item is the current policy 2.2 Establishing International Relations.

FINANCIAL AND RESOURCE IMPLICATIONS:

Investigation needs to identify costs and/or possible binding commitments that may arise if Council decided to enter into a formal and collaborative agreement.

INTEGRATED PLANNING LINKS:

Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.

Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.2	Promoting events and unique tourism experiences that aid in attracting visitors and investment.
Title: Governance	4.3 Advocacy and Partnerships.
Strategy 4.3.2	Partnering with key international communities through Strategic Alliances.

REGIONAL OUTCOMES:

Potential benefits to the local economy in developing strategic alliances.

RISK MANAGEMENT:

There are no risk management issues.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

An alternate option is not to sign the Letter of Intent which would signify no further investigation is to be undertaken on the potential to establish a strategic alliance.

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

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

1. **AUTHORISE** the Mayor to sign the Letter of Intent (Cooperation) on behalf of the City of Greater Geraldton;
2. **NOTE** this Letter of Intent (Cooperation) is a non-binding agreement;
3. **ENDORSE** the Mayor to investigate further the prospect of establishing a strategic alliance between the City of Greater Geraldton and Nanjing Gulou District; and
4. **NOTE** no formal and/or binding arrangement is to be entered into until investigation is completed and reported to Council for consideration.

CARRIED 10/0

Time: 5:32 PM

Not Voted: 2

No Votes: 3

Yes Votes: 10

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	NO
Cr. Critch	YES
Cr. Freer	NOT PRESENT
Cr. Elphick	YES

Cr. Hall	YES
Cr. Keemink	YES
Cr. McIlwaine	YES
Cr. Reymond	YES
Cr. Tanti	YES
Cr. Thomas	NO
Mayor Van Styn	YES

CCS430 STATEMENT OF FINANCIAL ACTIVITY TO 30 JUNE 2019

AGENDA REFERENCE:	D-19-046994
AUTHOR:	T Machukera, Senior Treasury Officer
EXECUTIVE:	P Radalj, Acting Director Corporate and Commercial Services
DATE OF REPORT:	11 July 2019
FILE REFERENCE:	FM/17/0001
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 30 June 2019

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with a comprehensive report on the City's finances to 30 June 2019.

The statements in this report include no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly financial statements of activity dated 30 June 2019, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of June 2019 is detailed in the attached report and summarised below, the variances are between Year to Date (YTD) budgeted forecasts and actuals (including commitments):

Note – this is only an interim version of the City's financial position for period ending 30 June 2019. Figures will change and the final position will only be known once end of year (EOY) "close-out" has occurred and final accounts audited.

Operating Income	\$ 2,935,965	3.57%	under YTD Budget
Operating Expenditure	\$ 1,594,986	1.90%	under YTD Budget
Net Operating	\$ 1,340,979		Negative variance
Capital Expenditure	\$ 11,106,828	14.1%	under YTD Budget
Capital Revenue	\$ 944,351	2.32%	under YTD Budget
Cash at Bank – Municipal	\$22,493,904		
Cash at Bank – Reserve	\$11,702,166		
Total Funds Invested	\$33,592,764		
Net Rates Collected	100%		
Net Rates Collected in June 2018	98.15%		

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 revised budget. The financial position represented in the June financials shows a negative variance of \$1,340,979 in the net operating result (this takes into account commitments). The negative variance is only an interim figure until EOY is finalised. It is still forecast that the City will meet its target of a small operating surplus from ordinary activities.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

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

Disclosure of Interest:

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

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that as a minimum Council is to receive a Statement of Financial Activity.

FINANCIAL AND RESOURCE IMPLICATIONS:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

INTEGRATED PLANNING LINKS:

Title: Governance	4.4 Financial Sustainability and Performance
Strategy 4.4.1	Preparing and implementing short to long term financial plans.
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.
Title: Governance	4.5 Good Governance and Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider

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

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

- 1. RECEIVE the monthly financial statements of activity dated 30 June 2019, as attached.**

CARRIED 13/0

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

12.3 REPORTS OF INFRASTRUCTURE SERVICES

Nil.

12.4 REPORTS OF OFFICE THE CEO

Nil.

12.5 REPORTS TO BE RECEIVED**RR07 REPORTS TO BE RECEIVED - JULY**

AGENDA REFERENCE:	D-19-045975
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 July 2019
FILE REFERENCE:	GO/6/0012-06
ATTACHMENTS:	Yes (x2)
	A. Delegated Determinations and Subdivision Applications for Planning Approval
	B. Confidential Report – List of Accounts Paid Under Delegation June 2019

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 5.22 of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
 - a. Reports – Development and Community Services:
 - i. DCSDD148 - Delegated Determinations and Subdivision Applications for Planning Approval.

PART B

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Corporate and Commercial Services:
 - i. CCS431 – Confidential Report – List of Accounts Paid Under Delegation June 2019.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including Minutes) to be Received” are not approved or endorsed by Council in any

way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance 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:

Title: Governance	4.5 Good Governance & Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR COLLIVER, SECONDED CR MCILWAINE****PART A**

That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to

- 1. RECEIVE the following appended reports:**
 - a. Reports – Development and Community Services:**
 - i. DCSDD148 - Delegated Determinations and Subdivision Applications for Planning Approval.**

PART B

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

- 1. RECEIVE the following appended reports:**
 - a. Reports – Corporate and Commercial Services:**
 - i. CCS431 – Confidential Report – List of Accounts Paid Under Delegation June 2019.**

CARRIED 13/0

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

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

16 MEETING CLOSED TO PUBLIC

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

No confidential discussion was required.

17 CLOSURE

There being no further business the Presiding Member closed the meeting at 5.39pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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