



ORDINARY MEETING OF COUNCIL  
AGENDA

28 FEBRUARY 2012

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**CITY OF GREATER GERALDTON  
ORDINARY MEETING OF COUNCIL AGENDA  
BEING HELD ON TUESDAY 28 FEBRUARY 2012 AT 5.30PM  
AT CHAMBERS, EDWARD ROAD**

**A G E N D A**

**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 Standing Orders 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 ACKNOWLEDGEMENT OF COUNTRY**

**2 DECLARATION OF OPENING**

**3 ATTENDANCE**

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Leave of Absence:

**4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**5 PUBLIC QUESTION TIME**

*Questions provided in writing prior to the meeting or at the meeting will receive a formal response.*

Paul Connolly, 63 Gregory Street, Geraldton

Statement:

Over the past couple of months I have noticed the Council totally removing a number of fully mature Tamarisk trees from various tracts of land that are apparently under Council's control, being verges in Gregory Street and Eliot Street, the east side of the car park outside the Council offices, from a sizable median strip on the corner of Fraser Street and Crowther Street and in recent times from the verge outside the Maritime Institute Facility at Separation Point and even more recently the reserve on the east side of that same facility which I assumed was an A Class Reserve.

Question

What valid reason has Council for removing these trees in each of these locations?

Response

NACC had a Federal Grant for the removal of Weeds of National Significance (which included Lantana and Tamarisk Trees) and had the City undertake this work. There was very little time to complete the project and the requirement was to target trees in coastal or river catchment areas. Tamarisk trees in street verges in Beachlands were targeted as many of them were under power lines and need lopping annually. Mature specimens have a tendency to drop branches and as such Tamarisk street trees within the Beachlands area were targeted.

The trees east of the Civic Centre had dropped branches previously and were identified as a risk.

The trees in front of BCMI were removed as a result of consultation with BCMI. BCMI plan to revegetate the area with endemic native vegetation this winter.

Trees were removed from the coastal reserve east of BCMI as they were identified as an unwanted significant weed within the reserve.

Question

Why was the community not consulted?

Response

All residents adjacent to trees targeted to be removed in Beachlands were consulted via letter drop prior to removal.

Staff at BCMI were consulted.

Short notice to undertake and complete this project restricted the ability to undertake a full community consultation.

Question

Why is Council apparently solely targeting Tamarisk trees?

Response

The scope of the project was targeting Weeds of Natural Significance and NACC specified the species to be targeted – not the City.

Question

Most of these trees were fully mature – does Council not know the value of mature trees in reducing the carbon footprint and in the production of valuable oxygen?

Response

The City recognises the value and risks of mature trees. The Tamarisk trees present significant risks from falling branches and prohibiting the growth of vegetation, including natives, within and adjacent to the tree drip line.

Question

What status does the Reserve on the east side of the Maritime Institute have?

Response

The City's Planning Team has advised that the Reserve on the east side of the Maritime Institute is C Class. The Reserve is not a Class A Reserve as assumed in the statement.

Question

Were any of these trees on the local TPS Tree Inventory?

Response

No

Question

If so, was the proper procedure followed in their removal?

Response

N/A

Question

Will Council be implementing a program of replacing the trees they have destroyed in each of the locations and in what time frame could we expect this to occur?

Response

The City has an ongoing tree planting program aimed at increasing the number of street trees providing suitable species throughout the City.

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This program as implemented last year with approximately 500 street trees planted with similar numbers expected this year. The program is still being developed and will continue subject to available funding.

Trees will not necessarily be planted in the same locations as a number of areas, such as coastal reserves, are unsuitable. Revegetation will take place in areas identified as suitable, such as various pathways that been constructed in recent years.

Question

On a side issue, why have 4 Norfolk Pines been planted so close together on the north side of the intersection of Maitland Street and Cathedral Avenue – they appear about 3-4 metre apart?

Response

Corrective actions as deemed necessary will be undertaken in winter 2012

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr B Hall request the leave of absence for the period 4 March to 31 March inclusive be approved.

Cr N McIlwaine request for leave of absence for the period 29 February to 15 March inclusive be approved.

**Existing Approved Leave**

<b>March</b>		
Nil.		

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**7 PETITIONS, DEPUTATIONS OR PRESENTATIONS**

CS054	REMOVAL OF WEEDS OF NATIONAL SIGNIFICANCE FROM EASTBORNE ROAD PETITION
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<b>AGENDA REFERENCE:</b>	<b>D-12-06957</b>
<b>AUTHOR:</b>	<b>C Wood, Director Corporate Services</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>16 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Kelly Parker</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY**

The purpose of this report is to advise Council of the receipt of a petition concerning the removal of Tamarisk trees lining Eastbourne Road, Sunset Beach.

**PROPONENT:**

The proponents are Kelly Parker and other residents of Sunset Beach.

**BACKGROUND:**

Council has received a petition opposing the removal of Tamarisk trees. The petition proposes that the Tamarisk trees lining Eastbourne Road be left insitu, due to them being valuable habitat for wildlife and also being of low risk to the surrounding area.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no councillor consultation.

**STATUTORY IMPLICATIONS:**

This report is in accordance with Local Law No. 1 Standing Orders.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**ENVIRONMENTAL IMPLICATIONS**

The petitioners propose that the trees are valuable habitat for wildlife, particularly birds, are a low fire risk and have not invaded surrounding areas, and have caused minimal damage to the road.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to item 2.4 Petitions – Standing Orders Local Law 2007 RESOLVES to:

1. REFUSE to receive the petition requesting that the Tamarisk trees be kept insitu; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the request.

**CONCLUSION:**

This petition is in accordance with Local Law No. 1 Standing Orders and will be responded to by the Community Infrastructure Department.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to item 2.4 Petitions – Standing Orders Local Law 2007 RESOLVES to:

1. RECEIVE the petition from Kelly Parker and other residents of Sunset Beach; and
2. REQUEST the Chief Executive Officer of the City of Greater Geraldton to provide Council with a report on the requested proposal within 90 days.

**8 DECLARATIONS OF CONFLICTS OF INTEREST****9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING –  
as circulated**

RECOMMENDED that the minutes of the ordinary meeting of Council of the City of Greater Geraldton held on 20 December 2011 as previously circulated, be adopted as a true and correct record of proceedings.

**10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)***Events attended by the Mayor*

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
20 December 2011	Ordinary Meeting of Council	All Councillors
21 December 2011	Meeting City of Mandurah	Mayor Ian Carpenter
21 December 2011	Grants Committee Meeting	Mayor Ian Carpenter
12 January 2012	launch of Aquarena new disability equipment	Mayor Ian Carpenter
14 January 2012	Interview with Radio Mamma Re: Sporting futures	Mayor Ian Carpenter
19 January 2012	Water Authority –Water saving Program	Mayor Ian Carpenter
20 January 2012	Better Beginnings Presentation	Mayor Ian Carpenter
23 January 2012	Heritage committee meeting	Mayor Ian Carpenter
25 January 2012	Northern Country Zone - March Conference	Mayor Ian Carpenter
26 January 2012	Australia Day Citizenship Ceremony/Australia Day Function	Mayor Ian Carpenter
30 January 2012	Regular meeting with Ian Blayney	Mayor Ian Carpenter
2 February 2012	Anita Tropiano Re: Road Petition	Mayor Ian Carpenter
2 February 2012	Medical Students Welcome	Mayor Ian Carpenter
3 February 2012	Catherine McLernon	Mayor Ian Carpenter
3 February 2012	Rotary Conference Meeting	Mayor Ian Carpenter
3 February 2012	Barry Haase Regular meeting	Mayor Ian Carpenter
3 February 2012	Paul Matthews Midwest Gascoyne traffic Group	Mayor Ian Carpenter
4 February 2012	Official Opening of the Redevelopment of the Northampton Community Centre	Mayor Ian Carpenter
6 February 2012	Meeting with CEO & Chairman of Foodbank	Mayor Ian Carpenter
6 February 2012	Annual Electors Meeting - for former Shire of Mullewa electors and City of Geraldton-Greenough	All Councillors
7 February 2012	Meeting China Southern Airlines	Mayor Ian Carpenter
7 February 2012	Mr Ian Fletcher - Executive Chair of Regional Development Council	Mayor Ian Carpenter CEO Tony Brun
7 February 2012	Meeting with Minister Buswell to discuss transport, housing and emergency issues	Mayor Ian Carpenter
7 February 2012	Concept Forum	All Councillors
8 February 2012	Meeting ABC Journalists	Mayor Ian Carpenter
9 February 2012	Meeting Cr Ron Ashplant & Andrea Selvey – Review Sydney Nominations	Mayor Ian Carpenter
9 February 2012	Aboriginal Lands Trust and the WA Aboriginal Advisory Council (WAAAC)	Mayor Ian Carpenter
9 February 2012	Geraldton Universities Centre Graduation Scholarship Presentation	Mayor Ian Carpenter
10 February 2012	WA Museum Geraldton Advisory Committee Meeting	Mayor Ian Carpenter
13 February 2012	Heritage Strategy Sub-Committee Meeting	Mayor Ian Carpenter
21 February 2012	OPR Briefing to new Councillors	All Councillors
21 February 2012	Agenda Forum	All Councillors

**11 REPORTS OF COMMITTEES AND OFFICERS**

**11.1 *Reports of the Chief Executive Officer***

Nil.

## 11.2 Reports of Corporate Services

CS047	HONORARY FREEMAN OF CITY OF GREATER GERALDTON POLICY
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<b>AGENDA REFERENCE:</b>	<b>D-12-06449</b>
<b>AUTHOR:</b>	<b>T Mutale-Mbirimi, Coordinator Governance &amp; Risk</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director of Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>9 January 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

### SUMMARY:

The purpose of this report is to seek Council's adoption of CP 026 Honorary Freeman of City of Greater Geraldton Policy

### PROponent:

The proponent is City of Greater Geraldton.

### BACKGROUND:

At the Ordinary meeting of Council of 12 October 2011, Council endorsed the CEO to draft a Policy for the Nomination and selection of Honorary Freeman

*COUNCIL DECISION  
MOVED COMMISSIONER CARPENTER,  
SECONDED COMMISSIONER MCILWAINE  
That Council by Simple Majority RESOLVES to:*

1. *CONTINUE with the tradition of recognising Honorary Freeman of the City of Greater Geraldton;*
2. *HONOUR the following persons as Honorary Freeman of the City of Greater Geraldton:*
  - *D Brenkley;*
  - *P G Cooper;*
  - *P J Docherty;*
  - *P T Freeman;*
  - *J D Grant;*
  - *R Maslen;*
  - *A J Messina;*
3. *NOTIFY the Freeman of Council's decision; and*
4. *CEO to draft a policy for the nomination and selection of Honorary Freeman.*

Section 691A of the former Local Government Act 1960 of Western Australia, provided that a Council may, by resolution passed by an absolute majority of the members voting hereon at a meeting of the Council, confer upon any person the title of "Honorary Freeman of the Municipality", but the conferring of that title upon a person does not grant any right or privilege other than that of permitting that person to be designated by the title so conferred.

Although this legislation has since been the revoked, the City has continued with the tradition following the official recognition of previous Honorary

Freeman of the Shire of Mullewa; shire of Greenough and City of Geraldton as Freeman of the City of Greater Geraldton.

This honour is only awarded on rare occasions. Staff have reviewed other council's policies in reaching this outcome.

**COMMUNITY CONSULTATION:**

No community consultation was undertaken.

**COUNCILLOR CONSULTATION:**

Not applicable.

**STATUTORY IMPLICATIONS:**

Section 691A of the former Local Government Act 1960 of Western Australia Section whereby a person can be given the Title "Honorary Freeman of the Municipality" has been revoked.

The Local Government Act 1995 does not define criteria for the Honour of Freeman ship and the title is not noted in the Act.

Council may award this honour to a person that has shown outstanding service and contribution that has benefitted the City in a lasting or enduring nature.

**POLICY IMPLICATIONS:**

There is currently no policy for this in place.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial implications with the introduction of this policy.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 5:	Leading the Opportunities
Outcome 5.1:	Leadership and good governance
Strategy 5.1.1:	Provide visible leadership and advocacy for the greater good of the community.

**Regional Outcomes:**

There are no regional outcome issues

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

There are no economic issues associated with this Item.

**Social:**

There are no social issues associated with this Item.

**Environmental:**

There are no environmental issues associated with this item.

**Cultural & Heritage:**

There are no cultural and heritage issues associated with this Item.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT ENDORSE Council Policy CP 026 Honorary Freeman of the City of Greater Geraldton; and
2. MAKES the determination on the following grounds:
  - a. to be determined by Council

**Option 3:**

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

1. DEFER the recommendation; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The policy stipulates the procedure for the nomination, selection and awarding of the prestigious title to a person designated as "Honorary Freeman of the City of Greater Geraldton". The title shall be reserved for persons who have rendered exceptional service to the City of Greater Geraldton community. This prestigious honour will not be awarded regularly but only on rare and exceptional occasions.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act RESOLVES to ENDORSE Council Policy CP 026 Honorary Freeman of the City of Greater Geraldton Policy

CS048	COUNTRY LOCAL GOVERNMENT FUND - PROJECT ALLOCATIONS
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<b>AGENDA REFERENCE:</b>	<b>D-12-06461</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager of Management Accounting</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director of Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>6 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

The purpose of this report is to seek Council approval of the 2011-12 Country Local Government Fund (CLGF) direct allocation of funds (\$1,260,546) to the following projects as per the guidelines set by the Department of Regional Development and Lands who administer this funding program:

1. Eadon Clarke Redevelopment (stage 2) - \$348,141
2. Derna Parade Park Development (stage 2&3) - \$294,479
3. Civic Accommodation - \$300,000
4. Mullewa Town Hall Roof Replacement - \$70,000
5. Mullewa Sewerage System Upgrade - \$130,000
6. Mullewa Recreation Centre Improvements - \$117,926.

**PROPONENT:**

The Proponent is The City of Greater Geraldton

**BACKGROUND:**

The Country Local Government Fund is a Royalties for Regions initiative that provides both direct and regional component funding allocations to all Western Australia Councils.

As part of the funding guidelines, the former City of Geraldton-Greenough and Shire of Mullewa were required in 2010-11 to submit a detailed 5-year Forward Capital Plan to the Department of Regional Development and Lands. Within these plans both the City and the Shire were required to detail the specific projects that the yearly allocation of Country Local Government Funds would be applied to and any changes to these allocations would only be accepted by the Department subject to Council approval. In the original 5-year plans submitted, the allocations for 2011-12 were as follows:

Former City of Geraldton-Greenough:

- Eadon Clarke Redevelopment (stage 2) - \$278,857
- Derna Parade Park Development (stage 2&3) - \$246,000
- Surf Club Building (foreshore) - \$300,000.

New allocation:

- Eadon Clarke Redevelopment (stage 2) - \$348,141. Total project budget of \$3.25m.
- Derna Parade Park Development (stage 2&3) - \$294,479. Total project budget of \$1.4m.
- Civic Accommodation - \$300,000. Total project budget of \$2.5m.

The amendment to the proposed allocations in relation to the former City of Geraldton-Greenough is due to an increase from the original forecast to actual overall funding allocation (\$824,857 to \$942,620), a change to funding profiles to meet current budget requirements, and a shift in relation to the timing on the commencement and completion of each of the respective projects. In the original five year forward capital plan submitted to the Department of Local Government in 2010/11, an amount of \$300,000 representing at that time a co-contribution to the proposed development of a new surf club building on the foreshore, was shown as a cash outflow in 2010/11. The 10 year forward capital plan compiled for the newly amalgamated entity and adopted by Commissioners on 1 July 2011, assigns this \$300,000 expenditure to the financial year 2012/13 on the same basis of being a co-contribution to any proposed development.

**Former Shire of Mullewa:**

- Town Hall Roof Replacement - \$58,985
- Sewerage System Upgrade - \$123,700
- Bowling Club (green renewal) - \$95,522.

**New allocations:**

- Town Hall Roof Replacement - \$70,000. Total project budget \$128,985.
- Sewerage System Upgrade - \$130,000 (represents total project budget).
- Recreation Centre Improvements - \$117,926. Total project budget \$147,267.

Basically, there has been no change to project activity as originally proposed to the Department of Regional Development and Lands except for the Bowling Club (green renewal) Project which was completed in 2010-11 and has been replaced with the Recreation Centre Improvements Project (includes roof and floor renewal). The only change to the proposed allocations for the other two projects is due to an increase in funding from original forecast (\$278,207 to \$317,926).

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

Consultation and briefing process undertaken with the adoption and review of the 2011-12 Capital Expenditure budget and review of the 10-year Forward Capital Plan.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

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**FINANCIAL AND BUDGET IMPLICATIONS:**

There is no change to the budget's bottom line as any change in revenue is offset by equivalent movement in expenditure. Changes to budgeted allocations will be incorporated into the mid-year budget review that is currently being undertaken.

**STRATEGIC & REGIONAL OUTCOMES:**Strategic Community Plan Outcomes:

Goal 4: Opportunities for Sustainability

Outcome 4.4: Infrastructure that meets community growth needs and aspirations

Strategy 4.4.3: Effectively plan and prioritise investment in capital expenditure to ensure an appropriate balance across economic, environmental, social, recreational and cultural assets

**Regional Outcomes:**

There are no regional outcome issues.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

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**Option 2:**

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

1. NOT ENDORSE and APPROVE the recommended allocation of the 2011-12 direct component of the Country Local Government Fund to the following nominated projects:
  - a. Eadon Clarke Redevelopment (stage 2) - \$348,141;
  - b. Derna Parade Park Development (stage 2&3) - \$294,479;
  - c. Civic Accommodation - \$300,000;
  - d. Mullewa Town Hall Roof Replacement - \$70,000;
  - e. Mullewa Sewerage System Upgrade - \$130,000; and
  - f. Mullewa Recreation Centre Improvements - \$117,926.

**Option 3:**

That Council by Simple Majority Pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to DEFER consideration of this matter.

**CONCLUSION:**

The allocations are based on meeting the following criteria:

- Major projects that are incorporated into the City of Greater Geraldton Forward Capital Planning;
- Form part of the adopted and/or the amended Capital Expenditure Budget for 2011-12;
- Meet the funding guidelines as set by the Department of Regional Development and Lands;
- Major projects linked to strategic and regional outcomes; and
- Projects that are scheduled to either have commenced or be completed by the 30<sup>th</sup> June 2012.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority RESOLVES to:

1. ENDORSE and APPROVE the recommended allocation of the 2010-11 direct component of the Country Local Government Fund to the following nominated projects:
  - a. Eadon Clarke Redevelopment (stage 2) - \$348,141;
  - b. Derna Parade Park Development (stage 2&3) - \$294,479;
  - c. Civic Accommodation - \$300,000;
  - d. Mullewa Town Hall Roof Replacement - \$70,000;
  - e. Mullewa Sewerage System Upgrade - \$130,000; and
  - f. Mullewa Recreation Centre Improvements - \$117,926.

CS049 CP033 - COMMUNITY FUNDING POLICY
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<b>AGENDA REFERENCE:</b>	<b>D-12-06478</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager of Management Accounting</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director of Corporate Services</b>
<b>DATE OF REPORT:</b>	<b>6 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council's endorsement of the Community Funding Policy for the purpose of a fair and equitable disbursement of funds in support of community activities, events, programs and services.

**PROPONENT:**

The proponent is City of Greater Geraldton

**BACKGROUND:**

The City has undertaken a review of its funding and donations processes to ensure that the internal grant framework supports the following:

- Fair and equitable processes;
- Consistency on guidelines and assessments;
- Accountability and due recognition; and
- Alignment with the City's strategic planning and outcomes.

It is proposed to have four funding opportunities available for Greater Geraldton, with details of each of these opportunities outlined below. All grants and funding will be administered and managed by the Management Accounting Branch, which will assist in a consistent approach across the organisation.

The evaluation and assessment of all grants (excluding Mayoral Discretionary Fund) are to be aligned to the City's Strategic and Community Based Plans, including 2029 and Beyond and be reviewed under the framework of the following five "bottom line" categories:

- Cultural & Heritage
- Economic & Tourism
- Environmental
- Social and;
- Governance.

**Community Grants:**

Community Grants funding rounds are to be offered twice a year, in March and September, for one-off events, activities and/or programs. The annual allocation to this funding program is based on 1% on budgeted rates revenue to be raised for that designated financial year. It is proposed that the City, as a benchmark, will fund up to 50% of the total project cost, with the remaining 50% to be made up of the applicant's own sources (which

can include in-kind contributions) and funding from other sources if available. However, an exception will be available for Council to fund up to 75% of the project if the organisation can justify the need for the additional funds. Note: Funding available for each project is to be capped at \$50,000.

***Recurrent Grants:***

Recurrent Grants will follow the same process and criteria as the Community Grants, however, Recurrent Grants are only offered once every three years with applications to open at the beginning of the calendar year for commitments of the next triennial period (i.e. applications open January 2012 for 2012/13 through to 2014/15 commitments). Funding awarded through the Recurrent Community Grants will be committed for a three year term, with each organisation required to successfully acquit their current funding and submit a budget for the next year's funding before the next amount of funding will be released.

75% from the funding pool, for the first year, will be allocated to the applications that are received through the advertised round and go through the above process. The remaining 25% of the budget allocation will be made available for new applications that are made throughout the triennial period and would be held in the existing Restricted Grant Reserve to fund any new allocation endorsed by Council.

Similar to the Community Grants process, the submissions will be presented to and reviewed by the Community Grants Advisory Committee, however, instead of the committee's recommendation being submitted to the Chief Executive Officer for endorsement via delegated authority from Council, the recurrent grant recommendations are to be submitted to Council for final endorsement of allocations.

The terms of reference for the Community Grants Advisory Committee will require amending to incorporate this process of review for recurrent grants.

***Mayoral Discretionary Fund:***

Currently the Mayor has a discretionary fund for which funding can be allocated to satisfy one-off requests for donations and assistance (e.g., disaster relief). It is proposed to cap the amount available for each request through the Mayoral Discretionary Fund to \$5,000. Any amount above this capped limit that is supported by Mayor would be referred to Council for final endorsement.

***Mullewa Community Trust:***

Mullewa has an existing agreement which expires in 2013 with Mt Gibson Iron Ore in relation to the provision and distribution of funds every year as grants to the Mullewa community.

It is proposed that the Mullewa Community Trust (MCT) follow the same management process as the Community and Recurrent Grants with the format of the application being the same. The current established criteria and guidelines will be slightly altered to reflect the process management of

these funds and to align the guidelines with strategic community plans. There are specific conditions which need to be applied to this funding, and as such the Mullewa Community Trust (MCT) Committee has been set up to review the applications and make their recommendations to Council for final endorsement.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

Community funding framework was presented to the February Concept Forum for discussion.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Over the last 3 years average the amount of recurrent funds directly allocated through grants and contributions to the community that have not been awarded via the Community Grants Program and the Mayoral Discretionary fund amounts to \$351,000 per annum. This averaged figure equates to 1.25% of rates revenue raised in 2011-12.

The actual amount of donations and assistance provided over the last three years from the Mayoral Discretionary Fund has averaged around \$30,000 per annum. The current budget for this financial year is set at \$78,341. It is proposed that the figure for the Mayoral Discretionary Fund be set at 0.15% of rates revenue per financial year.

Community Grants annual allocation is currently set at 1% of the budgeted rates revenue per financial year. The current budget allocation for 2011-12 is \$284,985.

Mullewa Community Trust annual allocation is set at \$65,000 from the \$100,000 received from Mount Gibson for this purpose.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 5:	Leading the Opportunities
Outcome 5.1:	Leadership in organisation and the community
Strategy 5.1.3:	Implement business and governance frameworks

**Regional Outcomes:**

There are no regional outcome issues.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority Pursuant to Section 6.20 of the Local Government Act 1995 RESOLVES to:

1. NOT ENDORSE or APPROVE CP033 Community Funding Policy;
2. SET the annual Community Grants Funding at 1% of rate revenue;
3. SET the triennial allocation for the Recurrent Grants at 1.25% of the budgeted rates revenue to be raised in the initial financial year incorporated within the triennial period;
4. ALLOCATE 75% of the budgeted Recurrent Funding in year one of the triennial period, with the remaining 25% being held in the Restricted Grant Reserve for distribution within the triennial period to fund any new applications endorsed by Council; and
5. SET the annual budget allocation for the Mayoral Discretionary Fund at 0.15% of rate revenue.

6. AMEND the terms of reference of the Community Grants Advisory Committee to incorporate the Recurrent Grant Program as part of their evaluation and recommendation process.

**Option 3:**

That Council by Simple Majority Pursuant to Section 3.18.20 of the Local Government Act 1995 RESOLVES to DEFER consideration of this matter.

**Option 4:**

That Council by Absolute Majority Pursuant to Section 6.20 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE and APPROVE CP033 Community Funding Policy with an amendment to allow 100% funding of a project with a value of less than \$2000;
2. SET the annual Community Grants Funding at 1% of rate revenue;
3. SET the triennial allocation for the Recurrent Grants at 1.25% of the budgeted rates revenue to be raised in the initial financial year incorporated within the triennial period;
4. ALLOCATE 75% of the budgeted Recurrent Funding in year one of the triennial period, with the remaining 25% being held in the Restricted Grant Reserve for distribution within the triennial period to fund any new applications endorsed by Council;
5. SET the annual budget allocation for the Mayoral Discretionary Fund at 0.15% of rate revenue; and
6. AMEND the terms of reference of the Community Grants Advisory Committee to incorporate the Recurrent Grant Program as part of their evaluation and recommendation process.

**CONCLUSION:**

The endorsement and implementation of CO033 Community Funding Policy will provide a fair and equitable approach to the distribution of funds to the community, improve management processes and provide outcomes aligned to strategic and community plans.

The principle reason for recommending a matching contribution (with cash material or unkind labour) is to facilitate greater leverage and participation in projects.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority Pursuant to Section 6.20 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE and APPROVE CP033 Community Funding Policy;
2. SET the annual Community Grants Funding at 1% of the rate revenue;
3. SET the triennial allocation for the Recurrent Grants at 1.25% of the budgeted rates revenue to be raised in the initial financial year incorporated within the triennial period;
4. ALLOCATE 75% of the budgeted Recurrent Funding in year one of the triennial period, with the remaining 25% being held in the Restricted

Grant Reserve for distribution within the triennial period to fund any new applications endorsed by Council;

5. SET the annual budget allocation for the Mayoral Discretionary Fund at .15% of rate revenue;
6. AMEND to the terms of reference of the Community Grants Advisory Committee to incorporate the Recurrent Grant Program as part of their evaluation and recommendation process.

### 11.3 *Reports of Sustainable Communities*

SC026	FINAL ADOPTION OF THE CITY CENTRE TRANSPORT PLANNING & CAR PARKING STRATEGY
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<b>AGENDA REFERENCE:</b>	<b>D-12-03397</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Town Planning Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>23 January 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0011</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

#### **SUMMARY:**

The advertising period has concluded for the draft Strategy which was advertised concurrently with the City Centre Car Parking Management Plan.

Only 6 submissions were received and this report recommends the final adoption of the Strategy (included as Attachment No. SC026).

#### **PROPONENT:**

The proponent is the City of Greater Geraldton.

#### **BACKGROUND:**

In August 2007 Council adopted for final approval the 'City Centre Car Parking Strategy' which included the 'City Centre Car Parking Strategic Plan 2007/2008'. During the latter part of 2008 the Strategy and Plan were reviewed and Council at its meeting held on 24 March 2009 resolved to adopt the revised 'City Centre Car Parking Strategy' and 'City Centre Car Parking Strategic Plan 2009/2010' as a draft for public advertising.

The City committed to undertake a detailed car parking management plan through the Community Infrastructure Directorate and it was considered that this management plan should replace the 'City Centre Car Parking Strategic Plan'. Additionally the 'City Centre Car Parking Strategy' was rebranded to the current 'City Centre Transport Planning & Car Parking Strategy'.

Council at its meeting held on 19 April 2011 resolved to adopt the 'City Centre Car Parking Management Plan' as a draft for public advertising.

Both the 'City Centre Transport Planning & Car Parking Strategy' and the 'City Centre Car Parking Management Plan' were both simultaneously advertised in July and August 2011.

It is important to note that the Strategy sets the broad strategic policy parameters and initiatives whilst the Management Plan details the priority actions to be undertaken to achieve the Strategy, usually over a 12 month period.

**COMMUNITY CONSULTATION:**

The Strategy and Management Plan were publicly advertised for a period of 60 days (commencing on 30 June 2011 to 29 August 2011) and involved the following:

1. A Public Notice appeared in the Geraldton Guardian on 30 June and 07 July 2011.
2. A Media Release was undertaken on 05 July and was also available for viewing on the City's website.
3. An Editorial appeared in the 'Talk About Geraldton Greenough' (TAGG) on 15 July and 21 July 2011.
4. A two page feature appeared in the Geraldton Guardian on 25 July 2011.
5. The Strategy and Plan were available on the City's website.
6. The Strategy and Plan were available in hardcopy at the Civic Centre and Regional Library.
7. A 'Factsheet' and 'FAQ's' were developed and available on the City website and in hardcopy at the Civic Centre and Regional Library.
8. On 27 July 2011 a Public Information Session was held (18 people attended).
9. The Strategy and Plan were referred to the following:
  - Mid-West Chamber of Commerce & Industry.
  - Midwest Development Commission.
  - Department of Planning.
  - Main Roads WA.

**Submissions:**

As a result of the advertising, a total of 6 submissions were received. All the submissions related to the Management Plan and not the Strategy.

Copies of the actual submissions are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There have been 2 presentations to Council by Luxmoore Parking Consultants (who prepared the Management Plan) in October 2010 and January 2011.

**STATUTORY IMPLICATIONS:**

Town Planning Scheme No. 3 (Geraldton) provides a number of objectives relating to the City Centre including:

*Prepare and progressively implement strategies to improve accessibility, car parking, streetscape and internal movement within the centre.*

In addition clause 5.7.4 states:

*In determining its decision in respect to the provision and construction of car parking requirements, the Council will have regard to its Parking Policy and City Centre Policy adopted under the provisions of the Scheme.*

**POLICY IMPLICATIONS:**

It is proposed that the Strategy be endorsed as a local planning policy under Town Planning Scheme No. 3 (Geraldton).

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

**City Centre Planning Policy:**

The aim of this Policy is to encourage and facilitate the building of a unique 'Mid-West capital' city centre that realises the interrelationships between human movement, land uses, economic values, built form, ecological and environmental systems, art and culture and community aspirations, thereby producing a truly sustainable city centre.

The Policy has a specific section on 'Transit Planning & Car Parking' which envisages that increasingly, the city will move towards being residential and pedestrian orientated rather than being dominated by cars and more people will be seeking alternative transport options which will have to be recognised in future city planning.

**International Charter for Walking:**

This Policy was adopted by Council on 24 November 2009 and identifies the needs of people on foot and provides a common framework to help authorities refocus their existing policies, activities and relationships to create a culture where people choose to walk.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications relating to the Strategy. The Management Plan is where specific recommendations are made that have financial implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 2: Opportunities for Prosperity.

Outcome 2.2: Greater Geraldton as a leading regional and rural destination.

Strategy 2.2.4: Facilitate the Geraldton City Centre as the heart of the region.

Goal 4: Opportunities for Sustainability.

Outcome 4.2: Improved transport and accessibility.

Strategy 4.2.1: Support improved integrated and alternative public and private transportation.

Strategy 4.2.2: Improve our network of urban, rural and regional roads, cycle ways, trails and paths.

### **Regional Outcomes:**

#### **Geraldton Regional Centre Strategy 2005:**

This Strategy developed a long-term strategic plan to secure the viability and attraction of the Geraldton Regional Centre as the primary commercial, community and tourist focus for the Mid West region. The subject land is predominantly located within the 'Waterfront' and Old CBD" Precincts. The implementation section of the Strategy identified that planning/design controls were required in order to achieve the preferred strategy for the study area and the vision for the CBD.

#### **Geraldton Region Plan 1999:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area and contains objectives for commercial areas. Of most relevance is the objective to recognise and promote the Geraldton city centre as the focus for public transport and pedestrian and cycleway systems.

### **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

#### **Economic:**

The Strategy promotes strategies to provide additional car parking including, a specified area rate and a review of car parking charges.

#### **Social:**

One of the key objectives of the Strategy is to provide an adequate supply of short and long-term car parking spaces that are conveniently located and are easily accessible to support the vitality of the City Centre.

#### **Environmental:**

One of the key objectives of the Strategy is to actively encourage the minimisation of greenhouse emissions by designing parking and other associated facilities so as to encourage the use of alternative modes of transport.

#### **Cultural & Heritage:**

One of the key objectives of the Strategy is to ensure that the provision of car parking facilities does not diminish the urban character or result in a poor urban design outcome.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 28 August 2007 Council adopted for final approval the 'City Centre Car Parking Strategy' which included the 'City Centre Car Parking Strategic Plan 2007/2008'.

Council at its meeting held on 24 March 2009 resolved to adopt the revised 'City Centre Car Parking Strategy' and 'City Centre Car Parking Strategic Plan 2009/2010' as a draft for public advertising.

Council at its meeting held on 19 April 2011 resolved to adopt the 'City Centre Car Parking Management Plan' as a draft for public advertising.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. REFUSE to adopt the 'City Centre Transport Planning & Car Parking Strategy'; and
2. MAKES the determination on the grounds that car parking in the City Centre is already functioning adequately.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

It is important to note that the Strategy sets the broad strategic policy parameters and initiatives whilst the Management Plan details the priority actions to be undertaken to achieve the Strategy, usually over a 12 month period. The Strategy provides guidance on critical issues such as car parking supply, strategies to provide additional car parking, car parking standards and strategies to reduce demand.

Option 2 is not supported as there needs to be an overarching Strategy that provides the framework from which management actions can be formulated.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the matter.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. NOTE the public submission period and that no submissions were received for the 'City Centre Transport Planning & Car Parking Strategy'.
2. ADOPT for final approval the 'City Centre Transport Planning & Car Parking Strategy'.

SC027	FINAL ADOPTION OF LOCAL PLANNING SCHEME AMENDMENT NO. 7 – RURAL RESIDENTIAL ZONING, WAGGRAKINE
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<b>AGENDA REFERENCE:</b>	<b>D-12-03574</b>
<b>AUTHOR:</b>	<b>K Elder, Senior Strategic Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>23 January 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/15/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 7 which proposes to rezone Lots 75 and 78 Cooper Street, Waggrakine from 'Rural' to 'Rural Residential RR4' to rectify a zoning anomaly.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City is pursuing the rezoning of Lots 75 and 78 Cooper Street, Waggrakine to rectify an anomaly between the zoning of the lots under Local Planning Scheme No. 5 (Greenough). The lots are also included in the Waggrakine Rural Residential Structure Plan (WRRSP), which was endorsed by the WA Planning Commission on 04 March 2011, and hence the current zoning of 'Rural' is an anomaly.

It is important to note that there are 2 other landholdings (Lots 100 and 101 Cooper Street) that are currently zoned 'Rural' and also form part of the WRRSP, however are not included in the Amendment. This is due to the fact that one land owner objected to the inclusion, while the City had no response from the other.

The WA Planning Commission have recently prepared an update to the Greater Geraldton Structure Plan. The updated plan includes the landholdings in Development Investigation Area 3 which is identified for future intensification (and which is subject to a current scheme amendment to rezone the land to 'Development' zone). The landholding is also directly adjacent to Development Investigation Area 4 Waggrakine which is also identified for future intensification.

Further comments in support of the scheme amendment are as follows:

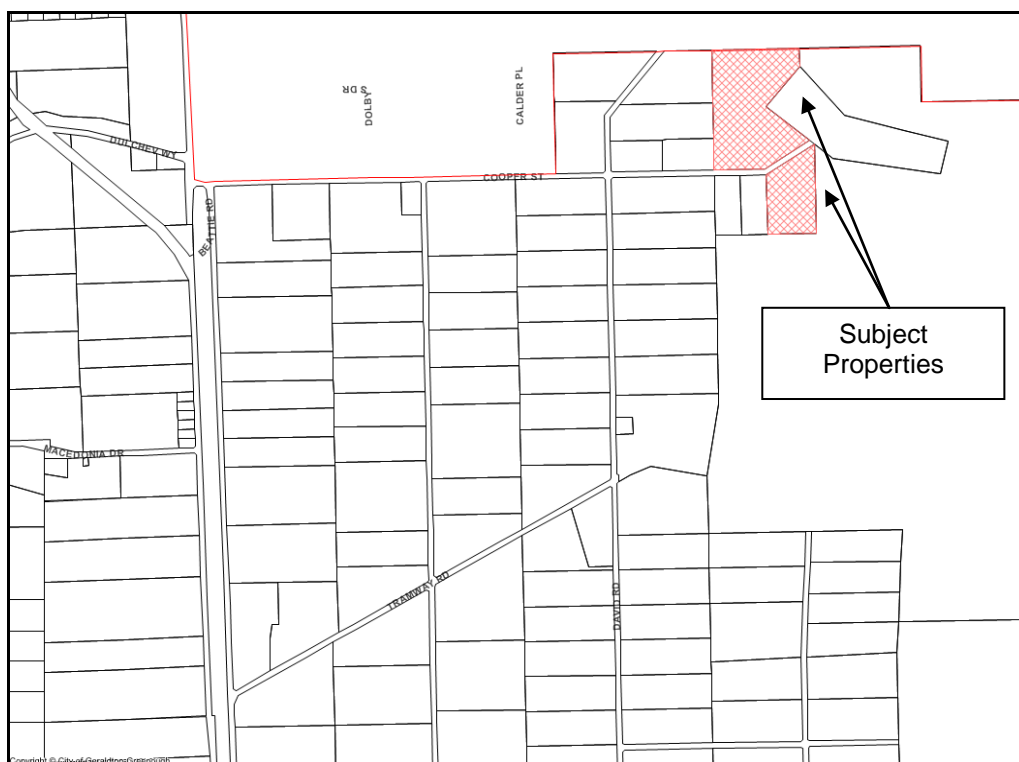
- The lots have been included in various versions of the WRRSP since approximately 2002 and is included in the WRRSP

endorsed recently by the City and the WA Planning Commission.

- The lots are identified in various strategic planning documents as being intended for rural based lifestyle development.
- The lots are currently utilised for rural residential lifestyle opportunities.
- It is not a viable size to be used for farming activities normally associated with the “Rural” zone in which it is located. There will be no change to the land use currently undertaken.
- Inclusion in the RR4 zone and further development in accordance with the provisions of the WRRSP will require the preparation and implementation of a land management plan, which will ensure re-vegetation of the lots.
- The potential for subdivision based on the minimum and average lot sizes prescribed in the WWRSP will not significantly increase the lot yield with potential to have a detrimental impact on conservation or landscape values.

The scheme amendment map is included as Attachment No. SC027A.

### **Locality Plan:**



### **COMMUNITY CONSULTATION:**

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 27 October 2011 and concluded on 08 December 2011 and involved the following:

1. All landowners within a 500m radius (excluding those within the WRRSP which are already zoned Rural Residential) were written to and advised of the proposed amendment;
2. A public notice appeared in the Geraldton Guardian on Thursday 27 October 2011;
3. A sign was placed on site;
4. The amendment details were available on the City's website;
5. The amendment details were publicly displayed at the Civic Centre; and
6. The amendment was referred to the following:
  - ATCO Gas
  - Department of Agriculture and Food
  - Department of Environment and Conservation
  - Department of Health
  - Department of Indigenous Affairs
  - Department of Water
  - Fire and Emergency Services Authority
  - Main Roads WA
  - Northern Agricultural Catchments Council
  - Telstra
  - Waggrakine-Glenfield Progress Association
  - Water Corporation
  - Western Power

**Submissions:**

As a result of the advertising, a total of 7 submissions were received, all with no objection to the amendment.

A 'Schedule of Submissions' is included as Attachment No. SC027B and copies of the actual submission are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

The subject properties are currently zoned "Rural" under Local Planning Scheme No. 5 (Greenough). The primary intent behind the amendment is to rectify an obvious zoning anomaly whereby a Rural Residential Structure Plan has been endorsed, yet portions of the Structure Plan area are still zoned "Rural".

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

Geraldton Region Plan (1999) and Greater Geraldton Structure Plan Update 2011:

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as a 'Development Investigation Area 3' on the structure plan.

For area 3 the structure plan states that the land will be considered for future intensification. The relative proximity of the southern portion to the northern coastal corridor will be significant considerations in determining the most appropriate level of intensification.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

The Waggrakine locality contains significant areas of vegetation in good or better condition and the Environmental Protection Authority has advised that these are likely to be considered important for conservation; the adopted WRRSP has addressed environmental issues.

**Cultural & Heritage:**

There are no cultural & heritage issues.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 24 May 2011 granted final approval to Amendment No. 1 to Local Planning Scheme No. 5 (Greenough) which (inter alia) proposed the rezoning of Lots 75 and 78 Cooper Street, Waggrakine from 'Rural' to 'Rural Residential (RR4)'. The WA Planning Commission has subsequently advised that the inclusion of Lots 75 and 78 Cooper Street in the rezoning at the final stages of the scheme amendment process would

have necessitated the entire Amendment No. 1 to be referred back to the EPA for assessment and the process would in essence have to start again.

In order to progress Amendment No. 1 and still rectify the zoning anomaly, this separate scheme amendment was initiated.

Council at its meeting held on 28 June 2011 resolved to initiate an amendment to rezone a substantial landholding immediately to the east of the subject land to the 'Development' zone.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning & Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 7 to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination on the grounds that the amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the application.

**CONCLUSION:**

The rezoning of Lots 75 and 78 Cooper Street, Waggrakine from "Rural" to "Rural Residential" will correct an obvious zoning anomaly that occurred when the Local Planning Scheme No. 5 (Greenough) was gazetted. The rezoning from "Rural" to "Rural Residential" reflects the intentions of the Waggrakine Rural Residential Structure Plan which has recently been endorsed by Council and the WA Planning Commission.

Option 2 is not supported as the amendment is consistent with the regional planning direction and structure planning framework as it applies to the area.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 7 to Local Planning Scheme No. 5 (Greenough); and
3. SEEK final approval of the Scheme Amendment from Minister for Planning.

SC028	FINAL APPROVAL OF TOWN PLANNING SCHEME AMENDMENT NO. 65 – HIGHWAY COMMERCIAL REZONING, WONTHELLA
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<b>AGENDA REFERENCE:</b>	<b>D-12-05344</b>
<b>AUTHOR:</b>	<b>K Elder, Senior Strategic Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>31 January 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/7/0032</b>
<b>APPLICANT / PROPONENT:</b>	<b>Landwest</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 65 which proposes to rezone Lots 62, 63, 74, 82, 83 North Coastal Highway, Wonthella to the “Highway Commercial” zone.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Landwest on behalf of the prospective purchasers of Lots 83 and 74 North West Coastal Highway – Major Holdings Pty Ltd and Eastcott Nominees Pty Ltd.

**BACKGROUND:**

The land subject of this amendment comprises 5 privately owned lots on the western side of the North West Coastal Highway, located north of Houtman Street.

The subject land area comprises additional use (service industry) and special use (service station) lots along North West Coastal Highway which contain the following land uses:

- Lot 62 – Salvation Army Thrift Shop;
- Lot 63 – Midwest Mowers and Small Engines;
- Lot 82 – Shell Wonthella Service Station; and
- Lot 83 & 74 – Former Wests Glass display and workshop.

The abutting the properties to the west along Pelsart Street are used for mainly residential purposes.

The amendment also proposes to delete the Additional Uses A1-A3, and A49 (Service Industry) from Town Planning Scheme No. 3 (Geraldton).

Relevant extracts from the scheme amendment report are included as Attachment No. SC028A.

**Locality Plan:****COMMUNITY CONSULTATION:**

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 09 December 2011 and concluded on 30 January 2012 and involved the following:

1. All landowners affected by the rezoning, as well as landowners within a 100m radius were written to and advised of the proposed amendment;
2. A public notice appeared in the Geraldton Guardian on 09 December 2011;
3. Two signs was placed on site (one on the corner of Houtman and North West Coastal Highway, the other on Pelsart Street);
4. The amendment details were available on the City's website;
5. The amendment details were publicly displayed at the Civic Centre;
6. The amendment was referred to the following:
  - ATCO Gas
  - Department of Housing
  - Main Roads WA
  - Midwest Chamber of Commerce and Industry
  - Midwest Development Commission

- Public Transport Authority
- Telstra
- Water Corporation
- Western Power
- Wonthella Progress Association

**Submissions:**

As a result of the advertising, 1 submission with no objection was received. A 'Schedule of Submissions' is included as Attachment No. SC028B and copies of the actual submission are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

Lots 62, 63, 74 and 83 are currently zoned Residential R12.5/40/50 with an Additional Use of Service Industry, while Lot 82 is zoned "Special Use – Service Station" under the City's Town Planning Scheme No.3 (Geraldton).

The amendment proposes to rezone the land to the "Highway Commercial" which has the following objective:

*to ensure the provision of service commercial activities, including bulky goods retailing with regard for relevant strategies and policies adopted by Council.*

Council policies will therefore be to:

- *permit under the zone a wide range of uses appropriate to achieving the objective; and*
- *Encourage development along the North West Coastal Highway in locations with regard for relevant strategies and policies adopted by Council.*

Part 5 of the Planning & Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

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Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**State Planning Strategy:**

The State Planning Strategy (1996) identified the following vision for the Mid-West Region:

*In the next 33 years the region will continue to grow and diversify its economic base in the areas of agriculture, mineral development, downstream processing of commodities and tourism.*

It further states that Geraldton will develop as the largest regional center north of Perth, offering a wide range of facilities and attractions.

It is considered that this amendment will facilitate commercial expansion to help service the Geraldton region's growing population and expanding economy.

**Regional Outcomes:**

**Geraldton Regional Centre Strategy 2005:**

This Strategy developed a long-term strategic plan to secure the viability and attraction of the Geraldton Regional Centre as the primary commercial, community and tourist focus for the Mid West region. The subject land is located within 'Precinct 8 –Highway Commercial' which recognised that there are already sites that are developed for commercial activities.

**Geraldton Region Plan 1999 & Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'future industrial and service commercial' on the structure plan.

**City of Greater Geraldton Interim Commercial Activity Centres Strategy:**

This Strategy provides an interim broad regional planning framework to coordinate the location and development of shopping and associated commercial activities. The subject land is within the "Highway Commercial Area".

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

This amendment will facilitate commercial expansion to help service the Geraldton region's growing population and expanding economy.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

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**Cultural & Heritage:**

There are no cultural & heritage issues.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 24 February 2009 resolved to give final approval to Scheme Amendment No. 47 which proposed the rezoning of an area of land on the western side of the North West Coastal Highway between Phelps Street and Critch Place to the "Highway Commercial" zone.

Council at its meeting held on 10 November 2009 resolved to give final approval to Scheme Amendment No. 53 which proposed to rezone Lots 274, 275 & 278-281 Fourth Street, Wonthella to the "Highway Commercial" zone.

Council at its meeting held on 22 February 2011 resolved to give final approval to Scheme Amendment No. 58 which proposed to rezone Lots 30 and 31 North West Coastal Highway and Lot 32 Wittenoom Street, Wonthella to the "Highway Commercial" zone.

Council at its meeting held on 22 February 2011 resolved to give final approval to the Interim Commercial Activity Centres Strategy.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Amendment No. 65 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination on the grounds that approval of the application would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the application.

**CONCLUSION:**

It is considered that the amendment is consistent with the overall strategic planning framework and direction for commercial activity in Geraldton. It is

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consistent with the specific direction prescribed in the Interim Commercial Activity Centres Strategy which shows the land as Highway Commercial.

Option 2 is not supported as the amendment is generally consistent with the regional planning direction and local planning framework as it applies to the area.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005 RESOLVES to:

1. DETERMINE the submission as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 65 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

SC029	PROPOSED ADDITION TO THE GREENOUGH MUNICIPAL HERITAGE INVENTORY – TIBRADDEN HOMESTEAD GROUP, TIBRADDEN
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<b>AGENDA REFERENCE:</b>	<b>D-12-05733</b>
<b>AUTHOR:</b>	<b>S Schewtschenko, Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>07 February 2012</b>
<b>FILE REFERENCE:</b>	<b>A61040</b>
<b>APPLICANT / PROPONENT:</b>	<b>Geoff &amp; Jenny Collins</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The City has received a request from the owners of “Tibradden” (Lot 4 Sandsprings Road, Tibradden) to have the property included in the Greenough Municipal Inventory of Heritage Places.

This report recommends approval of the additional entry and that the updated Greenough Municipal Heritage Inventory be forwarded to the Heritage Council of WA.

**PROPONENT:**

The owner of the property is Glenburgh Pastoral Co Pty Ltd (Geoffrey Charles Collins is the Director and Secretary).

**BACKGROUND:**

The Tibradden Homestead Group is located in picturesque undulating farm country some 35km to the east of Geraldton and consists of a grouping of buildings inclusive of the Homestead, Kitchen Building, Lodge (second house), flour mill, stables/cart shed, shearing shed, Post Office Building and cemetery as well as other associated farm structures and established trees.

In June 1996 the Tibradden Station Flour Mill was classified by the National Trust of Australia (WA) and entered in the National Trust’s List of Classified Heritage Places.

In August 2005 the (former) Shire of Greenough Council resolved to adopt the Municipal Inventory with some alterations. One specific alteration was:

- “8. *The Tibradden Homestead not be listed within the Inventory at this stage however the information gathered on this property be retained by Council on an additional listing to ensure that the historic information is retained.*”

There were no reasons cited within the report for the above recommendation, however minutes of the Municipal Inventory Steering Committee Meeting held on 10 August 2005 state:

*“Tibradden owner not wanting to have the building included. From Committees point of view will just leave the building out.”*

On 15 August 2011 the current owners of the subject property wrote to the City and specifically requested inclusion of the Tibbradden Homestead Group onto the Municipal Heritage Inventory.

The request was then forwarded to the Regional Heritage Advisor to compile the listing (which included a site inspection, assessment and historical research).

The details of the proposed listing are included as Attachment No. SC029.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

Section 45 of the Heritage of Western Australia Act 1990 requires the Council of a municipality to compile and maintain an inventory of heritage places in its district which in its opinion are, or may become of cultural heritage significance. Places are not necessarily buildings, but can be historic sites of former buildings, activities or events as well as built structures such as mines, wells and roads.

Clause 7.1.1 of Local Planning Scheme No. 5 (Greenough) states:

*The Local Government is to establish and maintain a Heritage List to identify those places within the Scheme area, which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.*

Clause 7.1.3 of the Local Planning Scheme No. 5 (Greenough) states:

*For the purpose of this Clause, the Heritage List means the City of Geraldton – Greenough Municipal Inventory as it relates to the Scheme Area, as amended from time to time, prepared by the local government pursuant to Section 45 of the Heritage of Western Australia Act (as amended), or such parts thereof described in the Heritage List.*

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 1: Opportunities for Creativity.

Outcome: A community that embraces and celebrates diversity.

Strategy 3.1.4: Preserve and activate the heritage of our community.

**Regional Outcomes:****State Planning Policy 3.5 Historic Heritage Conservation**

This policy sets out the principles of sound and responsible planning for conservation and protection of WA's historic heritage.

One policy measure listed is "Identification and Assessment" where local governments should identify places of local significance through compilation and review of local government inventories.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

The Tibbradden Homestead Group has high historic significance as one of the early pastoral properties taken up in the Greenough district in the 1850's and for its association with John Sydney Davis. The Complex of buildings, including the Homestead, Outbuildings, Cemetery and Flour Mill, are evidence of early rural activities in the area. The Flour Mill is a rare remaining example of milling infrastructure of the era and indeed may be the earliest surviving mill in the Victoria District. Tibbradden Homestead Group is situated in a picturesque setting and makes an important contribution to the heritage of the district.

The Municipal Heritage Inventory is an authoritative, comprehensive list of places that are of cultural and heritage significance. It is proposed that the Tibbradden Homestead Group be afforded the Management Category 1 as follows:

*Management Category 1: Highly Significant at a State Level.*

*Highest level of protection appropriate. Provide maximum incentives under the Town Planning Scheme with encouragement to the owner to conserve the significance of the place. Prepare a floor plan and photographically record the place prior to any redevelopment.*

**RELEVANT PRECEDENTS:**

The author is not aware of any relevant precedent set by previous Council or Executive, however it should not be construed that there are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Section 45 of the Heritage of Western Australia Act 1990 RESOLVES to:

1. REFUSE to include the "Tibradden Homestead Group" (Lot 4 Sandsprings Road, Tibradden) in the Greenough Municipal Heritage Inventory; and
2. MAKES the determination on the grounds that the "Tibradden Homestead Group" is not considered to be of heritage significance.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the application.

**CONCLUSION:**

The Tibradden Homestead Group has high historic significance as one of the early pastoral properties in the district. The Complex of buildings are evidence of early rural activities in the area. The Flour Mill is a rare remaining example of milling infrastructure of the era and indeed may be the earliest surviving mill in the Victoria District.

Given that the owner has specifically requested the inclusion of the site in the Municipal Heritage Inventory and that the Tibradden Homestead Group makes an important contribution to the heritage of the district, Option 2 is not supported.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the matter.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Section 45 of the Heritage of Western Australia Act 1990 RESOLVES to:

1. REVISE the Greenough Municipal Heritage Inventory by including the "Tibradden Homestead Group" (Lot 4 Sandsprings Road, Tibradden) as a new listing; and
2. FORWARD the updated Greenough Municipal Heritage Inventory to the Heritage Council of WA.

SC030	FINAL APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT No. 2 – DEVELOPMENT REZONING, MORESBY
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<b>AGENDA REFERENCE:</b>	<b>D-12-05866</b>
<b>AUTHOR:</b>	<b>R Ireland, Strategic Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>08 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0044</b>
<b>APPLICANT / PROPONENT:</b>	<b>Planwest</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 2 which proposes to rezone Lots 1 and 52 Fairfax Drive, Moresby to the 'Development' zone.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Planwest on behalf of Ross Williamson.

The owner of Lot 1 is X.T. Hoang and H.T. Nguyen. The owner of Lot 52 is Silverglade Pty Ltd.

**BACKGROUND:**

Council initiated the Amendment at its meeting held on 28 June 2011.

The site is located about 6km east-northeast of the Geraldton CBD. The land is currently farmed as is the surrounding privately owned rural farmland. Land north of Fairfax Road is developed with existing rural-residential lots. The land to the west of the subject land is zoned 'Development' to cater for more intensive development associated with the Woorree New Town project.

The land is currently used for livestock grazing and farming and has been completely cleared. Only a small length of the tributary on Lot 52 has some shrub vegetation. Other than the Moresby Ranges (over 180m) the land slopes from the foothills of the Ranges from a height of about 100m down towards the west to about 40m. This slope of about 60m occurs over a distance of more than 1.5km.

The proposal is to rezone the land to the 'Development' zone to ensure consistency with their other properties to the west and to allow for future low density residential and rural-residential development of the site.

An indicative overall concept plan has been prepared to show how the subject allotments could be developed and to demonstrate how this future development could tie back into the broader locality.



- Water Corporation
- Department of Education and Training
- Mid West Chamber of Commerce and Industry
- Mid West Development Commission
- Public Transport Authority
- FESA – Unexploded Ordnance Liaison Officer

**Submissions:**

As a result of advertising a total of 11 submissions were received (none objecting to the Amendment). Listed below is a summation of the comments/concerns raised from the public comment period:

- *“The development of Rural Residential areas adjacent to agricultural areas without appropriate buffers has the potential to increase land use conflict.”*
- *“Minimum setbacks / buffers should be incorporated.”*
- *“The plan should encourage good land management practices including appropriate stocking rates to protect the sandy soils.”*
- *“Support that provision of linear POS networks to protect remnant vegetation and align with seasonal drainage channels.”*
- *“Area is within the Water Corporation water supply and sewerage operating licence areas.”*
- *“The proponent will need to prepare a water supply and sewerage concept plans to determine the financial viability of the project.”*
- *“The Local Water management Strategy sufficiently demonstrates an integrated approach to managing the proposed land use change.”*
- *“Making the ridgeline the arbitrary boundary is a waste of land that could be used for low density development.”*
- *“An access road created to the eastern boundary of the subdivision would aid in fire access and provide a fire break across the drainage / recreation area.”*
- *“The recreation area to be moved to the middle of the subject area and not on the boundary to protect adjacent property from the possibility of people wandering out of the recreation area.”*
- *“The proposed development should be subject to additional access and possibly the construction of a Chapman River crossing at Polo Road.”*
- *“Details on type and density of development; details on vehicle movements; and an assessment of vehicle movement impacts on the local road network and intersections with Main Roads network (both before and after a potential river crossing, should be addressed in a transport/traffic assessment submitted as part of the Structure Planning process”*
- *“MRWA would also like to be involved in any discussions relating to potential new bridges.”*

A 'Schedule of Submissions' is included as Attachment No. SC030B and copies of the actual submission are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

The subject property is currently zoned 'Rural' under Local Planning Scheme No. 5 (Greenough). The primary intent behind the amendment is to allow the area to be developed for low density residential and rural-residential uses, along with a substantial amount of public open space to protect the Moresby Ranges.

The proposed 'Development' zone will require the subject land to be progressively developed in accordance with an endorsed structure plan as per clause 5.17 of the Scheme. It is during the process of structure planning that a detailed subdivision design will be undertaken. This process will also address the future strategic road connections and access.

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

**Geraldton Region Plan (1999) and Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'future urban' on the structure plan.

**Moresby Range Management Plan 2010:**

This Management Plan presents a new vision for the section of the Moresby Range immediately south of White Peak Road and east of Geraldton. The

major finding was that the community wanted the Range Precinct to be turned into a unique and iconic Park that would become an asset and resource. In order to secure the land the Management Plan promotes exchanges which involve a mix of purchase, land swaps or development opportunities.

Portion of the subject land is located within the area identified for a Park and it is proposed that his land be given up as public open space.

West of the Range the Management Plan considers it appropriate that in the longer term the urban areas of the city will continue to expand to these limits and provides guidelines to inform and support more detailed planning.

The subject land is located within Precincts 13 and 14. Precinct 13 is identified as having higher visibility and should be developed for larger lots in the range of 2 – 4ha.

Precinct 14 is nearly completely cleared for agriculture, however the sandy soils make it of low productivity and prone to wind erosion. The absence of any creek lines or natural bushland makes it of low ecological value. This area is appropriate for future urban development of a similar nature to the eastern edges of the Woorree New Town grading out to rural-residential.

## **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

### **Economic:**

The amendment will potentially facilitate the development of around 500 lots for low density residential and rural-residential purposes.

### **Social:**

The vision for the Moresby Range Management Plan (and associated Park) is “People finding new ways to be in the Landscape” and is underpinned by the recognition that the Moresby Range presents a major opportunity for changing how the Range looks, how it operates ecologically, how people live around the Range, the style of buildings in the foothills and how people visit and experience the Range.

### **Environmental:**

The subject land is nearly completely cleared for agriculture and the sandy soils make it of low productivity and prone to wind erosion. The absence of any creek lines or natural bushland makes it of low ecological value.

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act.

### **Cultural & Heritage:**

There are cultural values associated with the appearance and landscape of the Moresby Range.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 13 November 2007 gave final approval to Amendment No. 115 to the former Town Planning Scheme No. 4 (Greenough). This amendment rezoned a large portion of land to the west of the current site (known as Woorree New Town) to the 'Development' zone. The Minister for Planning granted final approval to the amendment on 08 January 2010.

The subdivision guide plan for the land was endorsed by the WA Planning Commission in March 2010.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning & Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 2 to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination on the grounds that the Amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

The strategic intent for the site has already been demonstrated through recent strategic documents including the Greater Geraldton Structure Plan 2011 and the Moresby Range Management Plan 2010. West of the Moresby Range foothills it is considered appropriate that in the longer term the urban areas of the city will continue to expand to these limits. The proposed 'Development' zone will create the bases for the long term establishment of low density residential and rural-residential development as a continuation of the Woorree New Town area.

The requirement for a Structure Plan to be endorsed prior to further development within the broader area will assist in addressing any issues via a holistic approach, particularly in regards to protection of the Moresby Range, future road alignments and access through and into the site.

Option 2 is not supported as the Amendment is generally consistent with the regional planning direction and local planning policy framework as it applies to the area.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions',
2. ADOPT for final approval Scheme Amendment No. 2 to Local Planning Scheme No. 5 (Greenough); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

SC031	FINAL APPROVAL OF TOWN PLANNING SCHEME AMENDMENT No. 63 – RESIDENTIAL DEVELOPMENT REZONING, WEBBERTON
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<b>AGENDA REFERENCE:</b>	<b>D-12-06066</b>
<b>AUTHOR:</b>	<b>M Bell, Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>02 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/7/0028</b>
<b>APPLICANT / PROPONENT:</b>	<b>Landwest Urban and Rural Planning Consultants</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 63 which proposes to rezone Lots 9000 and portion of Lot 122 Webberton Road, Lots 12 and 20 Koojarra Street, and Reserve 44735 Webberton to the 'Residential Development' zone.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Landwest Urban and Rural Planning Consultants.

The owner of the subject land is Maria Reale, Susan and Bradley Watson, Paul and Barbara Johnson and the City of Greater Geraldton.

**BACKGROUND:**

Council initiated the Amendment at its meeting held on 28 June 2011.

The land subject of this amendment comprises 3 privately owned lots of Webberton Road and Koojarra Street, a lot owned by the City on Webberton Road and an undeveloped recreation reserve.

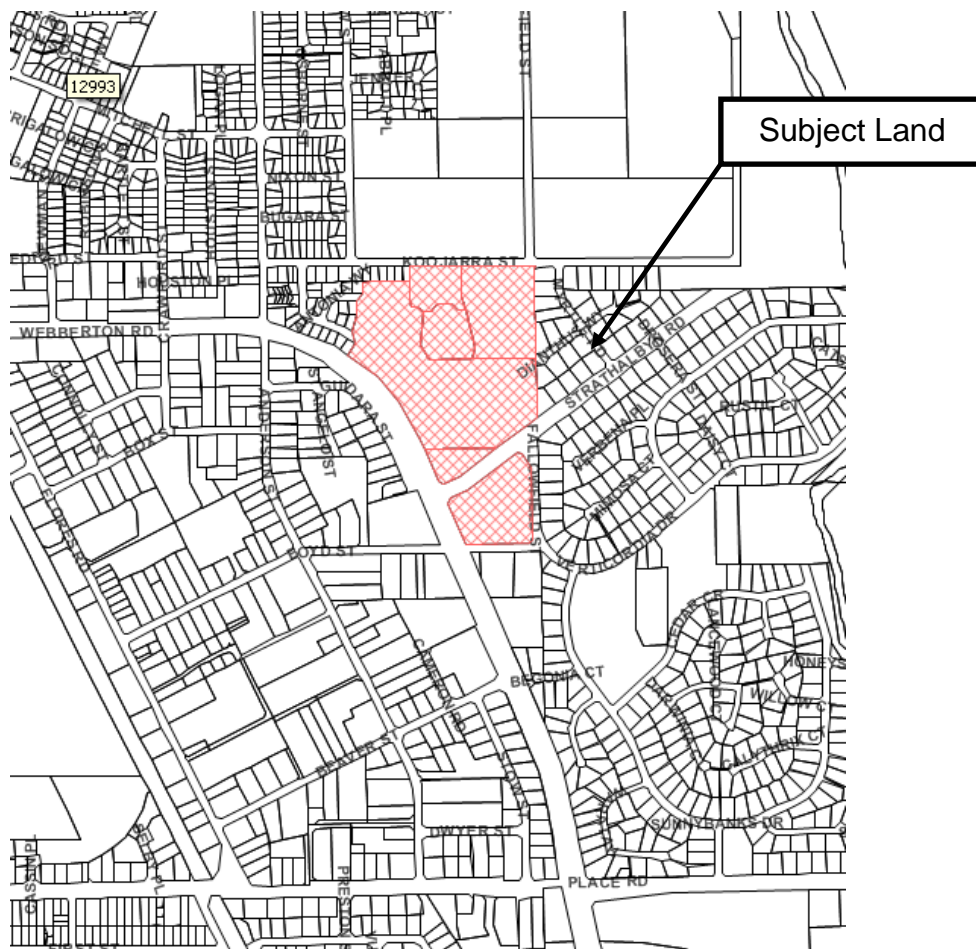
Land immediately to the north is zoned 'Residential R12.5/20/40'. Land to the east south east is zoned 'Residential R5' and land to the west and south is zoned 'General Industry'.

An outline development plan has previously been prepared for the landholdings (but excluding Pt Lot 122) and formed the basis of the initial stage of subdivision immediately north-west of Lot 9000. The subdivision layout was prepared on the R12.5 coding which applies to single dwellings under the residential density coding.

It is proposed that the outline development plan will be reviewed and modified by including Pt Lot 122 (land south of Strathalbyn Road) and to provide for a wider range of residential lot sizes.

Extracts from the Amendment document are included as Attachment No. SC031A.

**Locality Plan:**



**COMMUNITY CONSULTATION:**

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 27 October 2011 and concluded on 08 December 2011 and involved the following:

1. All landowners within a 100m radius were written to and advised of the Amendment;
2. A public notice appeared in the Geraldton Guardian on Thursday 27 October 2011;
3. A sign was placed on-site;
4. The Amendment details were available on the City's website;
5. The Amendment was publicly displayed at the Civic Centre; and
6. The Amendment was referred to the following:
  - ATCO Gas
  - Department of Agriculture and Food
  - Department of Environment and Conservation

- Education Department
- FESA
- Public Transport Authority
- FESA (UXO)
- Department of Housing
- Indigenous Affairs Department
- Main Roads WA
- Telstra
- Water Corporation
- Western Power
- Department of Water
- Northern Agriculture Catchment Council
- Midwest Development Chamber of Commerce and Industry
- Department of Environment and Conservation

**Submissions:**

As a result of the advertising, a total of 12 submissions were received (3 objecting to the Amendment). Listed below is a summation of the comments/concerns raised from the public comment period:

- *“We do not want to be in a suburb dominated with state housing. The land should remain industrial as if it changes to residential state housing, it will devalue our land.”*
- *“Smaller lot sizes in this area would decrease our land value.”*
- *“Pt Lot 122 should be maintained with existing vegetation and some revegetation.”*
- *“The removal of shrubs from Lot 12 should be offset with plantings at a nearby location.”*
- *“Consideration should be given to future road configurations.”*
- *“Small blocks will devalue our property.”*
- *“The area across from us should be kept as reserve (park) because of native fauna.”*

A ‘Schedule of Submissions’ is included as Attachment No. SC031B and copies of the actual submission are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

The subject property is currently zoned ‘Residential R12.5/20/40’. The Amendment proposes to rezone the land to ‘Residential Development’ which has the following objective:

*to set aside land for future urban rezoning and development and to ensure that the land is developed in accordance with orderly and proper planning.*

Council policies will therefore be to:

- *Require preparation and approval of development plans for the area of the zone;*
- *Rezone land for appropriate purposes following adoption of satisfactory development plans; and*
- *Prior to rezoning for other purposes, limit the use of land to existing uses in order not to prejudice future development.*

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Funds have been allocated in the 2011/2012 budget for the redevelopment of Pt Lot 122 Webberton Road which is owned by the City.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 3: Opportunities for Creativity

Outcome 3.1: A community that embraces and celebrates diversity

Strategy 3.1.4: Create vibrant and diverse neighbourhoods that meet local and regional needs.

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

**Geraldton Region Plan (1999) and Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'urban' on the structure plan.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

There are no economic issues.

**Social:**

There are no social issues.

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**Environmental:**

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 26 June 2007 adopted the Outline Development Plan for Lots 12, 13, 121 and 122 Koojarra Street, and the WA Planning Commission gave final endorsement of the Plan on 14 March 2008.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning & Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 63 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination on the grounds that the amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

The 'Residential Development' zone provides flexibility for subdivision layouts, residential densities and related land uses to be determined and implemented by way of an Outline Development Plan approved by Council and adopted by the WA Planning Commission. The amendment will give more flexibility to update the outline development plan which provides for a range of residential lot sizes and an increase in overall residential density.

Option 2 is not supported as it is proposed that the Outline Development Plan will be reviewed, and modified, to provide for a wider range of residential lot sizes and include the portion of Lot 122 not previously included in the plan. Increased residential density, a wider range of lot sizes and carefully planned residential infill development, is consistent with state and local planning policy

directions and will help achieve objectives such as reducing travel demand and maintain or improving housing affordability.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 63 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from Minister for Planning.

SC032	FINAL APPROVAL OF TOWN PLANNING SCHEME AMENDMENT No. 62 – RESIDENTIAL REZONING OLIVE STREET RESERVE, MAHOMET'S FLATS
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<b>AGENDA REFERENCE:</b>	<b>D-12-06081</b>
<b>AUTHOR:</b>	<b>R Ireland, Strategic Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>23 January 2011</b>
<b>FILE REFERENCE:</b>	<b>LP/7/0027</b>
<b>APPLICANT / PROPONENT:</b>	<b>Greg Rowe and Associates</b>
<b>ATTACHMENTS:</b>	<b>Yes (x 2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 62 which proposes to rezone Lots 59, 286, 287, 289 – 291, 294 – 303 and Reserve 30043, Mahomet's Flats to the 'Residential' zone with a density coding of R20/40.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Greg Rowe and Associates on behalf of the City of Greater Geraldton.

**BACKGROUND:**

Council initiated the Amendment at its meeting held on 28 June 2011.

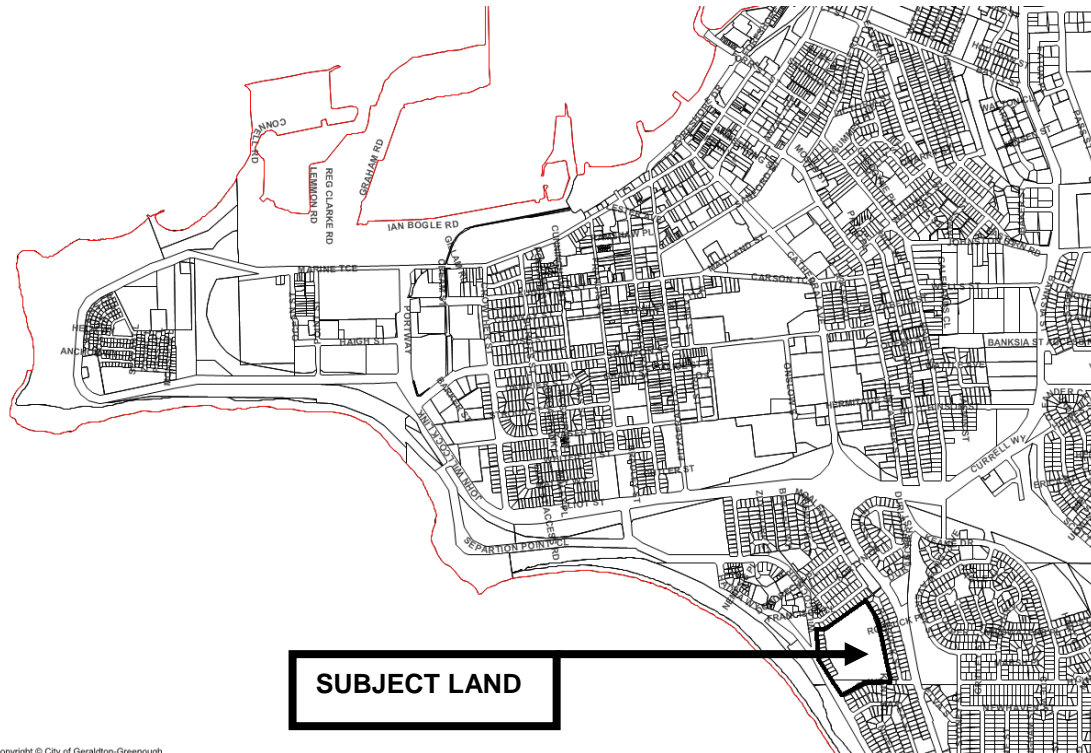
Lots 3012 and 3023 Olive Street, which comprise the majority of the subject land, collectively form Reserve 30043 which contains a Management Order in favour of the City for "Public Recreation". The lots were part of an arrangement made by the Leonard T. Green family, and involved land 'gifted' to the then City of Geraldton in 1961 on the condition that they are developed as an open grassed area for sporting playing fields.

This intention was formalised through a Reserve vesting by the then Department of Land Administration on 22 August 1997. Due to the topography of the site, it was ultimately deemed that the subject land was unsuitable for development of this nature.

The City has since negotiated an agreement with both the Department for Regional Development and Lands and the Green family, in which Lots 3012 and 3023 would be acquired in freehold title by the City and partially developed for residential uses, on the basis that the net proceeds from the sale of newly created lots would help fund capital improvements to other "Recreation" Reserves throughout the City and particularly assist in the creation of a Southern Districts Sporting Complex. The remaining lots comprising the subject land are all currently held in freehold ownership by the City of Greater Geraldton.

Extracts from the Amendment document are included as Attachment No. SC032A.

**Locality Plan:**



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**COMMUNITY CONSULTATION:**

In March 2009 Greg Rowe and Associates was commissioned to produce a Subdivision Concept Plan demonstrating how the subject land could be developed for a combination of residential and recreational uses. The Draft Concept Plan was adopted by Council in November 2009 for public advertising.

Extensive advertising of the Concept Plan occurred at this time, including an advertisement in the local newspapers and Public Notices on display in Council's offices as well as on the (then) City of Geraldton-Greenough website. In addition, 187 letters with the Concept Plan and a press release were sent to home owners within a radius of 250m of the subject land.

A total of 18 written submissions were received throughout the advertising period and were reviewed by Council at its Ordinary Meeting on the 13 April 2010, and responded to individually. The majority of the submissions were in favour of the Concept Plan.

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 27 October 2011 and concluded 8 December 2011 and involved the following:

1. Any landowners within a 100m radius were written to and provided with an excerpt of the Amendment document;
2. A public notice appeared in the Midwest Times on 27 October 2011;
3. A sign was placed on-site;
4. The Amendment details were available on the City's website;
5. The Amendment was publicly displayed at the Civic Centre; and
6. The Amendment was referred to the following agencies:
  - Department of Agriculture and Food
  - Department of Education and Training
  - Department of Environment and Conservation
  - Department of Indigenous Affairs
  - Department of Water
  - FESA
  - Main Roads WA
  - NACC
  - Mid West Chamber of Commerce and Industry
  - Mid West Development Commission
  - Telstra
  - Water Corporation
  - WA Gas Networks
  - Western Power

**Submissions:**

As a result of the advertising, a total of 14 submissions were received (3 objecting to the Amendment). Listed below is a summation of the comments/concerns raised from the public comment period:

- *"Please develop as soon as possible."*
- *"Encourage native vegetation retention measures."*
- *"McAleeer Drive and Olive Street have no footpaths or cycle ways and should be provided as part of this development."*
- *"Increased traffic concerns along McAleeer Drive especially with proposed 'Chooks' development on Fortyn Court."*
- *"Parking of vehicles on McAleeer Drive associated with the "Mahomets Village".*
- *"Land can still be used for sports ovals."*
- *"Better pedestrian access to eastern part of Mahomets across Brand Highway."*
- *"Lot sizes should remain the same as surrounding."*
- *"Oppose medium density housing."*
- *"Lots 37 and 38 are within the 150m default coastal setback."*
- *"Potential for development at Southgates could result in a loss of sediment to the Tarcoola embayment."*
- *"Consideration be given to attach notifications on title advising of potential risk of property damage as a result of sea level rise."*
- *"Local Water Management Strategy is acceptable subject to some minor additions."*

- *“McAleeer Drive and Olive Street intersections with Brand Highway are likely to require significant upgrades to accommodate additional traffic.”*

A ‘Schedule of Submissions’ is included as Attachment No. SC032B and copies of the actual submission are available to Council upon request.

**COUNCILLOR CONSULTATION:**

A full presentation to Councillors and officers was made on 13 July 2009 on development concepts for the site.

**STATUTORY IMPLICATIONS:**

The subject property (with the exception of the freehold lots) is a Local Scheme reserve for the purpose of “Recreation” under Town Planning Scheme No. 3 (Geraldton). The subject land has low recreational value given its topography and condition, as it contains mostly destroyed remnant vegetation over weeds, as well as builders’ rubble and other waste materials.

The intent of the amendment is to rezone the land for residential development. The Scheme lists the objectives of the “Residential” zone, being:

*To ensure that the City’s residential areas develop in a manner which provides a range of choice in housing with protection of residential amenity, achieves efficiency in provision of services and accessibility, and enhances townscape values generally.*

It is considered that the Amendment will fully comply with the objectives of the “Residential” zone, by:

- Providing a range of housing choice including a mix of single and grouped dwellings, as well as the option of aged persons accommodation;
- Utilising existing services and accessibility to achieve efficiency; and
- Enhancing townscape values by creating a large POS area that will not only assist in better Urban Water Management, but increase residential amenity through a range of active and passive areas.

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

An amount of \$50,000 is budgeted for planning and rezoning costs for the year 2010/11 with a further allocation for the 2011/12 financial year budgeted. The subdivision and works budget estimate is \$5.2 million commencing in 2011/12 with completion in 2012/13.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:****Geraldton Region Plan (1999) and Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'urban' on the structure plan.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The City expects to generate substantial net revenues from the sale of the residential lots that will help fund the development of a Southern Districts Sporting Complex.

**Social:**

The development will ultimately providing a range of housing choice and increase the residential amenity through formal development of a range of active and passive areas.

**Environmental:**

An environmental study has been conducted over the site and concludes that as the vegetation is of a degraded nature and occurs on an extensively modified landscape, it is unlikely to be considered significant from a conservation perspective.

Evidence shows that the subject land was originally part of a freshwater wetland system. The development will make provision for a wetland to be constructed in the central POS basin, to assist in stormwater retention, groundwater recharge and aquifer replenishment.

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act.

**Cultural & Heritage:**

A desktop search using the Aboriginal Heritage Inquiry System of the Department of Indigenous Affairs revealed that there are no Aboriginal heritage sites located on the subject land.

**RELEVANT PRECEDENTS:**

Council has previously considered the Olive Street development at meetings held on 10 November 2009 and 13 April 2010 (refer to Community Consultation section of this report).

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning & Development Act 2005 RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 62 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination on the grounds that the Amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

It is considered that the Amendment is consistent with the relevant town planning strategy, policy and the direction set by Council in the Strategic Community Plan. Additionally, the specialist technical investigations revealed that there are no constraints to the rezoning and subject subdivision and development of the subject land.

It is considered that the Amendment will facilitate vibrant infill development in an underutilised area and lead to improved environmental outcomes with respect to stormwater retention and groundwater recharge.

Option 2 is not supported as the Amendment will facilitate the residential and recreational development in accordance with the Concept Plan that has previously been endorsed by Council.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005 RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 62 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

SC033	FINAL APPROVAL OF LOCAL PLANNING SCHEME AMENDMENT No. 5 – DEVELOPMENT REZONING, WAGGRAKINE
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<b>AGENDA REFERENCE:</b>	<b>D-12-06086</b>
<b>AUTHOR:</b>	<b>R Ireland, Strategic Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>23 January 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/15/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>Chappell Lambert Everett</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 5 which proposes to rezone Lots 80 and 81 Hackett Road, Waggrakine to the 'Development' zone.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Chappell Lambert Everett on behalf of Sutcliffe Road Joint Venture.

The owner of Lot 80 is Caversham Property Pty Ltd and Portstyle Nominees Pty Ltd. The owner of Lot 81 is Caversham Property Pty Ltd and Seatone Nominees Pty Ltd.

**BACKGROUND:**

Council initiated the Amendment at its meeting held on 28 June 2011.

The site is located about 4km east of the Indian Ocean (Glenfield Beach) and 10km north-east of the Geraldton CBD. The site comprises a land area of around 365ha and is currently utilised for pasture grazing.

The land is situated at the foothills of the Moresby Range. With the exception of the eastern edge which rises sharply up the face of the Range (over 200m) the site slopes gently down to the west from 140m to 80m.

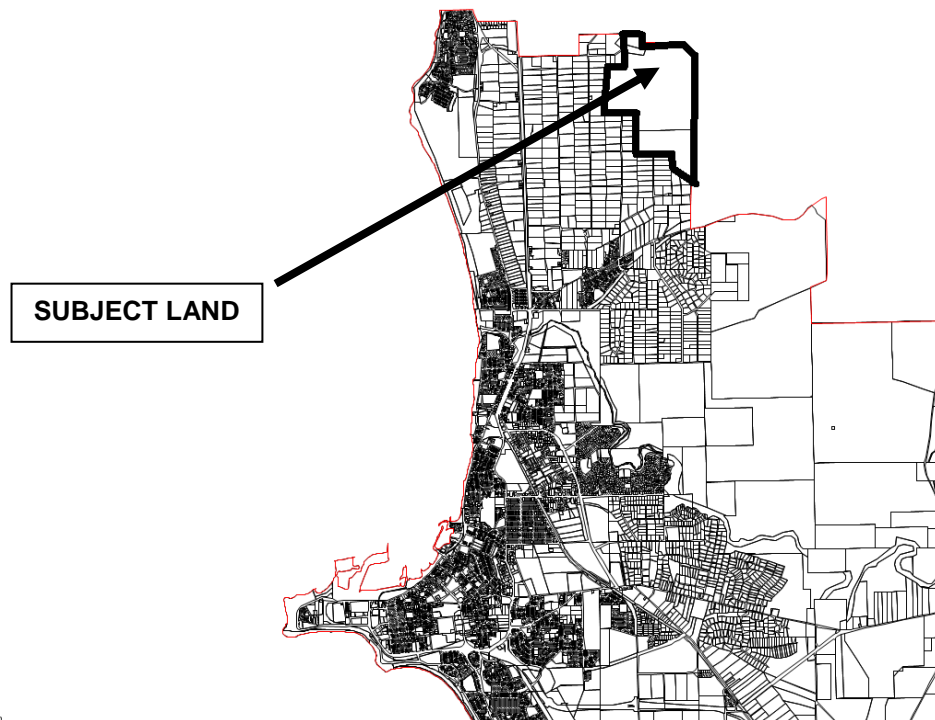
Land to the north and east is generally utilised for pasture grazing and land to the south and west is promoted for rural residential development as part of the Waggrakine Rural Residential Structure Plan.

The proposal is to rezone the land to the 'Development' zone to put in place the legal framework to enable master/structure planning, subdivision and development to occur.

A Development Concept plan has been prepared to respond to the site's context between the Waggrakine rural residential area and the Moresby Range, whilst making best use of the sites strategic attributes.

Extracts from the Amendment document are included as Attachment No. SC033A.

### **Locality Plan:**



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### **COMMUNITY CONSULTATION:**

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 27 October 2011 and concluded on 08 December 2011 and involved the following:

1. Any landowners within a 500m radius, including those located in the Chapman Valley Shire were written to and provided with an excerpt of the Amendment document;
2. A public notice appeared in the Midwest Times on 27 October 2011;
3. A sign was placed on-site;
4. The Amendment details were available on the City's website;
5. The Amendment was publicly displayed at the Civic Centre; and
6. The Amendment was referred to the following agencies:
  - Department of Agriculture and Food
  - Department of Education and Training
  - Department of Environment and Conservation
  - Department of Health
  - Department of Indigenous Affairs

- Department of Water
- FESA
- Main Roads WA
- Mid West Chamber of Commerce and Industry
- Mid West Development Commission
- NACC
- Public Transport Authority
- Telstra
- Water Corporation
- WA Gas Networks
- Western Power
- Shire of Chapman Valley

**Submissions:**

As a result of advertising a total of 24 submissions were received (7 objecting and 17 either in support or indifferent to the Amendment). Listed below is a summation of the comments/concerns raised from the public comment period:

- Several submissions from surrounding landowners object to the proposal stating that it will change the character of the area into which they bought and potentially affect their lifestyle.
- Concerns about the impact of traffic generated by the new development.
- Rezoning will help facilitate the creation of the Moresby Ranges Regional Park.
- Concerns with access to Tourism sites up the slopes.
- Prime farmland that should not be developed.
- Local Water Management Strategy be required.
- Land Capability Assessment be done.
- Vegetation should be cleared as it is collecting fuel for bush fires.
- Buffer needed around the Range.
- Natural flora and fauna will be compromised.
- Realign 'barrier' road further west so that it accords with the Moresby Range Management Plan.
- Leapfrogging development and haphazard urban sprawl.

A 'Schedule of Submissions' is included as Attachment No. SC033B and copies of the actual submissions are available to Council upon request.

**COUNCILLOR CONSULTATION:**

The proponent presented the Development Concept plan to Councillors at the Concept Forum meeting held on 03 May 2011.

**STATUTORY IMPLICATIONS:**

The subject property is currently zoned 'Rural' under Local Planning Scheme No. 5 (Greenough). The primary intent behind the amendment is to allow the area to be master planned for an 'urban village' at a range of densities, along with a substantial amount of public open space to protect the Moresby Ranges.

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The proposed 'Development' zone will require the subject land to be progressively developed in accordance with an endorsed structure plan as per clause 5.17 of the Scheme. It is during the process of structure planning that a detailed subdivision design will be undertaken.

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

**Geraldton Region Plan (1999) and Greater Geraldton Structure Plan 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as a 'development investigation area 3' on the structure plan.

For area 3 the structure plan states that the land will be considered for future intensification. The relative proximity of the southern portion to the northern coastal corridor will be significant considerations in determining the most appropriate level of intensification.

**Moresby Range Management Plan 2010:**

This Management Plan presents a new vision for the section of the Moresby Range immediately south of White Peak Road and east of Geraldton. The major finding was that the community wanted the Range Precinct to be turned into a unique and iconic Park that would become an asset and resource. In order to secure the land the Management Plan promotes exchanges which involve a mix of purchase, land swaps or development opportunities.

Portion of the subject land is located within the area identified for a Park and it is proposed that his land be given up as public open space.

West of the Range the Management Plan considers it appropriate that in the longer term the urban areas of the city will continue to expand to these limits and provides guidelines to inform and support more detailed planning.

The northern portion of the subject land is located in Precinct 3 and defined as a 'high visibility area, larger lots typically 2-4ha'. The south-western pocket forms part of Precincts 4 and 5 which are identified as 'lower visibility area, lots typically larger than 1ha'.

The Development Concept plan indicates greater densities and this issue will need to be examined in detail against site specific visual landscape assessment at the structure planning stage.

### **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

#### **Economic:**

The amendment will potentially facilitate the development of around 1,500 to 2,000 lots for an 'urban village' at a range of densities with a commercial village centre, primary school and both district and regional open space.

#### **Social:**

The vision for the Moresby Range Management Plan (and associated Park) is "People finding new ways to be in the Landscape" and is underpinned by the recognition that the Moresby Range presents a major opportunity for changing how the Range looks, how it operates ecologically, how people live around the Range, the style of buildings in the foothills and how people visit and experience the Range.

#### **Environmental:**

Generally comprised of cleared agricultural grazing land, remaining areas of native vegetation have been affected by historic grazing practices and are generally in poor condition. Remaining vegetation has an over-storey, but there is little to no understorey remaining. Two small inundation areas (seasonal wetlands) have been identified in the area along the south western boundaries. Drainage channels exist on site however they remain dry most of the year and are highly modified.

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act.

#### **Cultural & Heritage:**

There are cultural values associated with the appearance and landscape of the Moresby Range.

### **RELEVANT PRECEDENTS:**

The author is not aware of any relevant precedent set by previous Council or Executive, however it should not be construed that there are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 5 to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination on the grounds that the amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

The strategic intent for the site has already been demonstrated through recent strategic documents including the Greater Geraldton Structure Plan update 2010 and the Moresby Range Management Plan 2010. West of the Moresby Range foothills it is considered appropriate that in the longer term the urban areas of the city will continue to expand to these limits. The proposed 'Development' zone will create the bases for the long term establishment of an 'urban village' at a range of densities and provides an excellent and relatively rare opportunity to achieve a high quality master planned development to cater for Geraldton's expected future growth, and to achieve a number of positive community outcomes including revegetation of a degraded site and establishment of District Open Space to service the north-east of the City.

The requirement for a Structure Plan to be endorsed prior to further development within the broader area will assist in addressing any issues via a holistic approach, particularly in regards to protection of the Moresby Range, development densities and visual landscape assessment.

Option 2 is not supported as the amendment is generally consistent with the regional planning direction and local planning policy framework as it applies to the area.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Part 5 of the Planning & Development Act 2005, RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions',
2. ADOPT for final approval Scheme Amendment No. 5 to Local Planning Scheme No. 5 (Greenough); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

SC034	PROPOSED DEDICATION OF PRIVATE RIGHT OF WAY AND EXCISION AND DEDICATION OF RESERVE TO PUBLIC RIGHT OF WAY – GREGORY STREET, BEACHLANDS
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<b>AGENDA REFERENCE:</b>	<b>D-12-06088</b>
<b>AUTHOR:</b>	<b>M Bell, Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>08 February 2012</b>
<b>FILE REFERENCE:</b>	<b>RO/6/0013</b>
<b>APPLICANT / PROPONENT:</b>	<b>TPG Town Planning and Urban Design</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

An application has been received to convert the privately owned right of way (known as Lot 67 on Plan 3498), which abuts Lot 843 Gregory Street, Beachlands to a public right of way. It is also proposed to dedicate a portion of Reserve 26083 to a public right of way.

This report recommends Council initiate proceedings to formally dedicate the private right of way and a portion of Reserve 26083 to a public right of way.

**PROPONENT:**

The proponent is TPG on behalf of RSL Care WA who own the adjoining lots Lot 843 Gregory Street and Lot 10 Francis Street, Beachlands.

**BACKGROUND:**

Previously in September 2007, Council resolved to undertake the excision of 25m of Reserve 22836 which was subsequently rezoned and amalgamated in to adjoining Lot 843 for the purpose of constructing 12 new dwellings. RSL Care donated \$120,000 to the City for the upgrade of the remainder of Reserve 22836 (upgrade works to the park are still to be scheduled and undertaken).

In August 2011, RSL Care WA submitted an application to the City to construct three additional grouped dwellings on adjoining Lot 10 Francis Street, Geraldton. Two of these dwellings were proposed to be accessed using the adjoining private right of way and a portion of Reserve 26083.

Currently, the private right of way and a portion of Reserve 26083 is being used by private landowners using the laneway to access the rear of their properties and also by RSL Care WA to access their premises. This access is sealed for approximately 40m and is 3m in width.

Reserve 26083 is currently vested with the City for the purpose of 'drainage sump'. A sump exists on Reserve 26083 however the sump's fencing is not constructed on the reserve boundary and subsequently vehicles are using portion of the reserve to access the various properties abutting the private right of way. As such, the applicant is requesting that a portion (approximately 91m<sup>2</sup>) be converted to private right of way.

At the time of the development application, RSL Care WA stated on the submitted plans that the right of way would be bituminised and drained to Council's specifications. However, given that the right of way is in private ownership, the City cannot legally grant development approval over the private right of way. Title searches also revealed that no right of carriageway exists for any of the abutting lots to legally utilise the right of way. As such, RSL Care WA submitted amended plans which removed the proposed units on Lot 10 and have subsequently made the application to formalise the right of way and access situation. It is expected that a further development application will be lodged for dwellings on Lot 10 utilising the right of way as access.

An aerial photo of the site is included as Attachment No. SC034.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

Section 56 of the Land Administration Act 1997 addresses the dedication of public roads (right of way). Where land is acquired for use by the public as a road under the care, control and management of a local government, the local government may request the Minister to dedicate that land as a road. Clause 56(4) of that Act provides that on the Minister granting a road dedication request, the local government is liable to indemnify the Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

The Department of Regional Development and Lands have previously advised that this indemnity is generally only for claims for compensation by the landowners.

Section 56 (1) (c) of the Land Administration Act 1997 (as amended) specifically allows a local government to request the Minister to dedicate *'land comprising a private road of which the public has had uninterrupted use for a period of not less than 10 years'*. The private right of way has had uninterrupted use by the public for well in excess of ten years.

The State Land Services division of the Department of Regional Development and Lands have advised that before a request can be made to the Minister for Lands to dedicate a private road in accordance with Section 56 of the Land Administration Act 1997 (as amended), the private road is first required to be acquired in accordance with Section 52 of the Land Administration Act 1997 (as amended). The closure of the private right of way is required in order for the land contained within the private road to be revested as unallocated crown land.

Once land within the private right of way becomes unallocated crown land, it can then be dedicated as a public right of way in accordance with Section 56 of the Land Administration Act 1997 (as amended) in order for it to be used as a public right way.

It should be noted that the private right of way will not be physically closed; it is simply the procedure that is required to be followed in order to have the private right of way dedicated as a public right of way.

With regards to the excision of Reserve 26083 and the dedication of that land to public right of way, the Department of Regional Development and Lands have advised that this process does not need formal advertising. The excision and dedication process for the Reserve is in accordance with Section 56 of the Land Administration Act 1997 (as amended).

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Should the right of way be formally dedicated, Council will be responsible for the maintenance of the laneway which will have only minor financial and budget implications. The initial construction of the public right of way will be dealt with at the development application process stage as it is the intention that RSL Care WA bears the full costs.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

There are no Strategic Community Plan outcomes.

**Regional Outcomes:**

There are no Regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

Council, at its meeting held on 17 August 2010, resolved to request the Minister for Lands to acquire the private right of way between Trigg and Adam

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Street, Beresford and formally dedicate it as a public right of way. The right of way was formally dedicated on 2 March 2011.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to the Land Administration Act 1997 (as amended) RESOLVES to:

1. NOT PROCEED with the dedication of the private right of way (Lot 67 on Plan 3498) and the conversion of a portion of Reserve 26083 to public right of way.
2. MAKES the determination on the grounds that the status of the right of way and Reserve is not considered an issue.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the application.

**CONCLUSION:**

Formal public dedication of the private right of way and conversion of a portion of Reserve 26083 would legitimise what the land has long been used for. Reserve 26083 is vested with the City for the purpose of 'drainage sump' however the sump's fencing is not constructed on the reserve boundary and subsequently vehicles are using the reserve to access the various properties abutting the private right of way.

Option 2 is not supported as legally the dedications would formalise both the use of the right of way as public access and also the protection of public utilities (such as power, water and sewer).

The initial construction of the public right of way will be dealt with at the development application process stage and it should be noted that it is the intention that RSL Care WA bears the full costs.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the application.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to the Land Administration Act 1997 (as amended) RESOLVES to:

1. INITIATE proceedings to formally dedicate the private right of way (Lot 67 on Plan 3498).
2. SHOULD no objections be received during the advertising period then:
  - a. REQUEST the Minister for Lands to acquire the private right of way (Lot 67 on Plan 3498) in order for it to be dedicated as a public right of way as required by Section 52(1) (b) of the Land Administration Act 1997 (as amended).
  - b. REQUEST the Minister for Lands to dedicate Lot 67 on Plan 3498 as public right of way pursuant to Section 56(1) (c) of the Land Administration Act 1997 (as amended).
  - c. INDEMNIFY the Minister against any claim for compensation as required by Section 56(4) of the Land Administration Act 1997 (as amended)
3. REQUEST the Minister for Lands to excise a portion of Reserve 26083 and dedicate it as a public right of way pursuant to Section 56 of the Land Administration Act 1997 (as amended).
4. ADVISE the proponent that the entire right of way is to be constructed at the proponent's full cost to the approval of the City.

SC035	FINAL ADOPTION OF NARNGULU INDUSTRIAL ESTATE BUFFER PRECINCT C (ARTHUR ROAD) STRUCTURE PLAN
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<b>AGENDA REFERENCE:</b>	<b>D-12-06125</b>
<b>AUTHOR:</b>	<b>K Elder, Senior Strategic Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>9 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/11/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>Edge Planning &amp; Property</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for the Narngulu Industrial Estate Buffer Precinct C (Arthur Road) Structure Plan.

This report recommends final approval of the Structure Plan (with some minor modifications) and that it be forwarded to the WA Planning Commission for final endorsement.

**PROPONENT:**

The proponent is Edge Planning and Property on behalf of the landowner, Trevor Allen.

**BACKGROUND:**

In mid-2009 the City engaged the services of Aurecon and Greg Rowe and Associates to develop the Water Management Strategy and design the Subdivision Guide Plans for the Narngulu Industrial Estate Precinct C area. At this time, the Arthur Road area (land east of Deepdale Road) was intended to be developed with a minimum lot size of 6ha.

At the meeting held 4 May 2010, Council resolved that the minimum lot size would be amended to 2ha with a minimum average of 3ha. Council further resolved to remove the Arthur Road area from the Subdivision Guide Plans so that the Local Water Management Strategy and the design could be amended in light of the change to the minimum lot size.

Subsequently, the landowners have developed a Structure Plan and Local Water Management Strategy for this area.

The design of the Structure Plan also incorporates the City's future acquisition of a portion of the area in aid of the proposed airport runway extension.

A copy of the advertised Structure Plan is included as Attachment No. SC035A.

**COMMUNITY CONSULTATION:**

The Structure Plan was publicly advertised in accordance with the provisions of the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough).

The advertising period was for 23 days (commencing on 27 October 2011 and concluding on 21 November 2011) and involved the following:

1. All landowners within a 500m radius (including those within the broader Structure Plan area) were written to and provided with a copy of the Plan;
2. A notice appeared in the Midwest Times on 27 October 2011;
3. The Plan was available on the City's website;
4. The Plan was publicly displayed at the Civic Centre; and
5. The Structure Plan was referred to the following:
  - ATGO Gas
  - Bureau of Meteorology
  - Department of Agriculture and Food
  - Department of Environment & Conservation
  - Department of Health
  - Department of Indigenous Affairs
  - Department of Water
  - Fire & Emergency Services Authority
  - Fire & Emergency Services Authority – UXO Branch
  - Main Roads WA
  - Northern Agricultural Catchments Council
  - Public Transport Authority
  - Telstra
  - Water Corporation
  - Western Power

**Submissions:**

As a result of the advertising, a total of 12 submissions were received. Listed below is a summation of the major comments/concerns raised from the public comment period:

**ATCO Gas**

A high pressure gas main is located within the subject land along the Edward Road alignment. ATCO Gas advised that a risk assessment will be required to be conducted to determine which future lots will be affected by proximity to the high pressure gas line. Those lots deemed affected will be required to have a Detailed Area Plan developed to the satisfaction of both ATCO Gas and the City which will guide building and referral requirements.

**Bureau of Meteorology**

The BOM originally objected to the structure plan due to the fact that proposed development could cause significant obstruction to the radar's ability to detect weather conditions and take temperature and evaporation readings.

After numerous discussions BOM developed guidelines for the future development of the land (including height and wall angle requirements) and a sketch was also produced. BOM advised the developer and the City that if these guidelines were applied, they would be in support of the structure plan.

Department of Health

The Department originally requested that the area be connected to sewer. After further discussions the Department advised that developments creating wastewater greater than 540 litres per day per 2000m<sup>2</sup> of lot size are not permitted unless the developments are connected to sewer”.

Department of Water

The Department advised that some additional information was required to be submitted to complete the Local Water Management Strategy, particularly with regard to concept plans to depict over land flow paths and on-site detention amounts. The Department did advise that this additional information would be minor and would not affect the layout and design of the structure plan.

A ‘Schedule of Submissions’ is included as Attachment No. SC035B and copies of the actual submissions are available to Council upon request.

**COUNCILLOR CONSULTATION:**

There has been no councillor consultation.

**STATUTORY IMPLICATIONS:**

City of Greater Geraldton Local Planning Scheme No. 5 (Greenough), zones the area ‘General Industry – Restricted Use (R1)’.

No.	Description of land	Restricted use	Conditions
R1	Area of land bounded by Edward Road, Southern Transport Corridor alignment, Arthur Road, Moonyoonooka-Narngulu Road shown on Scheme Map 1/12 and 5/12 as R1	<ul style="list-style-type: none"> <li>• Light Industry,</li> <li>• Service Industry,</li> <li>• Trade Display</li> </ul> are NOT PERMITTED	Prior to any subdivision a structure plan shall be prepared and endorsed by both the Local Government and the Western Australian Planning Commission and subdivision shall be in accordance with this Plan.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The Structure Plan will facilitate land for future industrial development. As part of this future development there will be increased income to the City via rates, and fees associated with development of the land. New roads will become the responsibility of the City to maintain in the future.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 2: Opportunities for Prosperity

- Outcome 2.4: Western Australia's major logistics and industry hub
- Strategy 2.4.1: Advocate the development of the Oakajee and Narngulu industry precincts.
- Goal 4: Opportunities for Sustainability
- Outcome 4.1: Vibrant and sustainable urban and rural development
- Strategy 4.1.1: Lead the development of innovative, strategic and sustainable urban, rural and regional planning.

**Regional Outcomes:****Geraldton Region Plan (1999) and Greater Geraldton Structure Plan Update 2011:**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'industrial and service commercial' on the structure plan.

**Narngulu Industrial Area Strategic Land Use Directions (2010):**

This study reviews the current strategic planning framework for the Narngulu industrial area and to provide direction for future planning and development. The subject land is identified as 'existing general industry' on the strategic land use directions plan.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The provision of the Structure Plan will facilitate the development of around 125ha of land for restricted general industry purposes.

**Social:**

There are no social issues.

**Environmental:**

The area contains no remanent vegetation, with the area having been previously cleared for cropping and grazing purposes.

**Cultural & Heritage:**

The Department of Indigenous Affairs has advised that there are no Aboriginal heritage sites located within the subject area.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 4 May 2010 approved the Narngulu Industrial Estate Precinct C – General Industry Subdivision Guide Plan for the area west of Deepdale Road.

**DELEGATED AUTHORITY:**

There is no delegated authority.

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**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough), RESOLVES to:

1. REFUSE to adopt the Narngulu Industrial Estate Buffer Precinct C Structure Plan (Arthur Road); and
2. MAKES the determination on the grounds that the adoption of the Structure Plan would compromise the orderly and proper planning of the locality.

**Option 3:**

That Council by Simple Majority RESOLVES to DEFER the application.

**CONCLUSION:**

The Narngulu Industrial Buffer Precinct C (Arthur Road) Structure Plan will allow for the development of the subject areas in accordance with Local Planning Scheme No.5 (Greenough).

The purpose of the Structure Plan is to facilitate orderly and proper planning of the subject area and therefore Option 2 is not supported.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the application. In any event a deferral may trigger a review right under the Planning & Development Act 2005 as Local Planning Scheme No. 5 (Greenough) states that the local government is deemed to have refused to adopt the proposed structure plan if it has not determined it within a period of 60 days after the advertising period closes.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough), RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT the Narngulu Industrial Buffer Precinct C (Arthur Road) Structure Plan, subject to the modifications as outlined in the 'Schedule of Submissions'; and
3. FORWARD the Structure Plan to the WA Planning Commission for its endorsement.

SC036	BUILDING SURVEYING CERTIFYING SERVICES AND ASSOCIATED FEES
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<b>AGENDA REFERENCE:</b>	<b>D-12-06376</b>
<b>AUTHOR:</b>	<b>A Shiell, Principal Building Surveyor</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>3 January 2012</b>
<b>FILE REFERENCE:</b>	<b>BC/3/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The new Building Act 2011 introduces private certification as well as other legislative changes that bring about a need to amend the City of Greater Geraldton's fee structure for building control. This report introduces the new building fees for service.

Reference is also made to the briefing note with background information on the new Building Act 2011 and associated legislation.

**PROPONENT:**

City of Greater Geraldton is implementing changes to the building legislation adopted by the State Government.

**BACKGROUND:**

As of 02 April 2012, the current fees in the Local Government (Miscellaneous Provisions) Act will no longer apply. It is therefore imperative that the City adopt a new fee structure to come into effect on 02 April 2012. In preparation for this deadline, consultation was undertaken within the City's Finance and Building Approvals areas to determine a fee structure for certifying services to cater for Class 2 to 9 applications only. These fees will provide cost recovery only to enable the City to comply with the Local Government Act 1995. (Note: the fees for class 1&10 applications are included in the schedule but are prescribed by the Building Commission the City is bound by the new act to provide this service for these fees).

**COMMUNITY CONSULTATION:**

Consultation has occurred with the industry locally with regards to providing certifying services for Class 2 to 9 buildings.

**COUNCILLOR CONSULTATION:**

Briefings were given on the proposed Building Bill as it was developed for consideration by State Parliament to Councillors at Concept Forums.

**STATUTORY IMPLICATIONS:**

The process for the new approvals system allows for cost creating by other City departments to charge a fee for service, to allow applicants to gain required approvals prior to applying for a building permit (formally a licence). The City's town planning, health and infrastructure departments are developing a schedule of fees for their respective service areas.

All new non legislative fees are required, as per the Local Government Act 1995:

*Local Government Act 1995 Section 6.19- Notice of Fees and Charges:  
If a local government wishes to impose any fees or charges under this  
Subdivision after the*

*Annual budget has been adopted it must, before introducing the fees or  
charges, give local public notice of —*

*(a) Its intention to do so; and*

*(b) The date from which it is proposed the fees or charges will be  
imposed.*

The Building Act 2011 is scheduled for implementation on the 02 April 2012. The City will be providing certifying services for Class 2 to 9 buildings only; therefore, Council approval for the fees is required before the implementation date.

Note that the implementation date has changed twice to date, it is possible that the adoption date for the fees may change to suit any revised implementation dates.

#### **POLICY IMPLICATIONS:**

Planning and Infrastructure teams are developing policies to deal with the requirements of the new Building Act including legislative requirements and fees. These cover the following:

- Town planning 'R' codes assessments
- Infrastructure, verges

#### **FINANCIAL AND BUDGET IMPLICATIONS:**

Though local governments do receive legislated fees for their new responsibilities, it is expected that the amount of revenue local government normally receives from building licence applications will be impacted. It is expected that the impacts will take some time to be realised. 90% of current applications are for residential buildings (class 1&10). It is believed that the applicants for these will use the new legislated fees and therefore the local authority for approvals. With the introduction of private certification, local governments will cease to be the sole assessor of plans for compliance but will remain the permit approving authority and is expected private certification will have an impact on the City's revenue in relation to building approval fees and charges, exactly how much, is difficult to predict at this time.

The fees being proposed for certifying services class 2-9 buildings (including GST) are as follows:

Building surveying hourly rate:                   \$176.00

Inspection hourly rate:                               \$176.00

Refer to guide (attached as Attachment No. SC036) for hours spent on certifying, related to building classification. The guide is intended to be a guide only and requests to carry out work that is beyond our standard charter will incur increased cost.

## **STRATEGIC & REGIONAL OUTCOMES:**

### **Strategic Community Plan Outcomes:**

There are no strategic plan outcomes.

### **Regional Outcomes:**

The City of Greater Geraldton is the largest local authority (LA) in the Midwest and may, in the near future (and if desired) become a 'special permit authority' and take the role for other smaller local authorities who may not be able to offer this service. This would occur on request from other LA's and a subsequent agreement would then require an application to the Building Commissioner.

If the City decides to undertake a function for another LA it could improve the consistency of due process and therefore the consistency of minimum standards being achieved in buildings in the 'special permit authority' area.

## **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

### **Economic:**

The new legislation introduces private certification which inevitably means a higher cost for the services required to gain the approvals needed to build. It does mean though that instead of the current rate payer subsidised system, it will be a 'user pays' system which should put less of burden on the City rate payer.

### **Social:**

There are no social issues.

### **Environmental:**

There are no environmental issues.

### **Cultural & Heritage:**

There are no cultural and heritage issues.

## **RELEVANT PRECEDENTS:**

There are no relevant precedents.

## **DELEGATED AUTHORITY:**

Under the Local Government Act 1995 the Chief Executive Officer (CEO) delegates authority to the City Building Officers to carry out the responsibilities and duties as set out under the legislation. The Building Services (Registration Act) 2011 will require all, LA building surveyors and private building surveyors, to be registered with the Building Commission and they

can only operate as a 'Building Surveyor Practitioner' if they hold this qualification.

Delegation will still be required for City officers to carry out the duties of the Permit Authority as set out in the Building Act 2011.

**VOTING REQUIREMENTS:**

Absolute Majority is required.

**OPTIONS:**

**Option 1:**

That Council by Absolute Majority, in accordance with section 6.16(3) of the Local Government Act 1995, RESOLVES to:

1. PROVIDE Building Surveying Certifying Services for commercial building projects (class 2-9) fees as follows:
  - a. fee for certifying services class 2-9 buildings (inc GST):  
Building surveying hourly rate: \$176.00  
Inspection hourly rate: \$176.00; and
  - b. the above hourly rate should be used in conjunction with the attached Fee Guide (Appendix 1). (See Attachment No. SC036).

**Option 2:**

That Council by Absolute Majority RESOLVES to:

1. NOT provide a 'Certifying Service' for the Greater Geraldton Area.
2. MAKES the determination based on the following reason:
  - a. Council to determine.

**Option 3:**

That Council by Absolute Majority RESOLVES to DEFER the matter.

**CONCLUSION:**

The Building Act and private certification will be introduced on the 02 April 2012. This legislation requires that all Class 2 to 9 buildings be certified prior to a permit application being lodged with the City. The City of Greater Geraldton area does not, at the moment, have practising private building surveyors; the legislation does allow the Local Authority to provide a certifying service that is not covered by the statutory fees, timelines and requirements. With that in mind the community would continue to benefit from the Local Authority providing this service.

If the City is to provide a 'Certifying Service' it is imperative that the fees and charges be advertised and adopted ready for applications post 02 April 2012 to allow the City to continue providing a full service to the community.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority in accordance with section 6.16(3) of the Local Government Act 1995, RESOLVES to:

1. PROVIDE Certifying Services for the City of Greater Geraldton Area;
2. ADOPT the fees and charges for 'Certifying Services' as set out below and as per the guide provided (Appendix 1)
  - a. Building surveying hourly rate: \$176.00 (inc GST)
  - b. Inspection hourly rate: \$176.00 (inc GST); and
3. NOTES the City of Greater Geraldton Building Surveyors registration under the provision of the Building Services (Registration) Act 2011.
4. ADVERTISE the Certifying Services fees for a period of 21 days.

### 11.4 Reports of Creative Communities

CC031	2029 AND BEYOND COMMUNITY VALUES, VISION, DIRECTIONS
<b>AGENDA REFERENCE:</b>	<b>D-12-06126</b>
<b>AUTHOR:</b>	<b>J Kopplhuber, Coordinator 2029 and Beyond Project</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>7 February 2012</b>
<b>FILE REFERENCE:</b>	<b>CS/700/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### SUMMARY:

This document provides Council with a consolidation of community values and visions gathered during the 2029 and Beyond community engagement processes from March 2010 to present, and seeks Council endorsement of the Community Values, Vision, Directions that has emerged from this process.

#### PROPONENT:

The proponent is the City of Greater Geraldton

#### BACKGROUND:

The 2029 and Beyond Project was launched in March 2010 with a key element of the Project being an innovative approach the City was taking to planning with and for the community. This approach was based on the principle of collaborative governance where not just the most vocal opinions are heard and influence decision making, instead, collaborative governance seeks to ensure that the usually silent majority are included. In order to capture the minority view a series of community deliberations (World Cafés) were held and the values the community expressed during these deliberations were collated and presented in the *Our Community Directions and Key Themes* document which was put forward to Council on 19 April 2011 and on this date Council resolved to endorse the document.

#### COUNCIL DECISION

*MOVED CR BRICK, SECONDED CR MCILWAINE*

*That Council by simple Majority pursuant to section 3.18 of the Local Government Act (1995) RESOLVES to:*

- 1. ENDORSE the Community Directions and Key Themes from 2010 community deliberations; and*
- 2. PROMOTE the use of this document as a tool to guide decision making*

The *Our Community Directions and Key Themes* document reflected where the community was in 2010 in a series of statements. It was then used to inform further deliberations and eventually become more holistic of community values and aspirations.

Since the *Our Community Directions and Key Themes* was endorsed, further community deliberation has taken place, resulting in an updated version of the document (*The 2029 and Beyond Community Values, Vision, Directions*) for which Council endorsement is now sought.

**COMMUNITY CONSULTATION:**

Events and participation in the 2029 and Beyond deliberative Process since 4 April 2011 to date:

- The Geraldton Feel Campaign – 168 entries
- Conversation Cafés – 50
- Stakeholder Collaborative Forum – 42
- The Designing Our City Forum – 250
- CivicEvolution – 292 team members

Results of the Geraldton Feel Campaign, Conversation Cafés, Stakeholder Collaborative Forum, Designing Our City Forum and comments made by CivicEvolution team members were collated by the Project team and the draft *2029 and Beyond Community Values, Vision, Directions* (see attachment) was developed.

In early February 2012 the 2029 and Beyond Reference Group was formed to provide continued external support for the 2029 and Beyond Project after the Alliance Governance Group was adjourned in September 2011. This decision to dissolve the Alliance Governance Group was based on member feedback and reflected the progression of the project into the next phase which focuses on the delivery of the strategies.

Members of the 2029 and Beyond Reference Group comprise of external stakeholders representing the community, business and industry, the environment, volunteers, public services, education, government and the Aboriginal community. The main objective of the group is to provide continued support for 2029 and Beyond Project till a new governance model can be determined that reflects the progression of the project.

The first task of the 2029 and Beyond Reference Group was to review the draft *Community Values, Vision, Directions* to ensure this document reflects community values and aspirations.

All members of the group unanimously agreed that the document should be renamed the “2029 and Beyond Community Charter” as it clearly reflects the values and aspirations expressed by the community and should be given a title that provides the document with distinction and a recognised purpose.

They also suggested a note be made to explain that some phrases used in the document are taken directly from statements made by members of the community during the engagement process. The use of these phrases underpins the fact that the information in the document was gathered collectively and used to develop a community charter effectively owned by the community.

After minor text revisions and wording refinements were made, a final draft was sent to group members seeking additional comment/feedback. No comment was received and the Reference Group then endorsed the final draft document

The draft *Community Values, Vision, Directions* was also sent to all Community Champions for review. As champions have unique knowledge and understanding of the community, their feedback was also essential to ensure the revised document reflects community values and aspirations as they know them. The Champion's reviews of the document were positive, stating it is "very impressive" and the document "covers all the issues mentioned in community discussions" and reflects the "overall vision for the City Region".

**COUNCILLOR CONSULTATION:**

The Mayor is a representative on the 2029 and Beyond Reference Group and was involved in the document review process.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Subject to Council endorsement there will be minor expenditure involved with printing and promotion. These will be met with current budget allocation for this project.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

- |                 |   |
|-----------------|---|
| Goal 5:         | Leading the Opportunities.  |
| Outcome 5.2:    | Citizen and stakeholder focused services.   |
| Strategy 5.2.2: | Maintain meaningful engagement, consultation and deliberative processes with the community. |

**Regional Outcomes:**

The 2029 and Beyond project has always identified its objective as providing a framework for a vision for the Greater Geraldton City Region. This is based on the principle that the City does not exist in isolation. The issues, challenges, opportunities, values, and aspirations of our community do not stop at local government boundaries and solutions must take into consideration regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

The 2029 and Beyond Project Framework acknowledges and works under the

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five pillars of sustainability of the Sustainability Framework as adopted by Council at the Ordinary Meeting of Council on 7 September 2010:

*COUNCIL DECISION*

*MOVED CR HALL, SECONDED CR O'TOOLE*

*That Council by Absolute Majority under section 5.42 of the Local Government Act 1995 (as amended) RESOLVES to:*

- 1. ADOPT with amendments the final Towards Sustainability Policy Framework based on feedback received; and*
- 2. GIVE Public Notice of the above.*

The project recognises that each of the five pillars of sustainability, Cultural, Social, Environmental, Economic and Governance are interdependent and that all five must co-exist to create a truly sustainable community.

**Economic:**

The 2029 and Beyond project seeks to ensure that we contribute to a strong and diverse economy which provides for long-term sustainability and viability of our region.

**Social:**

Social sustainability is identified as one of the five pillars of sustainability. The 2029 and Beyond project seeks to ensure we contribute to the development of a safe, healthy, creative and diverse community.

**Environmental:**

The 2029 and Beyond project seeks to ensure that we contribute to enhancing our natural environment and attempts to address the need to consider the interdependence of environmental sustainability with the other pillars of sustainability.

**Cultural & Heritage:**

The importance of cultural sustainability for our community is recognised and the 2029 and Beyond project aims to contribute to creating a vibrant culture and lifestyle with a strong sense of identity, belonging and creativity.

**RELEVANT PRECEDENTS:**

The *Our Community Directions and Key Themes* document was put forward to Council on 19 April 2011 and on this date Council resolved to endorse the document.

*COUNCIL DECISION*

*MOVED CR BRICK, SECONDED CR MCILWAINE*

*That Council by simple Majority pursuant to section 3.18 of the Local Government Act (1995) RESOLVES to:*

- 1. ENDORSE the Community Directions and Key Themes from 2010 community deliberations; and*
- 2. PROMOTE the use of this document as a tool to guide decision making*

**DELEGATED AUTHORITY:**

There is no delegated authority.

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**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to section 3.18 of the Local Government Act (1995) RESOLVES to:

1. DECLINE the endorsement of the 2029 and Beyond Community Values, Vision, Directions document; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER the endorsement of the 2029 and Beyond Community Values, Vision, Directions document; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The deliberative process over the past 10 months has involved approximately 800 people from all sectors of our community with over 2000 participants since its launch in March 2010. The process has involved engaging members of the City Region community to articulate what exactly the 'Geraldton Feel' is, so that the City and our residents understand what we want to retain as the population increases, general aspirational conversations about the future were held in Conversation Cafes, and more specific and targeted questions about real issues and concerns facing the City were addressed at the Designing Our City Forum. The process for distilling the community input from these activities has been carefully considered and tried to be inclusive of all stakeholder groups (Alliance Governance Group, Interim Governance Reference Group, Councillors, Champions, General Community). The process has been robust and awarded as world's best practice by the United Nations in the 2011 LivCom Awards and 5<sup>th</sup> out of over 120 projects worldwide in the International Reinhard Mohn Prize.

The 2029 and Beyond Community Values, Vision, Directions document is a more holistic report that reflects the depth of the deliberative processes that have taken place in the last 10 months. The document articulates consistent key values, vision and directions from a myriad of opinions and positions within the community and it is essential to provide this feedback to the community to demonstrate that their voices have been heard, their input is

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valued and that it will start to influence decision making, therefore, Options 2 and 3 are not supported.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to section 3.18 of the Local Government Act (1995) RESOLVES to

1. ENDORSE the 2029 and Beyond Community Values, Vision, Directions document; and
2. PROMOTE the use of this document as a tool to guide decision-making internally and externally.

<b>CC032 HMAS SYDNEY II MEMORIAL ADVISORY COMMITTEE</b>				
<b>AGENDA REFERENCE:</b>	<b>D-12-06167</b>			
<b>AUTHOR:</b>	<b>A Selvey,</b>	<b>Director</b>	<b>of</b>	<b>Creative Communities</b>
<b>EXECUTIVE:</b>	<b>A Selvey,</b>	<b>Director</b>	<b>of</b>	<b>Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>7 February 2012</b>			
<b>FILE REFERENCE:</b>	<b>GO/6/0009</b>			
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>			
<b>ATTACHMENTS:</b>	<b>Yes (x1) + (x1 CONFIDENTIAL)</b>			

**SUMMARY:**

This report seeks a Council resolution regarding the membership of HMAS Sydney II Memorial Advisory Committee. The purpose of the committee is to provide advice to Council on the ongoing good management of the HMAS Sydney II Memorial.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

At the Ordinary Meeting of Council on 20 December 2011, Council, in recognition of the importance of the HMAS Sydney II Memorial, resolved to establish a committee to provide advice to Council on the ongoing good management of the Memorial.

*COUNCIL DECISION*

*MOVED CR BRICK, SECONDED CR MCILWAINE*

*That Council by Absolute Majority under Section 5.8 of the Local Government Act RESOLVES to:*

1. *ESTABLISH a HMAS Sydney II Memorial Advisory Committee with the following Terms of Reference;*
  - a. *To make recommendations to Council that will assist Council decision-making for the management and long term planning for the Memorial.*
  - b. *To facilitate a spirit of collaboration and cooperation for the management and promotion of the HMAS Sydney II Memorial.*
  - c. *To include as members, representatives of local, State and National stakeholder organisations limited to one representative from each agency with maximum membership of 10 members.*
  - d. *To include as ex-Officio, representatives of other interested parties on an as-needs basis.*
  - e. *To review the existing management of the Memorial and recommend a management model that will acknowledge both local and national values and preserve its independent and enduring purpose. To recommend those arrangements by June 2012. The review should include the following:*
    - i. *The type of management body, its membership, responsibilities and account;*
    - ii. *Establishment of Design Principles under which the Memorial is managed;*
    - iii. *A formal plan to enhance the local, national and international profile of the Memorial;*
    - iv. *Establishment of a communication protocol/framework;*



**COUNCILLOR CONSULTATION:**

The Mayor and Cr Ashplant have shortlisted the candidates for the committee as per the Council resolution.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

The HMAS Sydney II Memorial Plaques policy will be a guiding policy for relevant issues brought before this committee.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no immediate financial or budget implications relating to this agenda item. Any works that may result from recommendations made by this committee would be subject to the City of Greater Geraldton budget process.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- Goal 3: Opportunities for Creativity.
- Outcome 3.1: A Community that embraces and celebrates diversity.
- Strategy 3.1.4: Preserve and activate the heritage of our community.

**Regional Outcomes:**

There are no regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The HMAS Sydney II Memorial is a Military Memorial of National Significance and as such brings considerable media and tourism attention to Geraldton and the region. Good management is essential to ensure long term planning is consistent with National Memorial status and to ensure it retains its high tourism value.

**Social:**

The HMAS Sydney II Memorial is of high social value. It is a source of community pride and there is a strong sense of community ownership. An advisory committee representative of community ownership will strengthen community ownership and pride.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

As a recognised Military Memorial of National Significance, good governance is essential to protect the Memorial's value as a prized heritage icon.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority. Any recommendation from the proposed HMAS Sydney II Memorial Advisory Committee will be brought before Council.

**VOTING REQUIREMENTS:**

Absolute Majority for Executive Recommendation and Option 2. Simple Majority for Option 3.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. APPOINT as members of the HMAS Sydney II Memorial Advisory Committee the following:
  - a. To be determined by Council.
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. READVERTISE for Expressions of Interest for committee membership for HMAS Sydney II Memorial Advisory Committee; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

While the informal Stakeholder Consultative Committee has provided invaluable advice to Council on management issues related to the HMAS Sydney II Memorial, there has been some criticism that the Terms of Reference, membership and decision-making has been ad-hoc and made on an as-needs basis. This criticism is somewhat justified as the Stakeholder Consultative Group evolved organically without any analysis of its role and objectives or its membership. The executive recommendation attempts to address that perception by providing structure to and applying good governance to the long term management of the HMAS Sydney II Memorial.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to

1. APPOINT as members of the HMAS Sydney II Memorial Advisory Committee the following people on the basis that their appointment is endorsed by the agency they represent and that their membership will cease should the City be advised they no longer represent the relevant agency:
  - a. Mr Jody Beven of the Mid West Chamber of Commerce and Industry;
  - b. Dr Howard Gray of the Batavia Coast Maritime Heritage Association;
  - c. Mr Ross Davies of the Returned & Services League of Australia WA Branch Inc.;
  - d. Ms Catherine Belcher of the WA Museum;
  - e. Mr David l'Anson of the Geraldton Volunteer Tour Guides Assn Inc.;
  - f. Mr Ian Blayney MLA, Member for Geraldton;
  - g. Mr Kevin Green of the Rotary Club of Geraldton;
  - h. Mr Bob Trotter of the Naval Association of Australia; and
  - i. Mr Ted Graham.

**CC033 MUSEUM LEASES**

<b>AGENDA REFERENCE:</b>	<b>D-12-06129</b>
<b>AUTHOR:</b>	<b>R McCracken, Arts, Culture and Heritage Officer</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities.</b>
<b>DATE OF REPORT:</b>	<b>7 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/3/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x5)</b>

**SUMMARY:**

This item seeks to:

- update Council on recent discussions with the volunteer organisations managing the City owned buildings that house volunteer run Museums being the Light House Keepers Cottage, the Greenough Pioneer Museum and the Walkaway Station Museum; and
- propose a resolution allowing the renewal of leases for each venue to a responsible organisation. The organisations involved are the Walkaway Station Museum Inc., the Historical Society and the Community Group of Greenough.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

At the Ordinary Meeting of Council on 24 May 2011, Council considered an item relating to leases for each of the three City-owned buildings which house volunteer-managed Museums, being the Light House Keepers Cottage, Greenough Pioneer Museum and Walkaway Station Museum. The purpose of Agenda item CE147 was to seek a Council resolution on the matter of leases for the three above mentioned museums.

**COUNCIL DECISION**

*MOVED CR ASPLANT, SECONDED CR GREENAWAY*

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

1. *SEEK expressions of interest/s from a legal entity/s and/or encourage the formation of a legal entity or entities to accept a lease for each of:*
  - a. *Greenough Pioneer Museum buildings (Maley's Cottage) and grounds,*
  - b. *Walkaway Station Museum buildings and grounds; and*
  - c. *Lighthouse Keepers cottage and grounds;*
2. *RECOMMEND for consideration as part of the 2011/12 City of Greater Geraldton budget that an allocation of \$8,000 per building for curatorial standards and maintenance and documentation be provided; and*
3. *MAKES the determination based on the following reason:*

- a. *that having three separate groups managing the three facilities may provide greater resources.*

Part 1 of the Resolution required a call for Expressions of Interest for the lease of each building. Walkaway Station Museum is managed by the Walkaway Station Museum Inc, an incorporated body. The Light House Keepers Cottage is managed by the Historical Society (GGHS). The Greenough Pioneer Museum management group was an unincorporated sub committee of the GGHS that, under the auspices of the GGHS, managed the Greenough Pioneer Museum. The formalisation of leases had been the subject of discussions between the City, the Historical Society and the Community Group of Greenough for many months as it was deemed by all parties that the existing leases/management agreements were less than satisfactory and required clarification via a properly constructed lease and appropriate schedule.

Since the above-mentioned Council resolution, considerable work has been undertaken to a more collaborative approach to the management of the Greenough Pioneer Museum.

From these mediations an agreement to establish the Greenough Pioneer Museum Board of Management has been negotiated and agreed to by the Historical Society and the Community Group of Greenough. The Terms of Reference for the Greenough Pioneer Museum Board of Management are attached, as are letters from the Geraldton Greenough Historical Society and the Community Group of Greenough confirming their acceptance of the Terms of Reference, now known as the Management Agreement.

#### **COMMUNITY CONSULTATION:**

A series of 4 meetings have been held involving members of the Geraldton Greenough Historical Society and the Community Group of Greenough to arrive at an agreed Terms of Reference for a Greenough Pioneer Museum Board of Management. The meetings were conducted by Heritage Today and included Council Staff. Representing the Historical Society were Rita and Barry Stinson and representing the Community Group of Greenough were Alex McKinnon and Amanda Rowland. Further consultation has occurred between City officers, the Historical Society and the Community Group of Greenough. Meetings were held on:

- 29 July 2011;
- 25 August 2011;
- 20 September 2011; and
- 24 October 2011.

As a result of the mediation and follow up meetings with Council officers, both parties have agreed in writing to the Management Agreement which establishes a joint Management Committee with an independent Chairperson.

The Management Committee of the Walkaway Station Museum have been informed of these developments through discussions with the Vice President/Curator in early February. A subsequent meeting of the

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Management Committee of the Walkaway Station Museum was held on Friday 10 February 2012 and discussed the forthcoming lease. At this meeting the Committee supported the leases being progressed directly with the current lessees.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

The Statutory Implications are as follows:

Section 3.58(1) of the *Local Government Act 1995* (as amended) – Disposing of Property:

- (1) *In this section –*
  - “dispose”** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
  - “property”** includes the whole or any part of the interest of a local government in property, but does not include money.

Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 gives exemption to dispositions of property to which Section 3.58 of the *Local Government Act 1995* (as amended) does not apply. In this regulation a disposition of land is an exempt disposition if:

- (b) *the land is disposed of to a body, whether incorporated or not –*
  - (i) *the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
  - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions.*

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goals 3	Opportunities for Creativity.
Outcome 3.1	A community that embraces and celebrates diversity.
Strategy 3.1.4	Preserve and activate the heritage of our community.

**Regional Outcomes:**

There are no regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

Cultural and Heritage Tourism has a significant economic impact.

**Social:**

Recent actions in relation to the Greenough Pioneer Museum have brought increased community participation at the Museum. The involvement of the Community Group of Greenough also widens the demographic of community participation and ownership.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

The formation of an agreed Board of Management for the Greenough Pioneer Museum improves the governance of the Museum which will result in heritage outcomes – eg: improved governance of museums will result in protection of invaluable community heritage.

**RELEVANT PRECEDENTS:**

The City has current precedents of leasing Crown reserves and land held in fee simple for designated purposes.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

One third majority for Part A of Option 1. Absolute majority for Part B of Option 1. Simple majority of Options 2 and 3.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER a decision on whether to continue with the Expression of Interest process for leases for the Light house Keepers Cottage, Greenough Pioneer Museum Building and Walkaway Station Museum Building;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. NOTE the outcomes of the mediation in relation to the governance of Greenough Pioneer Museum;
2. PROCEED with calling for Expressions of Interest for leases for the Light house Keepers Cottage, Greenough Pioneer Museum Building and Walkaway Station Museum Building; and
3. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The Executive Recommendation acknowledges that governance developments have taken place through active mediation, the development of agreed terms of reference, establishing a management committee for Greenough Pioneer Museum incorporating representatives from both the Historical Society and the Community Group of Greenough.

Both of the Light House Keepers Cottage and the Walkaway Station have incorporated bodies willing to enter into a lease.

**EXECUTIVE RECOMMENDATION:****PART A**

That Council by 1/3rd Majority pursuant to Section 3.58 of the Local Government Act RESOLVES to CONSIDER to RESCIND the Council Decision made at the Ordinary Meeting of Council on 24 May 2011 being:

**COUNCIL DECISION**

*MOVED CR ASPLANT, SECONDED CR GREENAWAY*

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

1. *SEEK expressions of interest/s from a legal entity/s and/or encourage the formation of a legal entity or entities to accept a lease for each of:*
  - a. *Greenough Pioneer Museum buildings (Maley's Cottage) and grounds,*
  - b. *Walkaway Station Museum buildings and grounds; and*
  - c. *Lighthouse Keepers cottage and grounds.*

**PART B**

Council by Absolute Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to RESCIND the Council Decision made at the Ordinary Meeting of Council on 24 May 2011 being:

**COUNCIL DECISION**

*MOVED CR ASPLANT, SECONDED CR GREENAWAY*

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

1. *SEEK expressions of interest/s from a legal entity/s and/or encourage the formation of a legal entity or entities to accept a lease for each of:*
  - a. *Greenough Pioneer Museum buildings (Maley's Cottage) and grounds,*
  - b. *Walkaway Station Museum buildings and grounds; and*
  - c. *Lighthouse Keepers cottage and grounds.*

**PART C**

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

1. ENTER into a lease agreement with Walkaway Station Museum Inc. for the Walkaway Station Museum Building and grounds;
2. ENTER into a lease agreement with the Geraldton-Greenough Historical Society Inc. for the lease of the Greenough Pioneer Museum building, and include as an addendum to the lease the attached Management Agreement;
3. OFFER a renewed lease to the Geraldton Greenough Historical Society Inc. for the Light House Keepers Cottage building and grounds; and
4. INCLUDE with each lease the attached Schedule A outlining the curatorial standards and activities as required by Council.

<b>CC034</b>	<b>GERALDTON REGIONAL ART GALLERY MASTER PLAN</b>
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<b>AGENDA REFERENCE:</b>	<b>D-12-06191</b>
<b>AUTHOR:</b>	<b>Ric McCracken, Arts, Culture and Heritage Officer</b>
<b>EXECUTIVE:</b>	<b>Andrea Selvey, Director, Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>2 February 2012</b>
<b>FILE REFERENCE:</b>	<b>RC/3/0006</b>
<b>APPLICANT / PROPONENT:</b>	<b>The City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The recommendation seeks endorsement of the Master Plan for Geraldton Regional Art Gallery Master Plan following community consultation.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Geraldton Regional Art Gallery Management Committee has received a schematic Master Plan for the redevelopment and upgrade of facilities at the Gallery. The Master Plan was prepared by Griffith Architects.

The Master Plan was presented to the ordinary meeting of Council of 14 September 2011, and Council resolved to release it as a draft.

**COUNCIL DECISION**

*MOVED COMMISSIONER CARPENTER, SECONDED COMMISSIONER MCILWAIN*  
*That Council by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:*

1. *RECEIVE the Regional Art Gallery Schematic Masterplan;*
2. *ADVERTISE the Regional Art Gallery Schematic Masterplan for public comment for a period of 42 days;*
3. *HOLD a community workshop to discuss the plan; and*
4. *AUTHORISE the Chief Executive Officer to use the Regional Art Gallery Schematic Masterplan as a basis for external funding applications.*

In accordance with that resolution, consultation has been progressed, and the outcome of that consultation is detailed in the next section.

**COMMUNITY CONSULTATION:**

Following advertisements in the local newspaper, two public information sessions were held on Wednesday, 19 October: one during work hours, the other in the early evening. 25 community members participated with a suitable range of demographic representation although the small number of younger people was noted.

All comments have been collated and included (refer to attachment 2). All participants were satisfied or highly satisfied (no participant was dissatisfied or highly dissatisfied). There is strong support as evident in the attachment.

**COUNCILLOR CONSULTATION:**

Councillor Neil Bennett participated in the information sessions.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

To implement all aspects of the Master Plan would cost approximately \$4,250,000. This project is listed as high priority in the Mid West Infrastructure Plan. Pending Council's endorsement of this project the City will progress an application to the Mid West Development Commission. Any request to the City's budget would be progressed through the City's normal budget process.

The City's existing Forward Capital Plan provides for \$200k allocation 2011/12 for detailed design costs and \$1.12m allocation 2012/13 for the replacement of the roof and air conditioning system.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 3	Opportunities for Creativity.
Outcome 3.1	A Community that embraces and celebrates diversity.
Strategy 3.1.2	Develop and promote services, facilities, events and activities that support our cultural diversity.
Strategy 3.1.4	Preserve and activate the heritage of our community.

**Regional Outcomes:**

The implementation of the Master Plan will upgrade the major regional art gallery of the Mid West, including improved facilities for major exhibitions.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The implementation of the Master Plan will bring increased State funding and improve the Gallery's commercial operations and opportunities.

**Social:**

The implementation of the Master Plan will lead to improved educational opportunities.

**Environmental:**

The implementation of the Master Plan will lead to improved Occupational Health and Safety issues and reduced energy costs.

**Cultural & Heritage:**

The Geraldton Regional Art Gallery is a key heritage building in the City. The implementation of the Master Plan will lead to improved access to national and international exhibitions.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DECLINE to accept the Geraldton Regional Art Gallery Master Plan and seek additional community consultation; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER consideration of the Geraldton Regional Art Gallery Master Plan; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The Geraldton Regional Art Gallery is currently not functioning at an A Class level and as a consequence the refurbishment of the Gallery and surrounds is urgently required or the Art Gallery stands to lose its class A status resulting in; loss of access to exhibitions of a national and/or international standing and loss of access to Australian "A Class" touring exhibitions funded through the Federal Government's Visions Australia Touring Fund. The loss of the A Classification will impact upon the existing Memorandum of Understanding with The Art Gallery of WA placing in jeopardy the current funding

arrangement and staff support received from that State Authority. Furthermore, without the required upgrade to the Gallery climate control system the Art Gallery will not be able to appropriately care for the City Art Collection. The City Collection was formally valued at \$800,000 in 2010. Since then the City has added further purchases and donations increasing the collection's current estimated value to approximately \$1,000,000.

The objective is to address the Gallery's immediate and longer term shortcomings, realise an improved facility which will provide the community with improved exhibition spaces and amenities.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE the Geraldton Regional Art Gallery Master Plan; and
2. INCLUDE the comments from the community consultation as an appendix to the Geraldton Regional Art Gallery Master Plan.

<b>CC035 SPONSORSHIP OF ROTARY DISTRICT 9455 CONFERENCE</b>
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<b>AGENDA REFERENCE:</b>	<b>D-12-06136</b>
<b>AUTHOR:</b>	<b>C Budhan, Manager Arts, Culture &amp; Heritage</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>4 February 2012</b>
<b>FILE REFERENCE:</b>	<b>FM/19/0005</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

This report seeks a Council resolution regarding the provision of funds to sponsor the Rotary District 9455 Conference, and present cultural activities during it. The purpose of this provision is to market the City of Greater Geraldton to the Conference's delegates.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Rotary International is an organisation of service clubs known as Rotary Clubs located all over the world (33,976 clubs and 1.22 million members). The stated purpose of the organisation is to bring together business and professional leaders to provide humanitarian service, encourage high ethical standards in all vocations, and help build goodwill and peace in the world. Rotary's primary motto is "Service above Self", and its secondary motto is "One profits most who serves best".

The North of Western Australia (including Perth) is served by Rotary District 9455, which holds annual conferences for its members. This year's conference will be held in Geraldton from 20 to 22 April 2012. It will be attended by 500+ delegates, present several noted speakers, and focus on the needs, wants, aspirations and views of 21st-century youth. Proceedings will be webcast, and attendees will be invited to participate in a range of sessions.

Rotary has requested the City of Greater Geraldton's sponsorship of the Conference in the form of complementary use of Queens Park Theatre. The Theatre's cost-recovery quote for the Conference is \$7,127; and the Platinum Sponsorship package's stated value is \$8,000. The benefits of this package are as follows:

- Specific acknowledgement as Platinum Sponsor in conference opening and closing sessions;
- Placement of the City of Greater Geraldton pull-up banner on conference stage;
- Promotion in media for conference;
- Opportunity to address plenary speaker;

- 4 x full delegate passes (including Gala Saturday night event);
- City of Greater Geraldton logo on conference bag;
- City of Greater Geraldton logo on all pre and post-conference materials;
- Advertisement in conference program;
- City of Greater Geraldton logo on conference website with hyperlink to company website;
- City of Greater Geraldton logo and 100-word organisational statement in conference program;
- City of Greater Geraldton promotional material in conference bag; and
- 1 page on rolling presentation between speakers and during breaks.

To support the City's Take a Fresh Look brand, the City's Arts, Culture & Heritage teams proposes to present supplemental cultural activities at Queens Park Theatre during the Conference. The proposed activities include the official opening of the Yamaji Art exhibition in the foyers of the Theatre, and performances by local youth in the amphitheatre. The cost of these activities would be \$2,000.

#### **COMMUNITY CONSULTATION:**

The City has attended three meetings with local Rotarians and the conference convenor to discuss options and conference needs.

#### **COUNCILLOR CONSULTATION:**

The Mayor has been the Council representative in informal meetings with Rotary members regarding the Conference.

#### **STATUTORY IMPLICATIONS:**

There are no statutory implications.

#### **POLICY IMPLICATIONS:**

There are no policy implications.

#### **FINANCIAL AND BUDGET IMPLICATIONS:**

The total cost of the sponsorship and presentation would be \$9,127. There is scope within the City's budgetary allocation for Functions (account number 13101002) to accommodate this.

#### **STRATEGIC & REGIONAL OUTCOMES:**

##### **Strategic Community Plan Outcomes:**

Goal 2:	Opportunity for Prosperity.
Outcome 2.2:	Greater Geraldton as a leading regional and rural destination.
Strategy 2.2.1:	Attract, facilitate and promote regional, national and internationally significant events.

**Regional Outcomes:****ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The Conference will be attended by 500+ delegates, and as such will bring considerable media and tourism attention to Greater Geraldton. Effective marketing is essential to leverage the Conference for the development of high-value tourism and human capital.

**Social:**

The Conference will present several noted speakers in social disciplines, and focus on the needs, wants, aspirations and views of 21st-century youth.

**Environmental:**

There are no environmental outcomes.

**Cultural & Heritage:**

The presentation of cultural activities during the Conference will increase awareness and appreciation of Greater Geraldton's unique culture and artists, and contribute to the positioning of Greater Geraldton as a cultural centre.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority is required for Executive Recommendation and Option 2. Simple Majority is required for Option 3.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. PROVIDE funds for the sponsorship of the Rotary District 9455 Conference of the following amount:
  - a. To be determined by Council; and
2. MAKES this determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DECLINE the provision of funds for the Rotary District 9455 Conference; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The Rotary District 9455 Conference will bring 500+ delegates to Geraldton, as well as several noted speakers; and it will focus on the needs, wants, aspirations and views of 21st-century youth. As such, it constitutes a strong value proposition for the City in cultural, economic, social and tourism development. The executive recommendation attempts to address that proposition by ensuring effective marketing of the City during the Conference.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to SUPPORT the request for sponsorship of the Rotary District 9455 Conference and presentation of cultural activities during it to the value of \$9,127.

**CC037 DOG ACT AUTHORISED OFFICER**

<b>AGENDA REFERENCE:</b>	<b>D-12-06144</b>
<b>AUTHOR:</b>	<b>J Clarke, Coordinator Ranger Staff</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>8 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LE/7/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

This report provides information regarding Council enforcement of the Dog Act 1976 and seeks a Council resolution to appoint an authorised person.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

On 15 February 2012 Lara Brownley will commence employment as a City of Greater Geraldton Ranger. This item is presented to Council to ensure Ms Brownley is duly authorised under the Dog Act 1976 (as amended) to carry out her duties.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

Section 29 (1) of the Dog Act 1976 (as amended) stipulates that a Local Government shall, in writing, appoint persons to exercise on behalf of the Local Government the powers conferred on an authorised person by the Act.

**POLICY IMPLICATIONS:**

There are no policy implications

**FINANCIAL AND BUDGET IMPLICATIONS:**

There is no financial or budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 1:	Opportunities for lifestyle.
Outcome 2:	A safe, secure and supportive community.
Strategy 1.3.1:	Support effective community emergency services

and animal management.

**Regional Outcomes:**

There are no regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

There are no economic issues.

**Social:**

It is imperative that Council has Officers that are appropriately authorised under the Dog Act 1976 (as amended) to ensure a safe community.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

On 20 December 2011 Council resolved to appoint the following officers for the period of their employment at the City of Greater Geraldton:

- a. Konrad Seidl;
- b. Judith Clarke;
- c. Cole Tanner;
- d. Craig Wing;
- e. Douglas Brennan;
- f. Emma Jay Ingrams;
- g. David Geqwin;
- h. Benoit Tomasino;
- i. William Currans;
- j. Archie Brown; and
- k. Peter Smith.

**DELEGATED AUTHORITY:**

Council can appoint Officers to be authorised under Section 29 (1) of the Dog Act 1976 (as amended).

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER the matter; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

It is recommended that Council staff are duly authorised under the Dog Act 1976 (as amended) and this report is presented to for a resolution of Council. There is no third option for this report.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority as per Section 29 (1) of the Dog Act 1976 (as amended) RESOLVES to APPOINT Lara Brownley as an authorised officer for the period of her employment at the City of Greater Geraldton.

<b>CC038</b>	<b>MERRY GO ROUND PRECINCT CONCEPT PLAN</b>
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<b>AGENDA REFERENCE:</b>	<b>D-12-06145</b>
<b>AUTHOR:</b>	<b>C Opalinski, Community Engagement Officer</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>6 February 2012</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0009</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x4)</b>

**SUMMARY:**

This report seeks to update the Council on the community engagement for the Merry Go Round and seeks Council's formal approval to use the community's Merry Go Round Precinct concept as a vision for this precinct.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The current Merry Go Round located on the foreshore is the fourth incarnation of a merry go round style of children's play equipment at or close to its location covering a period of 89 years. This latest Merry Go Round was erected in 1988.

Following concerns expressed as to the safety of the Merry Go Round due to its design and potential to cause injury to users, a safety audit was requested and undertaken by the Local Government Insurance Service. Three safety audits were also undertaken between 1996 and 2006. Each indicated similar findings and recommendations as the 2010 audit. The recommendations of which were:

1. Modification to remove the pendulum swing action of the Merry Go Round; or
2. Modification to create a static display.

On receiving this report it was deemed responsible for personal safety and to reduce Council's exposure to risk liability, to fasten the Merry Go Round down pending further review and assessment.

The decision to bolt down the Merry Go Round triggered response from some members of the community. This response was formalised in the form of a petition which called for public consultation regarding the unbolting of the swing.

A special meeting of Electors was called on 11 October 2010 allowing the public to question the decision process behind the bolting down of the Merry Go Round and voice their opinions on the City's future operational intentions of the swing.

A report was presented to Council on the 23 November 2010 outlining four options based on numerous reports, compliance issues relating to safety standards, risk and public liability issues and Council resolved to keep the Merry Go Round as a fixed structure and to undertake extensive community consultation regarding the treatment of the precinct.

#### **COUNCIL DECISION**

##### **MOVED CR BRICK, SECONDED CR O'TOOLE**

*That Council by Simple Majority RESOLVES to:*

1. *Pursuant to Section 5.33 of the Local Government Act 1995 (as amended) RECEIVE the recommendations of the Special Electors Meeting held on the 11 October 2010;*
2. *MAINTAIN the existing Merry Go Round in its existing location as a fixed iconic structure with modifications as necessary to meet structural safety requirements;*
3. *UNDERTAKE an extensive community consultation and engagement process in order to develop a landscaped precinct which addresses:*
  - a. *an extensive interpretive review of related history and context including:*
    - i. *The history of Randolph Stow;*
    - ii. *The history of the Merry Go Round;*
    - iii. *Provision of one or two high quality Merry Go Rounds constructed to Australian Safety Standards for playground equipment;*
    - iv. *Provision of interpretive signage detailing the history and context of points i and ii;*
  - b. *following completion of the community consultation and engagement process a report will be provided to Council identifying consultation outcomes and the recommended solution;*
4. *REQUEST the Chief Executive Officer investigates existing (and potential options for) policy, local law and Town Planning provisions with regard to a potential Register of Iconic Structures and provide a report back to Council; and*
5. *GIVE Public Notice to the decision and advise all attendees of the Special Electors meeting held on the 11 October 2010 of the outcome.*

The City of Greater Geraldton issued a request for Quote for the Merry Go Round by the Sea Precinct Consultation on 1 April 2011. The objective of the project was to implement the identified actions from the Merry Go Round Council Resolution November 2010.

#### **COMMUNITY CONSULTATION:**

Greg Rowe and Associates were contracted to hold extensive community consultation surrounding the transition of the Merry Go Round into a fixed iconic landscape precinct inclusive of its history and the interpretation of its linkage to author Randolph Stow. The project brief to the consultants was careful to stress that the City had no preconceived designs for the precinct.

Greg Rowe and Associates ran a series of three workshops that were held throughout August and September 2011. The workshops were advertised widely through various avenues including, newspapers advertisements, the City's website, the Merry Go Round Facebook page, letters were sent to all of the attendees of the Special Electors meeting and sent via email to networks. 17 people attended each of the first two work shops and 15 people attended the final workshop.

The first workshop was held on Wednesday 17 August, participants we invited to share their own personal experiences on the Merry Go Round and within the precinct area. Experiences were shared between groups to understand what the area meant to the community and how the Merry Go Rounds historic significance could be preserved and enhanced.

The second workshop was held on the Thursday 1 September. A consultant landscape architect from Pullyblank attended the session and worked with participants to map the area and how it could be designed and landscaped in accordance with the community's ideas.

Participants at the workshop wanted the area to remain an all-hours meeting place for all ages and backgrounds. It was identified that future play equipment should incorporate the mobility of the Merry Go Round, capturing an element of adventure and unpredictability while preserving the history of the original, incorporating links to Randolph Stow and telling the story of the area.

At the third workshop held on Thursday 22 September, the participants were presented with three concept plans that incorporated different elements that had been discussed at the previous workshops. A brief description of each plan is provided below (these plans can also be found in the attached report).

On all three concept plans the Merry Go Round is envisaged to be retained and fixed in a swinging motion with a timber decking and history telling the story surrounding it. The area behind the old railway building is to be a sensory garden and wall with community art and history. The only slight difference is in concept plan 3 which also shows sculptures surrounding the Merry Go Round.

- Concept Plan 1- This plan includes a lookout tower, giant slide and flying fox as well as a giant chess board closer to the beach. The site is contoured and there are beach shelters along the foreshore.
- Concept Plan 2- This plan includes a band stand with a grassy area that is contoured to act as a seating area. There is also an area for new play equipment and artistic shelters. Along the foreshore there are beach shelters.
- Concept Plan 3- This plan has a mini MCG with footy and cricket facilities. There are BBQ and shelters on the edge of the grass
-

area as well as an area with climbing walls and soft fall flooring. There is also a bocci ball area on the foreshore.

Participants were invited to comment on each plan noting what elements they liked, what elements they did not like and if they would like to see certain features moved to different locations within the precinct.

It was recognised by the participants at the community workshops that only one young person had attended and provided feedback into an area that is oriented towards teenagers. In order to gain a youth perspective Greg Rowe and Associates took the three concept plans to Geraldton Grammar School, Strathalbyn Christian College and Mid Night Basketball to engage with young people and seek their feedback. Approximately 80 young people aged between 12 and 16 were surveyed and feedback from this survey was incorporated into the final report.

The final concept plan incorporates the feedback from the workshop participants and young people on the three concept plans. The main themes from the workshop include:

- Inclusive play for all children;
- Provision for older children, teenagers;
- The use of natural and not plastic materials;
- Less is more;
- Public art;
- Shade and wind buffers;
- Fixing the Merry Go Round in a more sympathetic-fashion; and
- Telling the literary 'story' of the Merry Go Round and the historical use of the precinct.

Please find attached the final concept and report for a comprehensive description of what the community concept includes.

The City sought additional feedback from the wider community on the concept plan during the Australia Day celebrations on the Foreshore. The aim of the engagement process was to inform the wider community about the concept and explain how it was developed. People were invited to comment and prioritise the different elements of the design. It allowed the community further opportunity to comment on the proposed design and equipment and prioritise various aspects of the plan. Over 112 people provided feedback with an overwhelming positive response (please see attached report outlining the findings from the Australia Day consultation).

A review of the data shows that the majority of people surveyed liked all aspects of the plan however 20 people recorded that they disliked the idea of a new merry-go-round structure stating that they would like the existing Merry Go Round to swing again. 20 people also said that they disliked the parkour walls as they considered them to be too dangerous and felt that money could be better spent elsewhere.

People had the opportunity to priorities different elements of the plan which were broken down into the categories listed below:

- Merry Go Round Interpretation Site;
- Sensory Wall and Garden;
- Play Equipment;
- Lookout Tower and Super Slide;
- BBQ Facilities and Shade Structures;
- Sea Platform; and
- Art Shelter.

People were asked to number the various elements in the plan from one to seven, one being the highest priority and seven the lowest. The top three priorities include:

- the play equipment - chosen as high by 56 people;
- the lookout tower and super slide – chosen as high by 55 people; and
- the Merry-go-round interpretation site - chosen as high by 45 people.

The three elements that received the lowest priority were:

- the art shelter – indicated as low by 77 people;
- the sea platform – indicated as low by 60 people; and
- sensory wall and garden – indicated as low by 31 people.

Priorities did differ among the age groups, people aged between 0 and 25 listed play equipment and the lookout tower and super slide as a high priority where as people aged 26 and over listed the Merry Go Round interpretation site as a high priority. People aged between 26 and 35 also listed the lookout tower and super slide as a high priority and people aged between 35-50 listed the play equipment as a high priority. The barbeque facilities and shade structures were also considered a high priority for people aged between 26 and 60. The sea platform and art shelter came in as a low priority across all age groups however people aged between 14 and 18 also listed the sensory wall and garden as a low priority.

In addition to the above consultation the Yacht Club also provided feedback on the concept. Concerns were raised with regards to a number of elements including: the three trees located near the basketball courts as this will restrict sight from the viewing tower posing safety risks; the sea platform which is located in a boating zone will be an obstruction and there is a high risk of collision because the yachts have limited maneuverability; and the proposed ramp leading down to the beach will obstruct the only beach access which is currently 2.7 meters wide, beach access can not be made any smaller as the club would not be able to get the yachts into the water. The Yacht Club support the overall plan and feel that the development of this area will help reduce the antisocial behavior that occurs in this precinct.

#### **COUNCILLOR CONSULTATION:**

Council has been kept informed of the progress via briefing note dated 3 October 2011, 17 November 2011 and 25 January 2012.

**STATUTORY IMPLICATIONS:**

There is a requirement to meet the safety guidelines on playground safety standards, namely:

- AS 4685 – 2004. Playground Equipment (Parts 1-6);
- AS/NZS 4486.1:1997 Playground and playground equipment; and
- AS/NZS 4422:1996 Playground surfacing.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The concept developed by the community has initially been estimated at \$2 million, greatly exceeding budget and implementation of the concept is dependent on sourcing funding and may need to be staged. \$80,000 was allocated for the Merry Go Round project a portion of which has been spent on the consultation process the remaining funds are to be used to start initial works on the plan.

The City is currently applying for funding from the Regional Development Australia Fund for the West End Recreation and Entertainment Precinct Revitalisation project. This project consists of four elements including the Eastern Breakwater, Multipurpose Building/Sound Shell, Railway Station Building Restoration and Merry Go Round /Youth Space Enhancement.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes**

Goal1:	Opportunities for Lifestyle.
Outcome 1.2:	A healthy community through sport, recreation and leisure opportunities.
Strategy 1.2.4:	Provide accessible active and passive recreational spaces & provide attractive, well planned and multi-use public open spaces.

**Regional Outcomes:**

There are no regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The economic benefit of the Foreshore has and continues to be realised with increased tourism. A carefully designed and creative precinct will add value to the overall Foreshore.

**Social:**

The Merry Go Round is an iconic structure that has strong links with and celebrates the author Randolph Stow and has strong sentiment within the community.

It has been identified by the community that there is currently limited equipment/activities on the foreshore that cater for the teenage demographic. The concept incorporates equipment for youth providing a fun, challenging, and safe environment. The development of the Merry Go Round Precinct will provide equipment that appeals to teenagers encouraging them to partake in passive recreational activities as well as keeping them entertained.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

As with the social outcomes, there is an iconic outcome that celebrates the author, Geraldton born, Randolph Stow. In this light it is an important feature to be celebrated and should be turned into an iconic memorial celebrating the author and history of the Merry Go Round.

**RELEVANT PRECEDENTS:**

There are no precedents.

**DELEGATED AUTHORITY:**

No delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER receiving the Merry Go Round Precinct Concept Plan to allow further information to be gathered and analysed; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. DECLINE receiving the Merry Go Round Precinct Concept Plan; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

It is recommended that the Merry Go Round Precinct Plan be received by Council and be used as a vision for the precinct and using the feedback from the Australia Day consultation be used to develop a detailed design for the precinct.

Options Two and Three are not supported as the community as the process to date has been robust and the community would expect to see some progress on the November 2010 Council resolution.

**EXECUTIVE RECOMMENDATION:**

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

1. RECEIVE the Merry Go Round Precinct Concept Plan;
2. ADOPT the Merry Go Round Precinct Concept Plan to use as a vision for the precinct and to apply for funding; and
3. PROGRESS the implementation of the precinct vision in stages as funding becomes available.

CC039	MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF GREATER GERALDTON AND NATIONAL TRUST (WA)
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<b>AGENDA REFERENCE:</b>	<b>D-12-06237</b>
<b>AUTHOR:</b>	<b>C Budhan, Manager Arts, Culture &amp; Heritage</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>4 February 2012</b>
<b>FILE REFERENCE:</b>	<b>RM/3/0008</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

This report seeks a Council resolution regarding the Memorandum of Understanding (MOU) between the City of Greater Geraldton and the National Trust of Australia. A previous version of this MOU was approved by the City of Geraldton-Greenough's Council as per CC195. The purpose of the MOU is to develop, promote and market the City's unique heritage qualities.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Beginning October 2009, the City of Geraldton-Greenough worked closely with the National Trust of Australia (WA) to develop a Memorandum of Understanding (MOU). The resulting MOU was endorsed by the City of Geraldton-Greenough Council Meeting on 23 November 2010 as per CC195:

*COUNCIL DECISION*

*MOVED CR MARTIN, SECONDED CR BRICK*

*That Council by Simple Majority pursuant to s3.18 of the Local Government Act 1995 (as amended) RESOLVES to:*

- 1. ENDORSE the Memorandum of Understanding with National Trust of Australia (WA); and*
- 2. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding.*

It has since been amended to refer to the City of Greater Geraldton rather than the City of Geraldton-Greenough, and to include Appendix 001. Appendix 001 relates to the Central Greenough Marketing Fund, and requires that the City commit \$15,000 to the National Trust of Australia to market the Greenough region above and beyond any current marketing strategy employed by the National Trust of Australia. The purpose of this Appendix is to increase the marketing of the City's unique heritage qualities.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The MOU requires that the City commit \$15,000 to the National Trust of Australia to market the Greenough region above and beyond any current marketing strategy employed by the National Trust of Australia. There are no other direct costs associated with the MOU. Therefore, the total financial implication of the MOU is \$15,000. This amount was provided for in the 2011/12 budget.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- Goal 3: Opportunity for Creativity.
- Outcome 3.1: A community that embraces and celebrates diversity.
- Strategy 3.1.4: Preserve and activate the heritage of our community.

**Regional Outcomes:**

The MOU underpins a partnership that assists in the development of regional heritage facilities that enhance the City as a significant regional centre.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The MOU will support the development, promotion and marketing of the City's unique heritage qualities, which will result in increased tourism.

**Social:**

The MOU will support the celebration of the City's heritage.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

The MOU will support the development, promotion and marketing of the City's unique heritage qualities, which will result in increased awareness, appreciation and celebration of the City's distinctive culture and heritage.

**RELEVANT PRECEDENTS:**

The City has several MOUs with state organisations. These MOUs constitute effective partnerships that promote positive outcomes for the City's community. These state organisations include:

- Department of Sport and Recreation, Midwest Office;
- Geraldton Police Service; and
- FESA Western Australia.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority for Executive Recommendation and Option 2. Simple Majority for Option 3.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. NOT agree to enter into the amended Memorandum of Understanding between the City of Greater Geraldton and National Trust of Australia; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DEFER the matter and;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The Memorandum of Understanding between the City of Greater Geraldton and the National Trust of Australia reflect the commitment of both parties to the preservation and enhancement of the region's built heritage.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE the Memorandum of Understanding between the City of Greater Geraldton and the National Trust of Australia; and
2. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding.

<b>CC040</b>	<b>SIGNING OF MOU WITH LISHUI AND ZHANJIANG, CHINA</b>
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<b>AGENDA REFERENCE:</b>	<b>D-12-06158</b>
<b>AUTHOR:</b>	<b>D Barras, Coordinator Economic Development</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>13 February 2012</b>
<b>FILE REFERENCE:</b>	<b>ED/2/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>Sister City Economic &amp; Cultural Development Advisory Committee</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**SUMMARY:**

In light of the pending City delegation to China in March 2012 Lishui (Zhejiang province) and Zhanjiang (Guangdong province) have indicated their desire to sign an initial agreement for forming a Friendship City relationship with Geraldton during the visit. Both cities were previously identified by the Sister City Economic and Cultural Development Advisory Committee as potential suitors for Geraldton against the selection criteria for developing Sister City relationships, then both cities were added to the list of cities to be visited during the China delegation.

It should be noted that the initial agreement does not mean a final commitment for forming a Friendship City relationship, rather a staged statement ensuring ongoing communication and cooperation between the two parties, towards the possibility of a future Friendship City relationship. The signing of such an MOU is an important step in the process towards development of international relationships, and signing during the visit will guarantee mutual cooperation into the future. Although there is the possibility of signing after the visit, this comes with the risk of being construed as a negative gesture.

Attached are copies of a letter from the Mayor of Lishui, supporting their wish to sign an MOU of cooperation during the visit (see attachment 1), along with two MOU's drafted by Lishui (see attachment 2) and Zhanjiang (see attachment 3).

**PROponent:**

The proponent is the City of Greater Geraldton Sister City Economic & Cultural Development Advisory Committee, consisting of representatives from the following organisations:

- Cr Chris Gabelish, City of Greater Geraldton;
- Cr Ron Ashplant, City of Greater Geraldton;
- Geraldton University Centre;
- Durack Institute of Technology;
- Combined University Centre for Rural Health;
- Mid West Chamber of Commerce and Industry;
- Mid West Development Commission;

- Geraldton Port Authority; and
- Geraldton Iron Ore Alliance.

**BACKGROUND:**

Development toward a Sister City relationship within China stems back many years. After the development of a Policy for Establishing Sister City relationships, establishment of the Sister City Economic and Cultural Development Advisory Committee and much research, Council committed (on 20 December 2011) to send a delegation to China in March 2012. The purpose of this trip being to further investigate opportunities for city to city cooperation, with the intent of working towards the eventual development of a mutually beneficial Sister City relationship. The process of developing a formal Sister City relationship takes many years, and the delegation is a key step in forming such relationships.

Signing of documentation between two cities, such as an MOU, is also a key step in showing that both parties are serious in the quest for seeking mutually beneficial opportunities. Such commitment for further exploration is almost imperative during the delegation to China, if Geraldton wants to be taken seriously as a contender with Cities of this level. Waiting to sign until the delegation returns to Geraldton may be seen as a negative gesture by the Chinese cities and may result in lost opportunities. In June 2010, the Cr Chris Gabelish on behalf of the City of Geraldton-Greenough, signed a Statement of Intent of Friendly Cooperation between the City and Yueqing. The signing of this agreement was conducted at a Sister City conference where both cities were in attendance. This showed Yueqing that Geraldton was serious in exploring further opportunities, and also allowed a ceremonious opportunity for signing rather than signing via post.

The delegation to China is set to visit the following cities, which were identified by the Sister City Economic and Cultural Development Advisory Committee through careful analysis against the criteria outlined in the Policy for Establishing Sister City relationships:

- Lishui, Zhejiang;
- Zhanjiang, Guangdong;
- Qingdao, Shandong; and
- Whenzhou, Zhejiang (and its County level City Yueqing).

Below is an overview of the cities who are seeking an MOU for further cooperation:

**Lishui**

Prefecture level city in Zhejiang province (WA's Sister State/Province). Inner river port. Main industries include eco-tourism, trade and logistics, electrical machines, lighting equipment, bamboo and wood products. The top ecological city in China. Have been engaging Geraldton at a higher level and communicating frequently, showing positive attitude, very keen to develop relationship with Geraldton. Has officially invited Geraldton to visit.

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### Zhanjiang

Prefecture level city in Guangdong province. Emerging iron ore (sea) port. Baosteel, the biggest steel producer in China, holds an eight per cent stake in Zhanjiang port. China's top ten leisure city and the Chinese seafood capital. Keen to establish substantial relationship, has officially invited Geraldton to visit their city in order to sign an MOU on establishing a Relationship of Cooperation and Exchange between Geraldton and Zhanjiang Municipality (so as to further develop cooperation, investment and trade opportunities).

### **COMMUNITY CONSULTATION:**

Development toward relationships within China has been driven by the Sister City Economic & Cultural Development Advisory Committee. The Committee consists of community members representing the following organisations:

- City of Greater Geraldton;
- Geraldton University Centre;
- Durack Institute of Technology;
- Combined University Centre for Rural Health;
- Mid West Chamber of Commerce and Industry;
- Mid West Development Commission;
- Geraldton Port Authority; and
- Geraldton Iron Ore Alliance.

The Committee were consulted regarding the signing of the MOU's with Lishui and Zhanjiang and made the following recommendation.

*In light of previous research, development of the Chinese sister city shortlist and the pending delegation to China, the Committee endorses signing of the attached MOU's with Lishui and Zhanjiang during the delegation visit. The Committee endorses this based upon:*

- a. *That the Mayor of the City of Greater Geraldton hold authority to sign the MOU on behalf of the City upon agreement with the Chair of the Sister City committee, CEO of the City of Greater Geraldton and other members present from the Sister City Committee at the time to progress the relationship; and*
- b. *That the matter be progressed to the February Council meeting for Council endorsement prior to the delegation arriving in China.*

In addition to the City representatives, Ian and Cathy Carpenter, Tony Brun, Chris Gabelish and Han Jie Davis, the following community members have chosen to join the delegation to China, indicating their support for the trip and further developments with the cities involved:

- Cr Neil McIlwaine;
- Cr Shane Van Styn;
- Bert Beevers, Durack Institute of Technology;
- Susan and Peter Shaw, Geraldton Grammar; and

- Darren and Joanne Lee, Market Creations.

In addition to this a group of representatives from the Geraldton Port Authority including Peter Klein, Ian King and Karen Godfrey will be attending part of the delegation with the group.

#### **COUNCILLOR CONSULTATION:**

Cr Ian Carpenter.  
Cr Chris Gabelish.  
Cr Ron Ashplant.

#### **STATUTORY IMPLICATIONS:**

There are no statutory implications.

#### **POLICY IMPLICATIONS:**

The relevant Council policy for this item is the Policy for Establishing Sister City Relationships.

The Sister City Economic & Cultural Development Advisory Committee have taken this policy into account when assessing the implications of signing an MOU with Lishui and Zhanjiang, ensuring that a commitment is being made only to further investigate opportunities towards Friendship City relationships, rather than to commit to a Friendship City relationship at this point in time.

#### **FINANCIAL AND BUDGET IMPLICATIONS:**

As the City has already approved a delegation to visit in March, there are no additional financial implications in this financial year. Should Council resolve to progress with a formal sister city relationship with either City in the future, there would be an expectation to either visit the Sister City, or host a visit by a delegation from the Sister City, each year. This would have a financial implication of approximately \$20,000 per annum.

#### **STRATEGIC & REGIONAL OUTCOMES:**

##### **Strategic Community Plan Outcomes:**

Goal 2:	Opportunities for Prosperity.
Outcome 2.1:	A diverse sustainable, economic and employment base.
Strategy 2.1.1:	Support industry and business attraction activities and marketing nationally and internationally.
Outcome 2.2:	Greater Geraldton as a leading regional and rural destination.
Strategy 2.2.1:	Attract, facilitate and promote regional, national and internationally significant events.

Strategy 2.2.2: Promote tourism and investment opportunities including cultural tourism.

Outcome 2.3: Greater Geraldton as a major regional centre.

Strategy 2.3.3: Increase the national and international profile of Greater Geraldton through partnerships with Government, industry and international municipalities.

**Regional Outcomes:**

As the region's commercial, administrative and cultural hub, Geraldton plays a pivotal role in creating and adding value to a sustainable local economy. Identifying strategic partners through development towards relationships and Sister City alliances with cities such as Lishui and Zhanjiang will ultimately lead to investment opportunities and partnerships throughout the Mid West in areas like tourism, mining, technology, manufacturing and science. This will add positive regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

**Economic:**

Dialogue and development toward formal relationships between the City of Greater Geraldton and international cities such as Lishui and Zhanjiang will enable economic development initiatives to be explored, that may provide benefits to business, government and the local economy and community. As per the goals and objectives of Sister City relationships, such relationships will:

- Support the City of Greater Geraldton strategic priorities;
- Expand the City's network of business contact and relationships;
- Increase international private sector investment in the Mid West;
- Provide a conduit between local innovation and international industry;
- Accelerate economic growth through commercial partnerships;
- Create mutually-beneficial partnerships between academia, government and the private sector;
- Leverage existing industry strengths into increased innovation and job creation; and
- Promote the Mid West region as an attractive tourist destination.

Opportunities for these outcomes are possible not just at the final destination of development of a Sister City relationship, but may arise at any point throughout the process of discovery towards a more formal relationship.

**Social:**

The intent of forming international relationships between the City of Greater Geraldton and cities in China is for international cooperation and increased global awareness of the City of Greater Geraldton and the proposed cities. As per the goals and objectives of Sister City relationships, such relationships will:

- Support international education, research and cooperation; and
- Increase global awareness of the City of Greater Geraldton and the Mid West region.

**Environmental:**

There are no environmental issues associated with this item.

**Cultural & Heritage:**

Development of relationships between the City of Greater Geraldton and cities such as Lishui and Zhanjiang pose many opportunities for exchange between cultures, through cultural institutions, universities, colleges, museums, heritage, community arts, libraries and sports. As per the goals and objectives of Sister City relationships, such relationships will:

- Promote the City of Greater Geraldton as a SMART City;
- Promote the City of Greater Geraldton's cultural community; and
- Establish relationships between cultural institutions, universities and colleges, museums, heritage, community arts, libraries and sports.

These outcomes may begin to develop throughout the process of further exploring and developing formal international relationships.

**RELEVANT PRECEDENTS:**

On 20 December 2011 Council resolved to:

*COUNCIL DECISION**MOVED CR ASHPLANT, SECONDED CR GABELISH*

1. *PROGRESS with a delegation visit to China in March 2012, including the City of Greater Geraldton CEO, Sister City Liaison Officer and two Council delegates;*
2. *ENDORSE the itinerary as per Attachment 1; and*
3. *DELEGATE the Councillor representative on the trip as being:*
  - a. *Mayor I Carpenter; and*
  - b. *Cr C Gabelish.*

Cities outlined in the itinerary included Lishui (Zhejiang) and Zhanjiang (Guangdong), as well as Qingdao (Shandong), Wenzhou (Zhejiang) and Yueqing (County level city in Wenzhou, Shandong). A Statement of Intent of Friendly Cooperation was previously signed between Yueqing and the City.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to s.3.1 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER signing of the attached MOU's with Lishui and Zhanjiang during the City delegation to China; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The act of signing an MOU with Lishui and Zhanjiang is an important gesture to show that the City is serious in its quest to further explore mutually beneficial relationships with these cities. Although it may be possible to sign an MOU after the delegation visits China, there is the risk that this delay may be construed as a negative gesture and result in lost opportunities with Lishui and Zhanjiang. Signing of such an MOU during the delegation to China will guarantee opportunities for development towards mutual cooperation into the future. It is important that the decision to sign such documents during the visit is granted to the Mayor, so that the opportunity can be assessed in the context of the dialogue carried out between the cities at the time.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to s.3.1 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ENDORSE the signing of the attached MOU's with Lishui and Zhanjiang during the delegation visit to China; and
2. GRANT the Mayor, Cr Ian Carpenter, the authority to sign the MOU on behalf of the City of Greater Geraldton, upon agreement with the Chair of the Sister City Economic and Cultural Development Advisory Committee, CEO, and other members of the Committee and Council present at the time of the visit.

### 11.5 *Reports of Community Infrastructure*

CI011	ASSET MANAGEMENT PLANS
<b>AGENDA REFERENCE:</b>	<b>D-12-06821</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Design</b>
<b>EXECUTIVE:</b>	<b>N Arbutnot, Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>8 February 2012</b>
<b>FILE REFERENCE:</b>	<b>PM/3/0005</b>
<b>APPLICANT / PROPONENT:</b>	<b>The City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x 4</b>

#### **SUMMARY:**

The objective of this report is to seek Council endorsement of updated asset management plans for the new entity, The City of Greater Geraldton. Preparation of the plans was subsidised by the Department of Local Government under the structural reform grants package and full acquittal of the funds requires endorsement of the plans by Council no later than 30 March 2012. The plans are also a requirement of the states' Integrated Planning and Reporting Framework.

#### **PROPONENT:**

The City of Greater Geraldton.

#### **BACKGROUND:**

In June 2010, in advance of formation of the new entity, the amalgamating group (being Geraldton-Greenough and Mullewa) were offered a \$130k grant from the Department of Local Government under the structural reform grants package. These funds were intended to develop asset management plans for the new entity, which included data collection, consolidation of asset registers, undertaking of condition assessments, establishing levels of service and performing financial modelling.

The Institute of Public Works Engineers Australia (IPWEA) NAMS.PLUS Asset Management is an initiative to assist Councils and other organisations that provide services from infrastructure, to develop a 'core' asset management plan and implement sustainable asset management practices.

Core asset management plans on the NAMS.PLUS template have now been prepared by the City for the following asset classes:

- Transport (i.e. bridges, culverts, roads, footpaths, kerbing & car parks);
- Parks;
- Drainage; and
- Buildings.

The plans form an important component of the Integrated Planning and Reporting Framework.

Once endorsed, the City will proceed to develop an Asset Management Improvement Plan, which over time will ensure these core asset management plans progress towards an advanced level.

**COMMUNITY CONSULTATION:**

Satisfaction Surveys were undertaken by former Geraldton-Greenough and Mullewa municipalities to appreciate expected levels of service from the community.

**COUNCILLOR CONSULTATION:**

A Briefing Note on this project was presented to Councillors at the December 2011 Concept Forum.

**STATUTORY IMPLICATIONS:**

The Local Government (Administration) Regulations 1996 has been amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan. Section 5.56(1) and (2) of the Act requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations.

The asset management plans are a key Informing Strategy of the Corporate Business Plan. Both the Strategic Community Plan and Corporate Business Plan are required by law to be implemented prior to 30 June 2013.

**POLICY IMPLICATIONS:**

CGG Integrated Strategic Planning Framework Policy CP005  
CGG Asset Management Policy CP004  
CGG Financial Sustainability Policy CP014

**FINANCIAL AND BUDGET IMPLICATIONS:**

The Strategic Community Plan seeks an outcome to "Maintain efficient asset management by moving towards full asset renewal funding including depreciation." With reference to the aforementioned City policies, there are financial implications associated with endorsement of the Asset Management Plans and the intention to move towards full asset renewal funding.

The plans identify some current funding gaps between actual life-cycle cost requirements and current life-cycle expenditure. To move towards asset financial sustainability, the funding requirements from financial modelling in the plans would need to be incorporated into the City's long term financial plan. This imperative may impact on the availability of capital to establish some new assets in future.

As per the City's policy on Asset Management, prior to a new asset being introduced; a critical need for the asset must first be identified, whole of life costs need to be considered, expected levels of service need identification as well as associated resourcing impacts. In terms of donated assets, the City scrutinises new development proposals in detail to ensure appropriate assets are provided and then only accepted in premium condition.

The Asset Management Plans are an essential input into the City's financial reporting under the financial sustainability policy, with regard in particular to Renewal Investment. The City would need to invest in renewal of its assets to a degree that offsets the effects of depreciation and inflation in order to be sustainable. The City is not currently in this position and would need to commit to this renewal funding requirement in future.

Annual operational funding commitment would also be required for ongoing asset management system improvements, in accordance with the Asset Management Improvement Plan.

## **STRATEGIC & REGIONAL OUTCOMES:**

### **Strategic Community Plan Outcomes:**

- |                 |  |
|-----------------|--|
| Goal 4:         | Opportunities for Sustainability   |
| Outcome 4.4:    | Infrastructure that meets community growth needs and aspirations.  |
| Strategy 4.4.1: | Maintain efficient asset management by moving towards full asset renewal funding including depreciation. |

### **Regional Outcomes:**

Prudent asset management can only have positive regional impact. It ensures community service levels are continually met through sustainable financial management.

## **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

### **Economic:**

The asset management plans outline annual funding requirements for maintenance and capital expenditure for renewals. This information informs the City's long term financial modelling and ensures assets are maintained and replaced at their optimum stage in life, maintaining community service level expectations.

### **Social:**

The asset management plans capture community expectations with regard to the asset and integrate this into the financial modelling. This is an area that will need more work as the plans progress towards an advanced level. The benefit the plans provide to the community is that they ensure service level expectations are financially sustainable.

### **Environmental:**

Sound asset management ensures the most efficient use of all resources.

### **Cultural & Heritage:**

No Cultural and Heritage issues.

**RELEVANT PRECEDENTS:**

The City has executed a funding agreement with the Department of Local Government and must produce endorsed asset management plans for the new entity by 30 March 2012.

**DELEGATED AUTHORITY:**

There is no Delegated Authority.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REFUSE to endorse the Asset Management Plans for Transport, Parks, Drainage and Buildings.

**Option 3:**

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER endorsement of the Asset Management Plans for Transport, Parks, Drainage and Buildings; and

**CONCLUSION:**

Sound asset management is essential for all local authorities to ensure they remain financially sustainable in the long term whilst meeting community service level expectations. The plans are also a vital component in the states' Integrated Planning and Reporting Framework. The core level plans presented in this report satisfy the funding agreement with the Department of Local Government and provide the foundation for the City's' ongoing asset management system improvement.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ENDORSE the Asset Management Plans for Transport, Parks, Drainage and Buildings; and
2. REFER the plans to the Department of Local Government.

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CI012	RFT 30 1112 - CIVIC ACCOMMODATION UPGRADE - CONSTRUCTION MANAGEMENT SERVICES
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<b>AGENDA REFERENCE:</b>	<b>D-12-08069</b>
<b>AUTHOR:</b>	<b>G. Alexander Project Coordinator</b>
<b>EXECUTIVE:</b>	<b>M. Atkinson Acting Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0005</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (Confidential)</b>

**SUMMARY:**

This report seeks Council endorsement to appoint Crothers Construction Pty Ltd as preferred building contractor for the construction management services required for the refurbishment of the civic accommodation building located on Cathedral Avenue.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

A requirement has been identified to refurbish and upgrade the existing Cathedral Avenue offices to accommodate all office staff and ratepayer services within a single building complex. This will utilise vacant space which has become available with the relocation of the regional library services. The City issued a Request for Tender (RFT) 30 1112 for the purpose of identifying and securing the services of a suitably experienced and qualified building contractor to deliver the required expertise regarding the worksite management and multi trade refurbishment of the civic accommodation. Two submissions were received. Crothers Construction Pty Ltd and Maintenance Systems Solutions Pty Ltd.

**COMMUNITY CONSULTATION:**

Not Applicable

**COUNCILLOR CONSULTATION:**

Not Applicable.

**STATUTORY IMPLICATIONS:**

Requests for Tender are called to identify suitably competent and experienced contractors to satisfy a specific requirement. This procedure is determined by Local Government (Functions & General) Regulations 1996 and the Local Government Act 1995 (as amended).

**POLICY IMPLICATIONS:**

All procurement of services has been completed in accordance with the City's procurement procedures and policies. The regional price preference policy applied to both tenderers.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Funding allocations were determined for this project. The allocation for the total project is \$2.5 million.

Country Local Government Fund. \$300,000.00

Amalgamation Fund. \$2,200,000.00

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 5	Leading the Opportunities
Outcome 5.2	Citizen and Stakeholder focussed services.
Strategy 5.2.1	Ensure economical, efficient and effective delivery of services.

**Regional Outcomes:**

There are no known impacts on a regional basis.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

The economic benefit for the relocation of all administrative functions to Cathedral Avenue will create other opportunities at the Edward Road offices and potentially generate an income source.

**Social:**

The Office Accommodation project, on completion, will centralise administration and assist in improving access for the community.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

A simple majority is required.

**OPTIONS:****Option 1:**

As per the Executive Recommendation set out in this report.

**Option 2:**

That Council by Simple Majority pursuant to s.3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REJECT all tenders;
2. RECALL tenders; and
3. MAKES the determination on the grounds that:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority pursuant to s.3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. APPOINTS an alternate tender nominated by Council being
  - a. To be determined by Council; and
2. RECORDS the details in the minutes.

**Option 4:**

That Council by Simple Majority pursuant to s.3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER the item;
2. MAKES the determination on the grounds that:
  - a. To be determined

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to section 3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. APPOINT Crothers Construction Pty Ltd as the preferred supplier of construction management services for the civic accommodation refurbishment project based on the submitted schedule of rates.
2. RECORD the details of the tender in the minutes.

## 11.6 *Reports of Commercial Enterprises*

CE028	EXCISE PORTION OF RESERVE 35935
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<b>AGENDA REFERENCE:</b>	<b>D-12-05958</b>
<b>AUTHOR:</b>	<b>J Dowling, Land and Leasing Officer</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Commercial Enterprises</b>
<b>DATE OF REPORT:</b>	<b>7 February 2012</b>
<b>FILE REFERENCE:</b>	<b>R35935</b>
<b>APPLICANT / PROPONENT:</b>	<b>NBN Company Limited</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

### **SUMMARY:**

The purpose of this report is to seek Council approval to excise a portion of Reserve 35935 to create a new reserve for the purpose of constructing, maintaining and operating a telecommunications network and telecommunications service as part of the Fixed Wireless National Broadband Network (NBN).

### **PROPONENT:**

The proponent is NBN Company Limited Level 11 / 100 Arthur Street North Sydney NSW 2060

### **BACKGROUND:**

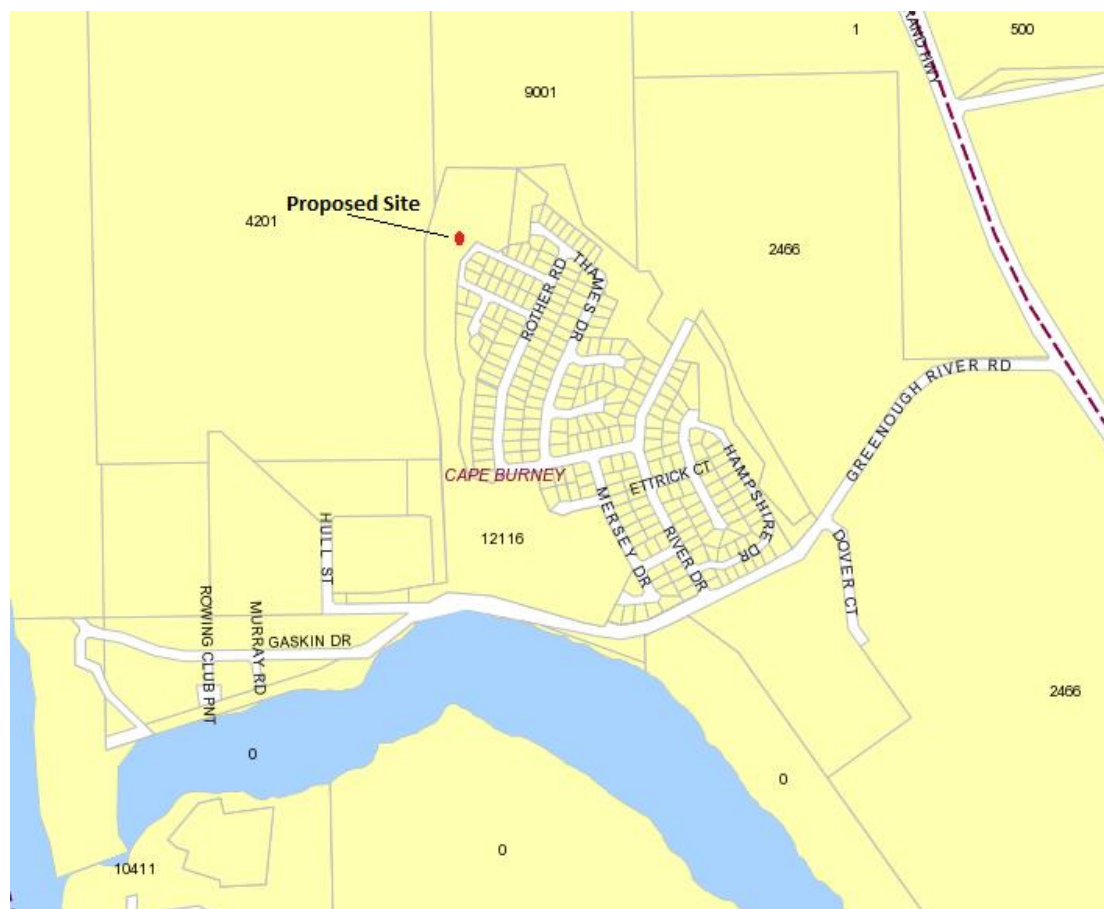
The City was recently contacted by Daly International Pty Ltd who have been engaged to undertake preliminary environmental, design and site acquisition investigations on behalf of the NBN Company Limited via Ericsson Australia Pty Ltd, with a request to lease a portion of Reserve 35935 as part of the NBN Fixed Wireless Broadband Network.

The National Broadband Network (NBN) is a Federal Government Funded Initiative to deliver high speed broadband to all Australians. The National Broadband network will involve connecting 93% of Australian homes, schools and businesses to a high speed fibre network capable of providing speeds of one gigabyte per second. The remaining premises will be connected via a combination of next-generation fixed wireless and satellite technologies providing peak speeds of 12 Megabits per second.

Investment in high speed broadband will improve services in the Education and Health Sectors, offer the potential for substantial productivity improvement for businesses, create jobs and offer improved services and competition. The Digital Enterprise program will communicate the benefits of the NBN and demonstrate its relevance to those small-to-medium enterprises and not-for-profit organisations (including local cultural institutions) not yet online.

Reserve 35935 is located on Mersey Drive Cape Burney and is currently vested by way of a Management Order in the City of Greater Geraldton for the purpose of Public Recreation. After consultation with the Department Regional Development and Lands it was suggested that a 100m<sup>2</sup> portion of Reserve

35935 be excised and a new Reserve created enabling the City the power to lease.



#### **COMMUNITY CONSULTATION:**

Should Council grant approval to excise a portion of Reserve 35935 to create a new reserve, to be leased to NBN Co Ltd, that intention will be advertised for public submission for a period of not less than 14 days pursuant to Section 3.58 of the Local Government Act 1995

#### **COUNCILLOR CONSULTATION:**

There has been no prior consultation with elected members on this matter

#### **STATUTORY IMPLICATIONS:**

Section 3.58 of the Local Government Act 1995 (as amended) – **Disposing of Property**

Section 3.58:

- (1) *In this section –*
  - “**dispose**” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
  - “**property**” includes the whole or any part of the interest of a local government in property, but does not include money
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
  - (a) *it gives local public notice of the proposed disposition –*
    - (i) *describing the property concerned; and*

- (ii) *giving details of the proposed disposition; and*
- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
  - (a) *the names of all other parties concerned; and*
  - (b) *the consideration to be received by the local government for the disposition; and*
  - (c) *the market value of the disposition —*
    - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

**POLICY IMPLICATIONS:**

There are no Policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

A commencement lease fee of \$5000 plus GST per annum with a Rent Review of 3% per annum compounding.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic & Plan for the Future Outcomes:**

- |                 |  |
|-----------------|--|
| Goal 3:         | Opportunities for Creativity   |
| Outcome 3.2:    | A City that attracts creative people through nurturing creative industries   |
| Strategy 3.2.1: | Leverage the National Broadband Network (NBN) to enable creative industries. |

**Regional Outcomes:**

Communities surrounding Geraldton will be one of the first in less densely populated rural and regional areas set to receive access to the National Broadband Network via NBN Companies high-speed fixed wireless service. This will greatly enhance internet service to the region.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no direct economic outcomes related to this proposal..

**Social:**

There are no direct social impacts with this proposal.

**Environmental:**

There will be minimal environmental impacts.

**Cultural & Heritage:**

There are no Cultural or Heritage implications

**RELEVANT PRECEDENTS:**

The City leases land to various organisations

**DELEGATED AUTHORITY:**

There is no delegated authority existing related to this proposal.

**VOTING REQUIREMENTS:**

Simple majority required

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER this item;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. REJECT this item;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**CONCLUSION:**

Cape Burney has been selected as one of the first release Fixed Wireless sites to benefit from the rollout of the National Broadband Network. Support for this proposal will enable and provide high quality wireless broadband services to areas of the local community.

**EXECUTIVE RECOMMENDATION:**

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 excise a 100 square metre portion of Reserve 35935 Mersey Drive Cape Burney with the intent to create a new reserve and lease that new reserve to NBN Co Ltd for the purpose of Telecommunications;
2. MAKE the determination subject to:
  - a. advertising notice period of not less than 14 days inviting public submissions; and
  - b. any works being subject to, and compliant with any necessary town planning, building compliance
3. SET the proposed lease conditions as:
  - a. enter into a 20 year lease agreement commencing 1 April 2012;
  - b. adjust the lease by rent reviews fixed at 3% uplift per annum compounding;
  - c. set the commencement ground lease fee at \$5,000 plus GST per annum;
  - d. the lessee being responsible for separately paying;
    - i. all applicable rates, taxes and other utilities;
    - ii. survey costs; and
    - iii. reasonable legal expenses capped at \$1,500;
4. DELEGATE authority to the CEO to grant approval for lease subject to there being no objecting submissions received; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received

CE029	LEASE OF PORTION OF RESERVE 37021 (LOT 2782) CRAWFORD STREET, WEBBERTON TO FOODBANK WA
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<b>AGENDA REFERENCE:</b>	<b>D-12-05971</b>
<b>AUTHOR:</b>	<b>B. Robartson, Manager Land &amp; Property Services</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Commercial Enterprises</b>
<b>DATE OF REPORT:</b>	<b>9 February 2012</b>
<b>FILE REFERENCE:</b>	<b>R37021</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council's approval to grant a lease on portion of Lot 2782, Reserve 37021 Crawford Street, Webberton to Foodbank WA this being subject to approval by the Minister of Lands and the granting of power to lease for up to 21 years and amending the vesting of the reserve from "Recreation" to "Community Centre & Drainage".

**PROponent:**

The proponent is City of Greater Geraldton.

**BACKGROUND:**

In late November 2009, Foodbank WA approached the City seeking a new site and assistance from the City to locate a suitable site for their Geraldton facility. Reserve 37021 vested in the City by way of a Management Order for the purpose of "Recreation" is identified suitable for this purpose.

The adjacent lot 92 Anderson Street, Webberton (owned in fee simple by the City) lies adjacent to Reserve 37021 on Webberton Road. Lot 92 was originally acquired by the City for the purpose of the Webberton Road extension and a drainage sump.

In October 2010, the City wrote to the Department of Regional Development and Lands (DRDL) requesting an amendment to the current Management Order on Reserve 37021 to include the power to lease for up to 21 years.

It was noted by the DRDL that the City's drainage sump located on Lot 92 Anderson Street encroached onto Reserve 37021. DRDL wrote to the City enquiring:

*"Does Council intend to purchase that portion of the reserve for addition to its freehold land, or will Council surrender portion of Lot 92 for addition into Reserve 37021."*

The City is currently in negotiation with DRDL seeking agreement in principle to allow for the potential to expand further the existing sump into the Reserve for open space and drainage with swail drain and retention basin

Council endorsement to approve a lease for Foodbank WA of approximately 3000m<sup>2</sup> will allow the City to proceed to negotiate with State Lands Services

the approval to lease, changing of vesting purposes, power to lease and subdivision approvals of Reserve 37021 and City lot 92 for open space and drainage.

If approved by the Minister the balance of Lot 92 may be subdivided and disposed of for unit development.



#### **COMMUNITY CONSULTATION:**

Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996, gives exemption to dispositions of property to which Section 3.58 of the Local Government Act 1995 does not apply. The objects of this proposal are charitable, therefore the proposed lease to Foodbank is exempt as to the requirements of Section 3.58 relating to advertising and consultation.

#### **COUNCILLOR CONSULTATION:**

A briefing note was previously distributed to Councillors on the 20 November 2009. (Attached)

#### **STATUTORY IMPLICATIONS:**

Section 3.58(1) of the *Local Government Act 1995* (as amended) – Disposing of Property:

- (2) *In this section –*  
**“dispose”** includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
**“property”** includes the whole or any part of the interest of a local government in property, but does not include money.

Explanation of the effects of Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 on the leasing proposal for Foodbank are noted above, under Community Consultation.

In relation to the related proposal, that portion of Lot 92 be surrendered to the Crown and amalgamated into Reserve 37021, to address the issue of encroachment of the sump, Regulation 30(2)(c) of the Local Government (Functions and General) Regulations 1996 gives exemption to dispositions of property to which Section 3.58 of the Local Government Act 1995 does not apply. In this regulation a disposition of land is an exempt disposition if:

- (2)(c) *the land is disposed of to –*
- (i) *the Crown in right of the State or the Commonwealth;*
  - (ii) *a department, agency, or instrumentality of the Crown in right of the State of the Commonwealth;*
  - (iii) *another local government or a regional local government.*

**POLICY IMPLICATIONS:**

There are no policy implications with this proposal.

**FINANCIAL AND BUDGET IMPLICATIONS:**

A commencing lease fee of \$305.00 is proposed as per the adopted City of Greater Geraldton Schedule of Fees and Charges that is reviewed and adjusted annually accordingly.

Funding exists under the Stormwater Harvesting Project (Federal Funding) that will allow the City to list this project for funding to remediate the existing adjacent sump and allow for more useable and accessible public open space which can be used by local residents and also employees and other people accessing the proposed Foodbank operations.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic & Community Plan Outcomes:**

- |                 |   |
|-----------------|---|
| Goal 1:         | Opportunities for Lifestyle.  |
| Outcome 1.2:    | Infrastructure which provides a foundation for the community's needs. |
| Strategy 1.2.4: | Provide accessible active and passive recreational spaces.            |
| Goal 4          | Opportunities for Sustainability                                      |

**Regional Outcomes:**

There are no regional outcomes.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic impacts with this proposal.

**Social:**

This proposal, to provide a site for Foodbank operations, supports an important charitable function that makes a significant contribution to social welfare in the City region.

**Environmental:**

There are no direct environmental impacts with this proposal.

**Cultural & Heritage:**

There are no cultural, heritage or indigenous impacts with this proposal.

**RELEVANT PRECEDENTS:**

There are no directly relevant precedents, but Council and its predecessor Councils have a long history of supporting charitable not-for-profit organisations.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER this item;
2. MAKES the determination based on the following reason;
  - a. to be determined by Council

**Option 3:**

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

1. REJECT this item;
2. MAKES the determination based on the following reason:
  - a. to be determined by Council.

**CONCLUSION:**

The proposed development of Reserve 37021 should be seen as a strategic and “better use” development of this land that would allow additional public open space and drainage to be developed, and allow for Foodbank WA to establish new premises on an increased land area to provide for community need.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE the disposal by lease of approximately 3000 square metres of Lot 2782, Reserve 37021 Crawford Street, Webberton to Foodbank WA;
2. MAKE the determination subject to:
  - a. Any works being subject, and compliant with any necessary town planning, building compliance and other statutory approvals;
3. SET the proposed Foodbank lease conditions as:
  - a. enter into a twenty one (21) year lease agreement subject to Ministerial consent;
  - b. the Management Order for Reserve 37021 is amended to “Community Centre and Drainage” with the power to lease for up to twenty one (21) years”;
  - c. a commencing lease fee of \$305.00 as per the adopted City of Greater Geraldton Schedule of Fees and Charges;
  - d. adjust the lease fee in accordance with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually; and
  - e. the lessee being responsible for separately paying all applicable rates, taxes and other utilities.

CE030	EOI 23 112 LEASE - BREARLEY CAFÉ / BAR GREENOUGH TERMINAL GERALDTON AIRPORT
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<b>AGENDA REFERENCE:</b>	<b>D-12- 06232</b>
<b>AUTHOR:</b>	<b>L MacLeod, Land and Leasing Facilitator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Commercial Enterprises</b>
<b>DATE OF REPORT:</b>	<b>9 February 2012</b>
<b>FILE REFERENCE:</b>	<b>PM/6/0006</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (2x Confidential)</b>

**SUMMARY:**

The purpose of this report is to seek Council approval to lease approximately 49 square metres of the Greenough Terminal for the purpose of a Café/Bar to Mr Maxim Hill.

**PROPONENT:**

The proponent is City of Greater Geraldton.

**BACKGROUND:**

The Greenough Terminal building at Geraldton Airport is the primary Regular Passenger Transport terminal for the Geraldton Airport. The Greenough Terminal building currently has multiple existing tenants, each leasing separate areas for different purposes.

The lease agreement for the Brearley Café/Bar in the main Greenough Terminal expires on 30 June 2012. With this in mind and the potential for development initiatives as a result of the proposed Airport Master Plan and associated Business Plan for the Geraldton Airport, it was considered most appropriate to advertise for Expressions of Interest (EOI) to determine the most suitable tenant for the Café/Bar.

An EOI was advertised in the West Australian on 18 January 2012, the Midwest Times on 19 January 2012 and the Geraldton Guardian on 20 January 2012. The EOI closed at 4:00pm Tuesday 7 February 2012 and two submissions received. The submissions were evaluated by a panel of three Council staff.

A summary of the two submissions from the Expression of Interest are attached for Council's consideration.

**COMMUNITY CONSULTATION:**

Local and State public advertising the Expression of Interest occurred on 18, 19 and 20 January 2012.

Should Council grant approval to enter into a lease agreement with Mr Maxim Hill that intention will be advertised and public submissions will be invited for a period of not less than 14 days pursuant to Section 3.58 of the Local Government Act 1995.

**COUNCILLOR CONSULTATION:**

Not applicable.

**STATUTORY IMPLICATIONS:**

Section 3.58 of the Local Government Act 1995 (as amended) – **Disposing of Property**

Section 3.58:

- (2) *In this section –  
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
“property” includes the whole or any part of the interest of a local government in property, but does not include money*
- (4) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –  
(a) it gives local public notice of the proposed disposition –  
(iv) describing the property concerned; and  
(v) giving details of the proposed disposition; and  
(vi) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and  
(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include –  
(a) the names of all other parties concerned; and  
(b) the consideration to be received by the local government for the disposition; and  
(c) the market value of the disposition –  
(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or  
(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

A market valuation was conducted prior to the Expression of Interest which determined the current market value of the premises to be \$187.50 per square metre excluding GST.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Outcomes:**

Goal 2:	Opportunities for Prosperity.
Outcome 2.1:	A diverse economic and employment base.
Strategy 2.1.4:	Establish Greater Geraldton as a service and population base for fly in / fly out (FIFO) operations.
Outcome 2.2:	Greater Geraldton as a leading regional and Rural destination.
Strategy 2.2.2:	Promote tourism and investment opportunities including cultural tourism.

**Regional Outcomes:**

There are no regional outcomes with this proposal.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:****Economic:**

There are no economic impacts with this proposal.

**Social:**

There are no social impacts with this proposal.

**Environmental:**

There are no environmental impacts with this proposal.

**Cultural & Heritage:**

There are no cultural, heritage or indigenous impacts with this proposal.

**RELEVANT PRECEDENTS:**

The City currently leases space at the Greenough Terminal for a variety of aviation and tourism related purposes

**DELEGATED AUTHORITY:**

There is currently no delegated authority existing related to this proposal.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. REJECT this item;
2. MAKES the determination based on the following reason:
  - a. to be determined by Council.

**Option 3:**

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

1. DEFER this item;
2. MAKES the determination based on the following reason:
  - a. to be determined by Council.

**CONCLUSION:**

Support for this proposal will enable the continuation and potential expansion of the Greenough Terminal Café/Bar which provides a valuable service to Regular Passenger Flight patrons and supports tourism.

**EXECUTIVE RECOMMENDATION:**

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 lease 49 square metres of the Greenough Terminal being a portion of Lot 363 Geraldton/Mount Magnet Road, Moonyoonooka for the purpose of a Café/Bar to Mr Maxim Hill;
  2. MAKE the determination subject to:
    - a. advertising notice period of not less than 14 days inviting public submissions;
    - b. the proponent obtaining the relevant statutory approvals to comply and operate the Brearley/Café bar;
  3. SET the proposed conditions as:
    - a. enter into a five (5) year lease agreement to commence 1 July 2012; with a further five (5) plus five (5) year lease option;
    - b. adjust the lease fees annually as at 1 July in line with the preceding March Consumer Price Index;
    - c. obtain a market valuation for each further five (5) year lease option and adjust the lease fees accordingly;
    - d. the lessee being responsible for separately paying all applicable rates and taxes and all utilities; and
    - e. set the commencing lease fee at \$200.00 per square metre plus GST per annum.
  4. DELEGATE authority to the CEO to grant approval for lease issue subject to there being no submissions received; and
  5. REFER the matter back to Council for final consideration is any submissions are received.
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CE031	DISPOSAL OF ASSET POOL HOIST BY DONATION TO SHIRE OF CARNAMAH
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<b>AGENDA REFERENCE:</b>	<b>D-12-07816</b>
<b>AUTHOR:</b>	<b>M Adam, Executive Assistant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Commercial Enterprises</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>RC/2/0014</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

The City seeks approval to dispose of the static pool hoist asset #7090 from the Geraldton Aquarena by donation to the Shire of Carnamah.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City has recently purchased a mobile pool hoist to provide patrons with disability with access to the four pools at the Aquarena. The mobile pool hoist was funded jointly with a State Government Royalties for Regions grant and funds from the City. The new mobile hoist was required as the static hoist, purchased six years previously, was only suitable for access to the main indoor pool. The static pool hoist is now surplus to requirements and has a written down asset value of \$625.00. The Mullewa pool already has a pool hoist. The Aquarena Manager has been approached by the Shire of Carnamah who require a pool hoist for the Carnamah pool.

**COMMUNITY CONSULTATION:**

The Disability Support Association

**COUNCILLOR CONSULTATION:**

There has been no prior consultation with Councillors.

**STATUTORY IMPLICATIONS:**

Disposing of property is governed under Section 3.58 of the Local Government Act. Under the provisions of Local Government Functions and General Regulations Part 6 (3) (a), Council can dispose of property by any means if it is valued under \$20,000.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The written down value of the static pool hoist asset #7090 is \$625.00. The cost of the alternative of disposal by tender is approximately \$400.00 which includes advertising, and administrative costs. Given the low value, donation to another Council which has specific need for such an asset would achieve a valuable community outcome for that Council. Funds are currently available in

the Mayor's discretionary fund. Usual practise for donation of an asset would be to debit this fund and credit the asset account with that \$625 to facilitate asset write-off from the accounts.

## **STRATEGIC & REGIONAL OUTCOMES:**

### **Strategic Community Plan Outcomes:**

- Goal 01: Opportunities for Lifestyle
- Outcome1.2: A healthy community through sport, recreation and leisure opportunities.
- Strategy1.2.1: Provide accessible active and passive recreational spaces.
- In this case, the Shire of Carnamah community would accrue the contribution to these outcomes.

### **Regional Outcomes:**

Access for people with a disability to the Carnamah pool.

## **ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**

### **Economic:**

There are no economic impacts associated with this matter.

### **Social:**

There are positive social impacts associated with this matter, enhancing support for people with disabilities, arising from a modest contribution by the City to the Shire of Carnamah.

### **Environmental:**

There are no environmental impacts associated with this matter.

### **Cultural & Heritage:**

There are no cultural & heritage impacts associated with this matter

## **RELEVANT PRECEDENTS:**

There are no recent relevant precedents associated with this matter.

## **DELEGATED AUTHORITY:**

There is no delegated authority.

## **VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by simple majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. Defer the decision to dispose of the asset by donation.
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

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

1. DISPOSE of the static pool hoist Asset number #7090 by Public tender.
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**CONCLUSION:**

The static pool hoist is a specialist piece of equipment which is six years old and is now surplus to City requirements. The Shire of Carnamah has expressed interest in obtaining the hoist. By donating the hoist to Carnamah the City would be assisting another Council to offer access for people with a disability to the Carnamah pool, contributing to community wellness.

**EXECUTIVE RECOMMENDATION:**

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

1. Approve disposal of asset number 7090 valued at \$625 by donation of the pool hoist to the Shire of Carnamah.
2. Authorise the Chief Executive Officer to write off the asset against the Mayor's discretionary fund, and facilitate the donation to Shire of Carnamah at the earliest practicable opportunity.

**11.7 Reports to be Received****REPORTS TO BE RECEIVED**

<b>AGENDA REFERENCE:</b>	<b>D-12-06973</b>
<b>AUTHOR:</b>	<b>A Brun, Chief Executive Officer</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>No</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0002</b>
<b>DATE OF REPORT:</b>	<b>15 February 2012</b>

**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.

**ADMINISTRATIVE COMMENT:**

The following reports are attached in the Appendix to this agenda:

*Office of the CEO**Reports of Corporate Services*

- CS050 Financial Statements to December 2011
- CS051 Financial Statements To January 2012
- CS052 **Confidential** reports - list of accounts January 2012
- CS053 **Confidential** reports list of accounts paid under CEO delegation

*Reports of Sustainable Communities*

- SCDD060 Delegated Determinations – Applications for Planning Approval

*Reports of Creative Communities*

- CC041 Australia Day Meeting Minutes 20111206
- CC042 Australia Day Meeting Minutes 20120111
- CC043 QEII Coordinator's Report - September 2011
- CC044 QEII Coordinator's Report - October 2011
- CC045 QEII Coordinator's Report - November 2011
- CC046 QE11 Seniors Resource Centre Jan-June 2011
- CC047 Seniors Advisory Committee Meeting Minutes 20111214

**CONSULTATION:**

Not applicable.

**STATUTORY ENVIRONMENT:**

Not applicable.

**VOTING REQUIREMENTS:**

Simple majority is required.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority RESOLVES to RECEIVE the appended reports attached to this agenda.

## 12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 12.1 Cr D Brick - Notice of motion

AUSTRALIAN RED CROSS BLOOD SERVICES	
<b>AGENDA REFERENCE:</b>	<b>D-12-08414</b>
<b>AUTHOR:</b>	<b>Cr D Brick</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

#### Councillor Comment

In light of the of the value provided by this service to public health and the growth we are experiencing and preparing for in the City of Greater Geraldton and the region I believe this service is vital and integral to both the health and ethos of our community.

I have been approached by a number of Donors who expressed their concerns over the closure of the blood donor service and the severe impact this has on their ability to assist others in their time of need with their donated blood. The common request from these donors was if I could help in any way to have this service reinstated, hence my motion.

On the 18/11/2011 from the Australian Red Cross Blood Service News ([www.donateblood.com.au/media-centre/latest-national-news/less](http://www.donateblood.com.au/media-centre/latest-national-news/less)) "Less than 3 days' supply of blood"

"The Australian Red Cross Blood Service has appealed for more people to become blood donors, as the nation's blood supply plummets to less than three days coverage."

Blood service spokeswoman Katy Bowen goes on to say; "Right now we are relying on too few Australians to keep the blood supply flowing. It's time more Australians rolled up their sleeves and became blood donors" "We need to bolster blood services now, and we can't do that without community support" she said. "We need people's help" she said.

I believe the provision of this service is necessary not only for the invaluable contribution to public health but also in that it allows our residents to personally contribute to the community in one of the most important ways I can think of - to assist in saving life and maintaining the health of others.

### Executive Comment

Officers have attempted to ascertain the reasons behind the closure and can only ascertain that staffing issues were the problem though a decline in donations has also occurred. If staffing has been an issue it stands to reason that donations will decline if the service is not available. Initial investigations have identified that the Red Cross are exclusively providing this service across West Australia and no other providers are therefore able to offer an alternate service in Geraldton. The intent of Councillor Brick's motion will demonstrate that the City is concerned about this loss of a service and may assist in the matter being reassessed. By having a funding source that can assist in providing staff to both run and promote the service would most likely lead to increased donation levels which hopefully would make the service self-sustaining.

### *Background*

According to the Australian Red Cross website, the Geraldton blood donor centre closed on 10 January 2012. Media report link; <http://www.donateblood.com.au/media-centre/latest-wa-news/geraldton-blood-donor-centre-to-close> .

Enquiries were initially made with WA Country Health Service and the Geraldton Regional Hospital regarding the supply of donated blood in Geraldton and there was no impact on their operations. Subsequent information received from Red Cross as follows:

The reason for the closure of the Geraldton Blood Donor Centre is due to unavailability of staff. They have had staffing concerns for the past four years and have been unable to resolve them in order to ensure adequate safety of staff and donors while meeting the stringent requirements of the Therapeutic Goods Authority. The Red Cross has a duty to ensure that all products it supplies are suitable for patients and not having available staff has meant that this can no longer be sustained. There is no expectation that the situation with the closure of the Geraldton Donor Centre will change anytime in the near future.

Detailed information was provided in a briefing note to Councillors on 13 February 2012.

Include key components from the briefing note rather than cross referencing it, this item needs to be in effect a mini report.

### *Risks*

There are no risks associated with the service being closed to continued blood supplies to Geraldton, but there is a potential risk therapeutic donors may find it more difficult to give blood on a regular basis.

### *Compliance*

This motion has no bearing on any compliance issues within the jurisdiction of the City. Licenses are required for services collecting blood products from Commonwealth Government.

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**VOTING REQUIREMENTS:**

Simple Majority

**COUNCILLOR MOTION:**

That Council by Simple Majority RESOLVES to

1. CALL upon the Hon Kim Hames Minister of Health to:
  - a. acknowledge the critical role that the blood donor service provides to the community of Geraldton and the Mid-West as part of the integrated Health Service of which the State Government has full responsibility for;
  - b. investigate the closure of the blood donor service in Geraldton and in particular address the apparent staffing issues; and
  - c. urgently provide funding and access to staffing to ensure the reinstatement of a blood donor service in Geraldton.
2. MAKES the determination on the following grounds:
  - a. the value of donated blood in the preservation of life.
  - b. Blood donors in the region desire a service to be provided that they have convenient access rather than travelling to Perth;
  - c. concern that the Staffing issues including availability of professional staff as stated by Red Cross need to be addressed; and
  - d. there is a disadvantage to therapeutic donors not having a free service available in Geraldton due to the costs associated with visiting a GP to have the procedure.

## 12.2 Cr D Brick - Notice of Motion

GERALDTON PCYC	
<b>AGENDA REFERENCE:</b>	<b>D-12-08416</b>
<b>AUTHOR:</b>	<b>Cr D Brick</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

### Executive comment

The City has been in communication with the PCYC Federation and the local PCYC staff to determine the current situation and the implications of the decision of the Police Department to remove all paid positions from PCYC centres across the state. At this stage it is understood by the City that this was a decision of the Police Commissioner and that it will take effect from mid-year 2012. The implications of this decision are as follows:

- The PCYC Federation would have to assume responsibility for staffing PCYC's across the state;
- There is no apparent state support for funding of PCYC's post mid-year 2012 (i.e. after paid staff are removed); and
- The PCYC Federation would need to attract funding either via their own operations or via grants to allow them to maintain the service. At this stage there are no clear funding options that have been communicated to the City.

### *Risks*

The lack of staffing/funding may result in reduced services or the closure of the PCYC in Geraldton. The implications of this include; Reduction or cessation of low cost program that are accessible to youth and families; Reduction or cessation of programs and facilities that are used by other community groups and not for profit agencies such as Community Education Centre.

Reduction of programs during school holiday periods; and Potential expectation that the City and/or other agencies will fill the void left by closure of PCYC.

There is a risk that youth currently involved with PCYC programs are left without a service resulting in them becoming disengaged and drawn into less desirable activities and behaviour.

### *Compliance Issues*

There are no compliance issues relating to this Notice of Motion.

### **VOTING REQUIREMENTS:**

Simple Majority

**COUNCILLOR MOTION:**

That Council by Simple Majority RESOLVES to:

1. CALL on the Minister for Police to
  - a. ensure the decision to remove the uniformed Police position and the Coordinators position from Geraldton PCYC is revoked;
  - b. ensure that this long term and invaluable partnership will be guaranteed and funded into the future for the continued benefit of the children, residents and visitors of the City of Greater Geraldton
2. MAKES the determination on the following grounds:
  - a. to demonstrate Council support for PCYC operations in the Greater Geraldton community;
  - b. to demonstrate Council's active role in supporting Outcome 1.3 of the City of Greater Geraldton Strategic Plan 2011 - 2021 A Safe, secure and supportive community; and
  - c. to assist the Geraldton PCYC to remain open and provide valuable services to Greater Geraldton.

### 12.3 Cr S Van Styn – Notice of Motion

FORESHORE TOILET FACILITIES	
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<b>AGENDA REFERENCE:</b>	<b>D-12-08417</b>
<b>AUTHOR:</b>	<b>Cr S Van Styn</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

#### **Councillor Comment**

There exists an unmet need for ablution blocks at the very northern end of the foreshore. This issue has remained unresolved for a very long time as a result of waiting for a surf club proposal. This delay has created significant public unrest which is duly warranted.

However the proposal to locate a new standalone toilet block at the site previously set aside for a surf club will create an eyesore on the foreshore and is not in keeping with the significant works to date to make the foreshore an attractive place to visit. The locality already has a significant building on the foreshore, which has toilets and is located approximately 50 metres from the proposed toilet block. A location closer to the northern beach, closer to the marina and closer to parking, is therefore a far more practical location.

Therefore, from an aesthetic, timely and practical basis, it is requested that Council desist from building on the lot set aside for a surf club in the original master plan.

#### **Executive Comment**

There is currently no lease with the Champion Bay Surf Lifesaving Club. A draft lease was provided to the Club in late 2009 for review and has not yet been executed by either party.

There is some flexibility with the construction of the toilet block. The current Council planning relates to integrating this development with the proposed Champion Bay Surf Life Saving Club development in a form which can exist in its own right or as part of a future club house. A relocation to the northern extremity of the Foreshore Precinct is feasible as there are opportunities to connect to sewer. It is noted that there are time constraints in the decision making process as grant funds need to be expended (or at least committed and contracts entered) in this financial year (e.g. prior to the 30<sup>th</sup> June 2012).

There are opportunities to consider alternate locations for the Champion Bay Surf through a consultative framework. Given external funding options for the development of the surf club house have not been secured at this stage, it is not likely that such a process would significant or adversely impact timeframes in progressing this project.

**VOTING REQUIREMENTS:**

The consideration to revoke is a 1/3<sup>rd</sup> vote

The decision to vote is a Simple Majority as is Part C

**COUNCILLOR MOTION:****Part A**

That Council by 1/3 Majority pursuant to Regulation 10 of the Local Government Act (Administration) Regulations 1996 as referred to s.5.25 of the Local Government Act 1995 CONSIDER to REVOKE the following Council meeting resolution of 25 August 2009:

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended), RESOLVES to:

1. APPROVE a lease for the Champion Bay Surf Life Saving Club for an area comprising 700m<sup>2</sup> situated at the Geraldton Foreshore on Portion of Reserve 25300 situated north of the Durlacher Street roundabout, referred as Option 2, as shown on plan drawing;
2. APPROVE the concept for the initial phase of the Champion Bay Surf Life Saving Club facility of approximately 340m<sup>2</sup> subject to the design, materials and colours to be in accordance with the schedules developed by Hames Sharley to ensure high quality and consistency within the Foreshore project is achieved;
3. PROGRESS discussions in regard to the balance area, noting that public amenities will need to be accommodated and should the Champion Bay Surf Life Saving Club wish to progress with further development, Council will require the surf club to prepare a business plan which outlines:
  - a. the need for additional facilities;
  - b. the financial capacity to both construct and maintain facilities; and
  - c. any extension area should be aimed to accommodate multi-user activities.
4. APPROVE the term of the lease for a period of 21 years with an option to renew of a further 21 years; and
5. APPROVE the lease fee rental as \$295 per annum in accordance with the City's schedule of fees and charges.

**Part B**

That Council by Simple Majority pursuant to Regulation 10 of the Local Government Act (Administration) Regulations 1996 as referred to s.5.25 of the Local Government Act 1995 RESOLVES to REVOKE the following Council meeting resolution of 25 August 2009:

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended), RESOLVES to:

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1. APPROVE a lease for the Champion Bay Surf Life Saving Club for an area comprising 700m<sup>2</sup> situated at the Geraldton Foreshore on Portion of Reserve 25300 situated north of the Durlacher Street roundabout, referred as Option 2, as shown on plan drawing;
2. APPROVE the concept for the initial phase of the Champion Bay Surf Life Saving Club facility of approximately 340m<sup>2</sup> subject to the design, materials and colours to be in accordance with the schedules developed by Hames Sharley to ensure high quality and consistency within the Foreshore project is achieved;
3. PROGRESS discussions in regard to the balance area, noting that public amenities will need to be accommodated and should the Champion Bay Surf Life Saving Club wish to progress with further development, Council will require the surf club to prepare a business plan which outlines:
  - a. the need for additional facilities;
  - a. the financial capacity to both construct and maintain facilities; and
  - b. any extension area should be aimed to accommodate multi-user activities.
4. APPROVE the term of the lease for a period of 21 years with an option to renew of a further 21 years; and
5. APPROVE the lease fee rental as \$295 per annum in accordance with the City's schedule of fees and charges

Part C

That Council by Simple Majority RESOLVES to:

1. DETERMINE to not allow any building on the Geraldton Foreshore on the lot previously set aside for a surf club and/or toilet block.
2. AGREE to build the northern toilet building at the very northern end of the foreshore.
3. INVESTIGATE the possibility of the Champion Bay Surf Lifesaving Club utilising alternate sites.
4. APPROVE Champion Bay Surf Lifesaving Club to maintain its current structure or one similar should they wish to, at the current location.
5. MAKES the determination on the following grounds:
  - a. The City is providing artwork and landscaping to increase the amenity of the foreshore and a toilet block located by itself in the centre of a grassy area detracts from these works.
  - b. The standalone location of the toilet block on the proposed "surf club" site is not practically located with reference to parking or proximity to users of the most northern beach section of the foreshore.
  - c. There is no guarantee the surf club will ever be in a position to fund a surf club building to adjoin the toilet block.
  - d. No further substantial buildings should be built on the foreshore, therefore retaining the maximum amount of open space.
  - e. The building of the toilets to service the northern end of the foreshore has been held up for a significant period of time as a result of the proposed surf club. This delay has resulted in community unrest about the lack of toilets. This motion seeks to resolve this issue in an aesthetic, practical and timely manner.

## 12.4 Cr G Bylund Notice of motion

<b>PROPOSED CARAVAN/RV CHEMICAL TOILET FACILITIES</b>	
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<b>AGENDA REFERENCE:</b>	<b>D-12-08419</b>
<b>AUTHOR:</b>	<b>Cr G Bylund</b>
<b>DATE OF REPORT:</b>	<b>21 February 2012</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Council</b>
<b>ATTACHMENTS:</b>	<b>No</b>

### **Councillor Comment**

This motion is in the interests of making the City of Greater Geraldton a destination for tourists and a 'must-stop' place for the caravan and motorhome community. At the moment, the City is largely missing out on this market.

I propose as part of the upgrade to this complex happening now, Eden Clark Reserve toilet block area be developed to incorporate a public chemical toilet dumping station for caravans and motorhomes. With adequate directional signage to be placed on the major entry Roads to the City. Area to incorporate a turning parking area, drop point and water hose connection for cleaning (water point may be coin operated for security / vandalism / waste reasons.) This facility at Eadon Clarke needs to be implemented this (2011/12) financial year. Next year (2012/13) another two facilities need to be provided. These locations are at the airport and the Greenough Hamlet.

### **Executive Comment**

A meeting was held (15/2/12) regarding this matter with representatives from various City Departments. The outcome of the meeting was not to proceed with urgent implementation of a basic standard chemical toilet dumping facility, in favour of investigating the potential for a higher-quality facility more suited to a major regional centre such as Geraldton.

Minimal investigations have been undertaken to date regarding the proposals at the Eadon Clarke site and the other two sites, however there appears to be some potential at all sites. Impacts such as implementation cost, ongoing maintenance requirements, vehicle access, existing services etc. have not been explored in detail. Expected levels of public demand are also not fully understood at present. These risks however are likely to be manageable and anecdotal evidence suggests the local economy is likely to benefit from such a facility.

Fee-for-service dump points exist at City caravan parks, however they are not preferred by the caravan and RV community. Other free-of-cost facilities are available in Dongara, Chapman Valley and Northampton. A free dump point also exists at Ellendale Pool, though this is unlikely to be convenient to regular travellers passing through the City. These facilities should address any immediate environmental risks of illegal dumping of toilet chemicals.

The estimated implementation cost of a minimum-standard facility (based on the current understanding of the Eadon Clarke proposal) is anticipated to be \$10k. There is currently no dedicated budget allocation towards this project.

There does not appear to be any urgent environmental need to implement this facility given other available dumping points. There would however appear to be some financial benefit to the local economy in establishing this facility. At this stage, the City has planned a thorough investigation into the establishment of a quality facility next financial year (2012/13).

**VOTING REQUIREMENTS:**

As the matter deals with a funding appropriation (Part 2) it requires an Absolute Majority.

**COUNCILLOR MOTION:**

That Council by Absolute Majority RESOLVES to:

1. APPROVE proceeding with implementation of a minimum-standard caravan/RV dumping point facility at Eadon Clarke Reserve in the 2011/12 financial year;
2. APPROVE funding of \$10k to be allocated towards the Eadon Clarke dumping point facility at the next available 2011/12 budget review;
3. APPROVE funding two further minimum-standard facilities within the airport precinct and Greenough Hamlet in the 2012/13 financial year;
4. MAKES the determination on the following grounds:
  - a. High-end facilities are not justified;
  - b. The locations are ideal; and
  - c. Simple, cost-effective and functional facilities are all that is required.

- 13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 14 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING**
- 15 DEFERRED MATTERS**
- 16 CLOSURE**

**APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED**

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

## ANNEX 1 - CITY OF GREATER GERALDTON STANDING ORDERS LOCAL LAW 2007

### LOCAL GOVERNMENT ACT 1995

#### CITY OF GERALDTON-GREENOUGH

#### STANDING ORDERS LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Geraldton-Greenough, resolved on the 27 November 2007 to make the following local law.

### PART 1-PRELIMINARY

#### 1.1 Citation

(1) This Local Law may be cited as the *City of Geraldton-Greenough Standing Orders Local Law 2007*.

(2) In the clauses to follow, this Local Law is referred to as "the Standing Orders."

#### 1.2 Application

All meetings of the Council or a committee and other matters as prescribed are to be conducted in accordance with the Act, the Regulations and these Standing Orders.

#### 1.3 Interpretation

(1) In these Standing Orders unless the context otherwise requires:

"**Act**" means the *Local Government Act 1995* as amended;

"**CEO**" means the Chief Executive Officer or Acting Chief Executive Officer for the time being of the City of Geraldton-Greenough;

"**committee**" means a committee of Council described in section 5.9 of the Act and appointed under section 5.10 of the Act;

"**conflict of interest**" means any conflict between the performance of public duty and private or personal interests that may be described in the *Local Government (Rules of Conduct) Regulations 2007*;

"**Council**" means the Council of the City of Geraldton-Greenough;

"**presiding member**" means the presiding member of a Council committee or meeting, or the deputy presiding member or a member of the committee when performing a function of the presiding member in accordance with the Act;

"**Regulations**" means the *Local Government (Administration) Regulations 1996*; and

"**substantive motion**" means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

(2) Unless otherwise defined herein the terms and expressions used in the Standing Orders are to have the meaning given to them in the Act and Regulations.

#### 1.4 Repeal

The *City of Geraldton Standing Orders Local Law* as published in the *Government Gazette* on 22 June 1999 and as amended and published in the *Government Gazette* on the 1 April 2005 is repealed.

### PART 2-BUSINESS OF THE MEETING

#### 2.1 Business to be specified on notice paper

(1) No business is to be transacted at any ordinary meeting of the Council or committee other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.

(2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

(3) No business is to be transacted at an adjourned meeting of the Council or a committee other than that –

(a) specified in the notice of the meeting which had been adjourned; and

(b) which remains unresolved; except in the case of an adjournment to the next ordinary meeting of the Council or the committee, when the business unresolved at the adjourned meeting is to have precedence at that ordinary meeting.

#### 2.2 Order of business

(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows –

(a) Declaration of opening;

(b) Record of attendance/apologies/leave of absence (previously approved);

(c) Response to previous public questions taken on notice;

(d) Public question time;

(e) Applications for leave of absence;

(f) Petitions, deputations or presentations;

(g) Declarations of conflicts of interest;

(h) Confirmation of minutes of previous meetings;

(i) Announcements by presiding member without discussion;

(j) Reports of committee and officers;

(k) Elected members motions of which previous notice has been given;

(l) Questions by members of which due notice has been given;

(m) New business of an urgent nature authorised by the presiding member;

(n) Closure of meeting.

(2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the agenda of the meeting.

(3) Notwithstanding subclauses (1) and (2) in the order of business for any meeting of the Council or a committee, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

(4) Notwithstanding subclause (1), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriately decided, by that meeting.

(5) Notwithstanding subclause (1), the Council may include on the agenda of a Council or committee meeting in an appropriate place within the order of business provision for matters which it considers appropriate for a committee or Council to deal with at its meetings.

### 2.3 Public question time

- (1) A member of the public who raises a question during question time is to state his or her name and address.
- (2) A question may be taken on notice by the Council or committee for later response.
- (3) When a question is taken on notice under subclause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.

### 2.4 Petitions

A petition, in order to be effective, is to -

- (a) be addressed to the Mayor;
- (b) be made by electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
- (g) be in the form prescribed by the Act and *Local Government (Constitution) Regulations 1996* if it is -
  - (i) a proposal to change the method of filling the office of Mayor;
  - (ii) a proposal to create a new district or the boundaries of the Local Government;
  - (iii) a request for a poll on a recommended amalgamation;
  - (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.

### 2.5 Deputations

- (1) A deputation requesting to meet the Council or a committee is to apply in writing to the CEO who is to forward the written request to the Mayor or the Presiding Member as the case may be.
- (2) The Mayor if the request is to attend a Council meeting, or the Presiding Member of the committee, if the request is to attend a meeting of a committee, may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be, or may instruct the CEO to refer the request to the Council or committee to decide by simple majority whether or not to receive the deputation.
- (3) A deputation invited to attend a Council or committee meeting;
  - (a) is not to exceed three persons, only two of whom may address the Council or committee, although others may respond to specific questions from the members; and
  - (b) is not to address the Council or committee for a period exceeding 10 minutes without the agreement of the Council or the committee as the case requires.
- (4) Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or that committee until the deputation has completed its presentation.

### 2.6 Confirmation of minutes

- (1) When minutes of a meeting are submitted to an ordinary meeting of the Council or committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, then he or she is to -

- (a) state the item or items with which he or she is dissatisfied; and
- (b) propose a motion clearly outlining the alternative wording to amend the minutes.

- (2) Discussion of any minutes, other than discussion as to their accuracy as a record of the proceedings, is not permitted.

### 2.7 Announcements by the presiding member without discussion

- (1) At any meeting of the Council or a committee the presiding member may announce or raise any matter of interest or relevance to the business of the Council or committee, or propose a change to the order of business.
- (2) Any member may move that a change in order of business proposed by the presiding member not be accepted and if carried by a majority of members present, the proposed change in order is not to take place.

### 2.8 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be given at least four (4) clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good government of persons in the district.
- (4) The CEO may under his or her own name provide relevant and material facts, circumstances and professional advice pertaining to the notice of motion and may provide recommendations to Council or committee on how it should deal with these matters.
- (5) No notice of motion is to be out of order because the policy involved is considered to be objectionable.
- (6) A motion of which notice has been given is to lapse unless -
  - (a) the member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or
  - (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (7) If a notice of motion is given and lapses in the circumstances referred to in subclause (6)(a), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse unless supported by an absolute majority of Council.

### 2.9 Questions by members of which due notice has been given.

- (1) A question on notice is to be given by a member in writing to the CEO at least four (4) clear working days before the meeting at which it is raised.
- (2) If the question referred to in subclause (1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at that meeting.
- (3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the presiding member.

### 2.10 Urgent business approved by the presiding member or by decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the presiding member, or by decision of the members

present, be raised without notice and decided by the meeting.

#### **2.11 Matters for which meeting may be closed**

Any matter on the agenda of the meeting to be discussed "behind closed doors" is to be deferred for consideration as the last item of the meeting unless otherwise resolved by Council.

### **PART 3-PUBLIC ACCESS TO AGENDA MATERIAL**

#### **3.1 Inspection entitlement**

Members of the public have access to agenda material in the terms set out in Regulation 14 of the Regulations.

#### **3.2 Confidentiality of information withheld**

(1) Information withheld by the CEO from members of the public under Regulation 14.2, of the Regulations, is to be -

- (a) identified in the agenda of a Council or committee meeting under the item "Matters for which meeting may be closed to the public";
- (b) marked "confidential" in the agenda; and
- (c) recorded in the minutes that, "a decision was reached which being confidential in nature will be considered separately in full Council."

(2) A member of the Council or a committee or an employee of the Council in receipt of confidential information is not to disclose such information to any person other than a member of the Council or the committee or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

Penalty \$5,000

### **PART 4-DISCLOSURES OF CONFLICTS OF INTERESTS**

#### **4.1 Separation of committee recommendations**

Where a member of the Council has disclosed an interest in a matter, at a committee meeting, and the matter is contained in the recommendations of the committee to an ordinary meeting of Council or to another committee meeting that will be attended by the member, the recommendation concerned is to be separated on the agenda of that ordinary meeting or other committee meeting, from other recommendations of the committee, to enable the member concerned to declare the interest and leave the room prior to consideration of that matter only.

#### **4.2 Member with an interest may ask to be present**

(1) Where a member has disclosed the nature of his or her interest in a matter, immediately before the matter is considered by the meeting, he or she may, without disclosing the extent of the interest, request that he or she be allowed to be present during any discussion or decision making procedure related to the matter.

(2) If such a request is made, the member is to leave the room while the request is considered. If the request is allowed by the members, the member may return to the meeting and be present during the discussion or decision making procedure related to that matter, but is not permitted to participate in any way.

#### **4.3 Member with an interest may ask permission to participate**

(1) A member who discloses both the nature and extent of an interest, may request permission to take part in the consideration or discussion of the matter, or to vote on the matter.

(2) If such a request is made, the member is to leave the room while the request is considered. If it is decided at a meeting that a member who has disclosed both the nature and extent of an interest in a matter, be permitted to participate in the consideration and discussion of the matter or to vote on the matter, or both, then the member may return to participate to the extent permitted.

#### **4.4 Invitation to return to provide information**

Where a member has disclosed an interest in a matter and has left the room in accordance with the Act, the meeting may resolve to invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter and in such case the member is to withdraw after providing the information.

#### **4.5 Disclosures by employees**

(1) If an employee within the meaning of section 5.70 of the Act, presents a written report to a meeting, on a matter in which the employee has an interest, the nature of the interest is to be disclosed at the commencement of the report.

(2) If such an employee makes a verbal report to a meeting on a matter in which the employee has an interest, the employee is to preface his or her advice to the meeting by verbally disclosing the nature of the interest.

### **PART 5-QUORUM**

#### **5.1 Quorum to be Present**

The Council or a committee is not to transact business at a meeting unless a quorum is present.

#### **5.2 Loss of quorum during a meeting**

(1) If at any time during the course of a meeting of the Council or a committee a quorum is not present -

(a) in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until either -

(i) a quorum is present to decide the matter; or

(ii) the Minister allows a disclosing member or members to preside at the meeting or to participate in discussions or the decision making procedures relating to the matter under section 5.69 of the Act; or

(b) because of a member or members leaving the meeting for reasons other than disclosure of a financial interest, the presiding member is to suspend the proceedings of the meeting for a period of up to thirty minutes, and if a quorum is not present at the end of that time, the meeting is deemed to have been adjourned and the presiding member is to reschedule it to some future time or date having regard to the period of notice which needs to be given under the Act, Regulations, or the Standing Orders when calling a meeting of that type.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1)(b) -

(a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and

- (b) in the case of a Council meeting
- (i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
  - (ii) the provisions of clause 8.5 apply when the debate is resumed.

## **PART 6-KEEPING OF MINUTES**

### **6.1 Content of minutes**

In addition to the matters contained in Regulation 11 of the Regulations, the content of minutes of a meeting of the Council or a committee is to include, where an application for approval is declined or the authorisation of a licence, permit, or certificate is otherwise withheld or cancelled, the reasons for the decision.

### **6.2 Preservation of minutes**

Minutes including the agenda of each Council and committee meeting are to be kept as a permanent record of the activities of the local government and are to be transferred to the State Records Office, being a directorate of the Library and Information Service of Western Australia, in accordance with the retention and disposal policy determined by that office from time to time.

## **PART 7-CONDUCT OF PERSONS AT COUNCIL AND COMMITTEE MEETINGS**

### **7.1 Official titles to be used**

Members of the Council are to speak of each other in the Council or committee by their respective titles of Mayor or councillor. Members of the Council, in speaking of or addressing employees, are to designate them by their respective official titles.

### **7.2 Members to occupy own seats**

At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each councillor and the councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions.

### **7.3 Leaving meetings**

During the course of a meeting of the Council or a committee no member is to enter or leave the meeting without first advising the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

### **7.4 Adverse reflection**

(1) No member of the Council or a committee is to reflect adversely upon a decision of the Council or committee except on a motion that the decision be revoked or changed. Penalty \$1,000

(2) No member of the Council or a committee is to use offensive or objectionable expressions in reference to any member, employee of the Council, or any other person.

(3) If a member of the Council or committee specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the presiding member is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in the minutes.

### **7.5 Recording of proceedings**

(1) No person is to use any electronic, visual or vocal recording device or instrument to record the

proceedings of the Council or a committee without the written permission of the Council.

(2) Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

### **7.6 Prevention of disturbance**

(1) Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the presiding member whenever called upon to do so.

Penalty \$1,000

(2) No person observing a meeting, is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

Penalty \$1,000

(3) Members and members of the public are not to use or have turned on mobile phones or paging devices without the approval of the presiding member.

## **PART 8-CONDUCT OF MEMBERS DURING DEBATE**

### **8.1 Members to indicate they wish to speak**

Every member of the Council wishing to speak is to indicate by a show of hands or other method agreed upon by the Council. When invited by the presiding member to speak, members are to address the Council through the presiding member.

### **8.2 Priority**

In the event of two or more members of the Council or a committee wishing to speak at the same time, the presiding member is to decide which member is entitled to be heard first. The decision is not open to discussion or dissent.

### **8.3 The presiding member to take part in debates**

Unless otherwise prohibited by the Act, and subject to compliance with procedures for the debate of motions contained in these Standing Orders, the presiding member may take part in a discussion of any matter before the Council or committee as the case may be.

### **8.4 Relevance**

Every member of the Council or a committee is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

### **8.5 Limitation of number of speeches**

No member of the Council is to address the Council more than once on any motion or amendment before the Council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

### **8.6 Limitation of duration of speeches**

All addresses are to be limited to a maximum of five minutes. Extension of time is permissible only with the agreement of the presiding member.

### **8.7 Members not to speak after conclusion of debate**

No member of the Council or a committee is to speak to any question after the right of reply has been exercised or declined.

**8.8 Members not to interrupt**

No member of the Council or a committee is to interrupt another member of the Council or committee whilst speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 9.14; or
- (d) to move a motion under clause 10(1)(f).

**8.9 Re-opening discussion on decisions**

No member of the Council or a committee is to re-open discussion on any decision of the Council or committee, except for the purpose of moving that the decision be revoked or changed.

**PART 9-PROCEDURES FOR DEBATE OF MOTIONS**

**9.1 Motions to be stated**

Any member of the Council or a committee who moves a substantive motion or amendment to a substantive motion is to state the substance of the motion before speaking to it.

**9.2 Motions to be supported**

No motion or amendment to a substantive motion is open to debate until it has been seconded, or, in the case of a motion to revoke or change the decision made at a Council or a committee meeting, unless the motion has the support required under Regulation 10 of the Regulations.

**9.3 Unopposed business**

- (1) Upon a motion being moved and seconded, the presiding member may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the presiding member may declare the motion in subclause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

**9.4 Only one substantive motion considered**

When a substantive motion is under debate at any meeting of the Council or a committee, no further substantive motion is to be accepted.

**9.5 Breaking down of complex questions**

The presiding member may order a complex question to be broken down and put in the form of several motions, which are to be put in sequence.

**9.6 Order of call in debate**

The presiding member is to call speakers to a substantive motion in the following order:

- (a) The mover to state the motion;
- (b) A seconder to the motion;
- (c) The mover to speak to the motion;
- (d) The seconder to speak to, or reserve the right to speak to the motion;
- (e) A speaker against the motion;
- (f) A speaker for the motion;
- (g) Other speakers against and for the motion, alternating in view, if any;

- (h) Mover takes right of reply which closes debate.

**9.7 Member may require questions to be read**

Any member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member whilst speaking.

**9.8 Consent of member required to accept alteration of wording**

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

**9.9 Order of amendments**

Any number of amendments may be proposed to a motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn or lost.

**9.10 Amendments must not negate original motion**

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

**9.11 Substantive motion**

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

**9.12 Withdrawal of motion and amendments**

Council or a committee may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment is to continue.

**9.13 Limitation of withdrawal**

Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

**9.14 Personal explanation**

No member is to speak at any meeting of the Council or a committee, except upon the matter before the Council or committee, unless it is to make a personal explanation. Any member of the Council or committee who is permitted to speak under these circumstances is to confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When a member of the Council or committee rises to explain, no reference is to be made to matters unnecessary for that purpose.

**9.15 Personal explanation - when heard**

A member of the Council or a committee wishing to make a personal explanation of matters referred to by any member of the Council or committee then speaking, is entitled to be heard immediately, if the member of the Council or committee then speaking consents at the time, but if the member of the Council or committee who is speaking declines to give way, the explanation is to be offered at the conclusion of that speech.

**9.16 Ruling on questions of personal explanation**

The ruling of the presiding member on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

**9.17 Right of reply**

(1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other member is to speak on the question.

(2) The right of reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.

**9.18 Right of reply provisions**

The right of reply is governed by the following provisions:

- (a) if no amendment is moved to the substantive motion, the mover may reply at the conclusion of the discussion on the motion;
- (b) if an amendment is moved to the substantive motion the mover of the substantive motion is to take the right of reply at the conclusion of the vote on any amendments;
- (c) the mover of any amendment does not have a right of reply;
- (d) once the right of reply has been taken, there can be no further discussion, nor any other amendment and the original motion or the original motion as amended is immediately put to the vote.

**9.19 En bloc motions**

When dealing with each report in Council, the presiding member shall highlight items within the reports that require absolute or special majority approvals or are items where members or attending officers have declared an interest.

The presiding member then invites members to identify other items they wish to deal with individually including items they wish to have amended or may want clarification on.

The presiding member then invites an en bloc motion to adopt the recommendations for the remaining items. The minutes shall record at the end of each report item that they were adopted by the en bloc method.

**PART 10-PROCEDURAL MOTIONS****10.1 Permissible procedural motions**

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member to move the following procedural motions:

- (a) that the matter be moved back to Committee;
- (b) that the Council (or committee) proceed to the next business;
- (c) that the question be adjourned;
- (d) that the Council (or committee) now adjourn;
- (e) that the question be now put;
- (f) that the member be no longer heard;
- (g) that the ruling of the presiding member be disagreed with;
- (h) that the Council (or committee) meet behind closed doors, if the meeting or part of the meeting to which the motion relates is a matter in respect of which the meeting may be closed to members of the public under section 5.23 of the Act.
- (i) that the council move to committee

**10.2 No debate on procedural motions**

(1) The mover of a motion stated in each of paragraphs (a), (b), (c), (d), (g), (h) and (i) of clause 10.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion stated in each of paragraphs (e) and (f) of Clause 10.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

**10.3 Procedural motions - closing debate - who may move**

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

**10.4 Procedural motions - right of reply on substantive motion**

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

**PART 11-EFFECT OF PROCEDURAL MOTIONS****11.1 Matter be moved back to committee – effect of motion**

The motion "that the matter be moved back to Committee," if carried, causes the debate to cease immediately and for the Council (or Committee) to move to the next business of the meeting enables the matter to be addressed by originating committee.

**11.2 Council move to committee – effect of motion**

The motion "that Council move back to committee" enables the matter to be discussed without the limitation on the number of speeches.

**11.3 Council (or committee) to proceed to the next business - effect of motion**

The motion "that the Council (or committee) proceed to the next business", if carried, causes the debate to cease immediately and for the Council (or committee) to move to the next business of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be again raised for consideration.

**11.4 Question to be adjourned - effect of motion**

(1) The motion "that the question be adjourned", if carried, causes all debate on the substantive motion or amendment to cease but to continue at a time stated in the motion.

(2) If the motion is carried at a meeting of the Council

- (a) the names of members who have spoken on the matter are to be recorded in the minutes; and
- (b) the provisions of clause 8.5 apply when the debate is resumed.

**11.5 Council (or committee) to now adjourn - effect of motion**

(1) The motion "that the Council (or committee) now adjourn", if carried, causes the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was

adjourned, unless the presiding member or a simple majority of members upon vote, determine otherwise.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1) -

(a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and

(b) in the case of a Council meeting

(i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and

(ii) the provisions of clause 8.5 apply when the debate is resumed.

#### **11.6 Question to be put - effect of motion**

(1) The motion "that the question be now put", if carried during discussion of a substantive motion without amendment, causes the presiding member to offer the right of reply and then immediately put the matter under consideration without further debate.

(2) This motion, if carried during discussion of an amendment, causes the presiding member to put the amendment to the vote without further debate.

(3) This motion, if lost, causes debate to continue.

#### **11.7 Member to be no longer heard - effect of motion**

The motion "that the member be no longer heard", if carried, causes the presiding member to not allow the speaker against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

#### **11.8 Ruling of the presiding member disagreed with - effect of motion**

The motion "that the ruling of the presiding member be disagreed with", if carried, causes the ruling of the presiding member about which this motion was moved, to have no effect and for the meeting to proceed accordingly.

#### **11.9 Council (or committee) to meet behind closed doors - effect of motion**

(1) Subject to any deferral under clause 2.11 or other decision of the Council or committee, this motion, if carried, causes the general public and any officer or employee the Council or committee determines, to leave the room.

(2) While a decision made under this clause is in force the operation of clause 8.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.

(3) Upon the public again being admitted to the meeting the presiding member, unless the Council or committee decides otherwise, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

(4) A person who is a Council member, a committee member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes.

Penalty \$5,000

#### **11.10 Question - when put**

When the debate upon any question is concluded and the right of reply has been exercised the presiding member shall immediately put the question to the Council or the committee, and, if so desired by any member of the Council or committee, shall again state it.

#### **11.11 Question - method of putting**

If a decision of the Council or a committee is unclear or in doubt, the presiding member shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter's vote is secret, before declaring the decision.

### **PART 12-MAKING DECISIONS**

#### **12.1 Question – when put**

When the debate upon any question is concluded and the right of reply has been exercised the presiding member shall immediately put the question to the Council or the committee, and, if so desired by any member of the Council or committee, shall again state it.

#### **12.2 Question – method of putting**

If a decision of the Council or a committee is unclear or in doubt, the presiding member shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter's vote is secret, before declaring the decision.

### **PART 13-IMPLEMENTING DECISIONS**

#### **13.1 Implementation of a decision**

(1) If a notice of motion to revoke or change a decision of the Council or a committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that -

(a) if a notice of motion to revoke or change a decision of the Council or a committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under Regulation 10 of the Regulations indicate their support for the notice of motion at that meeting; and

(b) if a notice of motion to revoke or change a decision of the Council or a committee is received after the closure of the meeting at which the decision was made, implementation of the decision is not to be withheld unless the notice of motion has the support in writing, of the number of members required to support the motion under Regulation 10 of the Regulations; and

(c) if a motion to the same effect as any motion which has been negated by the Council shall not again be entertained within a period of three months, except with the consent of an absolute majority.

(2) Implementation of a decision is only to be withheld under subclause (1) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.

(3) The Council or a committee shall not vote on a motion to revoke or change a decision of the

Council or committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given:-

- (a) action has been taken to implement the decision; or
  - (b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate, and where that approval or authorisation of a licence, permit or certificate has been put into effect by the Council in writing to the applicant or the applicant's agent by an employee of the Council authorised to do so; without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.
- (4) Where a motion or amendment would have the effect of incurring expenditure not provided for in the budget, that motion or amendment shall not be moved other than in the form of a reference of the question to the Committee whose responsibilities include Finance, unless by absolute majority or Council resolves otherwise.
- (5) If new written information is introduced at a meeting which materially affects an item of business to which a recommendation of any Committee has been made, then that item of business shall be referred back to the Committee for further investigation, unless by absolute majority Council decides otherwise.

#### **PART 14-PRESERVING ORDER**

##### **14.1 The presiding member to preserve order**

The presiding member is to preserve order, and may call any member or other person in attendance to order, whenever, in his or her opinion, there is cause for so doing.

##### **14.2 Demand for withdrawal**

A member at a meeting of the Council or a committee may be required by the presiding member, or by a decision of the Council or committee, to apologise and unreservedly withdraw any expression which is considered to reflect offensively on another member or an employee, and if the member declines or neglects to do so, the presiding member may refuse to hear the member further upon the matter then under discussion and call upon the next speaker.

##### **14.3 Points of order - when to raise - procedure**

Upon a matter of order arising during the progress of a debate, any member may raise a point of order including interrupting the speaker. Any member who is speaking when a point of order is raised, is to immediately stop speaking and be seated while the presiding member listens to the point of order.

##### **14.4 Points of order - when valid**

The following are to be recognised as valid points of order:

- (a) that the discussion is of a matter not before the Council or committee;
- (b) that offensive or insulting language is being used;
- (c) drawing attention to the violation of any written law, or policy of the Local Government, provided that the member making the point of order states the written law or policy believed to be breached.

##### **14.5 Points of order - ruling**

The presiding member is to give a decision on any point of order which is raised by either upholding or rejecting the point of order.

##### **14.6 Points of order - ruling conclusive, unless dissent motion is moved**

The ruling of the presiding member upon any question of order is final, unless a majority of the members support a motion of dissent with the ruling.

##### **14.7 Points of order take precedence**

Notwithstanding anything contained in these Standing Orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other matter.

##### **14.8 Precedence of presiding member**

(1) When the presiding member rises during the progress of a debate every member of the Council or committee present shall preserve strict silence so that the presiding member may be heard without interruption.

Penalty \$500

(2) Subclause (1) is not to be used by the presiding member to exercise the right provided in clause 8.3, but to preserve order.

##### **14.9 Right of the presiding member to adjourn without explanation to regain order**

(1) If a meeting ceases to operate in an orderly manner, the presiding member may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. Upon resumption, debate is to continue at the point at which the meeting was adjourned. If, at any one meeting, the presiding member has cause to further adjourn the meeting, such adjournment may be to a later time on the same day or to any other day.

(2) Where debate of a motion is interrupted by an adjournment under subclause (1), in the case of a Council meeting -

- (a) the names of members who have spoken in the matter prior to the adjournment are to be recorded; and
- (b) the provisions of clause 8.5 apply when the debate is resumed.

#### **PART 15-ADJOURNMENT OF MEETING**

##### **15.1 Meeting may be adjourned**

The Council or a committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

##### **15.2 Limit to moving adjournment**

No member is to move or second more than one motion of adjournment during the same sitting of the Council or committee.

##### **15.3 Unopposed business - motion for adjournment**

On a motion for the adjournment of the Council or committee, the presiding member, before putting the motion, may seek leave of the Council or committee to proceed to the transaction of unopposed business.

##### **15.4 Withdrawal of motion for adjournment**

A motion or an amendment relating to the adjournment of the Council or a committee may be

withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

#### **15.5 Time to which adjourned**

The time to which a meeting is adjourned for want of a quorum, by the presiding member to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

### **PART 16-PRESENTATION OF COMMITTEE OR OFFICER REPORTS**

#### **16.1 Reports of committees - questions**

When a recommendation of any committee is submitted for adoption by the Council, any member of the Council may direct questions directly relating to the recommendation through the presiding member to the Presiding Member or to any member of the committee in attendance.

#### **16.2 Permissible motions on recommendation from committee**

A recommendation made by or contained in the minutes of a committee may be adopted by the Council without amendment or modification, failing which, it may be -

- (a) rejected by the Council; or
- (b) replaced by an alternative decision; or
- (c) referred back to the committee for further consideration.

#### **16.3 Standing orders apply to committees**

Where not otherwise specifically provided, these Standing Orders apply generally to the proceedings of committees, except that the following Standing Orders do not apply to the meeting of a committee -

- (a) clause 7.2, in regard to seating;
- (b) clause 8.5, limitation on the number of speeches.

### **PART 17-ADMINISTRATIVE MATTERS**

#### **17.1 Suspension of standing orders**

(1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of the Standing Orders.

(2) The mover of a motion to suspend temporarily any one or more of the Standing Orders is to state the clause or clauses to be suspended, and the purpose of the suspension.

#### **17.2 Cases not provided for in standing orders**

The presiding member is to decide questions of order, procedure, debate, or otherwise in cases where these Standing Orders and the Act and Regulations are silent. The decision of the presiding member in these cases is final, except where a motion is moved and carried under clause 10.1(g).

### **PART 18-COMMON SEAL**

#### **18.1 The Council's common seal**

(1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.

(2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Mayor

and the CEO or a senior employee authorised by him or her.

(3) The common seal of the local government is to be affixed to any local law which is made by the local government.

(4) The CEO is to record in a register each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.

(5) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

Dated: 27 November 2007

The Common seal of the City of Geraldton-Greenough was affixed by authority of a resolution of the Council in the presence of:

IAN CARPENTER, Mayor

GARY BRENNAN, Chief Executive Officer