ORDINARY MEETING OF COUNCIL

MINUTES

23 OCTOBER 2012
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ORDINARY MEETING OF COUNCIL MINUTES
23 OCTOBER 2012

CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 23 OCTOBER 2012 AT 5.30PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:
The Chairman advises that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's 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
I would like to acknowledge the traditional owners of the land on which we meet, and pay respect to the Elders and to knowledge embedded forever within the Aboriginal Custodianship of Country.

2 DECLARATION OF OPENING
The Presiding Member declared the meeting open at 5.30pm.

3 ATTENDANCE

Present:
Mayor I Carpenter
Cr R Ashplant
Cr N Bennett
Cr D Brick
Cr J Clune
Cr P Fiorenza
Cr N Messina
Cr I Middleton
Cr R Ramage
Cr S Van Styn
Cr T Thomas

Officers:
A Brun, Chief Executive Officer
P Melling, Director of Sustainable Communities
C Wood, Director of Organisational Performance
B Davis, Director of Treasury and Finance
4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions Taken on Notice – 25 September 2012, which has been provided in writing.

Sharmini Chelvanayagam, 20 Lawley Crescent, Mt Lawley, WA 6050 Registered proprietor of 42A Brede Street, Geraldton

I was told by my white ant technician on 15 September 2012 from All Pest Geraldton that the termite problem I have at my property is caused by termites coming from the park opposite my property. I am also told that there are 6 other properties in the immediate vicinity that have experienced the same problem. I understand that the Rylands v Fletcher rules applies to Local Government.

Question
Please advise in writing what steps you have taken to address this issue and revert to me when you have corrected the problem.

Response
The City does not believe that there is a white ant issue. White ants are a natural part of the eco system.
5 PUBLIC QUESTION TIME

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

Mr Colin Dymond, Level 1 – 65 Chapman Road, Geraldton

Question

Relates to the proposed realignment of Flores road under the Sporting Strategy. I understand that Flores road will be realigned and that the new Webberton road extension will effectively take the place of Flores road? When does the city believe this may happen, or does the city believe it will be a state government fund issue?

Response

Flores Road will, in the future, align with Abraham Street

The City received $9M funding in February 2012 and has applied for a further $14m through Royalties for Regions, to further connect Abraham Street to Ackland Street. This will form a local distributor road controlled by the City.

The proposed local distributor connection does not replace the need for the State controlled North-South (Webberton Road) extension. Whilst the City is aware that the State has undertaken extensive planning for this route to date, no funds have been committed for this urgently required piece of infrastructure.

Question

To a perceived health issue from the fast food outlets within the city. When you park your car in the city vicinity spots of grease or fat (or appears to be that) land on cars whereas if you park further out of the city it does not occur, has this come to the notice of the council health department? If so what do they believe it is, if not does the city believe investigation into this nuisance is warranted as a health incident?

Response

The Mayor advised that this question will be taken on notice and response will be provided in due course.

Statement

I would like to commend the city on the works to remove the box thorn bushes from the back beach areas, and only hope this program continues through Geraldton.

Response

This statement is noted and thanks Mr Dymond for providing his feedback to the City on the noxious weeds program.
6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

<table>
<thead>
<tr>
<th>Councillor</th>
<th>From</th>
<th>To (inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr B Hall</td>
<td>28 September</td>
<td>28 October 2012</td>
</tr>
<tr>
<td>Cr C Gabelish</td>
<td>17 October</td>
<td>4 November 2012</td>
</tr>
<tr>
<td>Cr N McIlwaine</td>
<td>18 October</td>
<td>19 November 2012</td>
</tr>
<tr>
<td>Cr C Gabelish</td>
<td>9 November</td>
<td>19 November 2012</td>
</tr>
</tbody>
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COUNCIL DECISION
MOVED CR ASHPLANT, SECONDED CR MESSINA
Mayor I Carpenter request for leave of absence for the period 12 November to 29 November 2012 inclusive, be approved.

Cr P Fiorenza request for leave of absence for the period 25 November to 2 December 2012 inclusive, be approved.

Cr D Brick request for leave of absence for the period 29 October to 3 November 2012 inclusive, be approved.

CARRIED 11/0

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS
The Mayor made a Presentation to the Geraldton City Band on the Celebration of their 50th Anniversary.

Mayor I Carpenter acknowledged the passing of Mr E A (Alan) Shea on Friday 19 October 2012. Mr Shea was a Councillor with the Town of Geraldton from 1971-74. The City of Greater Geraldton passes on their deepest condolences to his wife and family.

8 DECLARATIONS OF CONFLICTS OF INTEREST
Mayor I Carpenter declared a direct financial interest in Item CEO011 State Governor’s Delegation to China as he may be an attendee.

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 25 September 2012 as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION
MOVED CR MESSINA, SECONDED CR THOMAS
RECOMMENDED that the minutes of the ordinary meeting of Council of the City of Greater Geraldton held on 25 September 2012 as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 11/0
10  **ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)**  

*Events attended by the Mayor*

<table>
<thead>
<tr>
<th>DATE</th>
<th>FUNCTION</th>
<th>REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>26 September 2012</td>
<td>Mid West Chamber of Commerce &amp; Industry</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td></td>
<td>Integrated Planning Process &amp; Workshop the Draft Community Strategic Plan</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td>27 September 2012</td>
<td>Special Meeting of Council</td>
<td>All Councillors</td>
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<tr>
<td>28 September 2012</td>
<td>Police Remembrance Day Ceremony</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>2 October 2012</td>
<td>Concept Forum</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td>3 October 2012</td>
<td>ABC Radio Interview</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td>5 October 2012</td>
<td>The Australian SKA Pathfinder and Murchison Radio-astronomy Observatory opening ceremony</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td>6 October 2012</td>
<td>Geraldton City Band - 50th Anniversary Event</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>9 October 2012</td>
<td>Citizenship Ceremony</td>
<td>Mayor Ian Carpenter</td>
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<td></td>
<td>Deputy Inspector Andrew Harvey from the Office of the Inspector of Custodial Services</td>
<td>Mayor Ian Carpenter</td>
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<td>Local Government Grants Commission Annual Conference - Civic Reception</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>10-12 October 2012</td>
<td>Local Government Grants Commission Conference, Geraldton</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td>14 October 2012</td>
<td>Official Opening Day of the Geraldton Yacht Club 2012/2013 Sailing Season</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>15 October 2012</td>
<td>CEO Recruitment Committee</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>17-19 October 2012</td>
<td>Grants commission Visiting Programme</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>20 October 2012</td>
<td>Community Action Planning Workshop – St John’s Primary School</td>
<td>Mayor Ian Carpenter</td>
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<td></td>
<td>Master Builders Association Building Awards Night</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>22 October 2012</td>
<td>CEO Recruitment</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>22 October 2012</td>
<td>Batavia Coast Maritime Heritage Association</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>23 October 2012</td>
<td>HIPPY Child Graduation Ceremony</td>
<td>Mayor Ian Carpenter</td>
</tr>
<tr>
<td></td>
<td>Ordinary meeting of Council</td>
<td>Mayor Ian Carpenter</td>
</tr>
</tbody>
</table>
12 SIGNIFICANT STRATEGIC MATTERS

OP0017 ADOPTION OF DRAFT STRATEGIC COMMUNITY PLAN

AGENDA REFERENCE: D-12-52627
AUTHOR: C Wood, Director of Organisational Performance
EXECUTIVE: C Wood, Director of Organisational Performance
DATE OF REPORT: October 2012
FILE REFERENCE: GO/13/0001
APPLICANT / PROPONENT: City of Greater Geraldton
ATTACHMENTS: Yes

SUMMARY:
The purpose of this item is to present the City of Greater Geraldton draft strategic community plan 2012 - 2022 for Council’s consideration and to seek in principle adoption prior to the City seeking public comment on the draft plan.

PROPOSENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
Amendments to the Local Government Act have resulted in local governments having to develop and implement integrated strategic long term plans.

In October 2011, Council adopted an interim strategic community plan in accordance with the Department of Local Government’s integrated strategic planning transitional arrangements (s. 5.56 of the Local Government Act, Regulation 19DB).

Since then, the Department has released the Integrated Planning and Reporting Advisory Standard which provides new criteria for local government strategic community plans, corporate business plans, key informing strategies and Annual Reports. Under the advisory standard, Local Governments are required to have a strategic community plan and corporate business plan adopted by Council by 30 June 2013.

Once this plan has been approved and adopted in principle by Council it will allow the City to seek public comment on the draft document prior to Council considering the finalised plan for adoption at a proposed Special Meeting of Council in January 2013.

COMMUNITY CONSULTATION:
Extensive community consultation was undertaken as part of the 2029 and Beyond project. This document is based on the project’s two years of deliberative consultation and reflects the vision, goals and aspirations of the community.
In accordance with legislation, the City will seek public comment on its draft Strategic Community Plan in November and December 2012.

COUNCILLOR CONSULTATION:
Councillors attended a strategic planning workshop on 27 September during which the content of the document was developed.

STATUTORY IMPLICATIONS:
Section 5.56 of the Local Government Act 195 - Planning for the future.

Part 5, Division 3, 19C of the Local Government (Administration) Regulations 1996 – Strategic community plans, requirements for (Act s. 5.56).

POLICY IMPLICATIONS:
The draft strategic community plan has been developed in accordance with Council Policy 005 – Integrated Strategic Planning Framework.

FINANCIAL AND BUDGET IMPLICATIONS:
The cost of this project is included in the current budget.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 5: Leading the Opportunities.
Outcome 5.1: Leadership and Good Governance.
Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks.

Regional Outcomes:
The strategic community plan will enable the City to provide relevant and realistic community benefits to the region.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The implementation of the strategic community plan will have positive effects on the regional economy by supporting key initiatives that promote Greater Geraldton.

Social:
Through this plan, the City aims to set long term initiatives to support the sustainable growth and development of the community.

Environmental:
The strategic community plan incorporates the City’s environmental sustainability practises and the implementation of local environmental sustainability projects.
**Cultural & Heritage:**
The plan acknowledges the area’s cultural diversity and aims to protect its historical significance.

**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 5.56 of the Local Government Act 1995 RESOLVES to:

1. RECOMMENCE the planning process and develop a new strategic community plan;
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

**Option 3:**
That Council by Simple Majority in principle with Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER the in principle adoption of the City of Greater Geraldton Draft Strategic Community Plan 2012 – 2022;
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

**CONCLUSION**
The City of Greater Geraldton Draft Strategic Community Plan 2012 – 2022 has been developed in accordance with Part 5 division 3, 19C of the Local Government (Administration) Regulations 1996.

**EXECUTIVE RECOMMENDATION:**
That Council by Absolute Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES TO:

1. ADOPT in principle the City of Greater Geraldton Draft Strategic Community Plan 2012 - 2022;
2. ADVERTISE the City of Greater Geraldton Draft Strategic Community Plan 2012 – 2022 for public comment for a period of 60 days; and
3. REFER the matter back to Council for final consideration.
COUNCIL DECISION  
MOVED CR BENNETT, SECONDED CR MIDDLETON  
That Council by Absolute Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES TO:  

1. ADOPT in principle the City of Greater Geraldton Draft Strategic Community Plan 2012 - 2022;  
2. ADVERTISE the City of Greater Geraldton Draft Strategic Community Plan 2012 – 2022 for public comment for a period of 60 days; and  
3. REFER the matter back to Council for final consideration.  

CARRIED BY ABSOLUTE MAJORITY 11/0
SUMMARY:
The advertising period has concluded for the Geraldton Airport Technology Park Structure Plan which proposes to establish a spatial planning framework for the Geraldton Airport Technology Park to assist the City and the WA Planning Commission on assessing subdivision applications, ground leases and development proposals.

PROPOSER:
The proponent is the City of Greater Geraldton.

BACKGROUND:
It is envisaged that new development at the Geraldton Airport will form part of a sophisticated technology park that supports a strategic aviation hub and provides a range of aviation and non-aviation services and employment opportunities to the Greater Geraldton area and beyond.

To guide new development at the Technology Park, the ‘Geraldton Airport Technology Park Design Guidelines’ were adopted by Council as a Local Planning Policy at its meeting held on 27 June 2010.

Although the Guidelines provide clear objectives for both planning and design of the Airport Technology Park, the WA Planning Commission advised the City in February 2012 that given the intention to develop the airport land through lease arrangements, a structure plan is encouraged to be endorsed. The structure plan will assist the WA Planning Commission in approving lease hold lots at the Technology Park.

A copy of the Structure Plan is included as Attachment No. SC058A.

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 21 Days (commencing 6 July 2012 and concluding on 27 July 2012) and involved the following:

1. All landowners within and directly adjacent to the plan area were written to and provided with a copy of the plan;
2. A notice appeared in the Geraldton Guardian on Friday 6th July 2012 and Friday 20th July 2012;
3. The Plan was available on the City’s website;
4. The Plan was publicly displayed at the Civic Centre;
5. The Structure Plan was referred to the following:
   - Department of Water;
   - Main Roads WA;
   - FESA;
   - Western Power;
   - Water Corporation;
   - Department of Indigenous Affairs;
   - Heritage Council of WA;
   - Telstra;
   - Department of Health;
   - ATCO Gas Australia;
   - Civil Aviation Safety Authority; and
   - Bureau of Meteorology.

Submissions:
As a result of the advertising, a total of 14 submissions were received (5 in support, 2 objecting and 7 indifferent to the application). Listed below is a summation of the comments/concerns raised from the public comment period:

- Concern over separation distances and buffers between industrial development and sensitive land uses.
- Unease over what constitutes as acceptable land use and whether it is consistent with the current zoning.
- Concern in regard to the Local Planning Policy ‘Geraldton Airport Design Guidelines’ being subject to change and administration by the City while also being the owner of the subject land.
- That the City has already approved development on the subject land.
- That entry to a private lot is not impeded.
- Public Health is recommended to be intergraded into the structure plan.
- Upgrades or new headworks to the water infrastructure are required in order to proceed past stage 1 of the development.

A ‘Schedule of Submissions’ is included as Attachment No. SC058B and copies of the actual submission are available to Council upon request.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
The subject land is a Local Scheme Reserve for ‘Public Purpose – Airport’ under Local Planning Scheme No.5 (Greenough). Clause 3.4.2 of the Scheme allows for the use and development of Reserves as follows:
3.4.2 *In determining an application for planning approval the Local Government is to have due regard to;*

(a) the matters set out in clause 10.2; and

(b) the ultimate purpose intended for the Reserve.

It is intended that the Structure Plan (and associated design guidelines) will provide the necessary information and detail as to the “ultimate purpose intended for the Reserve”. This will enable the City to approve use and development on the subject land consistent with the Structure Plan and design guidelines.

**POLICY IMPLICATIONS:**
The ‘Geraldton Airport Technology Guidelines’ (which are appended to the Structure Plan) was adopted by Council on 27 June 2010 as a Local Planning Policy.

A Local Planning Policy 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.

**FINANCIAL AND BUDGET IMPLICATIONS:**
There are no financial and budget implications directly related to the Structure Plan, however the Structure Plan does provide for the leasing/subdivision of lots and it is estimated that the ground rental lease fees would return in excess of $4 million per annum exclusive of GST.

**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: Support the development of Geraldton, Oakajee and Narngulu as Australia’s west coast logistics hub for road, rail, sea and air freight.

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 Airport Master Plan:
The Airport Master Plan provides a planning framework for future development to enable long-term operational objectives to be met. The plan identifies an area of 24 hectares for commercial development in the form of a business park. It also states that high quality development should be encouraged and identifies a site for an airport hotel/motel.

Local Planning Strategy:
The purpose of this document is to identify the likely land uses that will be established and indicate the preferred location for these land uses. The strategy states:

*The Geraldton Airport is strategically situated to serve the needs of Greater Geraldton for the foreseeable future. Appropriate planning around the airport will ensure compatible uses are located adjacent to the airport, enabling its continued operation and future development. The City of Geraldton-Greenough has completed an airport master plan, which will provide the opportunity for further expansion of the facility.*

Geraldton Region Plan (1999) and Greater Geraldton Structure Plan Update:
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 Public Utilities ‘Airport’ 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 Public Utilities – Airport ‘Potential airport business park’ on the strategic land use directions plan.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The Structure Plan proposes an estimate of 100 lots between 2,000m$^2$ and 5.15 hectares, 4.27 hectare City of Greater Geraldton Depot Site, proposed 7.53 hectare mining training site and a proposed 1.44 hectare motel site.

Social:
The Structure Plan proposes a range of uses that encourages a high level of innovation, economic activity and creates significant local, permanent employment opportunities.

Environmental:
The Structure Plan has been designed to suit best practice urban water management and to promote the integration of stormwater management into the urban form.
Cultural & Heritage:
The Geraldton Airport has been identified as having cultural heritage significance. It is the site of RAAF No. 4 Service Flying Training School which operated under the Empire Air Training Scheme. The place played a significant role in the training and provision of aircrew to bolster the strength of the Royal Air Force during World War Two. The place is associated with Sir Norman Brearley the founder of the first commercial airline in Australia (Western Australian Airways in 1921).

The place is classified by the National Trust of Australia (Western Australia). The conservation recommendations contained in the Classification Assessment state that the remaining WWII infrastructure located at various places on the airfield should be documented, conserved and interpreted. The place is also included in the Shire of Greenough Municipal Inventory of Heritage Places (Place No. 217) wherein it has been allocated a Management Category 2 indicating the place is highly significant at a local level with a high level of protection appropriate.

Conservation and interpretation of the remnant historic infrastructure, including archaeological remains, is addressed under the Geraldton Airport Technology Park Design Guidelines.

RELEVANT PRECEDENTS:
Council at its meeting held on 27 June 2010 adopted for final approval the ‘Geraldton Airport Technology Park Design Guidelines’.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority required.

OPTIONS:

Option 1:
As per the 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 ‘Geraldton Airport Technology Park Structure Plan’; and
2. MAKES the determination on the grounds that:
   a. To be determined by Councillors.
Option 3:  
That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough), RESOLVES to

1. DEFER the adoption of the ‘Geraldton Airport Technology Park Structure Plan; and
   a. To be determined by Councillors.

CONCLUSION:  
Geraldton Airport Technology Park Structure Plan proposes to establish a spatial planning framework for the Geraldton Airport Technology Park to assist the City and the WA Planning Commission on assessing subdivision applications, ground leases and development proposals.

Option 2 is not supported as the Structure Plan (and associated design guidelines) will provide the necessary information and detail as to the “ultimate purpose intended for the Reserve”. This will enable the City to approve use and development on the subject land consistent with the Structure Plan and design guidelines.

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 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 for final approval the ‘Geraldton Airport Technology Park Structure Plan’, and
3. FORWARD the Structure Plan to the WA Planning Commission for its endorsement.

COUNCIL DECISION  
MOVED CR ASHPANT, SECONDED CR BRICK  
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 for final approval the ‘Geraldton Airport Technology Park Structure Plan’, and
3. FORWARD the Structure Plan to the WA Planning Commission for its endorsement.

CARRIED 11/0
13 AUDIT AND RISK MANAGEMENT
Nil.
14 STRATEGIC & POLICY MATTERS

CC083 ADOPTION OF CP054 AUSTRALIA DAY AWARDS POLICY

AGENDA REFERENCE: D-12-52633
AUTHOR: C Budhan, Managers Arts, Culture & Events
EXECUTIVE: A Selvey, Director Creative Communities
DATE OF REPORT: 8 October 2012
FILE REFERENCE: GO/6/0015
APPLICANT / PROPONENT: City of Greater Geraldton
ATTACHMENTS: Yes x1

SUMMARY:
The purpose of this report is to seek a Council adoption of CP054 Australia Day Awards Policy and the authorisation for the Mayor to confirm the Australia Awards recipients.

PROPOSED:
The proponent is the Australia Day Advisory Committee.

BACKGROUND:
The Australia Day Awards Program fosters, recognises and celebrates significant contributions to community life and active citizenship in the City of Greater Geraldton. For several years up to and including 2009, this Program was administered by Soroptimist International Geraldton. Since 2010 it has been administered by the City. The principles that underpin this Program have not been formalised in a Council policy.

The Australia Day Awards include the Premier’s Australia Day Active Citizenship Awards and the City’s Young Achiever Award. In recognition of the unique identity and community aspirations of Mullewa, special permission has been granted by the Australia Day Council to offer these Awards in Geraldton and Mullewa separately.

The purpose of the attached CP 054 Australia Day Awards Policy is to ensure the equity, openness and transparency of the Australia Day Awards Program.

To this end, it establishes:
1. The names of the Awards (i.e. “Premier’s Australia Day Active Citizenship Award”); and
2. The eligibility, nomination requirements, and selection criteria for the Awards.

The policy also refers to the Mayor confirming the award recipients after taking into consideration the recommendations of the Committee. This allows the final decision to be made without waiting for a council meeting which may hinder the process.
COMMUNITY CONSULTATION:
The Australia Day Committee reviewed the Policy at their August meeting, and unanimously recommends its adoption. The Committee includes three community representatives.

COUNCILLOR CONSULTATION:
The Australia Day Committee reviewed the Policy at their August meeting and unanimously recommends its adoption. The Committee includes three Councillors (Cr Fiorenza, Cr Hall and Cr Messina).

STATUTORY IMPLICATIONS:
There are no statutory Implications.

POLICY IMPLICATIONS:
This is a new policy.

FINANCIAL AND BUDGET IMPLICATIONS:
The total cost of the Australia Day Awards Program is funded within the existing budgetary allocation for Australia Day.

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.

Regional Outcomes:
The attached Australia Day Awards Policy will have outcomes for Greater Geraldton, including Mullewa.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic issues with this item.

Social:
The Australia Day Awards are an integral part of Australia Day celebrations in Greater Geraldton. The Awards recognise and honour outstanding achievements by Greater Geraldton residents, and celebrate excellence in the Greater Geraldton community. In addition, they profile leading citizens who are role models for others. Through their achievements, these citizens inspire others to make their own contribution to creating a better Australia. This
recognition and celebration of active citizenship supports social development in Greater Geraldton.

**Environmental:**
There are no environmental issues with this item.

**Cultural & Heritage:**
The Australia Day Awards Program fosters, recognises and celebrates active citizenship in Greater Geraldton.

**RELEVANT PRECEDENTS:**
There are no relevant precedents on 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, under Section 5.20 of the Local Government Act 1995, RESOLVES to:

1. NOT ADOPT CP 054 Australia Day Awards Policy; 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 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER the adoption of CP 054 Australia Day Awards Policy; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

**CONCLUSION:**
The purpose of the attached Australia Day Awards Policy is to ensure the equity, fairness, and transparency of the Australia Day Awards Program. The Executive Recommendation reflects the Australia Day Committee’s recommendation, which is to adopt the Policy. This option allows for the Policy to be enacted in time for the 2013 Australia Day Awards Program.
Option 2 is not recommended because it does not provide a policy framework for the principles that ensure the equity, fairness and transparency of the Australia Day Awards Program.

Option 3 is not recommended because it does not allow for the Policy to be enacted in time for the 2013 Australia Day Awards Program.

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

1. ADOPT CP 054 Australia Day Awards Policy; and
2. AUTHORISE the Mayor to make the final determination on the award recipients after taking into account the recommendations of the Australia Day Advisory Committee.

**COUNCIL DECISION**
MOVED CR MIDDLETON, SECONDED CR VAN STYN
That Council by Simple Majority under Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. ADOPT CP 054 Australia Day Awards Policy; and
2. AUTHORISE the Mayor to make the final determination on the award recipients after taking into account the recommendations of the Australia Day Advisory Committee.

CARRIED 11/0
SUMMARY:
Staff have prepared (in conjunction with consultants Hames Sharley and Pracsys) a draft ‘Commercial Activity Centres Strategy’.

This report recommends the adoption of the draft Strategy and that it be forwarded to the WA Planning Commission for consent to advertise.

PROPOSAL:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The City of Greater Geraldton is planned to grow into a vibrant, resilient regional community of 100,000 residents. This will be driven by both the City and the Greater Mid West Region entering a period of high economic growth due to an increase in mining-related activities (both regionally and throughout the state), the construction of the Oakajee Port just north of the City of Greater Geraldton, and other major regional projects including the Square Kilometre Array and installation of the National Broadband Network. As Geraldton is the primary regional centre for the Mid West it is expected much of the primary and secondary flow-on activity and population growth resulting from these drivers will occur within the City’s urban area.

Achievement of the target of 100,000 residents will present a range of opportunities and challenges for decision-makers and the community at large, one of which is the continued development of a strong, resilient network of activity centres that:

- Supports the main strategic drivers for envisaged growth;
- Has the capacity to meet the needs of existing and future residents, workers, visitors and firms; and
- Continues to provide the lifestyle and amenity that Geraldton is renowned for.

The ultimate scale and type of commercial activity developed will be dependent upon the ability of the City’s activity centres to meet the needs of residents, workers, visitors and firms. The City of Greater Geraldton Commercial Activity Centres Strategy (‘the Strategy’) provides a strategic
framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres based on eight guiding principles. These are:

1. Efficient, intense and compact centres;
2. Optimise the frequency and quality of transactions within the City;
3. Support the maturation of Geraldton CBD into a diverse, intense and highly connected activity centre;
4. Optimise access to and within centres for residents, workers and visitors;
5. Place identity, amenity and integrity;
6. Place equity;
7. Meet the needs of future as well as current users; and
8. Appropriate configuration of land inside and outside of activity centres.

By linking these principles to the performance expectations of existing and planned commercial activity centres, the City is seeking to provide a Strategy that:

- Guides future activity centre performance for the betterment of the Geraldton community;
- Provides clear expectations for proponents seeking to expand existing activity centres, or develop new centres;
- Supports City officers and elected officials in making timely and correct decisions based upon a strong evidence base; and
- Remains relevant as Geraldton grows and develops.

This Strategy should be read in conjunction with the City of Greater Geraldton Residential Development Strategy and the associated Background Report. The Background Report contains the research and analysis used to formulate both Strategies.

A copy of the Commercial Activity Centres Strategy is included as Attachment No. SC063 and a copy of the Background Report is available to Council upon request.

**COMMUNITY CONSULTATION:**
The Department of Planning has advised that if the City wishes for the WA Planning Commission to endorse the Strategy, then the City will need to undertake a consultation process in accordance with that required for a local planning strategy as outlined in the Town Planning Regulations 1967.

In essence, the regulations require the WA Planning Commission’s consent to advertise the draft Strategy, and stipulates the minimum consultation requirements as follows:

1. publish a notice once a week for 2 consecutive weeks in a newspaper;
2. forward a copy to any other person or public authority the local government sees fit; and
3. take other steps and carry out such other consultation as the local government considers appropriate.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
It is intended that WA Planning Commission will endorse the Strategy and therefore it will have the same status as a local planning strategy. The Town Planning Regulations 1967, regulation 12A provides for the preparation of a Local Planning Strategy.

POLICY IMPLICATIONS:
Currently the City has adopted the ‘Interim Commercial Activity Centres Strategy’ as a local planning policy and this Strategy will replace the Interim Strategy.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial and budget 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 4.1: Vibrant and sustainable urban and rural development.
Strategy 4.1.1: Lead the development of innovative, strategic and sustainable urban, rural and regional planning.
Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

Regional Outcomes:
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. Those of relevance are:

- To recognise and promote the Geraldton city centre as the focus for retail, administrative, cultural, community entertainment, educational, Religious and recreational activity in the Geraldton Region.
- To recognise and promote the Geraldton city centre as the focus for public transport and pedestrian and cycleway systems.
- To expand retail development, to include a district centre, as population increases.
- To ensure the location of neighbourhood centres are related to the district and local distributor road system.
- To locate the future district centre in an area which can efficiently service future residential areas and complement the city centre.

The draft Strategy has been prepared to achieve the above objectives.

**ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**
There are a number of economic and social ‘value statements’ that underpin the principles of the Strategy as follows:

**Economic:**
- The City recognises the need to maximise the return of scarce resources to develop centres for the benefit of users.
- The City also wants centres to be effective in performing their purpose. To do so, they should pursue opportunities to maximise the frequency of high quality transactions that occur within activity centres.
- The City recognises the primacy of the Geraldton CBD in the network of activity centres.
- The City values the maturation of the Geraldton CBD into a diverse, intense and highly accessible centre however this should not come at the expense of other centres achieving their defined purpose.
- The City recognises its role in balancing the impact of short-term market drivers with the long term strategic vision for activity centres.
- The City recognises the need to protect the area outside of activity centres from land uses more appropriate to within activity centres, and vice versa.

**Social:**
- The City values activity centres that have a self-perpetuating ‘energy’ and a diversity of activity appropriate to the purpose of the centre.
- The City recognises that this relies on functional efficiencies, enhanced by contiguous configurations of related activities and compact urban form.
- The City values activity centres that are highly accessible to all users.
- The City recognises that centre accessibility must be considered in terms of access to and from the centre and access within centres.
• The City understands the need to balance accessibility with the need to safeguard the overall efficiency and integrity of the broader movement network.

• In order to protect the efficiency and integrity of the City’s movement network, accessibility needs to be considered at a regional, district and local level.

• Protection of the efficiency and integrity of the movement network also requires aligning activity with appropriate location in terms of the accessibility needs of the activity and its users.

• The City values places that have a clear and positive sense of identity, that users care about, and in which they can invest. The public realm is an important arena for creation of a sense of identity as it is the communal space in which users can share experiences and build connections.

• The City’s role is to provide and facilitate investment that generates utility for users of all activity centres. The City will strive to provide the appropriate type and level of amenity to meet the needs of users.

• The City recognises its role in balancing the economic pursuits of activity centres against the broader needs and aspirations of the community.

• The City understands that transactions within an activity centre are not just economic, but also social and cultural. Planning will aim to support all needs in an equal way.

**Environmental:**
There are no environmental issues.

**Cultural & Heritage:**
There are no environmental issues.

**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 regulation 12A of the Town Planning Regulations 1967 RESOLVES to:
1. NOT ADOPT the draft ‘Commercial Activity Centres Strategy’; and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

**Option 3:**
That Council by Simple Majority pursuant to regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. DEFER the adoption of the draft ‘Commercial Activity Centres Strategy’;
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

**CONCLUSION:**
The Strategy is a response to the changing local and regional economic environment and the requirement to provide for the needs of current and future residents, firms, workers and visitors. The primary objectives of this project are to:

1. identify the amount of additional shopping floorspace required to service anticipated population growth (inclusive of the wider Mid West catchment) and indicate where this expansion will be most beneficial to the community;
2. establish a clear hierarchical structure to guide sizing and location of major commercial activity centres, identify requisites for growth of major activity centres to cater for existing populations and future population growth;
3. identify and promote development of centres and nodes that provide a wide mix of activities, services and other uses that are complimentary to their retail function and that promote use of the centres by local communities and consolidate complementary activities within centres;
4. identify strategies to ensure activity centres develop in an integrated fashion;
5. identify infrastructure requirements associated with future commercial activity;
6. identify drivers of change in retailing;
7. examine potential impacts of retailing trends, including deregulation of shopping hours, out of centre retailing, increased diversification, convenience shopping and electronic shopping; and
8. ensure that retail activities that occur away from the town centre involve an aggregation of uses at appropriate locations, and that such development contributes to the net community benefit and does not undermine the primacy of the Geraldton CBD.

Option 2 is not supported as the City of Greater Geraldton Commercial Activity Centres Strategy provides a strategic framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres.
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 regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. ADOPT the draft ‘Commercial Activity Centres Strategy’ for the purpose of seeking public comment;
2. SEEK consent to advertise the draft Strategy from the WA Planning Commission; and
3. ADVERTISE the draft Strategy for a period of 42 days, once the WA Planning Commission has given consent to advertise.

**COUNCIL DECISION**
MOVED CR RAMAGE, SECONDED CR VAN STYN
That Council by Simple Majority pursuant to regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. ADOPT the draft ‘Commercial Activity Centres Strategy’ for the purpose of seeking public comment;
2. SEEK consent to advertise the draft Strategy from the WA Planning Commission; and
3. ADVERTISE the draft Strategy for a period of 42 days, once the WA Planning Commission has given consent to advertise.

**CARRIED 11/0**
SUMMARY:
Staff have prepared (in conjunction with consultants Hames Sharley and Pracsys) a draft ‘Residential Development Strategy’.

This report recommends the adoption of the draft Strategy and that it be forwarded to the WA Planning Commission for consent to advertise.

PROPOSER:
The proponent is the City of Greater Geraldton.

BACKGROUND:
Currently the City and the Greater Mid West Region are entering a period of high economic growth due to the regional increase in mining activity, the construction of the Oakajee Port just north of the City of Greater Geraldton and other major projects, including the Square Kilometre Array and installation of the National Broadband Network. As Geraldton is the regional centre for the Mid West it is expected much of the activity and population growth will occur in this area.

The City’s vision is to have the capacity to sustain a population of up to 100,000 residents. Geraldton will be the focal point for an active and vibrant centre with significant district centres the north and south and linked to the small regional towns outside the urban areas.

The Residential Development Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City of Greater Geraldton to meet the needs of all residents and build strong communities.

The specific objectives of the strategy are to:

- Identify preferred areas for residential growth that are capable of being serviced.
- Investigate the potential for additional ‘mixed use’ housing in the Geraldton City Centre and make recommendations as to how to encourage this type of housing.
- Identify residential ‘infill’ sites within the Geraldton urban area, especially suitable crown land areas.
- Assess the future housing demands of an aging population having regard to preferred location and lot size.
- Assess the current and future housing demands for students, particular attention should be given to the preferred location of student housing.
- Recommend a regime to manage both the urban and rural interface.
- Develop a mechanism/approach to manage medium and high density housing development so as to maximize the benefits and minimize the community concerns.

This Strategy should be read in conjunction with the City of Greater Geraldton Commercial Activity Centres Strategy and the associated Background Report. The Background Report contains the research and analysis used to formulate both Strategies.

A copy of the Residential Development Strategy is included as Attachment No.SC064 and a copy of the Background Report is available to Council upon request.

COMMUNITY CONSULTATION:
The Department of Planning has advised that if the City wishes for the WA Planning Commission to endorse the Strategy, then the City will need to undertake a consultation process in accordance with that required for a local planning strategy as outlined in the Town Planning Regulations 1967.

In essence, the regulations require the WA Planning Commission’s consent to advertise the draft Strategy, and stipulates the minimum consultation requirements as follows:

1. publish a notice once a week for 2 consecutive weeks in a newspaper;
2. forward a copy to any other person or public authority the local government sees fit; and
3. take other steps and carry out such other consultation as the local government considers appropriate.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
It is intended that WA Planning Commission will endorse the Strategy and therefore it will have the same status as a local planning strategy. The Town Planning Regulations 1967, regulation 12A provides for the preparation of a Local Planning Strategy.
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 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 4.1: Vibrant and sustainable urban and rural development.
Strategy 4.1.1: Lead the development of innovative, strategic and sustainable urban, rural and regional planning.
Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

Regional Outcomes:
State Planning Policy 3: Urban Growth and Settlement:
This policy sets out the principles and considerations which apply to planning for urban growth and settlements in Western Australia. The objectives of this policy are:

- To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.
- To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.
- To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.
- To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand while ensuring safe and convenient access to employment.
and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.

The draft Strategy has been prepared to achieve the above objectives.

Geraldton Region Plan 1999:
The Region Plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan contains objectives for residential areas. Those of most relevance are:

- To support development of a range of residential areas, coordinated with infrastructure and servicing.
- To support best practice urban design in the planning and development of new residential areas.
- To retain and enhance the existing historical character of established residential areas.
- To support consolidation and infill of residential areas.

The draft Strategy has been prepared to achieve the above objectives.

Greater Geraldton Structure Plan Update 2011:
The Greater Geraldton Structure Plan 2011 identified that the “Urban and Future Urban” areas could potentially accommodate a population of between 100,000 to 230,000 depending on the average density of development. Given the City’s vision to sustain a population of between 80,000 to 100,000 people there is no need to provide for additional urban land outside of that shown on the Strategy Map (for the Geraldton Urban Area) in the foreseeable future.

Geraldton is somewhat fortunate in that there are existing constraints to expansion of the urban area in all directions. To the north the Oakajee Industrial Estate buffer effectively limits residential expansion, to the east is the Moresby Ranges which provides a natural backdrop to the Geraldton urban area and to the south there are highly productive agricultural soils which need to be protected.

2029 and Beyond – Designing our City:
“Designing our City”, a deliberative planning process was held over 3 days in August 2011 to develop potential plans and design options for how the city will look in the future.

The draft Strategy reflects the “Preferred/Consolidated Scenario” for the future growth pattern of Greater Geraldton produced from the “Designing our City” enquiry-by-design.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:
Through the 2029 and Beyond process the residents of the City have identified a range of economic, social, environmental and cultural
characteristics of the Greater Geraldton area which make it attractive. The draft Strategy has been prepared, cognisant of these.

**Economic:**
- The range and proximity of local and regional services.
- The working port as a component of the City’s history, identity and economy.
- The diversity of the local community.
- Current housing purchase and rental levels below Perth and therefore relatively affordable.

**Social:**
- The family-orientated outdoor lifestyle and activities available (including organised.
- The sense of community.
- The ease of living in a small-sized city.
- Good primary and secondary education and boarding facilities.
- Hospitals and health facilities of a good standard.

**Environmental:**
- Natural landscape – especially the coastline, river environments and Moresby Ranges.
- Linked walkways connecting the city with rural areas.
- Rehabilitation of natural areas along the coast.

**Cultural & Heritage:**
- Living amongst Aboriginal people.
- The heritage buildings such as the cathedral, railway station and the lighthouse.
- Promotion of Indigenous history and communities.

**RELEVANT PRECEDENTS:**
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 regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. **NOT ADOPT** the draft ‘Residential Development Strategy’; and
2. **MAKES** the determination on the grounds that:
   a. To be determined by Council.

**Option 3:**
That Council by Simple Majority pursuant to regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. **DEFER** the adoption of the draft ‘Residential Development Strategy’; and
2. **MAKES** the determination on the grounds that:
   a. To be determined by Council.

**CONCLUSION:**
The Residential Development Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City of Greater Geraldton to meet the needs of all residents and build strong communities.

Option 2 is not supported as the draft Strategy reflects the “Preferred/Consolidated Scenario” for the future growth pattern of Greater Geraldton produced from the “Designing our City” enquiry-by-design.

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 regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. **ADOPT** the draft ‘Residential Development Strategy’ for the purpose of seeking public comment;
2. **SEEK** consent to advertise the draft Strategy from the WA Planning Commission; and
3. **ADVERTISE** the draft Strategy for a period of 42 days, once the WA Planning Commission has given consent to advertise.
COUNCIL DECISION
MOVED CR BENNETT, SECONDED CR BRICK
That Council by Simple Majority pursuant to regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. ADOPT the draft ‘Residential Development Strategy’ for the purpose of seeking public comment;
2. SEEK consent to advertise the draft Strategy from the WA Planning Commission; and
3. ADVERTISE the draft Strategy for a period of 42 days, once the WA Planning Commission has given consent to advertise.

CARRIED 11/0
SUMMARY:
An application has been received to initiate a scheme amendment to rezone Lot 1 (No. 330) Yanget Road, Kojarena by adding an ‘Additional Use’ and ‘Special Control Area’ to permit the use of the land for the storage and distribution of materials relating to the mining industry (ammonium nitrate).

This report recommends that Council refuse to initiate the scheme amendment.

PROPOINENT:
The proponent is Planwest on behalf of Blue Diamond Australia (formerly Blue Energy Explosives). The owner of the subject land is Coastal Dairy Supplies Pty Ltd and Midwest Reit Pty Ltd.

BACKGROUND:
On 28 November 2011 Blue Energy Explosives approached the City seeking advice as whether the subject land could be rezoned for use as an ammonium nitrate warehouse facility.

The City responded on 2 December 2011 advising that such a use would be defined in the Local Planning Scheme as ‘Industry Hazardous’ and this type of use is only permissible in the ‘General Industry’ zone. The City further raised concern with the proposal especially as a 1km buffer was required for the facility.

On 12 December 2011 Blue Diamond Australia requested “special use” of the land without rezoning. The City, on 13 December 2011, advised that “special permission” cannot be legally granted under the provisions of the Local Planning Scheme.

On 3 October 2012 the proponent requested that the matter not be presented to Council at the next October 2012 meeting. The reason for the request was:

_We are not satisfied that the information surrounding the transport, use and storage of Ammonium Nitrate has been properly considered._
The transport, use and storage of the product is only one issue that needs to be deliberated and staff consider that there is sufficient information for Council to determine the matter.

**The Site:**
The subject land is 163ha and is currently farmed as is the surrounding privately owned rural farmland. The Australian Defence Satellite Communication Station is located approximately 3km northwest of the site.

There is a dwelling on the adjacent Lot 2860 located less than 700m from the proposed development site. It is proposed that this dwelling will be relocated on approval of the Amendment. There are no other dwellings within a 1km radius of the development site.

**The Proposal:**
Ammonium nitrate will be imported from overseas manufacturers. The material will be shipped through the Geraldton Port and then truck transported to the subject site and stored ready for distribution. It is proposed to store up to 20,000 tonnes.

The detailed design and layout of the warehouse building is not finalised however the warehouse is expected to have a floor area of about 2.4ha and utilise about 10ha of the subject land. The whole development site will incorporate a perimeter security fence with CCTV facilities.

The visual impact of the site will be minimised with the installation of strategically placed landscaping ensuring that the planting does not interfere with the fencing or continued farming operations.

Access to the site through Lot 1 will be via the eastern boundary of Lot 1 to the Geraldton-Mt Magnet Road.

The applicant considers the Amendment proposal ideal in terms of:

- minimising any risk on surrounding activities;
- having easy access to the major transport network;
- minimising any impact on the continued agricultural activities in the region;
- minimising the visual impact of the proposal from the surrounding road network;
- limiting the use to that specified in the additional use Schedule; and
- limiting the extent of the additional use to that area specified in the additional use Schedule.

A copy of the Amendment document is included as Attachment No. SC065A.
COMMUNITY CONSULTATION:
Given the issues associated with ammonium nitrate (see Environmental Issues section of this Report), the City referred the amendment to the Australian Defence Satellite Communication Station.

The Department of Defence advised that the Satellite Station is classified by the Australian Government as a vital critical asset for the protection of its people and interests.

The entry point for the Satellite Station is well within the stated emergency exclusion zone and in the event of a low level emergency, access to the facility would be, at the very least, disrupted. At worst, if an incident was catastrophic, the potential impact to operations through the loss of critical power, water and communications may be considerable.

Also now co-located at the Defence facility is a U.S. Navy Communication facility used as part of the U.S. Navy global communications network, facility (when announced by the Australian Government it was stated negotiations for had taken three years and the facility would be a critical military asset), this facility strengthening the importance of the site from a defence perspective.

A copy of the Department of Defence response is included as Attachment No. SC065B.

Should Council initiate a scheme amendment, it is required to be publicly advertised in accordance with the requirements of the Planning and Development Act 2005.

COUNCILLOR CONSULTATION:
Cr Clune has enquired about the proposal and the proponent has directly contacted Cr Clune regarding the proposal. There has been no other Councillor consultation.

STATUTORY IMPLICATIONS:
The subject land is currently zoned ‘Rural’ under Local Planning Scheme No. 5 (Greenough). The proposal to store ammonium nitrate is reasonably defined within the Scheme as ‘Industry – hazardous’ use class, which is defined as:

“an industry which by reason of the processes involved or the method or manufacture or the nature of the materials used or produced requires isolation from other buildings, but does not include a nuclear activity.”

The ‘General Industry’ zone is the only zone in which an ‘Industry – hazardous’ can be approved, hence the request for this scheme amendment.

The applicant has stated that:

All the land zoned for ‘General Industry’ in the Scheme is located in the Narngulu Industrial area. Due to the proximity of residential areas, the
potential impact, or risk, on premises surrounding activities and the
problems associated with assembling an area suited for such a proposal;
the Narngulu area is not considered appropriate for the proposed activity.

The Amendment is proposed in two parts. The first is the introduction of an 'Additional Use' and the second is the insertion of a new 'Special Control Area'.

**Additional Use:**
Given that Narngulu remains unsuitable the Scheme area has no scope to provide for the proposed ammonium nitrate storage, without either;

- rezoning a new site to 'General Industry' or a 'Special Use' zone; or
- providing for an additional use in the rural area – away from conflicting land uses and with minimal impacts for the continued rural use of the land.

The concept of rezoning a specific site in a rural area for 'General Industry' or a 'Special Use' is not a preferred planning option as it may also provide for other industrial activities that would be better centralised and serviced in a formal industrial estate (i.e. Narngulu). It is noted that officers have dealt with a number of proponents in the last twelve months that have identified rural zoned land as better accommodating the “unique” nature of their business but ultimately would have had an “industry” form of end use. In addition this could be considered as a ‘spot’ zoning; not a favoured planning option.

In order to allow the proposed development to proceed without changing the existing zoning it is proposed to allow for an 'Additional Use'. Clause 4.5 of Scheme provides for additional uses as follows:

### 4.5 Additional uses

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

The additional use will only apply to 10ha of the 163ha, Lot 1 and the following is proposed to be inserted into the Scheme:

<table>
<thead>
<tr>
<th>No</th>
<th>Description of Land</th>
<th>Additional Use</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Portion of Lot 1 cnr Yanget Road and Geraldton-Mt Magnet Road, Kojarena</td>
<td>Storage and distribution of materials relating to the mining industry.</td>
<td>1. The additional use shall be restricted to the site as shown on PLAN A, as endorsed by the CEO.&lt;br&gt;2. Landscaping to be provided in accordance with PLAN A.&lt;br&gt;3. All processes, transport, storage and distribution activities shall comply with best standards as determined by the Department of Minerals and Petroleum.</td>
</tr>
</tbody>
</table>
Should Council initiate the Amendment, the wording of the additional use needs to be much more specific and prescriptive. The additional use wording should read as follows:

“Industry – hazardous (Storage and distribution of Ammonium Nitrate)”.

The ‘PLAN A’ referred to above is a basic map that should not be endorsed as part of the Amendment. There is no need to stipulate the requirement for a ‘PLAN A’. Firstly, the additional use site will be restricted and defined in the Scheme Map and secondly the ‘PLAN A’ shows no landscaping and in any event, landscaping is a common development application condition that need not be duplicated in the Scheme.

**Special Control Area (SCA):**
The addition of a new Special Control Area is proposed to be inserted in accordance with the impact distances stated by the Department of Minerals and Petroleum in its Code of Practice for the safe storage of solid ammonium nitrate (refer to Environmental Issues section of this Report).

It is proposed that the following be inserted into the Scheme:

**6.7 STORAGE AND DISTRIBUTION OF MATERIALS RELATING TO THE MINING INDUSTRY (SCA 6)**

6.7.1 The Kojarena Storage and Distribution Centre is a facility strategically located to service the mining sector of the Region.

6.7.2 Purpose of the Special Control Area

(a) To identify land likely to be the subject of offsite impacts from the Storage and Distribution Centre.

(b) To ensure that the use and development of the land in the vicinity of the Storage and Distribution Centre is compatible with any existing or proposed use and development of the Centre.

6.7.3 Application Requirements for Subdivision and Development

Planning approval is required to construct or extend any part of the Storage and Distribution Centre.

The local government will generally not approve any development for residential purposes or other sensitive uses as defined in State Planning Policy (SPP) 4.1 – State Industrial Buffer Policy.

6.7.4 Relevant Considerations

Before deciding on any application for development approval the local government must consider;

(a) the provisions of SPP 4.1 State Industrial Buffer Policy.

(b) whether the proposal is compatible with existing and proposed future use of the Storage and Distribution Centre.

6.7.5 Referral of Applications
Before determining any application for planning approval for residential purposes or any other sensitive use as determined by SPP 4.1 and with respect to land affected by the SCA, the local government is to consult with the Department of Environment and Conservation, Department of Health and the Department of Minerals and Petroleum.

It should be noted that the only Special Control Areas within the Scheme at present are those for the Greenough Heritage Area, Moresby Range Landscape Area, Narngulu Wastewater Treatment Plant and the Narngulu Waste Disposal Facility.

The Greenough Heritage and Moresby Range Landscape Areas do not restrict land uses whilst the Narngulu Wastewater Treatment Plant and Narngulu Waste Disposal Facility restrict sensitive land uses including residential development.

The main difference between the two Narngulu Special Control Areas and that proposed by this Amendment is that both facilities are critical public infrastructure that services the greater community; and both facilities are located in the Narngulu area that is already planned for large-scale industrial 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:
There are no financial and budget implications.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 2: Opportunities for Prosperity.
Outcome 2.4: Western Australia’s major logistics and industry hub.
Strategy 2.4.3: Support the development of mining activities and the associated service sector.

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:

Local Rural Strategy:
This strategy guides future land use and subdivision decisions for rural areas. The subject land is located in the ‘Sandplain’ precinct. The principal objective of the precinct is to retain the land for agricultural purposes.

The strategy specifically states that industrial uses are “Undesirable Land Uses.

Local Planning Strategy (Greenough):
The purpose of this document is to identify the likely land uses that will be established and indicate the preferred location for these land uses. The subject land is identified on the Strategy Plan Map as ‘Rural’ and also identified as a basic raw material area for gravel and sand.

The strategic direction for agricultural areas is to sustainably farm the land in accordance with its land suitability, and to prevent the intrusion of non-agricultural uses which compromise efficient and sustainable farm management practices into these areas.

The strategic direction for basic raw materials is to preserve known resource areas as shown on the Strategic Plan Map by limiting the encroachment of non-compatible land uses in the vicinity of these areas. Land use or development proposals that have potential to prevent access to the basic raw material resource require a resource impact assessment to demonstrate that those basic raw materials are not required.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The applicant purports that the provision of this facility is currently in demand with the agreement to provide ammonium nitrate to several mining operations in the region already proven, and that the multi-million dollar facility will be a valued activity in the Mid West region.

Social:
The Amendment proposes to prohibit residential development (and other sensitive uses) within an 890m Special Control Area. Additionally the Amendment will require that any land uses or development within the Special Control Area must be compatible with the existing or proposed future use of the storage and distribution facility. This essentially shifts the onus onto the surrounding landowners to ensure that their (potentially legitimate) land uses under the ‘Rural’ zone are compatible with the storage facility which is a hazardous industry.

The other matter for consideration is whether rural areas of the City should be exposed to hazardous industries especially when the industry requires a
buffer that affects other farming properties. A site that could contain its own impacts within its own site boundaries may be a better alternative.

**Environmental:**

Approved codes of practice provide safety recommendations to assist people in meeting their obligations under the Act and the Regulations. The ‘Code of Practice – Safe storage of solid ammonium nitrate’ has been produced to assist those storing or handling solid ammonium nitrate to meet their safety obligations under the *Dangerous Goods Safety Act 2004* and associated regulations. The following is a brief explanation of the hazards of ammonium nitrate as described in the code of practice.

*Ammonium nitrate has three main hazards:*

- **Fire;**
- **Decomposition with the formation of toxic gases**
- **Explosion**

*Fire* – Ammonium nitrate is not combustible and does not burn but, being an oxidising agent, it can facilitate the initiation of fire and will assist the combustion of other materials.

*Decomposition* – If ammonium nitrate is heated, it will decompose to give off toxic gases.

*Explosion* – Ammonium nitrate is a potentially explosive substance because it comprises the oxidising nitrate ion in intimate contact with the fuel element, the ammonium ion.

A full copy of the Code is available to Council upon request or can be obtained from the following link:


The Code provides information on both Store Location and Evacuation Distances as follows:

**Store Location:**

The location of an ammonium nitrate store is subject to acceptance by Resources Safety with respect to its proximity to sites such as residential
occupancies, places of public assembly, academic establishments, health care facilities and pipelines.

Recommended minimum separation distances to on-site and off-site protected works as well as vulnerable facilities and critical infrastructure are described. These separation distances are intended to help minimise impacts on people, property and the environment in the highly unlikely event of an ammonium nitrate detonation. When considering the location of ammonium nitrate storage, it is advisable to maximise separation distances as far as is reasonably practicable, and consider how all on-site and off-site people can be promptly alerted and evacuated to a safe distance in the event of a fire involving the ammonium nitrate.

The proponent has stated that following detailed ongoing discussions and liaison with the Department of Minerals and Petroleum, it has been determined that the appropriate level of impact is 890m from the proposed activity. The proposed activity for the purpose of this proposal will be the 10ha site area. Figure 10 in the Amendment document (Attachment No.SC065A) provides a plan of the site showing the impact of the 890m buffer.

It should be noted that a portion of the Geraldton-Mt. Magnet Road, Nargulu-Mullewa railway and other communications infrastructure are located within the 890m buffer.

**Evacuation Distances:**

Explosions resulting from fires involving ammonium nitrate, even in recent years, have killed and injured emergency personnel and others. When a fire involving ammonium nitrate is judged to be out of control, or if the fire is engulfing the ammonium nitrate, everyone, including fire fighters, should be evacuated to a safe distance where they will not be harmed if there is an explosion. The evolution of toxic brown nitrogen dioxide is a sign that immediate evacuation is required.

This particular storage facility will house 500t individual stacks or piles and the recommended minimum evacuation distance for all personnel (including emergency personnel) is 2,200m.

The proponent has advised that “the likelihood of a catastrophic event at the proposed facility will be zero”. This statement is refuted on the simple basis that buffer and evacuation distances would not be required if the likelihood of an event was in fact zero. By requiring a buffer and evacuation distance there is obviously a chance (however slight that may be) of an event requiring evacuation.
As part of the scheme amendment process, prior to public advertising, the Environmental Protection Authority is required to assess the amendment under Part IV of the Environmental Protection Act.

**Cultural & Heritage:**
There are no cultural or heritage issues.

**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. AMEND Local Planning Scheme No. 5 (Greenough) by adding an ‘Additional Use’ and ‘Special Control Area’ to permit the use of the land for the storage and distribution of ammonium nitrate on Lot 1 Yanget Road, Kojarena, subject to modifying the scheme amendment documentation to the approval of the Director Sustainable Communities; and
2. PROCEED with advertising the scheme amendment in accordance with the requirements of the Planning and Development Act 2005.

**Option 3:**
That Council by Simple Majority pursuant to Part 5 of the Planning and Development Act 2005 RESOLVES to:

1. DEFER the amendment to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.
CONCLUSION:
There is no disputing the fact that the land use is a dangerous good and that under the Scheme it can only be classified as a hazardous industry.

The storage of the product requires a 890m buffer as well as a 2.2km evacuation distance as prescribed by the ‘Code of Practice – Safe storage of solid ammonium nitrate’ (which are approved an gazetted by the Minister and may be used as a defence in law).

The Australian Defence Satellite Communication Station is located in close proximity to the proposed storage facility and has the potential to be impacted by the prescribed buffer and evacuation distances. The Satellite Station is classified by the Australian Government as a vital critical asset for the protection of its people and interests. The site also hosts a new U.S. Navy Communications facility.

Also within the buffer and evacuation distances are other important road, rail and communications infrastructure.

Additionally the Amendment will require that any land uses or development within the 890m Special Control Area must be compatible with the existing or proposed future use of the storage and distribution facility. This essentially shifts the onus onto the surrounding landowners to ensure that their (potentially legitimate) land uses under the ‘Rural’ zone are compatible with the storage facility.

The only Special Control Areas within the Scheme at present are those for the Greenough Heritage Area, Moresby Range Landscape Area, Narngulu Wastewater Treatment Plant and the Narngulu Waste Disposal Facility. Only the 2 Narngulu facilities restrict sensitive land uses including residential development and both these facilities are critical public infrastructure that services the greater community; and both facilities are located in the Narngulu area that is already planned for large-scale industrial development.

It is acknowledged that there are very high procedural standards regarding the storage of ammonium nitrate which are governed by the Department of Minerals and Petroleum, however regardless of these strict controls the suitability of the site chosen has to be questioned.

The Local Rural Strategy identifies the subject land within the ‘Sandplain’ rural precinct, where the principal objective is to retain the land for agricultural purposes. The strategy specifically states that industrial uses are ‘Undesirable Land Uses’.

The Local Planning Strategy Plan Map identifies the land within a basic raw material area for gravel and sand. The strategic direction for basic raw materials is to preserve known resource areas by limiting the encroachment of non-compatible land uses in the vicinity of these areas.
The other matter for consideration is whether rural areas of the City should be exposed to hazardous industries especially when the industry requires a buffer that affects other farming properties. A site that could contain its own impacts within its own site boundaries and is not near an Australian Defence facility may be a better alternative for future investigation.

For the reasons outlined above, Option 2 is not supported. Should Council initiate the Amendment (as per Option 2) then modifications need to be made to the Amendment documentation and these should be done to the approval of the Director Sustainable Communities.

Despite the proponents request to not have the matter presented to 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. REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to add an ‘Additional Use’ and ‘Special Control Area’ to permit the use of the land for the storage and distribution of ammonium nitrate on Lot 1 Yanget Road, Kojarena; and
2. MAKES the determination on the grounds that:
   a. Council is not prepared to initiate a scheme amendment that could potentially compromise the ongoing operations of the Australian Defence Satellite Communication Station facility which has been classified by the Australian Government as a vital critical asset for the protection of its people and interest;
   b. Council considers the site to be unsuitable given the proximity to other important road, rail and communications infrastructure which can potentially be impacted upon; and
   c. The site is located in the ‘Sandplain’ rural precinct which specifically lists industrial land uses as undesirable.

MOTION
MOVED CR ASHPLANT, SECONDED CR ______
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to add an ‘Additional Use’ and ‘Special Control Area’ to permit the use of the land for the storage and distribution of ammonium nitrate on Lot 1 Yanget Road, Kojarena; and
2. MAKES the determination on the grounds that:
   a. Council is not prepared to initiate a scheme amendment that could potentially compromise the ongoing operations of the Australian Defence Satellite Communication Station
facility which has been classified by the Australian Government as a vital critical asset for the protection of its people and interest;

b. Council considers the site to be unsuitable given the proximity to other important road, rail and communications infrastructure which can potentially be impacted upon; and

c. The site is located in the ‘Sandplain’ rural precinct which specifically lists industrial land uses as undesirable.

3. That a briefing note be prepared for presentation at a Concept Forum as soon as practically possible that:

a. investigates with State Government agencies the feasibility for uses requiring buffer zones (including explosives storage/distribution) to be accommodated at the Oakajee Industrial Estate;

b. If the advice received from State Agencies is that use of Oakajee Industrial Estate is not supported for uses in (a) above, investigations take place of potential alternate site(s) that could meet this need within the City of Greater Geraldton; and

4. The applicants being advised of (a) & (b) above.

LAPSED DUE TO NO SECONDER

COUNCIL DECISION
MOVED CR CLUNE, SECONDED CR RAMAGE
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to add an ‘Additional Use’ and ‘Special Control Area’ to permit the use of the land for the storage and distribution of ammonium nitrate on Lot 1 Yanget Road, Kojaren; and

2. MAKES the determination on the grounds that:

a. Council is not prepared to initiate a scheme amendment that could potentially compromise the ongoing operations of the Australian Defence Satellite Communication Station facility which has been classified by the Australian Government as a vital critical asset for the protection of its people and interest;

b. Council considers the site to be unsuitable given the proximity to other important road, rail and communications infrastructure which can potentially be impacted upon; and

c. The site is located in the ‘Sandplain’ rural precinct which specifically lists industrial land uses as undesirable.

CARRIED 10/1
SUMMARY:
This report seeks a determination from Council as to whether or not the City should accept an invitation from the Department of State Development (DSD) to participate in the State Governor's delegation to China in November/December 2012.

The Sister City Economic & Cultural Development Advisory Committee (the Sister City Committee) met on 18 October 2012 and resolved to recommend to Council to accept the invitation.

PROPOSENTH:  
The proponent is the Sister City Committee

BACKGROUND:  
The Governor of Western Australia, Malcolm McCusker AC CVO QC, will lead a delegation to China from 30 November to 8 December 2012 to commemorate the 25th anniversary of the Sister State relationship between Zhejiang and Western Australia and the 40th anniversary of diplomatic ties between Australia and China. The delegation includes the Governor of WA and his wife, Department of State Development Manager for China. The invitation from the Department of State Development (on behalf of the Governor of Western Australia) has been extended to the Mayor and Chief Executive Officer at the City of Greater Geraldton, the Chairman of the Mid West Development Commission and the Chairman of the Geraldton Port Authority.

In line with the Sister State relationship between WA and Zhejiang, City of Greater Geraldton Council resolved to establish a strategic partnership with City of Zhoushan, Zhejiang, CHINA. The Mayors of the two cities signed a Letter of Intent (Attachment 1), witnessed by the WA premier Mr Colin Barnet and Governor of Zhejiang, Mr Xia Baolong, during the WA-Zhejiang relationship 25th anniversary ceremony in Perth in September 2012.

To deepen the relationship and further engage with Zhejiang at local government level, the Department of State Development (DSD) invited the Mayor Ian Carpenter and CEO Tony Brun (Attachment 2) to be part of the Governor’s delegation to CHINA. DSD has requested a response to the invitation by Tuesday 23 October 2012.
The Governor’s mission to CHINA will include the Zhejiang cities of Ningbo, Shaoxing and Hangzhou as well as Shanghai, Nanjing and Beijing. The program will include meetings with senior Chinese Government officials, site visits to hospitals and universities with ties to Western Australian institutions as well as WA business functions to be attended by Western Australian representatives in China and Chinese businesses interested in trade and investment opportunities in WA.

DSD is keen to integrate a visit to Zhoushan, the Strategic Partner City of Greater Geraldton.

DSD will cover on-ground group transport costs and arrange for discounted hotel accommodation for the delegation.

Proposed inclusion of the City in the delegation recognises the significance to the State of existing and potential future investment from China in the Mid West, and the fundamental importance of establishing and nurturing close and sustained relationships across the spectrum of all formal tiers of Government – including Local Government – to cement long term cultural and economic partnerships.

COMMUNITY CONSULTATION:
Community consultation was via the Sister City Committee and had representation from:

- Mid West Chamber of Commerce and Industry; and
- Geraldton Iron Ore Alliance.

There has been no broader general community consultation on this matter.

COUNCILLOR CONSULTATION:
Councillor consultation was via the Sister City Committee, Councillor members were:
Cr Chris Gabelish (Chair)
Cr Ron Ashplant (Deputy Chair)

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 Committee have taken this policy into account when developing the Strategic Partnership with Zhoushan, guiding both Cities to move to the next stage of collaboration and exchange, in accordance with the goals and objectives of the relationship.
FINANCIAL AND BUDGET IMPLICATIONS:
Costs related to participation in this State Governor’s delegation, are able to be accommodated within the Sister City Project budget allocation for this financial year. No additional funding allocations are required.

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.

Developing strategic partnerships in line with the Sister State relationship between WA and Zhejiang, one of the richest provinces in China, will ultimately lead to investment and cooperation opportunities throughout the Mid West in areas like tourism, mining, technology, manufacturing and science. This will add positive regional outcomes.

Potential to attract further major capital investment from China in the Mid West is in large part as dependent on establishing trusted relationships, as it is on mutual recognition of economic opportunities. Pursuit of regional development is enhanced by active engagement with Chinese Cities.
ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

**Economic:**
Higher level engagement between the City of Greater Geraldton and international cities such as Zhoushan, Ningbo, Shanghai and Beijing 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; and
- Promote the Mid West region as an attractive tourist destination.

**Social:**
As per the goals and objectives of Sister City relationships, such alliance 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 Zhoushan 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

**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 the Local Government Act 1995 (as amended) S5.28 RESOLVES to:

1. DEFER the trip to CHINA as part of the WA Governor's delegation;
2. MAKES the determination based on the following reason:
   a. To be determined by Council

Option 3:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) S5.28 RESOLVES to:

1. DECLINES the invitation from the WA Governor to attend the China visit; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
At this time, with a slowdown in the rate of economic growth in China and consequently in their demand levels for WA export commodities, and in the lead up to the traditional change of National leadership in China, demonstrating genuine commitment to cultural engagement and trade with China is important.

The following key points are for Council’s consideration:

- The significance of being engaged with China at a higher level,
- The necessity for further exploring trade, cooperation opportunities in China, especially in our Strategic Partner City – Zhoushan,
- The invitation from the Department of State Development,
- The recognition by the State Government that Geraldton is playing an active role in WA's international relationships at local government level.
- Both the Geraldton Port Authority and the Mid West Development Committee have accepted the invitation from Department of State Development.

It is a matter for Council to determine whether or not to accept the invitation from the Department of State Development and – if so - who should join the Governor’s delegation, and whether or not to extend the number of the delegates to other stakeholders.
EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) S5.28 RESOLVES to:

1. ACCEPT the invitation from the Department of State Development to join the Governor of Western Australia delegation to Zhejiang Province in China November 2012;
2. APPROVE the City delegation to include the Mayor, CEO and Foreign Affairs Officer (interpreter); and
3. INVITE interested parties to attend from the Mid West Development Commission, Geraldton Port Authority, Geraldton Iron Ore Alliance and members of the community and businesses to join the delegation at their expense.

MOVED CR MESSINA, SECONDED CR THOMAS
That Council RESOLVES to APPOINT Cr Ramage to Chair in the absence of the Mayor due to his declaration of interest.

CARRIED 11/0

Mayor I Carpenter declared a direct financial interest in Item CEO011 State Governor’s Delegation to China and he may be an attendee and left Chambers at 6.03pm and Cr Ramage took the Chair.

COUNCIL DECISION
MOVED CR MESSINA, SECONDED CR THOMAS
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) S5.28 RESOLVES to:

1. NOT accept the invitation from the Department of State Development to join the Governor of Western Australia delegation to Zhejiang Province in China November 2012;
2. THANK the Department for the invitation; and
3. MAKE the Determination on the grounds that as the amended itinerary did not include the Zhoushan Municipality or the Ningbo Port.

CARRIED 10/0

The Mayor returned to Chambers at 6.04pm and resumed the chair.

Note: The Executive Recommendation was updated to not accept the invitation from the Department of State Development (DSD), as the City received an updated itinerary from DSD indicating that the Ningbo-Zhoushan visit is being removed from the itinerary due to limited time the Governor will have in China.
15 OPERATIONAL MATTERS

<table>
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<tr>
<th>OP0016 MEETING SCHEDULE – JANUARY 2013 TO DECEMBER 2013</th>
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<tbody>
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<td>AUTHOR:</td>
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<td>EXECUTIVE:</td>
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<td>DATE OF REPORT:</td>
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<td>FILE REFERENCE:</td>
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<tr>
<td>APPLICANT / PROPONENT:</td>
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<tr>
<td>ATTACHMENTS:</td>
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SUMMARY:
The purpose of this report is to adopt the Council meeting schedule for the period January 2013 to December 2013.

PROPONENT:
The Proponent is the City of Greater Geraldton.

BACKGROUND:
Section 5.3 of the Local Government Act 1995 allows Council to hold ordinary and special meetings. It further requires ordinary meetings to be held not more than 3 months apart. Section 12 of the Local Government (Administration) Regulations 1996 requires Council to give public notice of the dates, times and location of its ordinary and committee meetings to be held in the next 12 months. Public notice is also required for any changes to these elements.

It is proposed that the following ordinary meetings be held over the next 12 months:

- **Concept Forum** (Closed to Public) to be held on the first Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.
- **Agenda Forum** to be held on the third Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.
- **Ordinary Meeting** to be held of the further Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.

March and September Ordinary Meetings to be held in Mullewa.
<table>
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<tr>
<th></th>
<th>Concept Forum 1st Tuesday</th>
<th>Agenda Forum 3rd Tuesday</th>
<th>Ordinary Meeting 4th Tuesday</th>
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<tbody>
<tr>
<td>January 2013</td>
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<td>5 February 2013</td>
<td>19 February 2013</td>
<td>26 February 2013</td>
</tr>
<tr>
<td>March 2013</td>
<td>5 March 2013</td>
<td>19 March 2013</td>
<td>26 March 2013 <strong>MULLEWA</strong></td>
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<tr>
<td>April 2013</td>
<td>2 April 2013</td>
<td>16 April 2013</td>
<td>23 April 2013</td>
</tr>
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<tr>
<td>August 2013</td>
<td>6 August 2013</td>
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**COMMUNITY CONSULTATION:**
There is no requirement for community consultation on this matter.

**COUNCILLOR CONSULTATION:**
There is no requirement for councillor/officer consultation.

**STATUTORY IMPLICATIONS:**
Section 12 of the Local Government (Administration) Regulations 1996 requires Council to advertise its ordinary and committee meeting schedule for the ensuing 12 months.

**POLICY IMPLICATIONS:**
There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**
The cost of advertising the schedule of meetings is contained within the 2012/13 budget.

**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 deliberate processes with the community.
Regional Outcomes:
There are no regional outcomes from the consideration of this matter.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic impacts associated with this matter.

Social:
There are no social impacts associated with this matter.

Environmental:
There are no environmental impacts associated with this matter.

Cultural & Heritage:
There are no cultural or heritage impacts associated with this matter.

RELEVANT PRECEDENTS:
There are no relevant precedents associated with this matter.

DELEGATED AUTHORITY:
There are no delegated authority issues associated with this matter.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority under Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. NOT ADOPT the schedule of ordinary meetings for 2013 as presented; 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 5.20 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the schedule of ordinary meetings for 2013 as presented with the following changes;
   a. To be determined by Council.
2. MAKES the determination based on the following reason:
   a. To be determined by Council.
CONCLUSION:
Council is required under Section 12 of the Local Government (Administration) Regulations 1996 to give public notice of its schedule of ordinary meetings for the next 12 months.

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

1. ADOPT the schedule of ordinary meetings for 2013 as follows:

<table>
<thead>
<tr>
<th></th>
<th>Concept Forum 1st Tuesday</th>
<th>Agenda Forum 3rd Tuesday</th>
<th>Ordinary Meeting 4th Tuesday</th>
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COUNCIL DECISION
MOVED CR BENNETT, SECONDED CR MIDDLETON
That Council by Simple Majority under Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the schedule of ordinary meetings for 2013 as follows:

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<tr>
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<th>Concept Forum 1st Tuesday</th>
<th>Agenda Forum 3rd Tuesday</th>
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*CARRIED 11/0*
SUMMARY:
The purpose of this report is to seek Council’s endorsement of the councillor nominations to the Mid West Development Commission Board.

PROPOONENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Mid West Development Commission has two vacancies on its Board due to the expiration of the terms for Cr Pauline Forrester and Cr Simon Broad.

As a consequence, it is inviting nominations from local governments within the Mid West Development catchment area to fill these vacancies.

It is felt that it would be important for Council to provide endorsement for any elected member who wished to nominate for a position on the Board and as such this item is to provide that endorsement. Elected members would still be required to complete the nomination forms provided by the Commission.

COMMUNITY CONSULTATION:
There has been no community consultation on this matter.

COUNCILLOR CONSULTATION:
There has been no councillor consultation on this matter.

STATUTORY IMPLICATIONS:
There are no statutory implications with this item.

POLICY IMPLICATIONS:
There are no policy implications with this matter.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial and budget implications for the City as the elected member is paid directly by the Commission.
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:
Representation on the Board of the Mid West Development Commission will provide benefits for the region.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic: There are no economic impacts associated with this matter.

Social: There are no social impacts associated with this matter.

Environmental: There are no environmental impacts associated with this matter.

Cultural & Heritage: There are no cultural or heritage impacts associated with this matter.

RELEVANT PRECEDENTS: There are no relevant precedents associated with this matter.

DELEGATED AUTHORITY: There is no delegated authority for this item.

VOTING REQUIREMENTS: Simple majority is required.

OPTIONS:

Option 1: As per Executive Recommendation in this report.
**Option 2:**
That Council by Simple Majority in accordance with Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. NOT ENDORSE the nominations for vacancies on the Mid West Development Commission for elected members; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

**CONCLUSION**
The Mid West Development Board has two vacancies and the endorsement of the elected members wishing to nominate will provide improved opportunity for election.

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

1. ENDORSE the nominations for vacancies on the Mid West Development Commission for the elected members:
   a. Mayor Ian Carpenter; and
   b. Councillor___________:

**COUNCIL DECISION**
MOVED CR ASHPLANT, SECONDED CR BENNETT
That Council by Simple Majority in accordance with Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE the nominations for vacancies on the Mid West Development Commission for the elected members:
   a. Mayor Ian Carpenter; and
   b. Councillor T Thomas.

**CARRIED 11/0**
OP0020  APPOINTMENT OF ACTING MAYOR

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<td>C Wood, Director of Organisational Performance</td>
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<tr>
<td>EXECUTIVE:</td>
<td>C Wood, Director of Organisational Performance</td>
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<td>City of Greater Geraldton</td>
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SUMMARY:
The purpose of this report is to seek Council's approval for the appointment of a councillor to be acting Mayor during the period 9 November to 19 November (inclusive) 2012 as the Mayor and Deputy Mayor will be on leave at this time.

PROPOSER
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Mayor and Deputy Mayor will be on leave from 9 November to 19 November (inclusive) 2012 and as such will not be able to perform the functions of the Mayor.

In accordance with Section 5.35 of the Local Government Act 1995, if the Mayor and Deputy Mayor are not available to perform the functions of the Mayor then the Council may appoint a councillor to perform the functions of the Mayor during the period of absence.

COMMUNITY CONSULTATION:
There has been no community consultation on this matter.

COUNCILLOR CONSULTATION:
There has been no councillor consultation on this matter.

STATUTORY IMPLICATIONS:
Section 5.35 of the Local Government Act 1995 applies.

POLICY IMPLICATIONS:
There are no policy implications with this matter.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial and budget implications with this matter.
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 outcomes from the consideration of this matter.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic impacts associated with this matter.

Social:
There are no social impacts associated with this matter.

Environmental:
There are no environmental impacts associated with this matter.

Cultural & Heritage:
There are no cultural or heritage impacts associated with this matter.

RELEVANT PRECEDENTS:
Councillors have been appointed to perform the functions of the Mayor previously.

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 in accordance with Section 5.35 of the Local Government Act 1995, RESOLVES to:

1. NOT APPOINT an acting Mayor for the period 9 November to 19 November 2012;
2. Makes the determination based on the following reason:
a. To be determined by Council

CONCLUSION
The Mayor and Deputy Mayor will be on leave from 9 November to 19 November 2012 and as such the Council may appoint an acting Mayor to perform the functions of the Mayor.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority in accordance with Section 5.35 of the Local Government Act 1995 RESolves to:

1. APPOINT Councillor _____________ as acting Mayor from 9 November to 19 November (inclusive) 2012.

The following 2 nominations were received
   1. Cr Bennett
   2. Cr Ashplant

Vote was undertaken for the appointment of the Acting Mayor using the electronic voting system.

COUNCIL DECISION
MOVED CR THOMAS, SECONDED CR BRICK
That Council by Simple Majority in accordance with Section 5.35 of the Local Government Act 1995 RESolves to:

1. APPOINT Councillor Bennett as acting Mayor from 9 November to 19 November (inclusive) 2012.

CARRIED 9/2
<table>
<thead>
<tr>
<th>CI026</th>
<th>RFT44 1213 – SUPPLY AND DELIVERY OF DRAINAGE PRODUCTS</th>
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<td>AGENDA REFERENCE:</td>
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<tr>
<td>AUTHOR:</td>
<td>P Faraone, Principal Works Manager</td>
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<td>N Arbuthnot, Director Community Infrastructure</td>
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**SUMMARY:**
The objective of this report is to gain Council approval to award RFT44 1213 to Dalwallinu Concrete for the supply and delivery of drainage products for a period of two years starting from 1 January 2013 to 31 December 2014.

**PROPOSER:**
The Proponent is the City of Greater Geraldton.

**BACKGROUND:**
A tender related to the supply and delivery of drainage products for the construction and maintenance of drainage systems within the City of Greater Geraldton was advertised locally in the Geraldton Guardian on 18 May 2012 and in the West Australian on 19 May 2012. The specifications were also available on the City’s website. The closing date for tender was Thursday 7 June 2012.

There were no non-conforming tenders received. Six conforming tenders were received from the following:

a. Icon Septech  
b. Rocla Pipeline Products  
c. GNCC Holdings  
d. MJB Industries  
e. Humes Wembley Cement  
f. Dalwallinu Concrete

The existing tender supplier can be utilised until a new contract is awarded.

**COMMUNITY CONSULTATION:**
There has been no community consultation.

**COUNCILLOR CONSULTATION:**
There are been no Councillor consultation.
STATUTORY IMPLICATIONS:
Tenders were called in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS:
The City of Greater Geraldton has adopted a purchasing policy which refers to the purchase of all levels of goods and services through either quotations or through tenders.

The policy provides compliance with the requirements of the Local Government Act 1995 and the Local Government Act (Functions and General Regulations 1996 – as amended in March 2007). Additional to the policy, procedures have been developed for both purchasing through quotations and tenders to guide staff when purchasing goods and services for the City of Greater Geraldton.

FINANCIAL AND BUDGET IMPLICATIONS:
Prices tendered are recorded and utilised for future project pricing. The table in the Confidential Attachment indicates comparative prices of all materials and products.

Budget allocation is as a materials supply and delivery which is within the annual construction (budget projects) and maintenance budget provisions.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 4: Opportunity for Sustainability.
Outcome 4.2: Improved Transport and Accessibility.
Strategy 4.2.2: Improve our network of urban, rural and regional roads, cycle ways, trails and paths.

Regional Outcomes:
To develop a functional network of roads, paths and drainage.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The two yearly supply tenders allow Community Infrastructure managers and supervisors to purchase goods from approved suppliers at known costs.

Social:
There are no social issues.
**Environmental:**
There are no environmental issues.

**Cultural & Heritage:**
There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**
Two yearly supply Contracts have been used a number of years and have been proven to be an effective method of obtaining goods and services at competitive rates.

**DELEGATED AUTHORITY:**
There is no delegated authority.

**VOTING REQUIREMENTS:**
A simple majority is required.

**Option 1:**
As per Executive Recommendation in this report.

**Option 2:**
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. NOT AWARD RFT 441213 Supply and Delivery of Drainage Products;
2. MAKES this determination based on the following reason:
   a. To be determined by Council.

**Option 3:**
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. RE-RETENDER RFT 441213 Supply and Delivery of Drainage Products;
2. MAKES this determination based on the following reason:
   a. To be determined by Council.

**CONCLUSION:**
The City requires effective supply of goods and services to enable relevant Departments to carry out budgetary commitments including meeting program schedules and providing efficient delivery of services at competitive rates. Procuring services using multiple year supply of products and services has proven to be efficient and competitive.
EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 44 1213 for the Supply and Delivery of Drainage Products to Dalwallinu Concrete for the period, 1 January 2013 to 31 December 2014; and

2. RECORD the tendered amount in the Minutes.

COUNCIL DECISION
MOVED CR RAMAGE, SECONDED CR BRICK
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 44 1213 for the Supply and Delivery of Drainage Products to Dalwallinu Concrete for the period, 1 January 2013 to 31 December 2014; and

2. RECORD the tendered amount in the Minutes as per below.

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<th>Pipe Diameter</th>
<th>Pipe Length</th>
<th>kg per metre</th>
<th>kg/pipe</th>
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ORDINARY MEETING OF COUNCIL MINUTES
23 OCTOBER 2012

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**Class 4 Pipes**

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**SUPPLY AND DELIVER BOX CULVERTS**

**Small Span**

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<th>$ per Unit GST Incl</th>
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**Small Span Base Slabs**

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**SUPPLY AND DELIVER MISCELLANEOUS PRODUCTS**

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**CARRIED 11/0**
The objective of this report is to gain Council approval to award RFT47 1213 to Catwest for the supply and lay of bituminous concrete for a period of two years starting from 1 January 2013 to 31 December 2014.

The Proponent is the City of Greater Geraldton.

Tenders were advertised locally in the Geraldton Guardian on 18 May 2012 and in the West Australian on the 19 May 2012. The tender related to the supply and laying of asphalt for the construction, maintenance and resurfacing of roads within the City. The tender details were also available on the City’s website. The closing date for tender was Thursday 7 June 2012.

There were no non-conforming tenders received. Two conforming tenders were received, one from Catwest and one from Kruize Asphalt and Contracting. Catwest have held the previous two year supply contract.

The existing tender suppliers can be utilised until a new contract is awarded.

There has been no community consultation.

There has been no Councillor consultation.

Tenders were called in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

The City of Greater Geraldton has adopted a purchasing policy which refers to the purchase of all levels of goods and services through either quotations or through tenders.

The policy provides compliance with the requirements of the Local Government Act 1995 and the Local Government Act (Functions and General
Regulations 1996 – as amended in March 2007). Additional to the policy, procedures have been developed for both purchasing through quotations and tenders to guide staff when purchasing goods and services for the city of Geraldton Greenough.

**FINANCIAL AND BUDGET IMPLICATIONS:**
Prices tendered are recorded and utilised for future project pricing. The table in the Confidential Attachment indicates comparative prices of all materials and products.

Budget allocation is as a materials supply only (Asphalt on council trucks) and materials and service which is within the annual construction (budget projects) and maintenance budget provisions.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 4: Opportunity for Sustainability.
Outcome 4.2 Improved Transport and Accessibility.
Strategy 4.2.2: Improve our network of urban, rural and regional roads, cycle ways, trails and paths.

**Regional Outcomes:**
To develop a functional network of roads, paths and drainage

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

**Economic:**
The two yearly supply tenders allow Community Infrastructure managers and supervisors to cost effectively purchase goods from approved suppliers at known costs.

**Social:**
There are no social issues.

**Environmental:**
There are no environmental issues.

**Cultural & Heritage:**
There are no cultural or heritage issues.
RELEVANT PRECEDENTS:
Two yearly supply Contracts have been used a number of years and have been proven to be an effective method of obtaining goods and services at competitive rates.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
A simple majority is required.

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. NOT AWARD RFT 471213 Supply and Lay Bituminous Concrete;
2. MAKES this determination based on the following:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. RE-TENDER RFT 471213 Supply and Lay Bituminous Concrete;
2. MAKES this determination based on the following:
   a. To be determined by Council.

CONCLUSION:
The City requires effective supply of goods and services to enable relevant Departments to carry out budgetary commitments including meeting program schedules and providing efficient delivery of services at competitive rates. Procuring services using multiple year supply of products and services has proven to be efficient and competitive.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 47 1213 for the Supply and Lay Bituminous Concrete, to Catwest for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes.
COUNCIL DECISION
MOVED CR BRICK, SECONDED CR MIDDLETON
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 47 1213 for the Supply and Lay Bituminous Concrete, to Catwest for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes as per the schedule of rates below:
## OPTION A - SUPPLY AND LAY

<table>
<thead>
<tr>
<th>Item</th>
<th>Mix Type</th>
<th>Marshall Blow</th>
<th>Load Size (t)</th>
<th>Cost</th>
<th>GST</th>
<th>Total</th>
<th>Cost</th>
<th>GST</th>
<th>Total</th>
<th>Cost</th>
<th>GST</th>
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<td>200+</td>
<td></td>
</tr>
<tr>
<td>1</td>
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<td></td>
<td>369.60</td>
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<td>359.70</td>
<td>294.80</td>
<td>294.80</td>
<td></td>
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</tr>
<tr>
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</tr>
<tr>
<td>3</td>
<td>AC14</td>
<td>50</td>
<td></td>
<td>294.80</td>
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<td>287.10</td>
<td>264.00</td>
<td>264.00</td>
<td></td>
<td></td>
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<tr>
<td>4</td>
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<td>264.00</td>
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</tr>
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<td>5</td>
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<td>264.00</td>
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<td>276.10</td>
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<tr>
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<td></td>
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<td>581.90</td>
<td>581.90</td>
<td>581.90</td>
<td>581.90</td>
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<tr>
<td>16</td>
<td>SMA10</td>
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<td>415.80</td>
<td>413.60</td>
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<tr>
<td>17</td>
<td>SMA7</td>
<td>50</td>
<td></td>
<td>421.30</td>
<td>418.00</td>
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<td>414.70</td>
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</table>
### OPTION B - SUPPLY ON COUNCIL TRUCKS

<table>
<thead>
<tr>
<th>Item</th>
<th>Mix Type</th>
<th>Marshal Blow</th>
<th>Load Size (t)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 – 25</td>
</tr>
<tr>
<td>1</td>
<td>AC7</td>
<td>50 blow</td>
<td>N/A</td>
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</tr>
<tr>
<td>3</td>
<td>AC14</td>
<td>75 blow</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### OPTION C - COVERAGE

<table>
<thead>
<tr>
<th>Depth</th>
<th>Coverage (m²/tonne)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15mm</td>
<td>27.78</td>
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<td>20mm</td>
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<td>35mm</td>
<td>11.91</td>
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<td>40mm</td>
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### OPTION D – OTHER

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<tr>
<th></th>
<th>Cost</th>
<th>GST</th>
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</thead>
<tbody>
<tr>
<td>Regulation Course (per tonne)</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tack Coat (deduction) (per m²)</td>
<td>N/A</td>
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### OPTION E – MOBILISATION

<table>
<thead>
<tr>
<th></th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Perth – Geraldton – Perth</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Relocation – Per km</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CARRIED 11/0**
SUMMARY:
The objective of this report is to gain Council approval to award RFT49 1213 to BJ Catalano for the supply and delivery of laterite gravel, sand, topsoil and loam for a period of two years starting from 1 January 2013 to 31 December 2014.

PROPOONENT:
The Proponent is the City of Greater Geraldton

BACKGROUND:
A tender related to the supply and delivery of laterite gravel, sand, topsoil and loam for the construction and maintenance of roads within the City was advertised locally in the Geraldton Guardian on 18 May 2012 and in the West Australia on 19 May 2012. The closing date for tender was Thursday 7 June 2012.

There were no non-conforming tenders received. Two conforming tenders were received, one from Pirone’s Sand Supplies and one from B & J Catalano. Pirone’s Sand Supplies have held the previous two year supply contract.

The existing tender suppliers can be utilised until a new contract is awarded.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
Tenders were called in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.
POLICY IMPLICATIONS:
The City of Greater Geraldton has adopted a purchasing policy which refers to
the purchase of all levels of goods and services through either quotations or
through tenders.

The policy provides compliance with the requirements of the Local
Government Act 1995 and the Local Government Act (Functions and General
Regulations 1996 – as amended in March 2007). Additional to the policy,
procedures have been developed for both purchasing through quotations and
tenders to guide staff when purchasing goods and services for the City of
Geraldton Greenough.

FINANCIAL AND BUDGET IMPLICATIONS:
Prices tendered are recorded and utilised for future project pricing. The table
in the Confidential Attachment indicates comparative prices of all materials
and products.

Budget allocation is as a materials supply and delivery which is within the
annual construction (budget projects) and maintenance budget provisions.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 4: Opportunity for Sustainability.
Outcome 4.2 Improved Transport and Accessibility.
Strategy 4.2.2: Improve our network of urban, rural and regional
roads, cycle ways, trails and paths.

Regional Outcomes:
To develop a functional network of roads, paths and drainage

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The two yearly supply tenders allow Community Infrastructure managers and
supervisors to purchase goods from approved suppliers at known costs.

Social:
There are no social issues.

Environmental
There are no environmental issues.

Cultural & Heritage:
There are no cultural or heritage issues.
RELEVANT PRECEDENTS:
Two yearly supply Contracts have been used a number of years and have been proven to be an effective method of obtaining goods and services at competitive rates.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
A simple majority is required.

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. NOT AWARD RFT 49 1213 Supply and Delivery of Laterite Gravel, Sand, Topsoil and Loam;
2. MAKES this determination based on the following:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. RE-TENDER RFT 49 1213 Supply and Delivery of Laterite Gravel;
2. MAKES this determination based on the following:
   a. To be determined by Council.

CONCLUSION:
The City requires effective supply of goods and services to enable relevant Departments to carry out budgetary commitments including meeting program schedules and providing efficient delivery of services at competitive rates. Procuring services using multiple year supply of products and services has proven to be efficient and competitive.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 49 1213 for the Supply and Delivery of Laterite Gravel, Sand, Topsoil and Loam to B & J Catalano for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes.
COUNCIL DECISION
MOVED CR THOMAS, SECONDED CR RAMAGE
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 49 1213 for the Supply and Delivery of Laterite Gravel, Sand, Topsoil and Loam to B & J Catalano for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes being as per the schedule of rates below:
## RFT 49 – SUPPLY AND DELIVERY LATERITE GRAVEL SAND AND TOPSOIL

<table>
<thead>
<tr>
<th>Conversion Factors</th>
<th>Tonne/m³</th>
<th>Dry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0 – 25t</td>
<td>25 – 100t</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td><strong>Ex Pit</strong></td>
<td><strong>Delivery to Council</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Inc GST</strong></td>
<td><strong>Excl GST</strong></td>
</tr>
<tr>
<td>Laterite Gravel – Processed</td>
<td>7.59</td>
<td>15.07</td>
</tr>
<tr>
<td>Loam</td>
<td>5.06</td>
<td>9.02</td>
</tr>
</tbody>
</table>

### Variation Delivery Rate for other Locations

| Location of Gravel pit - Walkaway | 0.22 ± km |
| Distance to Gravel pit to Council Depot - 35 kms |
| Location of Sand pit - Moonyoonooka | 0.22 ± km |
| Distance of Sand pit to Council Depot - 25 kms |

CARRIED 11/0
SUMMARY:
The objective of this report is to gain Council approval to award RFT 50 1213 to Boral Resources for the supply and spray of bituminous products for a period of two years starting from 1 January 2013 to 31 December 2014.

PROPOSER:
The Proposer is the City of Greater Geraldton

BACKGROUND:
A tender related to the supply and spray of bituminous products for the construction and maintenance of roads within the City was advertised locally in the Geraldton Guardian on 18 May 2012 and in the West Australian on 19 May 2012. The closing date for tender was Thursday 7 June 2012.

There were no non-conforming tenders received. Three conforming tenders were received as follows:

   a. Catwest Pty Ltd
   b. Fulton Hogan Industries
   c. Boral Resources

The existing tender suppliers can be utilised until a new contract is awarded.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
Tenders were called in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.
POLICY IMPLICATIONS:
The City of Greater Geraldton has adopted a purchasing policy which refers to the purchase of all levels of goods and services through either quotations or tenders.

The policy provides compliance with the requirements of the Local Government Act 1995 and the Local Government Act (Functions and General Regulations 1996). Additional to the policy, procedures have been developed for both purchasing through quotations and tenders to guide staff when purchasing goods and services for the City of Greater Geraldton.

FINANCIAL AND BUDGET IMPLICATIONS:
Prices tendered are recorded and utilised for future project pricing. The table in the Confidential Attachment indicates comparative prices of all materials and products.

Budget allocation is as a materials supply and delivery which is within the annual construction (budget projects) and maintenance budget provisions.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:
- Goal 4: Opportunity for Sustainability.
- Outcome 4.2 Improved Transport and Accessibility.
- Strategy 4.2.2: Improve our network of urban, rural and regional roads, cycle ways, trails and paths.

Regional Outcomes:
To develop a functional network of roads, paths and drainage

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The two yearly supply tenders allow Community Infrastructure managers and supervisors to purchase goods from approved suppliers at known costs.

Social:
There are no social issues.

Environmental:
There are no environmental issues.

Cultural & Heritage:
There are no cultural or heritage issues.
RELEVANT PRECEDENTS:
Two yearly supply Contracts have been used a number of years and have been proven to be an effective method of obtaining goods and services at competitive rates.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
A simple majority is required.

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. NOT AWARD RFT 50 1213 Supply and Spray of Bituminous Products;
2. MAKES this determination based on the following:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. RE-TENDER RFT 50 1213 Supply and Spray of Bituminous Products;
2. MAKES this determination based on the following:
   a. To be determined by Council.

CONCLUSION:
The City requires effective supply of goods and services to enable relevant Departments to carry out budgetary commitments including meeting program schedules and providing efficient delivery of services at competitive rates. Procuring services using multiple year supply of products and services has proven to be efficient and competitive.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 50 1213 for the Supply and Spray of Bituminous Products to Boral Resources for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes.
COUNCIL DECISION
MOVED CR MIDDLETON, SECONDED CR THOMAS
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. AWARD RFT 50 1213 for the Supply and Spray of Bituminous Products to Boral Resources for the period, 1 January 2013 to 31 December 2014; and
2. RECORD the tendered amount in the Minutes as per the schedule of rates below:

RFT 50 – SUPPLY AND SPRAY BITUMINOUS PRODUCTS
OPTION A – SUPPLY OF GOODS AND SERVICES

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<th>9501 – 14000</th>
<th>14001 – 20000</th>
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<td></td>
<td>Rate ex GST</td>
<td>Rate GST inc</td>
<td>Rate ex GST</td>
<td>Rate GST inc</td>
<td>Rate ex GST</td>
<td>Rate GST inc</td>
</tr>
<tr>
<td>Polymer Modified Bitumen</td>
<td>3.86</td>
<td>3.77</td>
<td>4.07</td>
<td>3.58</td>
<td>3.35</td>
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<tr>
<td>Polymer Modified Interlayer (SAM)</td>
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<td>Emulsion</td>
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<td>Enrichment</td>
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<tr>
<td>Hot Bitumen</td>
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<td>3.15</td>
<td>2.90</td>
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</tr>
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<table>
<thead>
<tr>
<th>Type</th>
<th>0 - 5000</th>
<th>5001 - 9500</th>
<th>9501 – 14000</th>
<th>14001 – 20000</th>
<th>20001 – 28000</th>
<th>28001&lt;</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>Rate ex GST</td>
<td>Rate GST inc</td>
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<td>Emulsion</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>Enrichment</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Hot Bitumen</td>
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</table>

$/L based on Total L/visit
$/L Adjustment per % cutback
### Additional cost for per-coating $/L

<table>
<thead>
<tr>
<th>Type</th>
<th>Rate ex GST</th>
<th>GST</th>
<th>Rate inc GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polymer Modified Bitumen</td>
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<td></td>
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<tr>
<td>Polymer Modified Interlayer (SAM)</td>
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<td></td>
</tr>
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<td>Emulsion</td>
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<td></td>
</tr>
<tr>
<td>Hot Bitumen</td>
<td>20.28</td>
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### Additional Cost for Design Service ($/10000L)

<table>
<thead>
<tr>
<th>Rate ex GST</th>
<th>GST</th>
<th>Rate inc GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
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### Mobilisations Each

<table>
<thead>
<tr>
<th>Distance Description</th>
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</tr>
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<tbody>
<tr>
<td>From distance less than 100km</td>
<td>3157.77</td>
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<tr>
<td>From distance greater than 100km packaged with other works (eg Shire of Chapman Valley etc)</td>
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### OPTION B – SUPPLY OF GOODS ONLY

<table>
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<tr>
<th>Type</th>
<th>0 - 5000</th>
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<th>14001 – 20000</th>
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<td>Rate GST inc</td>
<td>Rate ex GST</td>
<td>Rate GST inc</td>
<td>Rate ex GST</td>
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<td>Polymer Modified Bitumen</td>
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### $/L Adjustment per % cutback

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<td>0.33</td>
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<tr>
<td>Emulsion</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
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<td>N/A</td>
<td>N/A</td>
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### Additional cost for per-coating $/L

<table>
<thead>
<tr>
<th>Type</th>
<th>Rate ex GST</th>
<th>GST</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Polymer Modified Bitumen</td>
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<td></td>
</tr>
<tr>
<td>Polymer Modified Interlayer (SAM)</td>
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<td>Emulsion</td>
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<tr>
<td>Enrichment</td>
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<td></td>
</tr>
<tr>
<td>Hot Bitumen</td>
<td>20.28</td>
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### Additional Cost for Design Service ($/10000L)

<table>
<thead>
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<th>Rate ex GST</th>
<th>GST</th>
<th>Rate inc GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
<td></td>
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### Mobilisations Each

<table>
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<td>From distance less than 100km</td>
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<tr>
<td>From distance greater than 100km packaged with other works (eg Shire of Chapman Valley etc)</td>
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<td>Separate Mobilisation</td>
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## OPTION C – SUPPLY OF SERVICES ONLY

### $/L based on Total L/visit

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<tr>
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<th>5001 - 9500</th>
<th>9501 – 14000</th>
<th>14001 – 20000</th>
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</thead>
<tbody>
<tr>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td>Emulsion</td>
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<td>N/A</td>
<td>N/A</td>
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</tr>
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<td>Enrichment</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Hot Bitumen</td>
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### $/L Adjustment per % cutback

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<td>Rate ex GST</td>
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<td>N/A</td>
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<tr>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Emulsion</td>
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<td>N/A</td>
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<tr>
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<td>N/A</td>
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</tr>
<tr>
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### Additional cost for per-coating $/L

<table>
<thead>
<tr>
<th>Type</th>
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<th>GST</th>
<th>Rate inc GST</th>
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<td></td>
</tr>
<tr>
<td>Enrichment</td>
<td>N/A</td>
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<td></td>
</tr>
<tr>
<td>Hot Bitumen</td>
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### Additional Cost for Design Service ($/10000L)

<table>
<thead>
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<th>Rate ex GST</th>
<th>GST</th>
<th>Rate inc GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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### Mobilisations Each

<table>
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<tr>
<th>Distance</th>
<th>Rate per m³ ($/m³)</th>
<th>GST</th>
<th>Rate inc GST</th>
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<tbody>
<tr>
<td>Less than 100km</td>
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<td></td>
</tr>
<tr>
<td>Greater than 100km packaged with other works (eg Shire of Chapman Valley etc)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Separate Mobilisation</td>
<td>N/A</td>
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<td></td>
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</table>

**CARRIED 11/0**
CI030 RFT46 1213 – SUPPLY AND DELIVERY OF CRUSHED METAL AND ROAD BASE

AGENDA REFERENCE: D-12-51924
AUTHOR: P Faraone, Principal Works Manager
EXECUTIVE: N Arbuthnot, Director Community Infrastructure
DATE OF REPORT: 24 September 2012
FILE REFERENCE: RO/6/0014
APPLICANT / PROPONENT: City of Greater Geraldton
ATTACHMENTS: Yes - confidential

SUMMARY:
The objective of this report is to gain Council approval to reject all tenders relating to RFT46 1213 and seek quotations from alternative suppliers of product meeting specifications and delegate the authority to the Chief Executive Officer following receipt of quotations to negotiate and enter into a contract for the supply of products meeting specifications and representing value for money for the City.

PROPONENT:
The Proponent is the City of Greater Geraldton

BACKGROUND:
A tender related to the supply and delivery of crushed metal and road base for the construction and maintenance of roads within the City of Greater Geraldton was advertised locally in the Geraldton Guardian on 18 May 2012 and in the West Australian on 19 May 2012. The closing date for tender was Thursday 7 June 2012.

There was only one tender received from Hawkins Crushing Services and this tender was found by all parties to be non-conforming.

The materials quoted by Hawkins Crushing Services do not meet with Main Roads specifications and there were no referees supplied.

The existing tender suppliers can be utilised until a new contract is awarded.

Previously the City has resolved to adopt a two year supply period for tenders for the supply and delivery of a variety of goods and services used in the construction and maintenance programs.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.
STATUTORY IMPLICATIONS:
There are no statutory implications. Tenders are called in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS:
The City of Greater Geraldton has adopted a purchasing policy which refers to the purchase of all levels of goods and services through either quotations or through tenders.

The policy provides compliance with the requirements of the Local Government Act 1995 and the Local Government Act (Functions and General Regulations 1996 – as amended in March 2007). Additional to the policy, procedures have been developed for both purchasing through quotations and tenders to guide staff when purchasing goods and services for the City of Greater Geraldton.

FINANCIAL AND BUDGET IMPLICATIONS:
Prices tendered are recorded and utilised for future project pricing. The table in the Confidential Attachment indicates comparative prices of all materials and products.

Budget allocation is as a materials supply and delivery which is within the annual construction (budget projects) and maintenance budget provisions.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 4: Opportunity for Sustainability
Outcome 4.2: Improved Transport and Accessibility
Strategy 4.2.2: Improve our network of urban, rural and regional roads, cycle ways, trails and paths

Regional Outcomes:
To develop a functional network of roads, paths and drainage

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The two yearly supply tenders allow Community Infrastructure managers and supervisors to purchase goods from approved suppliers at known costs.

Social:
There are no social issues.
Environmental:
There are no environmental issues.

Cultural & Heritage:
There are no cultural or heritage issues.

RELEVANT PRECEDENTS:
Two yearly supply Contracts have been used a number of years and have been proven to be an effective method of obtaining goods and services at competitive rates.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority
Absolute majority applies to the Executive Recommendation.

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. NOT PROCEED with this RFT 46 1213 Supply and Delivery of Crushed Metal Roadbase;
2. MAKES this determination based on the following reason:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to the Local Government Act 1995 (as amended) s3.57 RESOLVES to:

1. RE-TENDER to source additional suppliers;
2. MAKES this determination based on:
   a. To be determined by Council.

CONCLUSION:
The tenders submitted by Hawkins Crushing Services is a non-conforming tender in as much as the products tendered do not meet the specifications. The tender nevertheless, has been evaluated and found to be unacceptable due to specification variations.
EXECUTIVE RECOMMENDATION:
That Council by Absolute Majority pursuant to the Local Government Act 1995 (as amended) s.5.42. RESOLVES to:

1. REJECT all tenders for RFT 46 1213 Supply and Delivery of Crush Metal Road base and seek quotations from alternative suppliers of product meeting specifications; and
2. DELEGATE authority to the Chief Executive Officer following receipt of quotations to negotiate and enter into a contract for the supply of products meeting specifications and representing value for money for the City.

COUNCIL DECISION
MOVED CR BRICK, SECONDED CR MIDDLETON
That Council by Absolute Majority pursuant to the Local Government Act 1995 (as amended) s.5.42. RESOLVES to:

1. REJECT all tenders for RFT 46 1213 Supply and Delivery of Crush Metal Road base and seek quotations from alternative suppliers of product meeting specifications; and
2. DELEGATE authority to the Chief Executive Officer following receipt of quotations to negotiate and enter into a contract for the supply of products meeting specifications and representing value for money for the City.

CARRIED BY ABSOLUTE MAJORITY 11/0
<table>
<thead>
<tr>
<th>AGENDA REFERENCE:</th>
<th>D-12-52613</th>
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<tbody>
<tr>
<td>AUTHOR:</td>
<td>L MacLeod, Coordinator Land and Property Services</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>B Davis, Director Treasury and Finance</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>5 October 2012</td>
</tr>
<tr>
<td>FILE REFERENCE:</td>
<td>A15403</td>
</tr>
<tr>
<td>APPLICANT / PROPOSENT:</td>
<td>Geraldton Community Toy Library Incorporated</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
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</table>

**SUMMARY:**
The Geraldton Community Toy Library has requested to enter into a new lease agreement for portion of Reserve 31364 to enable them to continue to provide a valuable service to the community and expand their facilities.

**PROPOSENT:**
The proponent is the Geraldton Community Toy Library Incorporated.

**BACKGROUND:**
Reserve 31364 (former Allendale Pre Primary site) is vested in the City of Greater Geraldton for the purpose of kindergarten site with the power to lease for up to 21 years with Ministerial Consent. The Geraldton Toy Library has been operating out of a portion of the former Allendale Pre Primary School building since 2003.

The Geraldton Community Toy Library provides an essential service to the community by enabling families to loan a variety of over 600 toys from jigsaws to tricycles for a minimum annual fee. Toy libraries support families by contributing towards the development and education of children. Different toys can be loaned from the library on a regular basis providing saving families money and keeping children from becoming bored. Members are encouraged to become involved by volunteering to assist in the roster system which provides reduced membership fees.

The Geraldton Community Toy Library has requested a tenure of 10 years with a further option of 5 years to enable them to renovate and extend their current facilities to cater for the growing community.

The Geraldton Community Toy Library is a member of the Western Australian Association of Toy Libraries

**COMMUNITY CONSULTATION:**
There has been no community consultation.

**COUNCILLOR CONSULTATION:**
There has been no councillor consultation.
STATUTORY IMPLICATIONS:

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 as this relates to a Crown Reserve.

FINANCIAL AND BUDGET IMPLICATIONS:

Pursuant to the City of Greater Geraldton Schedule of Fees and Charges for Sporting and Community Groups a commencement annual lease fee of $328 will be payable.

The Geraldton Community Toy Library Incorporated will be responsible for separately paying maintenance on the premises of up to $1,000 on any one item.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 3: Opportunities for Creativity.
Outcome 3.3: Enhanced community capacity for learning.
Strategy 3.3.3: Provide regional library facilities.
Strategy 3.3.4: Promote and facilitate lifelong learning opportunities and engagement for all the community.
Regional Outcomes:
There are no regional outcomes.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic outcomes.

Social:
There are no social impacts.

Environmental:
There are no environmental impacts.

Cultural & Heritage:
There are no cultural, heritage or indigenous impacts.

RELEVANT PRECEDENTS:
The City leases Crown Reserves vested for various purposes to community, sporting and not for profit groups.

DELEGATED AUTHORITY:
There is no delegated authority existing related to this proposal as this relates to a Crown Reserve.

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 lease agreement with the Geraldton Community Toy Library Incorporated for a portion of Crown Reserve 31364;
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 lease agreement with the Geraldton Community Toy Library Incorporated for a portion of Crown Reserve 31364;
2. MAKES the determination based on the following reason:
a. To be determined by Council.

CONCLUSION:
Support for the Executive Recommendation will enable the Geraldton Community Toy Library to continue to provide a valuable service to families and grant tenure to allow them opportunity to expand with our growing community.

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

1. APPROVE a lease agreement with the Geraldton Community Toy Library Incorporated for a portion of Crown Reserve 31364;
2. SET the proposed conditions as;
   a. Enter into a ten (10) year lease agreement with a further lease term option of five (5) years subject to Ministerial Consent;
   b. Set the lease fee in accordance with the City of Greater Geraldton adopted Schedule of Fees and Charges for Sporting and Community Groups and reviewed annually;
   c. The lessee being responsible for separately paying;
      i. all applicable rates, taxes, and other utilities;
      ii. maintenance up to $1,000 per item;
      iii. legal expenses associated with the preparation, execution and registration of the lease.

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

1. APPROVE a lease agreement with the Geraldton Community Toy Library Incorporated for a portion of Crown Reserve 31364;
2. SET the proposed conditions as;
   a. Enter into a ten (10) year lease agreement with a further lease term option of five (5) years subject to Ministerial Consent;
   b. Set the lease fee in accordance with the City of Greater Geraldton adopted Schedule of Fees and Charges for Sporting and Community Groups and reviewed annually;
   c. The lessee being responsible for separately paying;
      i. all applicable rates, taxes, and other utilities;
      ii. maintenance up to $1,000 per item;
      iii. legal expenses associated with the preparation, execution and registration of the lease.

CARRIED 11/0
SUMMARY:
On the 26 August 2012, the Department of Commerce Western Australia had deregulated the retail trading hours for Perth Metropolitan area. New laws were introduced to enable all general retail shops in the Perth metropolitan area, including major supermarkets and department stores, the right to open their doors on Sundays and public holidays between 11am and 5pm.

As a consequence of these developments, there is no longer a package of metropolitan area Christmas trading extensions that can be offered to regional Local Government Authorities, as has previous been the case. Any regional Local Government Authorities that wish to extend their trading hours over the forthcoming Christmas/New Year period are required to submit the ‘Temporary/Short Term Adjustment of Trading Hours’ application to the Department of Commerce.

If there is no response from the City, no additional trading hours will be approved to this coming Christmas period.

PROPOSED:
The proponent is the City of Greater Geraldton.

BACKGROUND:
In combination with the deregulation of the retail trading hours for Perth Metropolitan area on the 26 August 2012, and the extended weeknight trading which commenced since 2010, general retail shops across the Perth metropolitan area can now trade throughout the year as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>Trading Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday to Friday</td>
<td>8.00am to 9.00pm</td>
</tr>
<tr>
<td>Saturday</td>
<td>8.00am to 5.00pm</td>
</tr>
<tr>
<td>Sundays and Public Holidays (other than on Christmas Day, Good Friday and ANZAC Day)</td>
<td>11.00am to 5.00pm</td>
</tr>
</tbody>
</table>

As a consequence of these developments, there is no longer a package of metropolitan area Christmas trading extensions that can be offered to regional Local Government Authorities, as has previously been the case.

These changes however will impact only on those regional Local Government Authorities that chose to adopt the metropolitan area package in full and will
not alter arrangements for those that have previously applied for locally preferred Christmas trading extensions.

Accordingly, for any Local Government Authorities that would prefer alternative Christmas trading arrangements will need to apply to the Department of Commerce for approval (refer to attachment 1).

COMMUNITY CONSULTATION:
On 28 September 2012, the City wrote to the Mid West Chamber of Commerce and Industry (MWCCI), informing them of the 2012 Christmas Trading Hours Extension for Regional Government Authorities with recommended trading hours, based on the hours adopted by the Council in the 2011/12 Christmas period. The City invited the MWCCI to provide comment on the attached package at their earliest convenience.

On 4 October 2012, MWCCI wrote to the City (refer to attachment 2), suggesting the following extensions be adopted:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>23 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>21 December 2012 (Friday)</td>
<td>8.00am – 9.00pm</td>
</tr>
</tbody>
</table>

and that all other hours remain as they currently are, with trading until 9pm on Thursdays only.

On 3rd October 2012, Centro Stirling / Northgate wrote to the City (refer to attachment 3), suggesting the following extensions be adopted:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>16 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>23 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>21 December 2012 (Friday)</td>
<td>8.00am – 9.00pm</td>
</tr>
</tbody>
</table>

Northgate had requested to add the first Sunday of the month, 9 December 2012 into the application for 2012 Christmas Extended Trading Hours as December 2012.

COUNCILLOR CONSULTATION:
There has been no councillor consultation.

STATUTORY IMPLICATIONS:
Retail Trading Hours Act 1987.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial or budget implications.
STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:
Key Result Area: Opportunities for Prosperity.
Outcome 3.2: A diverse economic base.
Strategy 3.2.3: Supporting the role of the Geraldton City Centre as the primary governance business retail and commercial heart of the region.

Regional Outcomes:
Opening the additional hours will allow residents from towns in the surrounding region increase opportunity to spend within the City of Greater Geraldton retail sector and contribute to the City of Greater Geraldton economic pool.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
Opening retail outlets for the additional hours during the Christmas / New Year period may have the following economic impacts:

1. There may be increased opportunity for income within the retail outlets that wish to open the additional hours; and
2. Opening the additional hours will allow residents from towns in the surrounding region increased opportunity to spend within the City of Greater Geraldton retail sector and contribute to the City of Greater Geraldton economic pool.

Retail outlets that believe opening the additional hours will not be economically viable are invited to exercise their individual discretion as to whether they choose to trade these additional hours.

Social:
There are no social issues.

Environmental:
There are no environmental issues.

Cultural & Heritage:
There are no cultural or heritage issues.

RELEVANT PRECEDENTS:
Precedent was set in 2009, by adopting a package of Christmas/New Year trading hours that was a compromise between recommendations from the Department of Commerce, MWCCI and Centro. This was continued in 2010 and 2011.
2009 adopted package:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunday 13 Dec 2009</td>
<td>10.00am – 5.00pm</td>
</tr>
<tr>
<td>Sunday 20 Dec 2009</td>
<td>10.00am – 5.00pm</td>
</tr>
<tr>
<td>Wednesday 23 Dec 2009</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>Thursday 24 Dec 2009</td>
<td>8.00am – 6.00pm</td>
</tr>
<tr>
<td>Sunday 27 Dec 2009</td>
<td>10.00am – 5.00pm*</td>
</tr>
<tr>
<td>Tuesday 29 Dec 2009</td>
<td>8.00am – 9.00pm*</td>
</tr>
<tr>
<td>Wednesday 30 Dec 2009</td>
<td>8.00am – 9.00pm*</td>
</tr>
<tr>
<td>Thursday 31 Dec 2009</td>
<td>8.00am – 6.00pm*</td>
</tr>
<tr>
<td>Sunday 3 Jan 2010</td>
<td>10.00am – 5.00pm*</td>
</tr>
</tbody>
</table>

* These dates were later adopted with the knowledge that the Clipper 09/10 yacht race would be stopped in Geraldton during this period.

2010 adopted package:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunday 12 Dec 2010</td>
<td>10.00am – 5.00pm</td>
</tr>
<tr>
<td>Sunday 19 Dec 2010</td>
<td>10.00am – 5.00pm</td>
</tr>
<tr>
<td>Monday 20 Dec 2010</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>Tuesday 21 Dec 2010</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>Wednesday 22 Dec 2010</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>Friday 24 Dec 2010</td>
<td>8.00am – 6.00pm</td>
</tr>
<tr>
<td>Tuesday 28 Dec 2010 (public holiday)</td>
<td>8.00am – 5.00pm</td>
</tr>
</tbody>
</table>

2011 adopted package:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunday 11 December 2011</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>Sunday 18 December 2011</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>Friday 23 December 2011</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>Tuesday 27 December 2011 (Boxing Day, Public Holiday)</td>
<td>8.00am – 5.00pm</td>
</tr>
</tbody>
</table>

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 the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT an alternate package of retail trading extensions to the Christmas/New Year trading hours, as follows:
1. APPLY to the Minister for Commerce to reflect this adoption; and
2. MAKES this determination based on the following:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT the 2012 Christmas retail trading package as per the deregulated trading hours in Perth Metropolitan areas adopted on the 26th August 2012 by the Minister for Commerce, as follows:

<table>
<thead>
<tr>
<th></th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Monday to Friday</td>
<td>8.00am – 9.00pm</td>
</tr>
<tr>
<td>b) Saturday</td>
<td>8.00am – 5.00pm</td>
</tr>
<tr>
<td>c) Sunday &amp; Public Holidays (other than on Christmas Day, Good Friday &amp; ANZAC Day)</td>
<td>11.00am – 5.00pm</td>
</tr>
</tbody>
</table>

2. MAKES this determination based on the following:
   a. To be determined by Council.

Option 4:
That Council by Simple Majority pursuant to the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT the 2012 Christmas retail trading package as recommended by Centro Stirling/Northgate:

<table>
<thead>
<tr>
<th></th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) 9 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>b) 16 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>c) 23 December 2012 (Sunday)</td>
<td>10.00am – 4.00pm</td>
</tr>
<tr>
<td>d) 21 December 2012 (Friday)</td>
<td>8.00am – 9.00pm</td>
</tr>
</tbody>
</table>

2. APPLY to the Minister for Commerce to reflect this adoption; and
3. MAKES this determination based on the following:
   a. To be determined by Council.

CONCLUSION:
Based on last year’s Council resolution, the City recommended to the Mid West Chamber of Commerce:

- Sunday 16 December - 10am to 4pm;
- Friday 21 December - 8am to 9pm;
- Sunday 23 December - 10am to 4pm; and
- Wednesday 26 December (Boxing Day) - 10am to 4pm.
Based on both responses received from the Mid West Chamber of Commerce & Industry and Centro Stirling/Northgate – neither supported 26 December trading day.

Therefore the recommendation is based on last year’s recommended trading hours adopted by Council – with the exception of 26 December.

The executive recommendation takes into consideration that all retailers are able to exercise their individual discretion regarding whether or not to trade during the approved hours.

Due to the required timeline for applications to the Minister for Commerce, deferral of this item will result in no additional hours approved for this Christmas period.

**EXECUTIVE RECOMMENDATION:**
That Council by Simple Majority pursuant to the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT the following package of extensions to the City of Greater Geraldton Christmas/New Year retail trading hour:
   a. Sunday 16 December 2012 time: 10.00am – 4.00pm
   b. Friday 21 December 2012 time: 8.00am – 9.00pm
   c. Sunday 23 December 2012 time: 10.00am – 4.00pm
2. APPLY to the Minister for Commerce to approve this adoption.

**COUNCIL DECISION**
MOVED CR MESSINA, SECONDED CR BRICK
That Council by Simple Majority pursuant to the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT the following package of extensions to the City of Greater Geraldton Christmas/New Year retail trading hour:
   a. Sunday 16 December 2012 time: 10.00am – 4.00pm
   b. Friday 21 December 2012 time: 8.00am – 9.00pm
   c. Sunday 23 December 2012 time: 10.00am – 4.00pm
2. APPLY to the Minister for Commerce to approve this adoption.

CARRIED 7/4
SUMMARY:
The City of Greater Geraldton has a Register of Road names that is kept for new subdivisional roads, which enables proponents to select from a list of road names, pre-approved by Council and the Geographic Names Committee.

The City has received a request for 4 new names to be added to the Register. Three of those names (Beringer, Tannery and Yoxall) are proposed to be used for the City’s Olive Street subdivision.

PROPOONENT:
The proponent is the City of Greater Geraldton, David Golding, Tricia O’Malley and Frank and Susie Green.

BACKGROUND:
Golding:
David Golding has requested that the name of his father (William John Golding) be considered for naming a street in Geraldton. The background to the name is as follows:

William Golding came to Geraldton in 1946 working at the airport dismantling planes after serving in the WWII. Golding joined the Geraldton Volunteer Fire and Rescue service (VFRS) in 1952 and was well respected member of the brigade for more than 50 years. He served as a volunteer fire fighter, Apparatus Officer and Forman, and twice as Captain. Golding was also made a life member of the Geraldton VFRS and the Northern Zone Region. In recognition of his exemplary service to fire fighting, Golding was awarded the Queen’s Fire Service Medal for Distinguished Service, the National Medal, and the Australian Fire Service Medal. Of great assistance during fire fighting operations, Golding was a fine example of selfless service, commitment, enthusiasm and dedication. He could always be relied upon to keep the safety of the community and members uppermost. Golding remained an active member until his death in January 2007.

Olive Street Subdivision Names:
Initially it was proposed that a road name(s) in the subdivision be named after the original donor of the land (Leonard Green). Geographic Names has advised that both the names “Leonard” and “Green” are unacceptable for use.
First names are not acceptable (Leonard) and there is already a “Green Street” in Spalding and the name is over used.

Therefore the following names are proposed for the Olive Street Subdivision.

Berringer:
Tricia O’Malley has requested that the name of her husband’s great grandfather (Carl Anton Berringer) be considered for naming a street in the Olive Street subdivision. The background to the name is as follows:

Carl Anton Berringer was born in 1833, and emigrated from Germany to Australia in the early 1860’s. Berring and his young family arrived in Geraldton in 1877. By 1879, Beringer had established the Victoria District Tannery in the Mahomets Flats locality. Berring used wind power to operate the tannery and was very successful until the late 1880’s, when the wattle growing areas became infested by acacia trees. Furthermore, he suffered a back injury which is believed to have led to his death in 1894. Beringer’s three sons had chosen to be trained as carpenters so the tannery passed into other hands and was closed, the date is uncertain.

Tannery:
In 1879 the Victoria District Tannery was established in the Mahomets Flats locality.

Yoxall:
Family members Frank and Susie Green have suggested the name ‘Yoxall’ and provided the following background and family history.

Leonard and Frank Green were born in Yoxall, England. When Frank Green built their first home in Geraldton it was named ‘Yoxall House’. The house has since been demolished and replaced with St Francis Primary School.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
Landgate’s Geographic Names Committee is responsible under the Land Administration Act 1997 for the final approval of road names. Under their road naming guidelines, the following are not suitable:

- names of living persons;
- first names;
- dual naming;
- derogatory or discriminatory names;
- company or commercialised names; and
• names that are duplicated or similar to existing road names within a 50km radius.

The proposed road names do not conflict with these guidelines.

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 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:
There are no economic issues.

Social:
There are no social issues.

Environmental:
There are no environmental issues.

Cultural & Heritage:
The proposed road names both have strong historic relevance to the Greater Geraldton municipality.

RELEVANT PRECEDENTS:
There are no direct 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 26A of the Land Administration Act 1997 RESOLVES to:

1. REFUSE the road names Golding, Beringer, Tannery and Yoxall.
2. MAKES the determination on the following grounds:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to section 26A of the Land Administration Act 1997 RESOLVES to:

1. DEFER the naming of the road names Golding, Beringer, Tannery and Yoxall; and
2. MAKES the determination on the following grounds:
   a. To be determined by Council.

CONCLUSION:
The road names are considered appropriate given their strong historical and cultural linkages with the municipality. The name Beringer, Tannery and Yoxall will add to the conservation and interpretation of the historical significance of the Olive Street subdivision 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.

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

1. APPROVE the road names Golding, Beringer, Tannery and Yoxall.

COUNCIL DECISION
MOVED CR FIORENZA, SECONDED CR BRICK
That Council by Simple Majority pursuant to section 26A of the Land Administration Act 1997 RESOLVES to:

1. APPROVE the road names Golding, Beringer, Tannery and Yoxall.

CARRIED 11/0
SUMMARY:
An application has been received to demolish two semi-detached houses on Lot 9 (No. 100 – 102) Sanford Street, Geraldton which is listed on the City’s Municipal Inventory of Heritage Places. The applicant intends on leaving the site as a vacant lot for resale purposes.

The application was received on 1 August 2012 and hence can be deemed refused on 1 October 2012.

There is no delegated authority for applications involving demolition of heritage listed buildings.

This report recommends refusal of the application.

PROPOSER:
The proponent is Angelo Italiano, the owner of the subject property.

BACKGROUND:
The Site:

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>719m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Development</td>
<td>Two Semi Detached Houses</td>
</tr>
<tr>
<td>Access and Frontage</td>
<td>17m Frontage to Sanford Street (sealed).</td>
</tr>
<tr>
<td>Existing Services</td>
<td>Reticulated sewer, water and overhead power.</td>
</tr>
<tr>
<td>Topography</td>
<td>Flat.</td>
</tr>
<tr>
<td>Vegetation</td>
<td>Cleared.</td>
</tr>
<tr>
<td>Surrounding Land uses</td>
<td>Residential and City Centre uses.</td>
</tr>
</tbody>
</table>

The dwellings are situated on a relatively flat site fronting Sanford Street. The building consists of two semi-detached houses of timber framed construction clad to the frontage with weatherboards and the sides with corrugated iron sheeting. The hipped corrugated iron roof has a dividing capped parapet wall. There is a separate hipped verandah roof to the front façade and a skillion roof to the rear.

The applicant has not provided any redevelopment plans as they wish to sell the property as a vacant lot, which they consider will allow a prospective purchaser to maximise their options in regard to the redevelopment of the site. The applicant has also advised that he did not want to unnecessarily spend
money on a redevelopment proposal that he has no intention on building, given his desire to sell the property.

**COMMUNITY CONSULTATION:**
There has been no community consultation.

**COUNCILLOR CONSULTATION:**
There has been no Councillor consultation.

**STATUTORY IMPLICATIONS:**

**Town Planning Scheme No. 3 (Geraldton)**
The subject property is zoned “City Centre” under Town Planning Scheme No. 3 (Geraldton) with a residential density coding of R60.

Council’s relevant general objectives for the Scheme area are:

- To ensure a satisfactory diversity of urban character in all aspects of the City’s development, which recognises and, where desirable, takes advantage of established aspects of the natural and built environment.
- Protection of buildings, places and streetscapes considered to be of significance to the City’s heritage and urban character.

The zone objective is to ensure that development of the City Centre’s commercial, civic and residential components is implemented in a manner which will secure the status and attraction of the City as the primary centre for the region. One of Council’s policies is to:

Ensure that buildings and streetscapes which impart some distinctive character to the centre are utilised to the fullest extent possible in order to increase the attraction of the centre for residents and visitors.

The subject property is identified in the Scheme as being within Precinct B – Urban Conservation which states:

The objective for the precinct is to ensure that, in the interests of a desirable diversity of City Centre use and character, buildings listed as being of heritage significance, and selected other buildings and facades representative of the City’s early development are able to materially contribute and not be unduly prejudiced by further development.

No redevelopment plans have been submitted and therefore there is no information on which to assess whether the site will be unduly prejudiced by further development.

With regards to Heritage, Clause 5.9 of the Scheme states that:

The purpose and intent of the heritage provisions are:
(a) To facilitate the conservation of places of heritage value and cultural significance;
(b) To ensure as far as possible that development occurs with due regard to heritage and cultures values.

In accordance with the Scheme, Council is also required to establish and maintain a Heritage List (Municipal Inventory) of places considered by the Council to be of heritage significance and worthy of conservation. The Municipal Inventory has been reviewed and the new Inventory was adopted by Council on 28 June 2011. The inventory includes Lot 9 (No. 100 – 102) Sanford Street, Geraldton.

A copy of the heritage listing is included as Attachment No. SC062A.

**City Centre Planning Policy**

The City Centre Planning Policy was adopted by Council on 22 March 2011. The subject property is located in the ‘Fringe Precinct’ which is a transitional area and serves as a linkage between the surrounding areas and a transition into the city centre core.

The policy places emphasis on the importance of heritage buildings as they add identity, interest and amenity to the environment and should be preserved, renovated and where appropriate, adaptively reused.

Relevant objectives of the policy include:

Clause 5 – Built Form Objectives
5.4 Ensure that buildings of heritage and streetscape significance are conserved and enhanced through quality design.

Clause 6 – Heritage Objectives
6.1 Conserve the significance fabric and appearance of recognised heritage buildings.
6.2 Ensure any changes to such buildings enhance the character of the building and its street context.
6.3 Encourage the continued use, re-use, appropriate internal adaptation, and external restoration of local heritage buildings, locations and items.
6.4 Ensure that development does not adversely affect the cultural heritage significance of that, or any other conservation area of place.

**POLICY IMPLICATIONS:**

The ‘Heritage Conservation and Development’ local planning policy was adopted by Council on 6 July 2010.

A Local Planning Policy 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.

Objectives of the policy relevant to this application are:

3.1 To conserve and protect places of cultural heritage significance.
3.2 To ensure development does not adversely affect the significance of heritage places.
3.3 To ensure that sufficient information is provided to enable the local government to make informed decisions.
3.4 To ensure that heritage significance is given due weight in local planning decision making.
3.5 To guarantee that where a development is approved which involves the demolition of a heritage, building that development is actually constructed.

Clause 4.3.2 of the policy states:

If structural failure is cited as a justification for the demolition of a place in the local government’s Inventory, evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

The applicant has provided correspondence from Montgomery Engineering Consultants Pty Ltd which provides a background, commercial assessment, identified heritage issues and application for approval to demolish. There are some observations and comments in this correspondence and the only comment contained within the report relating to the structural condition of the building states:

“the present situation has the property in a condition where it is no longer habitable to the extent that major structural elements need attention and the septic tanks at the rear have collapsed”.

The evidence provided in terms of structural integrity is not sufficient in its own right to justify the demolition of the place. As a minimum the applicant should be providing the engineers structural condition assessment, together with a termite inspection report.

There has also been an Archival Record submitted with the application, however this is considered deficient in that the physical description is incorrect, sections have not been completed and there are no internal photos, no location, site or building plans included.

A copy of the submitted correspondence and Archival Record is included as Attachment No. SC062B.

Clause 4.3.4.1 of the policy states:
If a proposal is for the demolition of a place in the local government’s Inventory, the local government may require details of the proposed future development/use of the site to be submitted. Information required may include a redevelopment site plan, floor plan(s), elevations and accompanying details on the proposed development/use together with reference to suggested interpretive outcomes which reflect the history of the site.

Clause 4.3.4.2 of the policy states:

Additionally the Local Government may require that, prior to granting approval for the demolition of a place in the local government’s Inventory, the proponent must have obtained a planning approval for the future development/use of the site.

Clause 4.3.4.3 of the policy states:

Depending on the nature of the proposal and the significance of the place, the approval for the demolition of a place in the local government’s inventory may be subject to the following conditions:

“The development approved (the “New Development”) must be constructed by no later than two (2) years following the date of approval of the demolition license. Prior to the issue of a demolition license, the owner is to obtain a building license for the New Development and shall enter into a deed with the local government (prepared by the local government at the owner’s cost) which shall include provisions;

a. prohibiting any other development on the land until the New Development is completed;

b. confirming that the owner shall carry out the New Development as required by this condition;

c. requiring the owner to provide a signed building construction contract for the New Development to the local government within a stipulated time; and

d. charging the land in favour of the local government and authorising the local government to lodge an absolute caveat against the certificate of title to the land in order to secure the owner’s obligations and to ensure any purchaser of the land enters into a similar deed.”

The applicant is seeking approval to demolish the existing buildings in preparation for the sale of the property, and given that they intend on selling the property to an unknown buyer, they are requesting exemption from having
to provide a development plan which they believe in all likelihood will not be used.

It is considered that the justification provided by the applicant is not sufficient to warrant a departure from the City’s policy (in terms of not providing a redevelopment plan) and it is considered that the City’s policy should not be departed from in the circumstances of this application.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial and budget implications, however should Council refuse this application and the applicant proceed to exercise their right of review, a further cost is likely to be imposed on the City through its involvement in the review process.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future 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.

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.

The 2029 and Beyond Community Values, Visions, Directions
The 2029 and Beyond Project was initiated in 2010 for the community to envision what they would like the Greater Geraldton City Region, the place they call home, to be like in 2029 and take steps towards achieving the vision. The 2029 and Beyond Community Values, Vision, Directions is based on the aspirations and values of the community for the future that were captured during extensive community engagement processes. A value that was identified in this process what the ‘recognition, protection and restoration of heritage sites and buildings’.

Regional Outcomes:

State Planning Policy 3.5 Historic Heritage Conservation
This policy sets out the principles of sound and responsible planning for the conservation and protection of WA’s heritage places. Section 6.6 Development Control Principles states:

“Demolition of a local heritage place should be avoided wherever possible, although there will be circumstances where demolition is
justified. The onus rests with the applicant to provide a clear justification for it”.

In addition, the policy states:

“Demolition approval should not be expected simply because redevelopment is a more attractive economic proposition, or because a building has been neglected. Consideration of a demolition proposal should be based upon the significance of the building or place; the feasibility of restoring or adapting it, or incorporating it into new development; the extent to which the community would benefit from the proposed redevelopment; and any local planning policy relating to the demolition of heritage places”.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The applicant believes that they will have a better chance of selling the property as a vacant lot as opposed to selling it as is with the buildings remaining.

Social:
There are no social issues.

Environmental:
There are no environmental issues.

Cultural & Heritage:
The site is listed (place 354) on the Municipal Inventory as follows:

Management Category 3X: Moderate Significance: Important to the heritage of the locality.

Conservation of the place is recommended. Any proposed change to the place should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.

The statement of significance states:

This pair of small cottages have aesthetic significance, given their simple style, decorative elements such as the verandah braces and use of construction materials. Further the place has high streetscape value particularly when considered with adjacent almost identical buildings (96 – 98 Sanford Street).

The application was forwarded to the City’s Midwest Heritage Advisor who provided the following comments:
The semi-detached houses are located in an area rich in heritage places. The building is located diagonally opposite the State Registered St Francis Xavier Cathedral. Additionally, in the near vicinity there are a number of heritage places which have been included in the City’s Municipal Inventory as follows:

Place No. 352: 94 Sanford Street Category 2X
Place No. 353: 96-98 Sanford Street Category 3X
Place No. 355: 106 Sanford Street Category 2X
Place No. 356: 108 Sanford Street Category 2X
Place No. 357: Nagle College & Stella Maris Convent Category 2X

The Midwest Heritage Advisor cited the non-compliance with the City’s Scheme and Policies and that without any redevelopment plans, it is possible that the property could remain vacant for some time, and gaps in the streetscape should be avoided. Therefore the Heritage Advisor does not support the demolition with no redevelopment plans submitted.

RELEVANT PRECEDENTS:
Council adopted the revised Municipal Inventory of Heritage Places at its meeting on 28 June 2011.

The following heritage demolition applications have been approved by Council (contrary to the Executive Recommendations):
- Council approved the demolition of Lot 14 (No.18) Lewis Street, Geraldton (with a MI Category 3X) at its meeting on 27 March 2012.
- Council approved the demolition of Lot 1 (No. 3) Francis Street, Geraldton (with a MI Category 3 listing) at its meeting on 4 October 2006.
- Council approved the demolition of Lot 8 (No. 6) Lewis Street, Geraldton (with a MI Category 2 listing) at its meeting on 14 October 2008.

The following heritage demolition applications have been approved by Council:
- Council approved the demolition of Lot 70 (No. 20) Urch Street, Beresford (with a MI Category 5 listing) at its meeting on 23 June 2009.
- Council approved the demolition of Lot 4 (No. 264) Chapman Road, Beresford (with a MI Category 5 listing) at its meeting on 14 July 2009.
- Council approved the demolition of Lot 40 (No. 6) Goldsworthy Crescent, Spalding (with a MI Category 5 listing) at its meeting on 27 February 2007.
- Council approved the demolition of Lot 300 (No. 4) Pollard Street, Geraldton (with a MI Category 3 listing) at its meeting on 15 March 2007.

The following demolition applications have been refused by Council:
- Council refused the demolition of Pt Lot 213 (No. 63) Gregory Street (with a MI Category 2 listing) at its meeting on 27 February 2007.
- Council refused the demolition of Lot 91 (No. 18A) Francis Street, Geraldton (with a MI Category 2 listing) at its meeting on 12 June 2007.
• Council refused the demolition of Lot 90 (No. 16) Francis Street, Geraldton (with a MI Category 2 listing) at its meeting on 12 June 2007.
• Council refused the demolition of Lot 90 (No. 14) Francis Street, Geraldton (with a MI Category 6 listing) at its meeting on 12 June 2007.
• Council refused the demolition of Lot 308 (No. 8) Jose Street, Geraldton (with a MI Category 5 listing) at its meeting on 12 June 2007.
• Council refused the demolition of Lot 1 (No. 87) Fitzgerald Street, Geraldton (with a MI Category 3 listing) at its meeting on 12 June 2007.
• Council refused the demolition of Lot 2 (No. 152) Augustus Street, Geraldton (with a MI Category 6 listing) at its meeting on 12 June 2007.

DELEGATED AUTHORITY:
There is no delegated authority for applications involving the demolition of heritage listed buildings.

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 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. GRANT planning approval for the demolition of the existing single residential dwelling on Lot 9 (No. 100 – 102) Sanford Street, Geraldton.
2. MAKES the determination on the following grounds:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority RESOLVES to:

1. DEFER planning approval for the demolition of the existing single residential dwelling on Lot 9 (No. 100 – 102) Sanford Street, Geraldton.
   a. To be determined by Council.

CONCLUSION:
Demolition approval should not be expected simply because selling a vacant lot or even possible redevelopment is a more viable economic proposition, or because a building has been neglected. Consideration of a demolition proposal should be based upon the significance of the building or place; the feasibility of restoring or adapting it, or incorporating it (or portions of it) into new development.

There are numerous statutory and strategic documents (inclusive of the Town Planning Scheme No. 3, City Centre Planning Policy, State Planning Policy
3.5) which places considerable emphasis on the conservation of places of heritage value and cultural significance and to ensure that development occurs with due regard to heritage and cultural values.

Further, Council has recently reviewed and adopted the Municipal Inventory of Heritage Places whereby its previous classification was applied to the property given its significance. The community of Geraldton has also recognised during the 2029 and Beyond extensive community engagement process, that recognition, protection and restoration of heritage sites and buildings is an important value.

The intention of the ‘Heritage Conservation and Development’ Local Planning Policy is to ensure that existing buildings are not unnecessarily demolished where the building is structurally sound and a reasonable alternative exists.

Given there has been no engineers structural report provided detailing the structural integrity of the building, and that it is still currently occupied it may be reasonably considered that the building could be sound and not to be in such a state of disrepair requiring demolition.

Clause 4.3.2 of the ‘Heritage Conservation and Development’ local planning policy requires that where the structural integrity of the building has failed, it needs to be evidenced to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs. If a structural report is supplied it should state whether the dwelling could be repaired and at what cost and what it would involve.

The Heritage Loan Subsidy Scheme has been developed to assist owners of heritage places with funds to undertake conservation works. The scheme makes conserving places of heritage significance easier and more affordable by offering a subsidy (currently set at 4%) on the interest rate on loans for conservation work.

In light of the above incentive, it may be opportune for consideration to be given by the owner to consider alternate options for the site.

The approval of the demolition without the intention of any redevelopment could potentially set a precedent and result in further applications being lodged challenging the validity and effectiveness of the City’s statutory documents.

If the applicant was to provide redevelopment plans for the site the City may be better positioned to consider the demolition in conjunction with the redevelopment.

Therefore, in consideration of the reasons and information provided by the applicant and based on the above comments, Option 2 is not supported. It is recommended that the application be refused and that the City’s Heritage
Conservation and Development’ Local Planning Policy should not be departed from in the circumstances of this application.

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 Part 14, Division 2 of the Planning & Development Act 2005 which states that the local government is to be taken to have refused an application if it has not given its decision within a period of 60 days after receipt of the application.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority, pursuant to clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. REFUSE planning approval for the demolition of the existing single residential dwelling on Lot 9 (No. 100 – 102) Sanford Street, Geraldton.
2. MAKES the determination on the following grounds:
   a. The building is listed in the City’s Municipal Inventory of Heritage Places with a Management Category of 3X: Moderate Significance – Important to the heritage of the locality, and as such Council recommends conservation of the place;
   b. Council is not convinced that the structural integrity of the building has failed to a point that would warrant demolition;
   c. The building makes an important contribution of the built environment of the locale and character of surrounding heritage listed buildings on Sanford Street;
   d. Council is of the view that the demolition should not be approved simply because a vacant saleable lot is perceived to be a more attractive economic proposition and the building has been somewhat neglected;
   e. The application is not consistent with the objectives of the Town Planning Scheme, State Planning Policy 3.5, City Centre Planning Policy and the ‘Heritage Conservation and Development’ local planning policy;
   f. Approval of the application would create an undesirable precedent for further demolitions which could potentially erode the heritage character of the immediate area; and
3. ADVISE the applicant to further liaise with the Town Planning Services Team and the Midwest Regional Heritage Advisor with regard to potential redevelopment options (which may include demolition or partial demolition subject to the nature of any redevelopment on the site).
COUNCIL DECISION
MOVED CR BRICK, SECONDED CR BENNETT
That Council by Simple Majority, pursuant to clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. REFUSE planning approval for the demolition of the existing single residential dwelling on Lot 9 (No. 100 – 102) Sanford Street, Geraldton.

2. MAKES the determination on the following grounds:
   a. The building is listed in the City’s Municipal Inventory of Heritage Places with a Management Category of 3X: Moderate Significance – Important to the heritage of the locality, and as such Council recommends conservation of the place;
   b. Council is not convinced that the structural integrity of the building has failed to a point that would warrant demolition;
   c. The building makes an important contribution of the built environment of the locale and character of surrounding heritage listed buildings on Sanford Street;
   d. Council is of the view that the demolition should not be approved simply because a vacant saleable lot is perceived to be a more attractive economic proposition and the building has been somewhat neglected;
   e. The application is not consistent with the objectives of the Town Planning Scheme, State Planning Policy 3.5, City Centre Planning Policy and the ‘Heritage Conservation and Development’ local planning policy;
   f. Approval of the application would create an undesirable precedent for further demolitions which could potentially erode the heritage character of the immediate area; and

3. ADVISE the applicant to further liaise with the Town Planning Services Team and the Midwest Regional Heritage Advisor with regard to potential redevelopment options (which may include demolition or partial demolition subject to the nature of any redevelopment on the site).

CARRIED 7/4
16 REPORTS TO BE RECEIVED

REPORTS TO BE RECEIVED
AGENDA REFERENCE: D-12-52920
AUTHOR: A Brun, Chief Executive Officer
DISCLOSURE OF INTEREST: No
FILE REFERENCE: GO/6/0002
DATE OF REPORT: 9 October 2012

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

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

ADMINISTRATIVE COMMENT:
The following reports are attached in the Appendix to this agenda:

Reports of Sustainable Communities
SCDD068 Delegated Determinations

Reports of Creative Communities
CC084 Australia Day Meeting Minutes 13-09-2012

Reports of Treasury and Finance
TF030 Monthly Financial Report for September
TF031 Confidential List of Account Paid Under Delegation

CONSULTATION:
There has been no consultation.

STATUTORY IMPLICATIONS:
There are no statutory implications.

VOTING REQUIREMENTS:
Simple majority is required.
EXECUTIVE RECOMMENDATION:
PART A
That Council by Simple Majority pursuant to Section 22.(2) of the Local Government Act 1995 RESOLVES to:

1. RECEIVE the following appended reports:
   a. Reports – Sustainable Communities:
      i. SCDD068 Delegated Determinations – Applications for Planning Approval; and
   b. Reports – Creative Communities:
      i. CC084 Australia Day Meeting Minutes.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR THOMAS
PART A
That Council by Simple Majority pursuant to Section 22.(2) of the Local Government Act 1995 RESOLVES to:

1. RECEIVE the following appended reports:
   a. Reports – Sustainable Communities:
      i. SCDD068 Delegated Determinations – Applications for Planning Approval; and
   b. Reports – Creative Communities:
      i. CC084 Australia Day Meeting Minutes.

CARRIED 11/0

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

1. RECEIVE the following appended reports:
   a. Reports – Department of Treasury and Finance;
      i. TF030 Monthly Financial Report for September; and
   ii. TF031 Confidential List of Account Paid Under Delegation.
   iii.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR THOMAS
PART B
That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the following appended reports:
   a. Reports – Department of Treasury and Finance;
      i. TF030 Monthly Financial Report for September; and
   ii. TF031 Confidential List of Account Paid Under Delegation.

CARRIED 11/0
17 CONFIDENTIAL ITEMS

COUNCIL DECISION
MOVED CR MIDDLETON, SECONDED CR RAMAGE
That Council by Simple Majority RESOLVES to MOVE behind closed doors to discuss the confidential item.

CARRIED 11/0

OP0019 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

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<td>AUTHOR:</td>
<td>C Wood, Director of Organisational Performance</td>
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<td>GO/6/0002</td>
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<tr>
<td>APPLICANT / PROPOONENT:</td>
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SUMMARY:
The purpose of this item is to seek Council’s endorsement of the Chief Executive Officer’s (CEO) performance review and performance plan for 2011/12.

PROPOONENT:
The proponent is City of Greater Geraldton.

BACKGROUND:
The Council has a responsibility under the Local Government Act 1995 (sections 5.36-5.39) to review the CEO’s performance at least annually and set performance criteria so the CEO is clear on the expectations of Council.

This obligation has been met by the Council via the formation of a ‘CEO Performance Review and Management Committee’.

Anne Lake was appointed as the independent facilitator for this process and attached is Ms Lake’s report on the process and recommended outcomes on the CEO’s performance review for 2011/12.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR/OFFICER CONSULTATION:
All Council members and executive staff have had input into the performance feedback of the CEO by virtue of a 360 degree survey.
STATUTORY IMPLICATIONS:

Part 5 of the Local Government Act 1995 relates to the employment of staff.

Section 5.38 of the Act requires regular reviews be undertaken of senior staff of the local government. Regulation 18D requires Council to consider each review carried out under Section 5.38 and to accept the review, with or without modification, or to reject the review.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
Provision has been made within the budget to accommodate a variation to the CEO package.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 5: Leading the Opportunities.

Outcome 5.1: Leadership and good governance.

Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks.

Regional Outcomes:
There are no regional outcomes in this matter.

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 environmental issues.

RELEVANT PRECEDENTS:
A performance review for the CEO is conducted each year.

DELEGATED AUTHORITY:
As required by legislation, Council is required to conduct an annual performance review of the CEO.
VOTING REQUIREMENTS:
A simple majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2
That Council by Simple Majority in accordance with Section 5.38 of the Local Government Act RESOLVES to:

1. ACCEPT the Report from Anne Lake Consultancy dated 9 September 2012;
2. ENDORSE and give effect to the recommendations of the CEO Performance Review and Management Committee of 13 September 2012 with the following amendments:-
   a. As determined by Council.

Option 3
That Council by Simple Majority in accordance with Section 5.38 of the Local Government Act 1995 RESOLVES to:

1. REJECT acceptance of the CEO’s performance review and recommendations from the CEO Performance Review and Management Committee;
2. MAKE the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
This matter is for consideration by Council with the support of the CEO Performance Review and Management Committee.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority by virtue of section 5.38 of the Local Government Act 1995 RESOLVES to:

1. ACCEPT the Report from Anne Lake Consultancy dated 9 September 2012; and
2. ENDORSE and give effect to the recommendations of the CEO Performance Review and Management Committee of the 13 September 2012.
COUNCIL DECISION
MOVED CR RAMAGE, SECONDED CR BRICK
That Council by Simple Majority by virtue of section 5.38 of the Local Government Act 1995 RESOLVES to:

1. ACCEPT the Report from Anne Lake Consultancy dated 9 September 2012; and
2. ENDORSE and give effect to the recommendations of the CEO Performance Review and Management Committee of the 13 September 2012.

CARRIED 11/0

COUNCIL DECISION
MOVED CR MESSINA, SECONDED CR MIDDLETON
That Council by Simple Majority RESOLVES to MOVE from behind closed doors.

CARRIED 11/0
18 Elected Members Motions of which Previous Notice Has Been Given
Nil.

19 Questions by Members of which Due Notice Has Been Given
Nil.

20 Urgent Business Approved by Presiding Member or by Decision of the Meeting
Nil.

21 Closure
There being no further business the Presiding Member closed the meeting at 6.38pm.
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://cgg.wa.gov.au/meeting/ordinary-meeting-council-23-october-2012](http://cgg.wa.gov.au/meeting/ordinary-meeting-council-23-october-2012)