



ORDINARY MEETING OF COUNCIL  
MINUTES

15 DECEMBER 2015

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**HELD ON TUESDAY, 15 DECEMBER AT 5.30PM**  
**AT 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 DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 5.30pm.

**2 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor respectfully acknowledged the Yamaji people who are the Traditional Owners and First People of the land on which we met. The Mayor paid respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamaji people.

**3 ATTENDANCE**

Present:

Mayor S Van Styn  
Cr G Bylund  
Cr D J Caudwell  
Cr J Critch  
Cr S Douglas  
Cr R Ellis  
Cr L Graham  
Cr L Freer  
Cr S Keemink  
Cr M Reymond  
Cr N McIlwaine  
Cr V Tanti  
Cr T Thomas

Officers:

K Diehm, Chief Executive Officer

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P Melling, Director of Development & Regulatory Services  
B Davis, Director of Corporate and Commercial Enterprises  
A Selvey, Director of Community Services  
R McKim, Director of Infrastructure Services  
S Moulds, PA to the Chief Executive Officer  
L Taylor, Executive Support Secretary  
M Atkinson, Manager Infrastructure Planning and Asset Management  
M McGinity, Manager Communications, Events and Engagement  
J Kopplhuber, Coordinator Communications and Engagement,  
Communications

Others:

Members of Public: 5  
Members of Press: 1

Apologies:

Nil.

Leave of Absence:

Cr R Hall

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

Nil.

**5 PUBLIC QUESTION TIME**

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

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

*Public Question Time commenced at 5.31pm*

**Mr Max Correy - PO Box 202, Geraldton WA 6530**

Question

How many vacant land **residential** properties are rated in the City of Greater Geraldton?

Response

The City no longer rates either residential or non-residential vacant land separately. Vacant land is no longer distinguished for rating purposes, being included with all properties rated under the GRV Residential, and GRV Non-residential differential rating categories.

There are 1982 vacant residential properties.

Question

Is the Council considering facilitating a release of up to 400 “affordable” housing lots – If so why?

Response

The overall Karloo- Wandina project proposes the development of 400 affordable housing lots. These are being facilitated and delivered by the Department of Housing and are part of the State Government’s commitment through its Statewide “Affordable Housing Strategy”, which was originally intended to deliver 20,000 affordable homes and is now updated to deliver 30,000 affordable homes Statewide by 2020.

**Mr Ian Carpenter – 2/5 Wiebbe Hayes Lane, Geraldton WA 6530**

At the recent Annual Electors Meeting Mr Max Correy accused the then CEO, the current Director of Corporate & Commercial Enterprises and myself, as Mayor at that time, of “conning” the ratepayers of Geraldton in 2011-12 by – according to Mr Correy - saying words to the effect that rates had to rise by 30% to facilitate the necessary Asset Renewal Programme going forward, and words to the effect that other Councils all over the State would also be confronted with the same problem of a major asset renewal funding backlog, and would have to follow suit and increase their rates to fund that backlog. Mr Correy suggested that no other Council had subsequently done so, indicating in his statement at the meeting that his view was based on recently available budget information from other Councils in WA

Question

Do any Council or other City records show that the Mayor, the CEO or the Director ever made any statement to the effect that rates had to rise 30% in 2011-12 in order to fund the assets renewal funding backlog?

Response

No, no such statement was ever made by the then Mayor, CEO or Director. It was certainly the case that, in explaining the fundamental need for rates increases in that and following years, during ordinary Council meetings and Electors meetings the City highlighted the legacy problem of inadequate funding in past years for the renewal and replacement of assets as they wore out, and the consequent backlog of asset renewals that had accumulated over the years.

Question

For the record, in relation to the 2012-13 budget, can the City confirm the following points?

- The then Minister for Local Government had made mandatory the implementation of a new Integrated Planning Framework.
- The then Department of Local Government, in the formal guidelines for that framework, foreshadowed as early as 2010 that the

Government, by amending the Local Government Financial Management Regulations, would make it mandatory for all Councils to transition their Asset valuation and accounting to Fair Value – and that the Government subsequently did do so.

- City of Geraldton-Greenough elected to move to fair value accounting for all major asset classes in a single transition, rather than staging the transition out to 30 June 2014, which was an option under the regulations.
- The City made that decision in order to properly frame its first long term financial plan for the next decade.
- Most other Councils in WA did a staged transition to Fair Value accounting for their Assets, achieving compliance by 30 June 2014.
- Upward revaluation of the City's non-current assets to Fair Value in 2012-13 was substantial, causing significant increase in annual Depreciation expenses, and consequently a significant increase in the Deficit from ordinary operations.
- Initial development of the City's asset management plan revealed a substantial backlog in the renewal/replacement of worn out infrastructure and facility assets, with identification of several very substantial peaks in required asset renewal expenditure in the out-years.
- The City recognised the need for urgent priority attention to addressing the backlog in asset renewal, recognising that deferral would only make the problem worse, and push responsibility for funding renewal or replacement of worn out assets onto the next generation of ratepayers, instead of being paid for by the generation that actually consumed the assets.
- As a general rule, deferral of renewal/replacement of an infrastructure or facility asset inevitably costs more than doing it when an asset reaches end of its designed useful life, and operating maintenance expenses escalate, requiring higher levels of both operational and capital expenditure.
- The City framed its 10 year Long Term financial Plan accordingly, aiming to address the renewal backlog and achieve the financial sustainability benchmark performance standards within the decade.
- 2011-12 was a revaluation year for Gross Rental Value properties, and that the previous GRV valuation had occurred four (4) years prior.
- There was a very significant increase in GRV property valuations across most of the City, with wide variation of increases locality to locality.
- GRV Residential re-valuations ranged from average decreases of -2.67% in Greenough, to increases of 14.9% in Mt Tarcoola, +40.8% in Karloo, to +50.5% in Spalding.
- Average increases in Annual Rates Payable for Residential properties ranged from \$149.88 (\$2.88/week) in Greenough, to \$401.70 (\$7.73/week) in Strathalbyn, to \$460.31 (\$8.85/week) in Spalding.

- Imposing higher average rates increases in the early years of the 10 year plan provided Council with more flexibility to transition towards lower average annual rates increases in the later years.
- Councils that staged the transition to Fair Value from 2012 out to 30 June 2014 avoided rates increase spikes in 2012-13, but are subsequently imposing higher levels of rates increase than the City of Greater Geraldton, as illustrated by the levels of increase for 2015-16 across just a sample of WA Councils:

<b>COUNCIL</b>	<b>TOTAL RATES YIELD 2014-15 \$</b>	<b>TOTAL RATES YIELD 2015-16 \$</b>	<b>PERCENTAGE INCREASE IN AGGREGATE RATES REVENUE</b>
<i>Albany</i>	<i>30,755,343</i>	<i>\$32,446,624</i>	<b>5.50%</b>
<i>Armadale</i>	<i>52,773,497</i>	<i>56,469,390</i>	<b>7.00%</b>
<i>Busselton</i>	<i>36,435,431</i>	<i>38,998,079</i>	<b>7.03%</b>
<i>Canning</i>	<i>49,006,734</i>	<i>53,712,962</i>	<b>9.60%</b>
<i>Fremantle</i>	<i>38,090,000</i>	<i>40,262,727</i>	<b>5.70%</b>
<i>Greater Geraldton</i>	<i>39,459,731</i>	<i>41,275,124</i>	<b>4.60%</b>
<i>Gosnells</i>	<i>55,409,595</i>	<i>60,410,264</i>	<b>9.02%</b>
<i>Joondalup</i>	<i>86,062,005</i>	<i>91,535,076</i>	<b>6.36%</b>
<i>Mandurah</i>	<i>66,166,000</i>	<i>69,735,000</i>	<b>5.39%</b>
<i>Serpentine-Jarrahdale</i>	<i>16,389,800</i>	<i>17,982,029</i>	<b>9.71%</b>
<i>Swan</i>	<i>102,556,460</i>	<i>110,516,610</i>	<b>7.76%</b>
<i>Victoria Park</i>	<i>35,831,800</i>	<i>38,864,800</i>	<b>8.46%</b>

### Response

Yes, the City can confirm each of the above points.

### Question

For the record, can the City confirm the following points?

- Mr Max Correy has submitted questions on notice to Council meetings on about a dozen occasions since 2012, on rates-related matters following adoption of the 2012-13 City Budget, generally asking the maximum 3 questions allowed.
- The questions have tended to relate to the Council decision on rates in 2012-13, and Mr Correy's persistent view, objecting to that decision and advocating his preferred approach, of a 6% increase in aggregate rates revenue year on year.
- Cost of staff time in undertaking necessary analysis, framing and reviewing questions, and preparing written responses to questions by Mr Correy, has exceeded \$10,000.
- A rating strategy based on the City's 2012-13 rates decision, followed by annual percentage increases in aggregate revenue lower than 6%, is likely to produce a lower annual aggregate rates demand on ratepayers by around 2020, compared to Mr Correy's 6% year on year model.

- Mr Correy and his Ratepayers Demand Change group challenged the setting of rates by Council as being not in accordance with the provisions of the Local Government Act 1995, in the State Administrative Tribunal (SAT), with SAT finding in favour of the City, confirming that the 2012-13 rates imposed by the City were lawful and imposed in accordance with the Act.
- Legal costs incurred by the City's ratepayers as a consequence of defending that SAT challenge exceeded \$42,500 with additional costs also incurred for travel by the Mayor, CEO and Director to Perth to attend SAT sessions.

Response

Yes, the City can confirm each of the above points.

**Mr Colin Dymond – Email Supplied**

Question

Can the Council please advise how many CCTV cameras we have installed around Geraldton?

Response

The City has approximately 100 CCTV Cameras in Geraldton.

Question

Can the Council Please advise how many successful convictions have occurred since the installation of these cameras?

Response

The City would need to confirm with the Police for the numbers of convictions. The Convictions are not the primary motivation for the installation of CCTV Cameras; there are other more significant motivations, Firstly to provide a deterrent for anti-social behaviour, to provide access to Police to monitor anti-social behaviour and to make the community feel safe.

Response

Is it an intuition within the new youth precinct currently under construction to have any food/ coffee outlet?

Response

There are no plans to have any additional food or coffee outlets as part of the Multi User Facility.



*Mr Hickey read his questions at the meeting, which were taken on notice. The responses are now provided below.*

**Mr Sean Hickey – PO Box 2966, Geraldton WA 6530**

I recently asked questions at the AGM Meeting Dec 1(as you state, available:www.cgg.gov.au/council-meetings/90/annual-meeting-of-electors) Clearly I hope for change to counter the problems we now face because of the fact our infrastructure has been developed along our now significantly degraded coastline.

What is even more disturbing is that we continue to plan and develop in much the same way-especially notable along our northern beaches, with thousands of building lots planned. You say, 'The City has no influence on this decision ' - a response to the statement: 'the final setback decision is made by the W.A Planning Commission in according with State Planning Policy ".

Question

Why does the community spend millions of dollars in salary and overheads employing personnel to manage and develop our city if these people can't respond to policy and practice that is not working and that without radical change will cost future generations not only vast economic loss but enormous loss of natural beaches?

Response

The City must work within the State Planning Process which has been developed using all available data when formulating the State Coastal Planning process. In addition decisions on coastal setback are appealable to the State Administrative Tribunal and decisions are legally based on formally adopted policy.

Question

Should I be asking the State for an answer here? Should I be saying that your coastal policy is not working and if left unchanged will cause untold losses in future generations?

Response

It is your prerogative to seek answers from the State because as mentioned previously the Policy is reviewed and set on a statewide basis

Question

Does Council have a policy on 'climate change? Or is this something that only happens in Paris, where world Countries have agreed to spend billions on the issue of climate change, sea level rise and a movement away from fossil fuel? Surely we employ people with initiative and strength to bring about change when and where it is needed?

Response

Yes, Council does have a policy on Climate Change Policy CP029. In addition the City also has a Climate Change Adaptation Action Plan. These documents are available on the City's website: <http://www.cgg.wa.gov.au/documents/?categoryid=9> .

*Public Question Time concluded at 5.48pm*

**6 APPLICATIONS FOR LEAVE OF ABSENCE****Existing Approved Leave**

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>
Cr S Keemink	24 November 2015	05 December 2015
Cr R Hall	1 December 2015	10 January 2016
Cr S Douglas	10 December 2015	14 December 2015
Cr G Bylund	1 January 2016	18 January 2016
Cr V Tanti	16 January 2016	24 January 2016
Cr T Thomas	27 January 2016	17 February 2016

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

**Cr S Keemink requests leave of absence for the period 19 January 2016 to 19 January 2016.**

**Cr L Freer requests leave of absence for the period 24 March 2016 to 24 April 2016.**

**Cr J Critch request leave of absence for the period 28 December 2015 to 10 January 2016.**

**Cr J Critch requests leave of absence for the period 8 March 2016 to 9 March 2016**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

**7 PETITIONS, DEPUTATIONS OR PRESENTATIONS**

Presentations were made to the former Mayor and Councillors of the City of Greater Geraldton for their contribution to the Greater Geraldton Community.

*Former Councillors*

Mr Jerry Clune – Councillor from 2011 to 2015

Mr Peter Fiorenza – Councillor from 2011 to 2015

Mr Des Brick – Councillor from 2009 to 2015

Mr Richard deTrafford – Councillor from 2012 to 2015

*Apologies were noted from Mr Brick and Mr DeTrafford who were unable to attend the presentation.*

*Former Mayor*

Mr Ian Carpenter - Councillor from 2003 to 2011;

Acting Mayor – 2006;

Commissioner – 2011; and

Mayor from 2007 to 2015.

*Mayor Shane Van Styn made the following speech:*

Our former Mayor Mr Ian Carpenter served the Geraldton Community as noted above. It is important to acknowledge the amount of work Mr Carpenter has put in and the legacy he has left behind. He went through two amalgamations, here in the City, which is certainly a very forward thinking initiative beyond the realms of the current state Government, that is a pretty big acknowledgement.

The Mayor thanked Ian Carpenter for his service on Council as Mayor and to the Community. It was noted that Mr Carpenter still sits on the Grants commission currently and still provides advise and has recently attended senate enquires in his own time and still serves the City and that is extremely well acknowledged, thank you very much.

*Mr Carpenter thanked the Mayor and Councillors and made the following speech:*

“It has been an absolute privilege serving the City. Something that I have very much enjoyed, I put my heart and soul into it, some people might not have thought that, but I certainly did, I’m happy to take criticism at any time. Over the period of being Mayor I think I grew a lot within myself, I encourage anybody on Council to have a crack at it, the amount that you learn whilst Mayor is considerable and worthwhile”.

**8 DECLARATIONS OF CONFLICTS OF INTEREST**

Cr S Douglas declared an impartiality Interest in item IS114 Additional Works at the Wonthella Oval as he is employed by MWDC who are a funding contributor.

Cr J Critch declared a proximity interest in item IS112 Grain Haulage Routes Study as she is a Director of a farming company that took part in the original study.

**9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated**

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 November 2015, as previously circulated, be adopted as a true and correct record of proceedings.

**COUNCIL DECISION**

**MOVED CR FREER, SECONDED CR THOMAS**

**RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 November 2015, as previously circulated, be adopted as a true and correct record of proceedings.**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

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

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
24 November 2015	Batavia Local Emergency Management Committee	Mayor Shane Van Styn
24 November 2015	Meeting with Ashley Taylor – Discussion on Geraldton Community Patrol	Mayor Shane Van Styn
24 November 2015	Regular Catch – Up with Media & Marketing	Mayor Shane Van Styn
24 November 2015	Individual Citizenship Ceremony	Mayor Shane Van Styn
24 November 2015	Ordinary Meeting of Council	Mayor Shane Van Styn
25 November 2015	MAV Men's Breakfast	Mayor Shane Van Styn
25 November 2015	ABC Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
25 November 2015	His Majesty the Emperor of Japan, Mr Masanobu Yoshii – Birthday Celebration	Mayor Shane Van Styn
27 November 2015	Meeting with Hope Community Farm	Mayor Shane Van Styn
27 November 2015	Foodbank Filming	Mayor Shane Van Styn
27 November 2015	Yamaji Art Exhibition	Mayor Shane Van styn
27 November 2015	1 <sup>st</sup> Geraldton Scout Group Awards Night	Mayor Shane Van Styn
28 November 2015	Cruise Liner Visit – Superstar Virgo	Mayor Shane Van Styn
29 November 2015	Antique Fair	Mayor Shane Van Styn
29 November 2015	Swimming WA Open Water Swimming Series 2015/2016 Round 4	Mayor Shane Van Styn
29 November 2015	Tour of Ngyuen Cucumber Growers Facility	Mayor Shane Van Styn
29 November 2015	Wonthella Progress Association AGM	Mayor Shane Van Styn
30 November 2015	Senior Bowls Event – QEII Seniors & Community Centre	Mayor Shane Van Styn
30 November 2015	Regular Catch - up with CEO	Mayor Shane Van Styn
30 November 2015	Outback Outreach Program for Troubled Youth Discussion	Mayor Shane Van Styn
30 November 2015	Nagle Catholic College – Presentation Ceremony	Mayor Shane Van Styn
1 December 2015	Tour for Mayor & Councillors of Grounds with the Geraldton Cemetery Board Members	Mayor Shane Van Styn
1 December 2015	Annual Meeting of Electors	Mayor Shane Van Styn
1 December 2015	Meeting at Conch Rise/ Auger Green to discuss development issues	Mayor Shane Van Styn
1 December 2015	Concept Forum	Mayor Shane Van Styn
2 December 2015	IGA Wonthella Relaunch	Mayor Shane Van Styn
2 December 2015	Meet & Greet – Guardian Editor Michael Phillipps	Mayor Shane Van Styn
2 December 2015	Meeting with Grant Pitman – Town Towers Development	Mayor Shane Van Styn
3 December 2015	Local Emergency Management Meeting	Mayor Shane Van Styn
3 December 2015	International Day for People with Disability	Mayor Shane Van Styn
3 December 2015	Tour of Iluka Resources	Mayor Shane Van Styn
4 December 2015	Official Opening of the newly commissioned bowling green at Arcadia Waters	Mayor Shane Van Styn
4 December 2015	National Thank a Volunteer Ceremony	Mayor Shane Van Styn

5 December 2015	Meeting with Hon. Rick Mazza – Member for Agricultural Region	Mayor Shane Van Styn
6 December 2015	Launch of the Refurbished Mariner's Astrolabe	Mayor Shane Van Styn
7 December 2015	Workshop for New Mayors	Mayor Shane Van Styn
8 December 2015	Visitors Centre 1 <sup>st</sup> Year Anniversary Photo Shoot	Mayor Shane Van Styn
8 December 2015	Regular Catch-up with Marketing & Media	Mayor Shane Van Styn
8 December 2015	Regular Catch-up with CEO	Mayor Shane Van Styn
8 December 2015	Regional Centres Development Plan: PCG & GPG	Mayor Shane Van Styn
8 December 2015	Regular Meeting with Local Members	Mayor Shane Van Styn
8 December 2015	Agenda Forum	Mayor Shane Van Styn
9 December 2015	St John's School Presentation Ceremony & Concert	Cr Lewis Freer
9 December 2015	Geraldton Grammar Middle & Senior School Presentations	Deputy Mayor Neil McIlwaine
10 December 2015	WA Regional Capitals Alliance Meeting	Mayor Shane Van Styn
10 December 2015	Funtavia Event	Mayor Shane Van Styn
10 December 2015	Christmas on the Terrace	Mayor Shane Van Styn
11 December 2015	John Wilcock College – Year 9 End of Year Celebration Assembly	Deputy Mayor Neil McIlwaine
11 December 2015	Community Art Event	Mayor Shane Van Styn
11 December 2015	Individual Citizenship Ceremony	Mayor Shane Van Styn
11 December 2015	Geraldton Guardian Feature Interview	Mayor Shane Van Styn
11 December 2015	Meeting with Veteran Car Club of WA	Mayor Shane Van Styn
11 December 2015	IDG's Mine and Port Delegate Meeting	Mayor Shane Van Styn
11 December 2015	QPT's End of Season Event	Mayor Shane Van Styn
11 December 2015	The Geraldton Regional Art Galley – Exhibition	Mayor Shane Van Styn
12 December 2015	Geraldton Voluntary Tour Guides Association – Christmas Gathering	Mayor Shane Van Styn
13 December 2015	Carols By Candlelight	Mayor Shane Van Styn
14 December 2015	Regular Catch – up with Marketing & Media	Mayor Shane Van Styn
14 December 2015	Regular Catch – up with CEO	Mayor Shane Van Styn
14 December 2015	Meeting with Tom Gorman – Disability Services	Mayor Shane Van Styn
14 December 2015	Green Army Works Visit	Mayor Shane Van Styn
14 December 2015	Visit to WA Museum Geraldton – updates on developments at the Museum	Mayor Shane Van Styn
15 December 2015	Meet and Greet – Police Senior Sargent Brad Bird	Mayor Shane Van Styn
15 December 2015	Meeting with Mission to Seafarers	Mayor Shane Van Styn
15 December 2015	Ordinary Meeting of Council	Mayor Shane Van Styn

## 11 REPORTS OF INFRASTRUCTURE SERVICES

IS110	RFT 03 1516 TOWN SITE AND UNDER POWERLINE TREE PRUNING
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<b>AGENDA REFERENCE:</b>	<b>D-15-73445</b>
<b>AUTHOR:</b>	<b>P Faraone, Manager of Service Delivery</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director of Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>23 November 2015</b>
<b>FILE REFERENCE:</b>	<b>PR/4/0007-02</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2 Confidential)</b>

### EXECUTIVE SUMMARY:

The purpose of this report is for Council to consider and determine the award of RFT 03 1516 Town Site and Under Powerline Tree Pruning to the preferred tenderer.

### EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act RESOLVES to:

1. AWARD RFT 03 1516 Town site and Under Powerline Tree Pruning to the preferred tenderer; and
2. RECORD the tendered rates in the minutes.

### PROponent:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

The City is responsible for the pruning of street trees under powerlines. The City is required by Western Power to undertake this pruning on a programmed basis. Under power line tree pruning includes all trees on the verge affecting overhead powerlines and feeder lines to individual properties. Under power line pruning does not normally include trees on the opposite side of the street to powerlines. Acceptable reasons for pruning away from powerlines are to improve sight lines, pedestrian/vehicle clearances, safety and necessary tree management. Under the terms of the contract, the pruned material is mulched and stockpiled at the Meru landfill in a separate location. The mulch is the City's property and is used on in the City's landscaped areas.

The tender process and assessment was completed in accordance with Council's Procurement of Goods and Services Policy (CP010). The tender was advertised in the Geraldton Guardian on Friday 11 July 2015, the West Australian on Saturday 12 July 2015 and through the WALGA TenderLink e-Tendering Portal. The closing date for tenders was 1.00pm Thursday 8 October 2015. Seven suppliers registered to receive copies of the tender. One tender submission was received. The submission was compliant with the City's requirements. The tenderer is a local tenderer.

The tender assessment was undertaken by a panel of three (3) City officers who work in this field of endeavour. The non-price (qualitative) assessment criteria were as follows:

- a. Relevant Experience (25%);
- b. Key Personnel Skills and Experience (25%);
- c. Tenderer's Resources (25%); and
- d. Demonstrated Understanding (25%).

Tenderers were required to submit fixed prices for the various tree pruning activities.

The initial contract will be in place from 1 January 2016 to 30 December 2019 with the option for up to a two year extension exercisable at the discretion of the Principal.

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

#### **Economic:**

Three yearly supply tenders allow Infrastructure Services managers and supervisors to carry out tree pruning works from a proven supplier at known costs.

#### **Social:**

The health of the City's street tree assets is important to the social and environmental amenity of the city.

#### **Environmental:**

The health of the City's street tree assets is important to the social and environmental amenity of the city.

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

There are connections between the City's Norfolk Pine Street Trees and the region's early European settlers.

### **RELEVANT PRECEDENTS:**

There are no relevant precedents.

### **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no Councillor consultation or Community consultation to date. Community consultation will occur on a job by job basis where required. Public consultation will be undertaken where trees have known historic importance or may be considered to have additional significance to the streetscape amenity.

### **LEGISLATIVE/POLICY IMPLICATIONS:**

Compliance to Regulation 316A of the Electricity Regulations 1947, AS4373-2007 Pruning of Amenity Trees.



**FINANCIAL AND RESOURCE IMPLICATIONS:**

The annual Town Site and Under Powerline Tree Pruning program is funded within the annual maintenance budget. An allocation of \$350,000 is made for these works.

**INTEGRATED PLANNING LINKS:**

Title: Environment	Revegetation-Rehabilitation-Preservation.
Strategy 2.1.2	Sustainably maintaining public open spaces and recreational areas
Title: Economy	Transportation
Strategy 4.2.1	Developing more efficient transport options that are secure and safe to sustain our lifestyle

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

Tree pruning under power lines is a high risk activity requiring specialised plant and equipment and trained staff. The tender requires the contractor to provide a professional service that complies with all relevant safety standards.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The annual under powerline tree pruning program must occur to minimise power outages caused by fallen trees and broken branches. The only alternative option is for Council to undertake this work using its day-labour work force. This would require the City to purchase the specialised plant and equipment (cherry pickers, mulchers, harnesses, sawing equipment etc) and ensure it is maintained and checked as per safety requirements. It would also require additional officers to be engaged and trained. Because of these reasons, this option was not considered further.

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

**That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act RESOLVES to:**

- 1. AWARD RFT 03 1516 Town site and Under Powerline Tree Pruning to the preferred Tenderer being Aussie Tree Services; and**
- 2. RECORD the tendered rates in the minutes as listed below**

**1.1.1 Price Schedule -****1 Tree Stump Grinding / Removal****Aussie Tree Services**

Removal of tree stumps in accordance with specifications

No	Description	Unit	Price Tendered (ex GST)	GST	Price Tendered (inc GST)
1.1	Small – < 300mm diameter	\$ / cm	25.00	2.50	27.50
1.2	Medium – 300mm – 500mm diameter	\$ / cm	50.00	5.00	55.00
1.3	Large – 500mm – 700mm diameter	\$ / cm	75.00	7.50	82.50
1.4	Trees to be removed in excess of 700mm will be subject to negotiation using 1.3 Large rate as the base figure	<b>POA</b>			

**2 Tree Removal**

Removal of tree in accordance with specifications

No	Description	Unit	Price Tendered (ex GST)	GST	Price Tendered (inc GST)
2.1	Small – < 300mm diameter	\$ / cm	72.00	7.20	79.20
2.2	Medium – 300mm – 500mm diameter	\$ / cm	144.00	14.40	158.40
2.3	Large – 500mm – 700mm diameter	\$ / cm	288.00	28.80	316.80
2.4	Trees to be removed in excess of 700mm will be subject to negotiation using 2.3 Large rate as the base figure	<b>POA</b>			

**3 Tree Pruning**

No	Description	Unit	Price Tendered (ex GST)	GST	Price Tendered (inc GST)
3.1	Open Canopy pruning	Per Tree	72.00	7.20	79.20
3.2	Pruning around LVABC and Insulated Service cable up to a height of 20m	Per Tree	144.00	14.40	158.40
3.3	Pruning around High Voltage Conductors up to a height of 20m	Per Tree	288.00	28.80	316.80

**4 Other Items**

No	Description	Unit	Price Tendered (ex GST)	GST	Price Tendered (inc GST)
4.1	General Roadside Pruning	\$ / km per side of road	≥ 288.00	28.80	316.80
4.2	<b>Hourly rate for less than 4 hours</b> Breakdown of rate Truck size 3.9 - 8.4 tonne Chipper Size 300 - 450 mm Staff 3 Other 5.5m - 18m EWP	\$ / hour	288.00	28.80	316.80
4.3	<b>Hourly rate for more than 4 hours</b>	\$ /	288.00	28.80	316.80

	Breakdown of rate Truck size 3.9 - 8.4 tonne Chipper Size 300 - 450 mm Staff 3 Other 5.5m - 18m EWP	hour			
4.4	<b>After hours</b> Breakdown of rate Truck size 3.9 - 8.4 tonne Chipper Size 300 - 450 mm Staff 3 Other 5.5m - 18m EWP	\$/ hour	400.00	40.00	440.00
4.5	<b>Consultation / Reporting</b>	\$/ hour	100.00	10.00	110.00

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

IS111	RFT 04 1516 RURAL AND PUBLIC OPEN SPACE TREE PRUNING
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<b>AGENDA REFERENCE:</b>	<b>D-15-73450</b>
<b>AUTHOR:</b>	<b>P Faraone, Manager of Service Delivery</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director of Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>23 November 2015</b>
<b>FILE REFERENCE:</b>	<b>PR/4/0007-02</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2 Confidential)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for Council to consider and determine the award of RFT 04 1516 Rural and Public Open Space Tree Pruning to the preferred tenderer.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Section 3.57 of the Local Government RESOLVES to:

1. AWARD RFT 04 1516 Rural and Public Open Space Tree Pruning to the preferred tenderer; and
2. RECORD the tendered rates in the minutes.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The work required under this Contract is for the clearance pruning of rural and public open space trees, tree removal, stump removal and other associated works within the City's urban and rural areas. The contractor shall be available to be called upon to conduct emergency works when required.

The Contractor shall be compliant with AS4373-2007 Pruning of Amenity Trees, in particular, correctly identifying the branch collar in which to determine the angle and location of the final cut when removing a branch to alleviate stubs and regrowth.

Council does have a three person crew with a small cherry picker (no mulcher). This crew undertakes tree pruning activities within the City's parks and open spaces. Hence the successful tenderer will primarily be engaged to undertake the City's rural road pruning activities but can be called upon to assist in parks and open spaces as required.

In previous years, Council staff would undertake the rural road tree pruning activities using an excavator with a mobile mulching head. This process resulted in complaints from residents and issues with the Department of Environmental Conservation (DEC). Consultation occurred with the DEC, the locations of rare flora areas were mapped and clearance lines determined.

The work process was also changed (use of contractors who prune the trees and mulch on site).

The tender process and assessment was completed in accordance with Council's Procurement of Goods and Services Policy (CP010). Tenders were advertised in the Geraldton Guardian on Friday 11 July 2015, the West Australian on Saturday 12 July 2015 and through the WALGA TenderLink e-Tendering Portal, the closing date for all tenders was 1.00pm Thursday 8 October 2015. Eight suppliers registered to receive copies of the tender, two submissions were received. The two tender submissions received were both deemed compliant. Both the submissions were from local contractors. The two submissions were received from:

- a. Aussie Tree Services; and
- b. Midwest Top Notch Tree Services.

The tender assessment was undertaken by a panel of three (3) City officers who work in this field of endeavour. The non-price (qualitative) assessment criteria were as follows:

- a. Relevant Experience (25%);
- b. Key Personnel Skills and Experience (25%);
- c. Tenderer's Resources (25%); and
- d. Demonstrated Understanding (25%).

Tenderers were required to submit fixed prices for the various tree pruning activities. The contract will run for a period of three (3) years. The initial contract will be in place from 1 January 2016 to 30 December 2019 with the option for one two year extension exercisable at the discretion of the Principal.

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

### **Economic:**

Three yearly supply tenders allow Infrastructure Services managers and supervisors to carry out tree pruning works from a proven supplier at known cost.

### **Social:**

The health of the City's street tree assets is important to the social and environmental amenity of the city.

### **Environmental:**

The health of the City's street tree assets is important to the social and environmental amenity of the city. The requirements of the Environmental Protection Act 1986 (Clearing Native Vegetation for Maintenance in Existing Transport Corridors) will be adhered to.

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**Cultural & Heritage:**

There are cultural and heritage connections with some specific trees. Public consultation will be undertaken where the City is aware of these connections.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Consultation has taken place with the Department of Environmental Conservation and mapping of rare flora areas and strict clearance lines. There has also been consultation with the Environmental Planning Team.

There has been no Councillor or Community consultation to date. Community consultation will occur on a job by job basis where required. Public consultation will be undertaken where trees have known historic importance or may be considered to have additional significance to the streetscape amenity.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Compliance to the Environmental Protection Act 1986 for Clearing Native Vegetation for Maintenance in Existing Transport Corridors.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The Rural and Public Open Space Tree Pruning program is funded within the annual maintenance budget. An allocation of \$200,000 is made for these works.

**INTEGRATED PLANNING LINKS:**

Title: Environment	Revegetation-Rehabilitation-Preservation.
Strategy 2.1.2	Sustainably maintaining public open spaces and recreational areas
Title: Economy	Transportation
Strategy 4.2.1	Developing more efficient transport options that are secure and safe to sustain our lifestyle

**REGIONAL OUTCOMES:**

To develop a functional network of roads and maintain public open space.

**RISK MANAGEMENT**

Rural road side pruning reduces the risk of vegetation impeding traffic, improves vision to road users when negotiating bends and improves driver sight distances. It allows machinery access to conduct drain maintenance.

The works are undertaken in compliance with the Environmental Protection Act 1986 for Clearing Native Vegetation for Maintenance in Existing Transport Corridors.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The alternative option is for Council to again undertake rural road pruning using its day-labour work force. This would either require the City to purchase the specialised plant and equipment needed or use the excavator with mulching head which created issues detailed previously within this report. Because of these reasons, this option was not considered further.

*Cr McIlwaine moved a motion varying from the Executive Recommendation for the item to be deferred.*

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

**That Council by Simple Majority pursuant to Section 3.57 of the Local Government RESOLVES to:**

- 1. DEFER this item to a 2016 Council Meeting.**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

**REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION: To clarify the confidential attachment's financial details.**

IS112	GRAIN HAULAGE ROUTES STUDY
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<b>AGENDA REFERENCE:</b>	<b>D-15-73451</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Asset Management</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>24 November 2015</b>
<b>FILE REFERENCE:</b>	<b>TT/6/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for Council to consider and make determination on proceeding with an expanded scope for the draft Grain Haulage Route Options Study (for Ambania/Tenindewa).

This report also seeks Council endorsement to proceed with studies of other agricultural areas (e.g. Pindar).

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE expansion of scope in the Grain Haulage Route Options Study to include:
  - a. Independent review of projected grain tonnages (by agronomist or similar professional) and the Department of Agriculture and Food;
  - b. Review of all Ambania/Tenindewa area access points including safety audit of all identified intersections;
  - c. Review of Restricted Access Vehicle (RAV, Road train) classifications of affected roads for appropriateness;
  - d. Undertaking the expansion of the study within the constraints of the 2015/16 budget; and
2. ENDORSE the CEO undertaking similar study(s) of other agricultural catchments.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

A study surrounding grain haulage routes within the Ambania/Tenindewa area was undertaken by external consultants in response to a prior proposal (previously endorsed by the Mullewa Shire Council) to realign Peter Road through private property (the draft study is attached). The realignment was designed to cater for 36.5m road trains, as the current road (Peter Road) only safely caters for up to 30m road trains due to inadequate "stacking" (or queuing) distance between the Geraldton Mt-Magnet Road and the existing rail line (please refer attached photo). This proposal was rescinded by the



City of Greater Geraldton Council. The study was intended to identify the priority route into the Ambania/Tenindewa area.

The intersection of Peter Road and Geraldton Mt-Magnet Road is approved by Main Roads (MRWA) for up to 30m length road trains. Whilst it is evident that road trains greater than 36.5m are using Peter Road (from the traffic counts and observations), there are no identified safety issues for normal passenger vehicles using this intersection.

In rescinding the Peter Road realignment proposal, the City of Greater Geraldton resolved to seek a greater understanding of the grain haulage demands in the Ambania/Tenindewa area. The investigation explored viable routes into the area including; traffic counts, consultation with key stakeholders (including property owners), risks (road safety and location of services) and; projected grain tonnages. Peter Road was found to carry the highest road train volumes and was also identified as being the preferred location for any future upgrade works.

The Grain Haulage Route Options study was considered by Council at its August 2015 Council meeting. Council resolved not to endorse the study for the following reasons:

- Low level of confidence in forecast grain tonnages (they were sourced from land owners);
- Consideration of access points in the area was deemed non-exhaustive; and
- Intersection safety was not considered (in particular Eradu North Road).

The City has been made aware there is a need for similar investigations in other agricultural catchments and the City proposes to undertake these in a staged manner.

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

#### **Economic:**

A review of Restricted Access Vehicles (RAV) road network classifications may have economic impact, e.g. Larger capacity road trains would provide economies of scale to industry.

#### **Social:**

Fewer road train movements may benefit road safety. Safety issues at intersections would be clearly defined so that improvement treatments can be planned.

#### **Environmental:**

Fewer road train movements would reduce fuel usage and reduce carbon gas emissions.

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**Cultural & Heritage:**

There are no cultural and heritage impacts.

**RELEVANT PRECEDENTS:**

The previous Executive Recommendation (August 2015 Council Meeting) to endorse the study was refused on the grounds:

- Low level of confidence in forecast grain tonnages (they were sourced from land owners);
- Consideration of access points into the area was deemed non-exhaustive; and
- Intersection safety was not considered (in particular Eradu North Road).

**COMMUNITY/COUNCILLOR CONSULTATION:**

This matter has been previously brought before Council. Residents of the Ambania and Tenindewa areas were consulted during the preparation of the study. Councillors were provided with a presentation of the study's findings at the June 2015 Concept Forum and also the November Concept Forum.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The permitting of restricted access vehicles (road trains) is a State Government function for local controlled roads and State controlled roads. Council is only a referral agency. The Main Roads Department administers these permits for the State.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Endorsing the executive recommendations does not obligate the Council to fund any construction works. The additional study would be undertaken within constraints of the current 2015/16 budget. Any construction work would be referred to the future capital works priority list and considered by Council in a future budget.

**INTEGRATED PLANNING LINKS:**

Title: Economy	Transportation
Strategy 4.2.1	Developing more efficient transport options that are secure and safe to sustain our lifestyle.

**REGIONAL OUTCOMES:**

The report will provide Council with information and recommendations on improving its regional roads within the study areas.

**RISK MANAGEMENT**

If studies of other areas are not conducted it could be viewed as inequitable by the community. Safety risks at intersections will be identified through the road safety audits.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

To not undertake review of other agricultural areas: This option was discounted as it does not provide equity to the community and RAV networks have not been reviewed by the City for some time.

*Cr J Critch declared a proximity interest in item IS112 Grain Haulage Routes Study as she is a Director of a farming company that took part in the original study item, but remained in Chambers.*

**COUNCIL DECISION****MOVED CR GRAHAM, SECONDED CR THOMAS**

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

1. **ENDORSE** expansion of scope in the Grain Haulage Route Options Study to include:
  - a. Independent review of projected grain tonnages (by agronomist or similar professional) and the Department of Agriculture and Food;
  - b. Review of all Ambania/Tenindewa area access points including safety audit of all identified intersections;
  - c. Review of Restricted Access Vehicle (RAV, Road train) classifications of affected roads for appropriateness;
  - d. Undertaking the expansion of the study within the constraints of the 2015/16 budget; and
2. **ENDORSE** the CEO undertaking similar study(s) of other agricultural catchments.

**CARRIED 13/0**  
**6:06:55 PM**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
To be elected / Tarcoola	N/V
Cr. Caudwell	YES
Cr. Thomas	YES

IS113	UNDERGROUND POWER GRANTS OPPORTUNITY
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<b>AGENDA REFERENCE:</b>	<b>D-15-73452</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Asset Management</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>24 November 2015</b>
<b>FILE REFERENCE:</b>	<b>GS/1/0031</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for Council to consider and make a determination on accepting grant funding to underground overhead power lines in the City centre.

The City of Greater Geraldton is eligible for two (2) grant projects offered under the State Underground Power Program (SUPP). The program requires a fifty percent (50%) contribution from the City. The fifty percent contribution required from the City is \$500,000 per project.

If approved, the City's contribution would need to be allocated as part of the 2016/17 capital works program. Given the significant City contribution required and the strong focus required on renewal projects, officers are recommending approval of one (1) proposal (Sanford/Durlacher/Chapman), subject to endorsement in the 2016/17 budget.

**EXECUTIVE RECOMMENDATION:**

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

1. ADVISE Western Power that the City withdraws from the State Underground Power Program for Anzac/Forrest/Snowdon roads; and
2. ADVISE Western Power that the City accepts the State Underground Power Program for Sanford/Durlacher/Chapman roads, subject to Council endorsing the required funds in its 2016/17 capital works budget.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In December 2011, the City submitted three (3) applications to the State Underground Power Program, Round 5 Local Enhancement Projects (LEP). Reference is made to the attachment which illustrates all of the proposals.

The goal of each SUPP (LEP) project is to underground approximately one kilometre of overhead power on roads in regional cities and towns. The funding is provided on a 50/50 basis with the state government contribution

capped at \$500,000 per project. If the City were to proceed with a project, it would need to match the state government contribution (\$500,000 per project).

In October 2012, the City was advised it had been successful with its Lester Avenue, Fitzgerald Street and Marine Terrace proposal. In December 2013, the City withdrew from the project on the grounds that Durlacher Street was the City's preferred priority for undergrounding power. The City requested the grant funds be transferred to the Durlacher Street proposal; however Western Power subsequently advised that this was not possible.

In September 2015, Western Power advised the City its other two (2) projects had become eligible for funding (due to other local authorities withdrawing from the program). The City proposals that are now eligible for funding are:

**Project 1**

- Sanford Street: Snowdon Street to Fitzgerald Street;
- Durlacher Street: Marine Terrace to Sanford Street;
- Chapman Road: Cathedral Avenue to Forrest Street; and

**Project 2**

- Anzac Terrace: Durlacher Street to Forrest Street;
- Forrest Street: Marine Terrace to Sanford Street; and
- Snowdon Street: Chapman Road to George Road.

The City at the time expressed an interest only in the Sanford/Durlacher/Chapman proposal. The reasons to progress the Sanford/Durlacher/Chapman proposal are as follows:

- Durlacher Street power poles are a safety issue with occasional collisions;
- The Sanford/Durlacher/Chapman project would facilitate a vital first step in a future street scaping of Chapman Road which is recommended in the City's endorsed Integrated Transport Strategy (ITS) to promote the City Centre as a destination, not a thoroughfare;
- If this grant opportunity is not accepted, the City would need to fully fund undergrounding the overhead power lines as part of any future street scaping works in this location;
- All work is managed by Western Power and the resultant assets are owned by Western Power (no on-going maintenance or replacement costs);
- Fewer blackouts during inclement weather;
- Enhanced visual appearance;
- Potential for improved property values;
- Reduced street tree pruning requirements, trees can grow to natural height and shape; and
- Brighter, safer and more evenly lit streets with the new lighting system.

The existing power poles that support the overhead powerlines also support the existing street lighting system. The project involves the removal of these existing timber poles and the installation of new steel light poles.

The steel poles are designed to collapse (frangible) when hit by vehicles which reduces damage and injuries. The new lighting system would comply to Australian Standards which would see approximately 10% more lights installed than are removed with the old overhead system. The new lights are generally alternated from one side of the road to the other and placed one metre from the kerb to provide more light to the roadway. They are also more decorative.

With reference to the attached street cross section, the steel streetlight poles would be installed to Western Power standards in accordance with the **Utility Provider Code of Practice** (UPCP). This provides for:

- Underground Power conduits are located in the 0-0.6m alignment from property boundary.
- Streetlights are located in the 2.4m-3.0m alignment from property boundary.

New streetlights would have a nominal offset of minimum 300mm (minimum) behind the concrete kerb to comply with road design standards. Again, this is subject to detailed design.

There are exceptions to these standards (i.e. due to existing underground service and overhead obstruction conflicts, e.g. building awnings), which would be resolved through the detail design process.

On Friday 4 December 2015, Energy Minister Mike Nahan announced the next round of funding for the State Underground Power Program. A copy of the grant's fact sheet is provided as an attachment.

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

### **Economic:**

Undergrounding power offers improved amenity and better lighting which attracts new business activity.

### **Social:**

The Community would benefit from a greatly enhanced streetscape, more reliable power supply and an overall safer road environment.

### **Environmental:**

Energy efficient luminaires will be used.

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**Cultural & Heritage:**

An assessment of the heritage buildings merit for each project was considered by Western Power as part of the original application process. Undergrounding powerlines adjacent historical buildings promotes and enhances their presence in the cityscape. The Geraldton Regional Art Gallery (GRAG) would greatly benefit from the removal of powerlines on its two frontages.

**RELEVANT PRECEDENTS:**

The last underground power project completed was associated with the Foreshore upgrade.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community consultation on this matter. Councillors were provided with a briefing at the November 2015 Concept Forum by the Director Infrastructure Services.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

All resultant assets would be owned by Western Power. The City would only be responsible to pay for power usage associated with the street lights.

Should Council endorse the executive recommendation, the matching funds would be nominated for Council consideration in the draft 2016/17 budget. The City would be liable for the tax equivalent on cost of +13.9% on the cash value of the assets donated to Western Power, under the National Tax Equivalent regime which is now approved by the economic regulator.

Section 6.38 of the Local Government Act, and Local Government (Financial Management) Regulation 54(d) make provision for levying a Service Charge for works such as underground power. Such a Service Charge can be applied to all or just part of a district. Such a charge could be applied to recover the 50% City share of project costs plus the 13.9% tax equivalent cost on total project value noted above. Should Council resolve to adopt the Executive Recommendation, then this matter could be considered by Council as part of its deliberations for the 2016-17 Budget.

**INTEGRATED PLANNING LINKS:**

Title: Environment	Sustainability
Strategy 2.3.3	Promoting and planning innovative design for a sustainable lifestyle that enables low impact living and sustainable urban development.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

The main risk associated with endorsement of the recommendation is the need to approve approximately \$500,000 in operational funds in the 2016/17 budget to match the state government grant.

The main risks associated with not endorsing the recommendation, is the lost opportunity and the city centre would retain its current amenity and safety issues.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The following options were considered by City Officers:

1. Recommend both eligible projects: This was considered but not deemed best use of City funds. The Anzac/Forrest/Snowdon project is considered a lower priority and not essential at this stage.
2. Decline both projects: This was considered, but it was felt that the Sanford/Durlacher/Chapman opportunity would have a positive impact on the vibrancy of the City centre. It would also be an initial stage of a future street scaping of Chapman Road.

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

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

1. **ADVISE Western Power that the City withdraws from the State Underground Power Program for Anzac/Forrest/Snowdon roads; and**
2. **ADVISE Western Power that the City accepts the State Underground Power Program for Sanford/Durlacher/Chapman roads, subject to Council endorsing the required funds in the City's 2016/17 Budget.**

**CARRIED 8/5**

**6:22:43 PM**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Bylund</b>	<b>NO</b>
<b>Cr. Ellis</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>NO</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>NO</b>
<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>To be elected / Tarcoola</b>	<b>N/V</b>
<b>Cr. Caudwell</b>	<b>NO</b>
<b>Cr. Thomas</b>	<b>NO</b>



<b>IS114    ADDITIONAL WORKS AT THE WONTHELLA OVAL</b>	
<b>AGENDA REFERENCE:</b>	<b>D-15-73524</b>
<b>AUTHOR:</b>	<b>G Sherlock, Manager Project Design &amp; Delivery</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>26 November 2015</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0066</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is for Council to consider and make determination on proposed additional works at the Wonthella Oval. The proposed additional works would be funded from residual funds from the Wonthella Lighting Project. City officers are simultaneously seeking approval from the various grant funding bodies to proceed with the proposed additional works.

**EXECUTIVE RECOMMENDATION;**

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

1. APPROVE the progression of the additional works subject to officers receiving approval from the external funding bodies.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Wonthella Oval is considered to be the main football and cricket facility for the City of Greater Geraldton. Football finals, WAFL matches and state and international cricket matches have been hosted at the grounds. Wonthella Oval has the potential to host non-sporting events such as concerts, markets and other large scale events.

With these uses in mind and with the aim of capturing the venue's potential, the City was successful in obtaining grant funding for the installation of floodlights (lighting Towers) for the Wonthella Oval. The total project budget is \$1,500,000 which is funded from the following sources:

City of Greater Geraldton:	\$351,000
CLGF:	\$229,000
Royalties for Regions:	\$590,000
Department of Sport & Recreation (CSRFF):	\$230,000
AFL:	\$100,000

The project is proceeding on time and well within budget. The project is currently in the construction phase with the following activities having been completed:

- All conduits have been installed
- The tower footings are in place
- The new transformer is in place and in service.

Between now and Christmas it is expected that:

- The Cabling work will be completed
- The lighting towers will be delivered to site
- Work on assembling the towers will have commenced.

The total project cost estimate is as follows:

Project Design Costs:	\$ 68,750
Western Power Costs:	\$110,115
Tender (construction) costs:	\$850,587
Variation:	\$ 65,171
Project Management Costs:	\$ 23,215
 Total Costs:	 \$1,117,838 (ex GST).

The \$65,171 of variations referred to above consist of the following items:

- Concrete and fencing around the new transformer – Western Power requirement;
- Supply of Western Power Pad Locks – Western Power Requirement;
- Installation of Zone Diagrams – Western Power requirement; and
- Additional protection for the new lighting towers (retaining wall).

As a result, the project has residual funds of \$382,162 (ex GST).

If no additional works are undertaken, these residual funds would be returned to the funding bodies in accordance with the grant conditions. In keeping with the strategic intent of the grant (to enhance the venue's potential), officers are seeking approval from the grant funding bodies to undertake the following additional works:

1. Upgrade the lighting in the venue's car park (estimated cost \$150,000). The existing car park has only minimal lighting and is non-compliant with lighting standards. Upgrading the lighting would improve security and provide safe access and egress for facility users.
2. Grandstand access and renewal (estimated cost \$60,000). The proposed works include the addition of retaining walls and stairs linking the grandstand to the pitch area. This will provide a safe means of access to all users. It will also provide much needed structural support to the grandstand as at present the front of the grandstand is being undermined by the flow of water down the steep hill during

rainfall events. The work also includes renewal of the tunnel area which leads to the change rooms (concrete cancer).

3. Car Park Reseal (2 coat bitumen; estimated cost \$142,000).

The lighting project will result in conduits being installed across the car park. The existing seal is also reaching the point where a reseal is required. If this work is not undertaken now, it will need to occur with Council funds in the near future.

No action will be taken unless approvals are provided by all of the funding bodies. If approval is not forthcoming, the residual grant funding will be returned to the funding bodies in accordance with the grant conditions. If permission is received from the Council and from the funding bodies to proceed, the additional works will be procured in accordance with Council's Procurement Policy.

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

**Economic:**

The project will deliver a premier facility that is capable of attracting elite level sporting and non-sporting events.

**Social:**

The project will deliver a premier facility that is capable of attracting elite level sporting and non-sporting events.

**Environmental:**

The lighting project will increase the City's electricity costs.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Consultation is occurring with the grant providers. The City has discussed the proposed additional works with a representative of the Oval's management committee who are in favour of proceeding with the additional works.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The procurement of the additional works would be undertaken in accordance with Council's procurement policy.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The available project budget is \$1,500,000 which is funded from the following sources:

City of Greater Geraldton:	\$351,000
CLGF	\$229,000
Royalties for Regions:	\$590,000
Department of Sport & Recreation (CSRFF):	\$230,000
AFL:	\$100,000

**INTEGRATED PLANNING LINKS:**

Title: Social	Recreation and Sport
Strategy 3.1.1	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle

**REGIONAL OUTCOMES:**

The completion of the project will see a positive impact on the region with the option to host larger and more prestigious events at the oval.

**RISK MANAGEMENT**

If approval is given for the additional works, they will be managed to ensure the budget allocation is not exceeded.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

Not to proceed with the additional works or reduce the scope of the works to be undertaken. This was considered and rejected as the proposed additional works would have to be undertaken at some time in the future and there is no guarantee that there will be grant funding available at that time to subsidise the City's costs.

*Cr S Douglas declared an impartiality Interest in item IS114 Additional Works at the Wonthella Oval, as he is employed by MWDC who are a funding contributor and left Chambers at 6.22pm.*

**COUNCIL DECISION****MOVED CR TANTI, SECONDED CR FREER**

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

- APPROVE the progression of the additional works subject to officers receiving approval from the external funding bodies.**

**CARRIED 12/0****6:30:14 PM**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>N/V</b>
<b>Cr. Bylund</b>	<b>YES</b>
<b>Cr. Ellis</b>	<b>YES</b>
<b>Cr. Keemink</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>YES</b>

<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>To be elected / Tarcoola</b>	<b>N/V</b>
<b>Cr. Caudwell</b>	<b>YES</b>
<b>Cr. Thomas</b>	<b>YES</b>

*Cr Douglas returned to Chambers at 6.29pm*

## 12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

### CCS149 MONTHLY MANAGEMENT REPORT TO 30 NOVEMBER 2015

<b>AGENDA REFERENCE:</b>	<b>D-15- 75253</b>
<b>AUTHOR:</b>	<b>M Jones, Financial Business Planner</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>7 December 2015</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 30 November 2015. The statements include no matters of variance considered to be of concern.

#### EXECUTIVE RECOMMENDATION;

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

1. RECEIVE the November 2015 monthly financial activity statements as attached.

#### PROPONENT:

The proponent is the City of Greater Geraldton.

#### BACKGROUND:

The financial position at the end of November is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$386,732	0.7%	Positive Variance
Operating Expenditure	\$226,323	-0.7%	Negative Variance
Net Operating	\$160,409		
Capital Expenditure	\$29,090	0.1%	Positive Variance
Capital Revenue	\$804,488	49.2%	Positive Variance
Cash at Bank – Municipal	\$21,519,408		
Cash at Bank – Reserve	\$16,816,900		
Total Funds Invested	\$32,905,041		
Net Rates Collected	78.13%		

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the adopted budget.

The financial position represented in the November financials shows a positive variance of \$160,409 in the net operating result.

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

#### **Economic:**

There are no economic impacts.

#### **Social:**

There are no social impacts.

#### **Environmental:**

There are no environmental impacts.

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

There are no cultural or heritage impacts.

### **RELEVANT PRECEDENTS:**

Council is provided with financial reports each month.

### **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

### **LEGISLATIVE/POLICY IMPLICATIONS:**

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

### **FINANCIAL AND RESOURCE IMPLICATIONS:**

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

### **INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

### **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

### **RISK MANAGEMENT**

There are no risks to be considered.

### **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options to consider.

**COUNCIL DECISION**

**MOVED CR ELLIS, SECONDED CR KEEMINK**

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

- 1. RECEIVE the November 2015 monthly financial activity statements as attached.**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*



**13 REPORTS OF COMMUNITY SERVICES**

Nil.

**14 REPORTS OF OFFICE OF THE CEO**  
Nil.

## 15 REPORTS OF DEVELOPMENT AND REGULATORY SERVICES

<b>DRS239 REVOKING OF LOCAL PLANNING POLICIES</b>	
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<b>AGENDA REFERENCE:</b>	<b>D-15-73109</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>25 November 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/8/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

### EXECUTIVE SUMMARY:

With the gazettal of the new Local Planning Scheme No. 1 a number of local planning policies are now redundant and need to be revoked by Council.

### EXECUTIVE RECOMMENDATION:

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

1. REVOKE the following local planning policies:
  - a. Caretaker's Dwellings in Industrial Areas;
  - b. City Centre Planning Policy – Discount Department Stores;
  - c. Consulting Rooms and Professional Offices;
  - d. Development Adjacent to Railway Reserves;
  - e. Greenhouses;
  - f. Group Dwellings;
  - g. Motor Vehicle Wrecking Premises; and
  - h. Relocated Buildings.

### PROPONENT:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

Gazettal of the new Local Planning Scheme No. 1 has resulted in a number of policies that are either now redundant or inconsistent with the new Scheme as follows:

#### Caretaker's Dwellings in Industrial Areas:

The new Scheme now covers all aspects of caretaker's dwellings.

#### City Centre Planning Policy – Discount Department Stores:

The new Scheme now specifically contains a 'discount department store' definition and associated car parking standards.

**Consulting Rooms and Professional Offices:**

Professional offices are now no longer a separate land use and the location of consulting rooms will be guided by a new 'Non-Residential Development in the Residential Zone' local planning policy.

**Development Adjacent to Railway Reserves:**

'State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning' now adequately deals with development adjacent to railway reserves.

**Greenhouses:**

Greenhouses are now incorporated in the land use definition of 'Agriculture – Intensive' in the new Scheme.

**Group Dwellings:**

The new Scheme now only has one single R-coding for residential land (as opposed to the old tri-coding) and therefore the policy is redundant.

**Motor Vehicle Wrecking Premises:**

Motor vehicle wrecking premises are now limited to the 'General Industry' zone.

**Relocated Buildings:**

As the R-Codes have objectives that seek to achieve housing affordability and choice, it is undesirable for planning to control the materials and style of single homes beyond that expressed in the R-Codes.

The new Scheme now has a 'Repurposed Dwelling' land use definition.

A copy of these policies are attached as Attachment Nos. DRS239A.

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

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

All of the policies have been previously adopted by Council.

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**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for local planning policies as follows:

**3. Local planning policies**

- (1) *The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) *A local planning policy:*
  - (a) *may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
  - (b) *may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
- (3) *A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) *The local government may amend or repeal a local planning policy.*
- (5) *In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

By not revoking redundant policies there is a risk that the City will have policies that are inconsistent with the new Local Planning Scheme No. 1 and also inconsistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

It is considered essential, that in the interest of providing a sound planning framework from which the local government can be guided in its discretion

and decision making process, that new policies be prepared, existing policies be revised and redundant policies be revoked. The option to refuse is therefore not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

### **COUNCIL DECISION**

#### **MOVED CR CRITCH, SECONDED CR MCILWAINE**

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

- 1. REVOKE the following local planning policies:**
  - a. Caretaker's Dwellings in Industrial Areas;**
  - b. City Centre Planning Policy – Discount Department Stores;**
  - c. Consulting Rooms and Professional Offices;**
  - d. Development Adjacent to Railway Reserves;**
  - e. Greenhouses;**
  - f. Group Dwellings;**
  - g. Motor Vehicle Wrecking Premises; and**
  - h. Relocated Buildings.**

#### **CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

<b>DRS240 TOWN PLANNING DELEGATION TO THE CHIEF EXECUTIVE OFFICER</b>
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<b>AGENDA REFERENCE:</b>	<b>D-15-73116</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>25 November 2015</b>
<b>FILE REFERENCE:</b>	<b>SM/1/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**EXECUTIVE SUMMARY:**

With the gazettal of the new *Planning and Development (Local Planning Schemes) Regulations 2015*, delegations to the Chief Executive Officer (CEO) under the new Local Planning Scheme No. 1 are required to be endorsed by Council.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Schedule 2, Part 10, clause 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. DELEGATE to the Chief Executive Officer all powers and duties under Local Planning Scheme No. 1 other than the power of delegation.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Previously delegations have been very prescriptive, however the new Regulations allow for a more general delegation of the powers and duties under a local planning scheme.

The powers and duties primarily relate to the determination of development applications, which are reported to Council each month.

In relation to the proposed delegation, it is important to note that no changes are proposed to the current level of planning delegation, noting that in making a determination on a development application, that decision must relate/reflect a number of statutory documents/processes including:

- The Planning & Development Act & Regulations thereto;
- State Planning Policies (including Residential Design Codes of W.A.);
- Local Planning Scheme; and
- Council adopted Local Planning Policies.

Council will still be responsible for considering and determining new local planning scheme amendments, approval of local planning policies, structure plans and the heritage list. In addition officers may refer applications to Council where significant objections are received that are substantiated on relevant planning matters and which cannot be addressed by conditions and/or advice notes on the development approval.

For Councillors' information the Town Planning approval area has been subject to a significant number of reforms over the last few years initiated by the State Government to reduce "red tape" at a local government level. These changes are all aimed at streamlining the development approval process and in many cases lessen the power of local governments to determine applications. Several changes for single houses, sheds, patios etc. have been made so that a development that meets the "deemed to comply" arrangements no longer requires a planning application.

These reforms have taken place because of a perception (and in some cases a reality) that some local governments (including in the main those Councils with limited delegation to officers) created delays in determining an application or refuse applications based on certain stakeholder views that were not based on planning principles/legislation. It is also noted that the State Administration Tribunal (SAT) requires that should a Council change/amend an officers recommendation in such a way that causes an applicant to appeal that decision, (with the new resolution possibly not based on sound planning grounds) the officers are not able to participate in the SAT process, instead they require elected members/or nominated private consultants/lawyers to prepare and attend the SAT process (should the applicant appeal the decision) to explain the reasoning behind the decision.

The State Government went further to deal with the local government "delays" by also establishing Development Assessment Panels (DAP) to consider applications above \$2 million in value outside of the Local Government approval process (noting that Local Government officers are required by the legislation to prepare the necessary reporting to the SAT) within specified timeframes.

Very few applications are refused as City officers work with applicants to achieve compliance with town planning legislation/policy. The majority of applications now processed by City staff are compliant and straightforward in nature meaning that turnaround times meet (and indeed exceed) the State Governments expectations.

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

### **Economic:**

The effective delegation of authority has proven to considerably expedite the development approvals process which has been highlighted as a major concern to the development industry and can potentially add to the overall costs of a project.

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**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

Delegations to the Chief Executive Officer are reviewed annually.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for delegations as follows:

**82. Delegations by local government**

- (1) *The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.*
- (2) *A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Without effective delegation there would be a marked increase in Council reporting which has staff resourcing implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

There is a substantial risk that without this delegation there will be a significant impact on the efficient and effective delivery of town planning services. This would cause lengthy delays in the development approval process as Council only meets once a month.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Council's adoption of the town planning delegation will ensure that the current level of efficiency and productivity continues.

With the recent gazettal of the new *Planning and Development (Local Planning Schemes) Regulations 2015*, delegations have to be re-adopted by Council and therefore the option to refuse is not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

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

That Council by Absolute Majority pursuant to Schedule 2, Part 10, clause 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. **DELEGATE** to the Chief Executive Officer all powers and duties under Local Planning Scheme No. 1 other than the power of delegation

**CARRIED BY ABSOLUTE MAJORITY 12/1**

6:42:14 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
To be elected / Tarcoola	N/V
Cr. Caudwell	YES
Cr. Thomas	YES

**DRS241 RE-ADOPTION OF HERITAGE LIST**

<b>AGENDA REFERENCE:</b>	<b>D-15-73151</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>25 November 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0049</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**EXECUTIVE SUMMARY:**

With the gazettal of the new *Planning and Development (Local Planning Schemes) Regulations 2015*, the existing local government municipal inventory is required to be re-adopted by Council so that it becomes the heritage list under the new Local Planning Scheme No. 1.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. ADOPT the City of Greater Geraldton local government municipal inventory as the heritage list for the Local Planning Scheme No. 1 Scheme area.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The purpose of a heritage list is to identify places and areas of heritage value so that development in the Scheme can, as far as possible, be consistent with the conservation of heritage values.

Previously the local government municipal inventory has been adopted as the heritage list via a clause in the Scheme that generally states that a municipal inventory compiled by the local government is the heritage list for the Scheme area. With the gazettal of the new Local Planning Scheme No. 1 the local government municipal inventory needs to be re-adopted as the heritage list.

The City's municipal inventory has 3 components being the inventories of the former City of Geraldton, Shire of Greenough and Shire of Mullewa.

**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:**

Local government municipal inventories identify local heritage assets and provide the base information needed for local heritage planning to achieve consistency, strategic direction and community support.

**RELEVANT PRECEDENTS:**

The Geraldton inventory was adopted by Council on 28 June 2011.

The Greenough inventory was adopted by Council on 31 August 2005.

The Mullewa inventory was adopted by Council on 24 June 2014.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Original adoption of the inventories involved extensive community consultation. There has been no councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for heritage protection as follows:

**8. Heritage list**

- (1) *The local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Culture	Our Heritage
Strategy 1.1.1	Recognising and protecting our history and restoring heritage sites and buildings

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

Without a heritage list there are limited powers under the Scheme to ensure development is consistent with the heritage values of a place.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Council's adoption of the local government municipal inventory as the heritage list will ensure that the current level of protection afforded by the previous Schemes continues.

With the recent gazettal of the new *Planning and Development (Local Planning Schemes) Regulations 2015*, the heritage list needs to be re-adopted by Council and therefore the option to refuse is not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

**COUNCIL DECISION**

**MOVED CR THOMAS, SECONDED CR BYLUND**

**That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 8 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:**

- 1. ADOPT the City of Greater Geraldton local government municipal inventory as the heritage list for the Local Planning Scheme No. 1 Scheme area.**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

**DRS242 RE-ADOPTION OF LOCAL PLANNING POLICIES**

<b>AGENDA REFERENCE:</b>	<b>D-15-73163</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>25 November 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/8/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

With the gazettal of the new Local Planning Scheme No. 1 minor textural changes are required to existing local planning policies and they need to be re-adopted by Council.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT for final approval the following local planning policies:
  - a. Alfresco Dinning;
  - b. Bed and Breakfast;
  - c. Caravans for Temporary Accommodation;
  - d. Commercial Tourism Activity on Crown Land;
  - e. Compliance and Enforcement of Planning Laws;
  - f. Consultation for Town Planning Proposals;
  - g. Design Guidelines – Beresford Beachfront Mixed Use;
  - h. Design Guidelines – Geraldton Airport Technology Park;
  - i. Design Guidelines – Marine Terrace Foreshore Precinct Mixed Use;
  - j. Development Approvals;
  - k. Display Homes and Sales Offices;
  - l. Dividing Fences;
  - m. Extractive Industry;
  - n. Fast Food Outlets;
  - o. Geraldton – From a Local to Global Regional City;
  - p. Geraldton Health Education and Training Precinct Conceptual Master Plan;
  - q. Geraldton North-South Transport Corridor;
  - r. Heritage Conservation and Development;
  - s. Holiday Houses;
  - t. Home Based Business (Including Industry – Cottage);
  - u. Industrial Development;
  - v. International Charter for Walking;
  - w. Low Impact Rural Tourism;
  - x. Mobile and Itinerant Vendors;

- y. Parking of Commercial Vehicles in Residential and Rural Residential Areas;
- z. Precinct Plan – Rangeway Utakarra Karloo;
- aa. Precinct Plan – Sunset Beach;
- bb. R-Codes – Ancillary Dwellings;
- cc. R-Codes – Outbuildings;
- dd. R-Codes – Retaining Walls;
- ee. R-Codes – Setback Variations;
- ff. R-Codes – Vehicular Access;
- gg. Shipping Containers;
- hh. Signage;
- ii. Single House and Ancillary Structures Assessment;
- jj. Telecommunications Infrastructure;
- kk. Towards Sustainable Residential Development;
- ll. Travel Plans;
- mm. Tree Farms; and
- nn. Verita Road Contributions.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Gazettal of the new Local Planning Scheme No. 1 has resulted in a number of existing policies that need to have minor textural amendments so they are consistent with the new Scheme.

Local Planning Policies are somewhat different to many of the City's other policies as they have to be framed to be in accordance with the Planning & Development Act, its strategies, policies and Planning Regulations, plus fit within the City's own strategies and the Local Planning Scheme. Because planning decisions are a subject to appeal and with legal precedent in place wording sometimes must reflect some of these external influences.

Council will have the opportunity to review the policies from time to time. This time, the only changes made to these previously adopted policies are due primarily to the new planning framework.

Additionally the new planning framework as established by the *Planning and Development (Local Planning Schemes) Regulations 2015* has resulted in a number of publications (such as design guidelines and precinct plans) that are now considered policies and should be re-adopted.

A copy of the policies, Attachment No. DRS242A, has been previously circulated to Council and a copy of the policies are available to the public upon request.

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

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

All of the various documents (policies, design guidelines and publications) have been previously adopted by Council.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Schedule 2, Part 2, clause 5(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that:

*“the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.”*

The amendments are considered very minor in nature and therefore no community consultation is required.

There has been no councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for local planning policies as follows:

**3. Local planning policies**

- (1) *The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) *A local planning policy:*
  - (a) *may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
  - (b) *may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*



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- (3) *A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) *The local government may amend or repeal a local planning policy.*
- (5) *In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

By not re-adopting the policies, there is a risk that the City will have policies that are inconsistent with the new Local Planning Scheme No. 1 and also inconsistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

It is considered essential, that in the interest of providing a sound planning framework from which the local government can be guided in its discretion and decision making process, that new policies be prepared, existing policies be revised and redundant policies be revoked. The option to refuse is therefore not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

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

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

1. **ADOPT for final approval the following local planning policies:**
  - a. **Alfresco Dinning;**
  - b. **Bed and Breakfast;**
  - c. **Caravans for Temporary Accommodation;**
  - d. **Commercial Tourism Activity on Crown Land;**
  - e. **Compliance and Enforcement of Planning Laws;**
  - f. **Consultation for Town Planning Proposals;**
  - g. **Design Guidelines – Beresford Beachfront Mixed Use;**
  - h. **Design Guidelines – Geraldton Airport Technology Park;**
  - i. **Design Guidelines – Marine Terrace Foreshore Precinct Mixed Use;**
  - j. **Development Approvals;**
  - k. **Display Homes and Sales Offices;**
  - l. **Dividing Fences;**
  - m. **Extractive Industry;**
  - n. **Fast Food Outlets;**
  - o. **Geraldton – From a Local to Global Regional City;**
  - p. **Geraldton Health Education and Training Precinct Conceptual Master Plan;**
  - q. **Geraldton North-South Transport Corridor;**
  - r. **Heritage Conservation and Development;**
  - s. **Holiday Houses;**
  - t. **Home Based Business (Including Industry – Cottage);**
  - u. **Industrial Development;**
  - v. **International Charter for Walking;**
  - w. **Low Impact Rural Tourism;**
  - x. **Mobile and Itinerant Vendors;**
  - y. **Parking of Commercial Vehicles in Residential and Rural Residential Areas;**
  - z. **Precinct Plan – Rangeway Utakarra Karloo;**
  - aa. **Precinct Plan – Sunset Beach;**
  - bb. **R-Codes – Ancillary Dwellings;**
  - cc. **R-Codes – Outbuildings;**
  - dd. **R-Codes – Retaining Walls;**
  - ee. **R-Codes – Setback Variations;**
  - ff. **R-Codes – Vehicular Access;**
  - gg. **Shipping Containers;**
  - hh. **Signage;**
  - ii. **Single House and Ancillary Structures Assessment;**
  - jj. **Telecommunications Infrastructure;**
  - kk. **Towards Sustainable Residential Development;**
  - ll. **Travel Plans;**
  - mm. **Tree Farms; and**

**nn. Verita Road Contributions.**

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

**16 REPORTS TO BE RECEIVED****REPORTS TO BE RECEIVED**

<b>AGENDA REFERENCE:</b>	<b>D-15-74847</b>
<b>AUTHOR:</b>	<b>K Diehm, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>K Diehm, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>1 December 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**EXECUTIVE SUMMARY:**

To receive the Reports of the City of Greater Geraldton.

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

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

1. RECEIVE the following appended reports:
  - a. Reports – Development & Regulatory Services;
    - i. DRSD105 Delegated Determinations.

**PART B**

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

1. RECEIVE the following appended reports:
  - a. Reports – Corporate and Commercial Services;
    - i. CCS150 – Confidential Report – List of Accounts Paid Under Delegation – November 2015.

**PROponent:**

The proponent is the City of Greater Geraldton

**BACKGROUND:**

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

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

**COMMUNITY/COUNCILLOR CONSULTATION:**

Not applicable.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Not applicable.

**COUNCIL DECISION****MOVED CR ELLIS, SECONDED CR THOMAS****PART A**

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

1. RECEIVE the following appended reports:
  - a. Reports – Development & Regulatory Services;
    - i. DRSD105 Delegated Determinations.

**PART B**

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

1. RECEIVE the following appended reports:
  - a. Reports – Corporate and Commercial Services;
    - i. CCS150 – Confidential Report – List of Accounts Paid Under Delegation – November 2015.

**CARRIED 13/0**

*In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed*

**17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**18 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**19 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING**

Nil.

**20 CLOSURE**

The Presiding Member Mayor Shane Van Styn declared the Meeting Closed at 6.45pm.

**APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED**

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