



ORDINARY MEETING OF COUNCIL
MINUTES

17 DECEMBER 2013

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 17 DECEMBER 2013 AT 5.30PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

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

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional owners of the land on which the Council meet and pays respect to the Elders and to knowledge embedded forever within the Aboriginal Custodianship of Country.

2 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.30pm.

3 ATTENDANCE

Present:

Mayor I Carpenter
Cr D Brick
Cr D J Caudwell
Cr J Clune
Cr J Critch
Cr R deTrafford
Cr S Douglas
Cr P Fiorenza arrived at 5.31pm
Cr L Graham
Cr S Keemink
Cr N McIlwaine
Cr V Tanti arrived at 5.32pm
Cr T Thomas
Cr S Van Styn

Officers:

K Diehm, Chief Executive Officer
P Melling, Director of Sustainable Communities

B Davis, Director of Corporate and Commercial Enterprises
A Selvey, Director of Creative Communities
N Arbutnot, Director of Community Infrastructure
S Moulds, PA to the Chief Executive Officer
A Seaman, Executive Support Secretary
J Kopplhuber, Community Empowerment and Engagement Coordinator
G Sherlock, Operations Manager, Operation Works
J Felix, Community Engagement Officer
M Atkinson, Manager Infrastructure, Planning and Design
M Jones, Business Analyst, Business and Planning Services
P Radalj, Manager Business Planning Services
S Chiera, Coordinator, Media and Marketing

Others:

Members of Public: 15
Members of Press: 1

Apologies:

Nil.

Leave of Absence:

Cr B Hall

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5 PUBLIC QUESTION TIME

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

Michael Dufour, 5 Tiltli Rise, Moresby

Question relates to Item SC131 Final Adoption of Local Planning Scheme Amendment – Rural Residential Rezoning, Moresby

Question

Given that Council has already endorsed the MRMP and with it the appropriate 2ha - 4ha lot sizes for precincts 10 and 13 (i.e. the two portions of Lot 23) can the Council please explain how they will avoid the dangerous precedence for smaller lot sizes identified in the LandWest report for these areas if this scheme amendment proposal is carried by Council?

Response

The scheme amendment proposes to rezone the land to “rural-residential” and introduces the specific requirement for a structure plan

to be approved by both the Council and the WA Planning Commission prior to any subdivision. It is at this structure planning stage (which is subject to further public consultation) where specific lot sizes will be identified. It should be noted that the plan produced with the Amendment document clearly articulates that it is indicative only and in no way binds Council to any future decision on lot size(s).

It should also be noted that Moresby Range Management Plan is not a statutory document to control lot size but rather a strategic document that contains broad objectives for managing the transition in urban form between the City and the Range, all of which will be considered at the detailed structure planning stage.

6 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

MOVED CR MCILWAINE, SECONDED CR THOMAS

Cr S Keemink request for leave of absence for the period 4 January to 21 January 2014 be approved.

Cr S Douglas request for leave of absence for the period 17 January to 27 January 2014 be approved.

CARRIED 13/0

5:32:13 PM

Mayor Carpenter	YES
Cr. McIlwaine	YES
Cr. Van Styn	YES
Cr. Graham	YES
Cr. Hall	N/A
Cr. Brick	YES
Cr. Fiorenza	YES
Cr. Thomas	YES
Cr. Caudwell	YES
Cr. Critch	YES
Cr. Douglas	YES
Cr. Keemink	YES
Cr. Tanti	N/V
Cr. deTrafford	YES
Cr. Clune	YES

Existing Approved Leave

Councillor	From	To (inclusive)
Cr Bob Hall	13 December 2013	20 January 2014
Mayor Ian Carpenter	26 December 2013	12 January 2014
Cr Shane Van Styn	29 December 2013	10 January 2014
Cr Peter Fiorenza	10 January 2014	25 January 2014
Cr Des Brick	20 December 2013	10 January 2014

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Draft 10 Year Capital Works Report and Recommendations

Community Panel members presented to the Mayor the Draft 10 Year Capital Works Report and Recommendations to the Mayor.

Each panellist member talked about their experience as panel members during this process.

The Mayor accepted the draft report and passed it to the Chief Executive Officer to action.

The Mayor presented to the community Panel a plaque to recognise their work during this process. This will be displayed at the City of Greater Geraldton.

Acknowledgement of past Councillors

Mayor I Carpenter gratefully acknowledged the following past Councillors for their contribution to the Geraldton Community:

- Neil Bennett - 1993-2013 (as an Officer and Councillor);
- Ron Ashplant - 1985-1992, 1994-2013;
- Robert Ramage - 1968-1973, 1985-1988, 1995-1999, 2011-2013;
- Chris Gabelish - 1998-2013; and
- Ilse Middleton - 2011-2013.

Each were presented with a plaque to commemorate their time as Councillors.

Nino Messina was unable to attend this meeting, but will be invited to a future meeting.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Shane Van Styn declared a proximity interest in Item CI063 RFT15 1314 – Supply of Line Marking Services, as one of the tenderers has a close working relationship with the business he is a director of.

Cr Shane Van Styn declared a proximity interest in CCS019 Confidential Item, as the company he is a director of is tendering on an airport related tender.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Ordinary meeting of Council of the City of Greater Geraldton held on 26 November 2013 as previously circulated, be adopted as a true and correct record of proceedings.

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

RECOMMENDED that the minutes of the Ordinary meeting of Council of the City of Greater Geraldton held on 26 November 2013 as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 14/0

5:49:31 PM

Mayor Carpenter	YES
Cr. McIlwaine	YES
Cr. Van Styn	YES
Cr. Graham	YES
Cr. Hall	N/A
Cr. Brick	YES
Cr. Fiorenza	YES
Cr. Thomas	YES
Cr. Caudwell	YES
Cr. Critch	YES
Cr. Douglas	YES
Cr. Keemink	YES
Cr. Tanti	YES
Cr. deTrafford	YES
Cr. Clune	YES

10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)

Events attended by the Mayor or his representative

DATE	FUNCTION	REPRESENTATIVE
27/11/2013	Dinner with Mr Micheal Deegan - Infrastructure Australia	Mayor Ian Carpenter
28/11/2013	Mid-West Investment Plan (MWIP) Meeting	Mayor Ian Carpenter
28/11/2013	Blueprint Workshop - Social Infrastructure	Mayor Ian Carpenter
29/11/2013	Meeting with Mr Wu of Top Iron	Mayor Ian Carpenter
29/11/2013	Community Grants Invitation	Mayor Ian Carpenter
30/11/2013	Community Panel Workshops - 10 Year Capital Works Plan	Mayor Ian Carpenter
30/11/2013	Sundowner Celebration for the #changesCGGCommunity 10 Year Capital Works Community Panel	Mayor Ian Carpenter
2/12/2013	Regular Mayor/CEO discussion	Mayor Ian Carpenter
2/12/2013	Regular meeting with Ian Blayney	Mayor Ian Carpenter
2/12/2013	Nagle Catholic College – Presentation Ceremony	Mayor Ian Carpenter
3/12/2013	Lighthouse Church Playgroup	Mayor Ian Carpenter
3/12/2013	Batavia Coast Maritime Institute -	Cr Bob Hall

	2013 Student Graduation	
3/12/2013	2013 Participation & Engagement Program Graduation Student Celebration Even	Cr Victor Tanti
3/12/2013	Open House Community Meeting - Intended Closure of Tallering Peak Mine	Mayor Ian Carpenter
3/12/2013	Cathedral Precinct Project - Update and Presentation	Mayor Ian Carpenter
3/12/2013	Concept Forum 2013	Mayor Ian Carpenter
4/12/2013	Meeting with Mr Syamsuri, Consul General - Consulate General of Indonesia in Perth	Mayor Ian Carpenter
4/12/2013	Christmas Lunch – Geraldton Pensioners Social Club	Cr Bob Hall
5/12/2013	Regional Capitals Australia - Executive Board Meeting & Advocacy Delegations	Mayor Ian Carpenter
5/12/2013	Thank A volunteer event	Cr Bob Hall
6/12/2013	Audit Committee Meeting	Mayor Ian Carpenter
7/12/2013	#changesCGGcommunity Range and Level of Services Workshop 1	Mayor Ian Carpenter
9/12/2013	St Johns School Presentation Ceremony and Concert	Cr Bob Hall
10/12/2013	Meeting Minister for Sport and Recreation – Hon Terry Waldron	Mayor Ian Carpenter
10/12/2013	SHINE Graduation	Mayor Ian Carpenter
10/12/2013	Agenda Forum 2013	Mayor Ian Carpenter
11/12/2013	Independent Review Committee Meeting	Mayor Ian Carpenter
11/12/2013	Geraldton Grammar School Speech Night	Cr Bob Hall
12/12/2013	HMAS Sydney Memorial Meeting - Director Creative Community Andrea Selvey	Mayor Ian Carpenter
13/12/2013	Mid-West Development Commission (MWDC) Board Meeting	Mayor Ian Carpenter
15/12/2013	Annual Carols by Candle Light	Cr Neil McIlwaine
16/12/2013	WALGA Workshop - Manage Recovery Activities for Local Government	Mayor Ian Carpenter
17/12/2013	Blueprint Workshop - Land Availability/Environment	Mayor Ian Carpenter
17/12/2013	Ordinary Meeting of Council	Mayor Ian Carpenter

11 COMMUNITY INFRASTRUCTURE

CI062	RFT16	1314	RECREATION	RESERVE	GRANDSTAND
REFURBISHMENT					
AGENDA REFERENCE:			D-13-83394		
AUTHOR:			M Struwig, Project Coordinator, G Sherlock, Manager Project Delivery and Infrastructure Management		
EXECUTIVE:			N Arbutnot, Director Community Infrastructure		
DATE OF REPORT:			26 November 2013		
FILE REFERENCE:			PM/4/0054		
APPLICANT / PROPONENT:			City of Greater Geraldton		
ATTACHMENTS:			Yes x1 (Confidential)		

SUMMARY:

The purpose of this report is to seek Council approval to award a contract for RFT16 1314 Refurbishment of the Recreation Reserve Grandstand to the preferred tenderer.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Recreation Reserve is currently listed on the City of Greater Geraldton's Municipal Inventory of Heritage Places, the grandstand dates from the 1930s and is considered a significant heritage structure. The grandstand has not been used for a few years, however the changeroom and toilet facilities were used but in a bad state of repair and both are in need of major structural and general upgrade works.

The Grandstand Refurbishment works will be undertaken in 2 Separable Portions:

- Separable Portion 1 – Grandstand, Change rooms, Toilets and Landscaping
 - Separable Portion 1A – Grandstand and Landscaping
 - Separable Portion 1B – Change rooms and Toilets Upgrade
- Separable Portion 2 – Canteen Upgrade

The City has sought tenders from the market in relation to the refurbishment and upgrade of the Recreation Reserve Grandstand.

COMMUNITY CONSULTATION:

The City has been in consultation with members of Great Northern Football League (GNFL), Geraldton Railway Football Club, Recreation Reserve Committee and Towns Cricket Club with regard to the refurbishment of the Recreation Reserve Grandstand project.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

The Recreation Reserve Grandstand works is to be funded by the City of Greater Geraldton via loan funds. The total funding available for construction works is \$1,300,000 (after design).

The full design scope of works can be undertaken for the available funding based on the executive recommendation.

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

Goal #3: Social – A strong healthy community which is equitable, connected and cohesive.

Outcome 3.1: Recreation and Sport.

Strategy 3.1.1: Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle.

Regional Outcomes:

The project will create a refurbished sporting facility with a unique identity, adding value to other sporting facilities in Geraldton and neighbouring areas.

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

The project will refurbish the Grandstand, Change rooms, Toilets and Canteen in order to provide facilities for player and spectators during sporting events.

Social:

The refurbishment of this neglected sporting complex will provide value-added infrastructure and improved interaction of the community during sporting events. It is expected to complete the project before the start of the new football season in May 2014.

Environmental:

There are no environmental issues.

Cultural & Heritage:

The Recreation Reserve is currently listed on the City of Greater Geraldton's Municipal Inventory of Heritage Places. The grandstand dates from the 1930s and is considered a significant heritage structure.

The project has evolved over the past ten years. The detail design for refurbishment of the Recreation Reserve Grandstand has been undertaken by Hocking Heritage Studio in conjunction with State Heritage Office.

RELEVANT PRECEDENTS:

There are no relevant precedents.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple majority is required.

OPTIONS:

Option 1:

As per Executive Recommendation in this report.

Option 2:

That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:

1. NOT PROCEED with the RFT16 1314 Refurbishment of the Recreation Reserve Grandstand; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

Option 3:

That Council by Simple Majority, pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:

1. DEFER the RFT16 1314 Refurbishment of the Recreation Reserve Grandstand; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

The submission by the preferred tenderer provides value for money for the City and has undertaken works for the City in the past eighteen months. All previous works have been completed to the full satisfaction of the City.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract for RFT16 1314 Refurbishment of the Recreation Reserve Grandstand to the preferred tenderer; and
2. RECORD the tender amount for RFT16 1314 Refurbishment of the Recreation Reserve Grandstand in the minutes.

COUNCIL DECISION**MOVED CR FIORENZA, SECONDED CR VAN STYN**

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

- 1. AWARD the contract for RFT16 1314 Refurbishment of the Recreation Reserve Grandstand to Midwest Diverse Contracting Pty Ltd as recommended by the Evaluation Committee; and**
- 2. RECORD the tender amount for RFT16 1314 Refurbishment of the Recreation Reserve Grandstand in the minutes the contract price of \$1,167,478.48 including GST.**

CARRIED 14/0

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.

CI063	RFT 15 1314 – SUPPLY OF LINE MARKING SERVICES
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AGENDA REFERENCE:	D-13-83815
AUTHOR:	P Faraone Acting Operations Manager
EXECUTIVE:	N Arbuthnot Director Community Infrastructure
DATE OF REPORT:	19 November 2013
FILE REFERENCE:	RO/6/0014
APPLICANT / PROPONENT:	The City of Greater Geraldton
ATTACHMENTS:	Yes (Confidential)

SUMMARY:

The objective of this report is to gain Council approval to award RFT 15 1314 to the preferred tenderer for the supply of line marking services (supply and application of pavement marking paint, thermoplastic or cold-applied plastic material and pliant polymer tape for new installations of longitudinal lines, intersection markings and other markings on the road surface) for a period of two years starting from 1 January 2014 to 31 December 2015.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

A tender related to the supply of line marking services was advertised locally in the Geraldton Guardian on 18 October 2013, in the West Australian on 19 October 2013 and advertised on the WALGA TenderLink e-Tendering Portal. The specifications were also available on the City's website. The closing date for tender was 5 November 2013.

Ten suppliers registered to receive copies of the tender.

COMMUNITY CONSULTATION:

There has been no community consultation.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation

STATUTORY IMPLICATIONS:

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

POLICY IMPLICATIONS:

There are no policy implications

FINANCIAL AND BUDGET IMPLICATIONS:

Prices are recorded and utilised for future project pricing. The table in the Confidential Attachment indicates comparative prices of all services and products. Also attached are copies of the evaluation workbook and signed evaluation report.

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

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

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

Regional Outcomes:

To develop a functional network of roads, paths and drainage

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The two yearly supply tenders allow the purchase of goods from approved suppliers at known costs.

Social:

There are no social issues.

Environmental:

There are no environmental issues

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

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

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

A simple majority is required.

OPTIONS:

Option 1:

As per Executive Recommendation in this report.

Option 2:

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

1. NOT AWARD RFT15 1314 supply of line marking services
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

Option 3:

That Council by Simple Majority pursuant to the Local Government Act 1995 s3.57 RESOLVES to:

1. RETENDER RFT15 1314 supply of line marking services;
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

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

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to the Local Government Act 1995 s3.57 RESOLVES to:

1. AWARD RFT15 1314 for the supply of line marking services to the preferred tenderer for the period 1 January 2014 to 31 December 2015; and
2. RECORD the tendered rates for RFT15 1314 in the minutes.

Cr Shane Van Styn declared a proximity interest in Item CI063 RFT15 1314 – Supply of Line Marking Services, as one of the tenderers has a close working relationship with the business he is a director of and departed the Chambers at 5.51pm.

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

That Council by Simple Majority pursuant to the Local Government Act 1995 s3.57 RESOLVES to:

1. **AWARD RFT15 1314 for the Supply of Line Marking Services to Westline Contracting for the period 1 January 2014 to 31 December 2015; and**
2. **RECORD the tendered amount for RFT15 1314 Supply of Line Marking Services in the minutes as per below:**

Supply and install pavement markings	Westline Contracting	
Paint pavement marking - Solvent borne chlorinated rubber paint shall comply with AS/NZS4049.3:- 2005.	Price per lineal metre (ex GST)	
On street parking bays	\$	6.00
Parking bays in a car park	\$	6.00
Bus bays – yellow line	\$	2.00
Painting of speed humps	\$	2.00
Directional Arrows	Price per standard size (ex GST)	
ACROD parking stencil	\$	140.00
Cyclist stencil on road or cycleway	\$	48.00
Pedestrian stencil on shared path	\$	38.00
Stencilled letters – per letter	\$	4.00
Paint pavement marking - Water borne chlorinated rubber paint shall comply with AS4049.1: 2005.	Price per lineal metre (ex GST)	
On street parking bays	\$	3.80
Parking bays in a car park	\$	3.80
Bus bays – yellow line	\$	2.80
Painting of speed humps	\$	2.80
Directional Arrows	Price per standard size (ex GST)	
ACROD parking stencil	\$	140.00
Cyclist stencil on road or cycleway	\$	38.00
Pedestrian stencil on shared path	\$	38.00
Stencilled letters – per letter	\$	4.00
Thermoplastic pavement marking - Thermoplastic pavement marking shall comply with AS4049.2. - 2005.	Price per lineal metre (ex GST)	
On street parking bays	\$	10.00
Parking bays in a car park	\$	10.00
Bus bays – yellow line	\$	18.00
Painting of speed humps	\$	18.00

	Price per standard size (ex GST)	
Directional Arrows		
ACROD parking stencil	\$	140.00
Cyclist stencil on road or cycleway	\$	80.00
Pedestrian stencil on shared path	\$	80.00
Stencilled letters – per letter	\$	18.00
Cold-applied plastic pavement marking - Cold-applied plastic pavement marking shall be poly methacrylate resin based marking material and shall comply with AS4049.2.	Price per lineal metre (ex GST)	
On street parking bays	\$	10.00
Parking bays in a car park	\$	10.00
Bus bays – yellow line	\$	18.00
Painting of speed humps	\$	18.00
Directional Arrows	Price per standard size (ex GST)	
ACROD parking stencil	\$	140.00
Cyclist stencil on road or cycleway	\$	80.00
Pedestrian stencil on shared path	\$	80.00
Stencilled letters – per letter	\$	18.00
PICKUP AND SPOTTING SERVICES	RATES per hour (ex GST)	
Removal of existing pavement marking – Price per square metre	\$ Per sq metre	50.00
Removal of existing pavement marking – Price per bay line	4 per bay line	16.00
TRAFFIC MANAGEMENT	Rates per hour (ex GST)	
Traffic management charge for minimum 2 hours works rate	\$	120.00
Traffic management charge thereafter works rate	\$	68.00

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.

Cr Van Styn returned to the Chambers at 5.53pm.

12 CORPORATE & COMMERCIAL SERVICES**CCS019 CONFIDENTIAL ITEM**

AGENDA REFERENCE:	D-13-83110
AUTHOR:	B Urquhart, Airport Manager
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	25 November 2013
FILE REFERENCE:	FM/6/0007
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes x1 (Confidential)

Confidential item, details of which have been circulated separately

EXECUTIVE RECOMMENDATION:

That the Council by Simple Majority RESOLVES to:

1. DEFER this item until the end of the meeting.

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

That Council by Simple Majority RESOLVES to:

1. DEFER this item until the end of the meeting.

CARRIED 14/0

5:53:55 PM

Mayor Carpenter	YES
Cr. McIlwaine	YES
Cr. Van Styn	YES
Cr. Graham	YES
Cr. Hall	N/V
Cr. Brick	YES
Cr. Fiorenza	YES
Cr. Thomas	YES
Cr. Caudwell	YES
Cr. Critch	YES
Cr. Douglas	YES
Cr. Keemink	YES
Cr. Tanti	YES
Cr. deTrafford	YES
Cr. Clune	YES

CCS020 SALE OF LAND FOR RECOVERY OF RATES IN ARREARS

AGENDA REFERENCE:	D-13-83106
AUTHOR:	J Reynolds, Finance Projects Officer
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	19 November 2013
FILE REFERENCE:	RV/4/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (1)

SUMMARY:

This report seeks Council approval for the sale of land to recover rates which have been in arrears for a period of three (3) years or more. The recommendation is for the sale of eight properties to recover the outstanding balances totalling \$70,777.13 from the proceeds of sale.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City has a number of properties with rates invoices outstanding by three or more years. With regard to each of the eight properties detailed in the Confidential Attachment, all other means to recover outstanding rates and charges, other than sale of the properties, have been exhausted. Final written notification has been directed to the last known postal address of each of the ratepayers/ property owners advising that it is the City's intention to refer the matter to Council recommending the sale of the property to recover the outstanding rates balance, pursuant to section 6.64 of the Local Government Act 1995.

COMMUNITY CONSULTATION:

Not applicable.

COUNCILLOR CONSULTATION:

Not applicable.

STATUTORY IMPLICATIONS:

S6.64 of the Local Government Act 1995 states:

- 1) *If any rates or service charges which are due to local government in respect to rateable land have been unpaid for at least three years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –*
 - a) *from time to time lease the land;*
 - b) *sell the land;*
 - c) *cause the land to be transferred to the Crown; or*
 - d) *cause the land to be transferred to itself.*
- 2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then*

affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

- 3) *Where payments of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.*

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

The sale of this land will equate to a decrease in the level of outstanding rates of \$70,777.13.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 5: Governance – Inclusive civic and community engagement and leadership.

Outcome 5.2: Planning and Policy.

Strategy 5.2.7: Ensuring efficient and effective delivery of service.

Regional Outcomes:

The recovery of outstanding rates and services charges ensures equity in citizens' contribution to local services and facilities.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural and heritage issues.

RELEVANT PRECEDENTS:

The process for recovery of outstanding rates by sale of property is a statutory process undertaken by all Councils from time to time.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple majority required.

OPTIONS:

Options available to Council include sale of the property, or vesting of the land in either the Crown, or the Local Government. The latter two options are generally only pursued where there is limited prospect of sale of a particular property, and those options effectively require the City to then write off the outstanding revenue. Sale is pursued as the preferred option, to recover the outstanding revenue.

Option 1:

As per Executive Recommendation in this report.

Option 2:

That Council by simple Majority pursuant to the provisions of Section 6.74 of the Local Government Act 1995 RESOLVES to:

1. MAKE an application to the Minister to have the land re-vested in the Crown in the right of the State.
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

Option 3:

That Council by simple Majority, pursuant to the provisions of Section 6.75 of the Local Government Act 1995 RESOLVES to:

1. MAKE an application for the land to be vested in the local government.
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

Given the high level of debt, and the protracted periods of time that have been afforded to enable the ratepayers to either clear or reduce their debts to the City, it is recommended that the Council apply the provisions of Section 6.64 of the Local Government Act 1995 and sell the land to recover the unpaid rates and charges, which are in arrears for a period in excess of three years.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to Section 6.64 of the Local Government Act 1995 RESOLVES to:

1. PROCEED to sell the properties specified in the attachment to this report, pursuant to section 6.64(1)(b) of the Local Government Act 1995, with the view to recovery of rates and charges unpaid in excess of three years.

COUNCIL DECISION**MOVED CR VAN STYN, SECONDED CR MCILWAINE**

That Council by Simple Majority, pursuant to Section 6.64 of the Local Government Act 1995 RESOLVES to:

- 1. PROCEED to sell the properties specified in the attachment to this report, pursuant to section 6.64(1)(b) of the Local Government Act 1995, with the view to recovery of rates and charges unpaid in excess of three years.**

CARRIED 14/0

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.

CCS021 2012/2013 ANNUAL REPORT FOR THE CITY OF GREATER GERALDTON
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AGENDA REFERENCE:	D-13-83591
AUTHOR:	P Radalj, Manager of Business Planning
EXECUTIVE:	B Davis, Director of Corporate & Commercial Services
DATE OF REPORT:	26 November 2013
FILE REFERENCE:	GO/3/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The purpose of this report is to seek Council's adoption of the 2012/2013 Annual Report for the City of Greater Geraldton.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The 2012/2013 Annual Report (attached) has been prepared in accordance with Section 5.53 of the Local Government Act and includes the audited Annual Financial Report.

The Annual Report highlights the City of Greater Geraldton's achievements in 2012/2013 under each of the five key goal areas contained within the City's Strategic Community Plan.

COMMUNITY CONSULTATION:

Once the Annual Report has been adopted by Council, the CEO will give local public notice of its availability to the public and will call an annual electors meeting to be held on 3 February 2014.

COUNCILLOR CONSULTATION:

Council has reviewed and recommended the adoption of the Annual Financial Report at its meeting held on 26 November 2013.

STATUTORY IMPLICATIONS:

Section 5.53 of the Local Government requires the preparation of an Annual Report and details what has to be contained within.

Section 5.54 requires that the Annual Report for a financial year be accepted no later than 31 December after that financial year or within 2 months of receiving the auditor's report. Council is required to hold an Annual Electors Meeting within 56 days of acceptance of the Annual Report. Pending adoption of the Annual Report, the Annual Electors Meeting will be scheduled for 3 February 2014.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no financial or budget implications.

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

Goal 5: Governance
Outcome 5.2: Planning & Policy
Strategy 5.2.7: Ensuring efficient and effective delivery of service

Regional Outcomes:

There are no regional outcomes.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

The acceptance of the Annual Report is a standard statutory requirement.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Absolute Majority is required.

OPTIONS:

Options are limited as the Annual Report is required by legislation to be adopted by Council by 31 December 2013.

CONCLUSION:

The Annual Report for 2012/2013 has been completed in compliance with the requirements of legislation and includes the Annual Financial Report for that year.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the City of Greater Geraldton Annual Report for the financial year ending 30 June 2013; and
2. REQUIRE the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 3rd February 2014 pursuant to section 5.27(2) of the Act.

COUNCIL DECISION**MOVED CR VAN STYN, SECONDED CR THOMAS**

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the City of Greater Geraldton Annual Report for the financial year ending 30 June 2013; and
2. REQUIRE the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 3rd February 2014 pursuant to section 5.27(2) of the Act.

CARRIED BY ABSOLUTE MAJORITY 14/0

5:55:55 PM

Mayor Carpenter	YES
Cr. McIlwaine	YES
Cr. Van Styn	YES
Cr. Graham	YES
Cr. Hall	N/V
Cr. Brick	YES
Cr. Fiorenza	YES
Cr. Thomas	YES
Cr. Caudwell	YES
Cr. Critch	YES
Cr. Douglas	YES
Cr. Keemink	YES
Cr. Tanti	YES
Cr. deTrafford	YES
Cr. Clune	YES

CCS022 AMENDMENT TO CP010 PROCUREMENT OF GOODS AND SERVICES
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AGENDA REFERENCE:	D-13-83695
AUTHOR:	B Pearce, Coordinator Procurement & Risk
EXECUTIVE:	B Davies, Director Corporate & Commercial Services
DATE OF REPORT:	26 November 2013
FILE REFERENCE:	GO/14/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

SUMMARY:

This report seeks Council approval of amendments to Council Policy 010 Procurement of Goods and Services Policy.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Procurement of Goods and Services Policy provides guidance to the City to ensure regulatory compliance, consistency and control over procurement activities. The Policy was last endorsed by Council at the Ordinary Meeting of Council on 24 July 2012.

Proposed amendments to the Policy, as attached to this report include:

- Standing authorisation of Council for the Chief Executive to invite public tenders as and when required under Local Government (Functions & General) Regulations (primarily where total consideration for goods or services exceeds \$100,000);
- Emphasise of the requirement for Council endorsement of a successful tenderer prior to the City entering into a Contract, where the total contract consideration will exceed the CEO's \$500,000 delegation limit; and
- Enhancement of the scope of Value for Money factors, aimed at enabling the selection of tender submissions that are most advantageous for the City.

The Procurement of Goods and Services Policy has been reviewed to ensure compliance with Section 3.57 of the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996 section 11.

COMMUNITY CONSULTATION:

There has been no community consultation on this matter.

COUNCILLOR CONSULTATION:

There has been no councillor consultation on this matter.

STATUTORY IMPLICATIONS:

Section 3.57 of the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996 section 11, outline the requirements that local government must comply with when undertaking tendering activities.

POLICY IMPLICATIONS:

This policy has been reviewed and amendments are proposed.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no financial and budget implications.

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

Goal 5: Governance
Outcome 5.2: Planning and Policy
Strategy 5.2.7: Ensuring efficient and effective delivery of service.

Regional Outcomes:

There are no regional outcomes from the consideration of this matter.

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

There are no economic impacts associated with this matter.

Social:

There are no social impacts associated with this matter.

Environmental:

There are no environmental impacts associated with this matter.

Cultural & Heritage:

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

RELEVANT PRECEDENTS:

Council policies are reviewed and updated regularly, to ensure compliance with regulatory requirements.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple majority is required.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

That Council by Simple Majority under section 5.20 of the Local Government Act 1995, RESOLVES to:

1. ENDORSE the amendments to CP010 Procurement of Goods and Services with the following changes;
 - a. to be determined by Council.
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

This policy reflects the City's commitment to ensuring best practice and transparent, ethical procurement by the City. The proposed amendments do not change any Financial Delegations by Council. The proposed amendments enhance the focus of City procurement on achieving value for money and selection of tenders that are most advantageous to the City, and add emphasis to the existing requirement that any tender with total consideration exceeding \$500,000 must be submitted to Council for endorsement, prior to award of any contract by the City.

EXECUTIVE RECOMMENDATION:

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

1. ENDORSE the amended CP010 Procurement of Goods and Services.

COUNCIL DECISION**MOVED CR MCILWAINE, SECONDED CR VAN STYN**

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

1. **ENDORSE the amended CP010 Procurement of Goods and Services.**

CARRIED 14/0

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.

CCS023 CANCELLATION OF COUNCILLOR'S PORTFOLIO POLICY	
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AGENDA REFERENCE:	D-13-83968
AUTHOR:	T Mbirimi, Manager Governance & Risk
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	26 November 2013
FILE REFERENCE:	GO/6/0006
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

This report recommends cancellation of Council Policy CP029 – Councillors Portfolio Policy, under which previous Councils appointed Champions for subject-area themes set out in the pre-2012 strategic plan.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Community champions were established by the [then] City of Geraldton-Greenough in 2010 to encourage Councillors to become more involved in areas of interest, aligned with the then Strategic Plan of the City. In November 2011, Council resolved to re-establish Councillor Champions to focus on key themes in the then City strategic plan, and enhance involvement of Councillors in the *2029 and Beyond* community engagement process. The 2011 initiative adjusted the original policy to enable multiple Councillors to nominate interest in particular subject themes, but the policy made specific reference to avoidance of establishment of proxy committees of Council. The policy also emphasised the statutory role of the Mayor (not Champions) as spokesperson for the Local Government.

Council Policy CP029 was framed in terms of the primary subject themes that were set out in the strategic plan that was formally adopted following the Geraldton-Greenough merger. That plan has subsequently been replaced by the Strategic Community Plan 2012-2022, so the Champion subject areas or themes set out in the CP029 policy statement are now redundant.

Subsequent to the original post-Geraldton-Greenough merger decision of Council in 2010 to establish Champions, the merger with Mullewa has occurred, the *2029 and Beyond* community engagement project concluded with adoption by Council of the new Strategic Community Plan 2012-2020, and arrangements for City governance have matured. Council now has a significant number of formal Committees established enabling Councillors to become involved in a wide range of policy areas either as Members of particular Committees, or through attendance as Observers at Committee meetings. Re-establishment of formal Committees following the Council election, and election of members to the full array of Committees was undertaken by Council at its ordinary meeting of 26 November 2013.

Councillors who served on previous Councils and actively undertook Champion roles through the *2029 and Beyond* community engagement process, leading to formulation of the new Strategic Community Plan 2012-2022, will attest that it was a useful process, enabling Councillors to contribute directly to the engagement process.

Review of the current Policy CP029 policy statement highlights its explicit focus on the subject themes of the now-redundant strategic plan. Accordingly, either the policy statement requires amendment to shift focus to the five focus areas of the new Strategic Community Plan, with Council then moving to re-establish Champions, or the Council can cancel the current policy.

It is suggested to Council that the concept of Champions has its best value as part of community engagement associated with the Strategic Community Plan. Under the requirements of the Integrated Planning Framework for Local Government, the strategic community plan must be adopted with a 10 year time horizon, and must be reviewed every four (4) years. The current strategic plan is thus due for formal review – including community engagement – in 2016. The Council will determine at that time the approach it wishes to take in relation to review of the Strategic Community Plan and associated community engagement processes. Whether or not the concept of Champions has a part in the process can be re-visited by Council at that time. In the interim years, Councillors have ample opportunity to participate in the array of Council Committees, to participate in the extensive range of community engagement initiatives that arise in relation to planning matters or related to particular policy fields of interest, at their own initiative.

COMMUNITY CONSULTATION:

There has been no community consultation.

COUNCILLOR CONSULTATION:

There has been no Councillor Consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications associated with this matter.

POLICY IMPLICATIONS:

This report recommends cancellation of redundant Council Policy CP029.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no financial and budget implications associated with this matter.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 5:	Governance
Outcome 5.2:	Planning and Policy

Strategy 5.2.8: Continuously improving business and governance frameworks to support a growing community.

Regional Outcomes:

There are no regional outcomes associated with this matter.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no Economic issues associated with this matter.

Social:

There are no Social issues associated with this matter.

Environmental:

There are no Environmental issues associated with this matter.

Cultural & Heritage:

There are no Cultural & Heritage issues associated with this matter.

RELEVANT PRECEDENTS:

In relation to determinations by resolution of Council, a Council cannot rescind a decision that *has been implemented*.

Policy CP029 was last adopted by resolution of Council on 22 November 2011, and that policy *was implemented* in accordance with the resolution of Council. Hence, this report recommends that the policy, having been implemented, and now being redundant, be cancelled. Councils are empowered to amend policies that they determine.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple Majority.

OPTIONS:

Option 1:

As per Executive Recommendation in this report.

Option 2:

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

1. NOT cancel Council Policy CP029;
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

Council policy CP029 was framed in terms of establishment of Champions for subject themes identified in the City strategic plan in place at the time of the Council decision on the policy in November 2011. The resolution of Council dated 22 November 2011 was implemented. That strategic plan has been replaced by the Strategic Community Plan 2012-2022. Accordingly policy CP029 is now redundant and should be cancelled and withdrawn.

EXECUTIVE RECOMMENDATION:

That Council by Simple majority pursuant to section 5.20 of the Local Government Act 1995 RESOLVES to:

1. CANCEL Council Policy CP029 Councillors Portfolio Policy.

COUNCIL DECISION

MOVED CR VAN STYN, SECONDED CR THOMAS

That Council by Simple majority pursuant to section 5.20 of the Local Government Act 1995 RESOLVES to:

1. **CANCEL Council Policy CP029 Councillors Portfolio Policy.**

CARRIED 14/0

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.

CCS024 STATEMENT OF FINANCIAL ACTIVITY TO 30 NOVEMBER 2013

AGENDA REFERENCE:	D-13-85559
AUTHOR:	K Chua, Manager Accounting Services
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	4 of December, 2013
FILE REFERENCE:	FM/17/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 30 November 2013.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position to the end of November 2013 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$ 130,484	0.2%	Positive Variance
Operating Expenditure	\$292,246	0.9%	Negative Variance
Net Operating	\$161,762	0.7%	Negative Variance
Capital Expenditure	\$2,515,491	20.2%	Positive Variance
Capital Revenue	\$25,979	9.0%	Negative Variance
Cash at Bank - Municipal	\$18,351,688		
Cash at Bank – Reserve	\$30,528,574		
Total Funds Invested	\$39,807,605		
Net Rates Collected	79.9%		
Receivables Outstanding	\$1,987,366		

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 negative variance of \$161,762 in the net operating result. The closing funding surplus is \$2,334,657 and is due to higher takings in fees and charges and other revenue. Additionally, capital expenditure is understated due to the delay associated with commencing and completing infrastructural works and purchases of buildings and plant, furniture and equipment.

COMMUNITY CONSULTATION:

No community consultation was undertaken.

COUNCILLOR/OFFICER CONSULTATION:

There has been no officer consultation with Councillors in relation to the monthly financial report.

STATUTORY 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.

POLICY IMPLICATIONS:

The provision of financial reports to Council is governed by statute not policy.

FINANCIAL AND BUDGET IMPLICATIONS:

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

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

Goal 5:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.7:	Ensuring efficient and effective delivery of service

Regional Outcomes:

There are no regional outcomes associated with monthly reporting.

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

There are no economic issues.

Social:

There are no relevant social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple Majority is required.

CONCLUSIONS

The financial activity statement to 30 November 2013 as attached includes 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 2013 monthly financial activity statement as attached.

COUNCIL DECISION**MOVED CR VAN STYN, SECONDED CR CRITCH**

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

1. RECEIVE the November 2013 monthly financial activity statement as attached.

CARRIED 14/0

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 CREATIVE COMMUNITIES
Nil.

14 OFFICE OF THE CEO
Nil.

15 SUSTAINABLE COMMUNITIES

SC131	FINAL ADOPTION OF LOCAL PLANNING SCHEME AMENDMENT – RURAL RESIDENTIAL REZONING, MORESBY
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AGENDA REFERENCE:	D-13-84406
AUTHOR:	M Thomson, Strategic Planning Officer
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	27 November 2013
FILE REFERENCE:	LP/15/0018
APPLICANT / PROPONENT:	Landwest Urban and Rural Planning
ATTACHMENTS:	Yes (x2)

SUMMARY:

The advertising period has concluded for Scheme Amendment No. 20 which proposes to rezone two portions of Lot 23 Chapman Valley Road, Moresby to the 'Rural Residential' zone.

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

PROPONENT:

The proponent is Landwest Urban and Rural Planning on behalf of the owner Keywise Pty Ltd.

BACKGROUND:

The subject land is located on the eastern periphery of the existing Moresby rural residential area, approximately 6 kilometres northeast of the Geraldton City Centre.

The subject land is located in the Moresby Range and incorporated foot slopes, side slopes and flat areas of the range. This Amendment relates only to two areas of the foot slopes on the western side of the Range, referred to as the northern portion (adjoining Chapman Valley Road) and the southern portion (south east of Mills Road).

The subject land has historically been used for broad acre farming purposes, a combination of cropping and grazing regimes. Agricultural use has been concentrated on the foot slopes and flat top areas of the land. Revegetation programs have been implemented on the side slopes.

More recently, the western foot slopes on the subject land, subject of this Amendment, have progressively been removed from agricultural use due to proximity to adjacent rural residential uses. This has been implemented to avoid land use conflicts between agricultural and rural residential uses.

The subject land is located in a unique physical setting, in the foot slopes of the Moresby Flat Topped Range. The Moresby Range forms a significant and important backdrop to the Greater Geraldton urban area. Sections of the foot slopes in which the subject land sits, are highly visible in the view of the

ranges from a number of places. Other portions are only visible in their immediate vicinity.

The proposed Rural Residential zoning will enable comprehensive structure planning of the wider area to be undertaken and subsequent rural residential subdivision of the subject land to take place. Subdivision and development will be designed so as to avoid any adverse impact on the landscape values of the Moresby Range.

Structure planning will be able to identify the road network through the greater area and to identify walking/cycling and horse trails, including potential links to a future Moresby Range Regional Park. The structure plan for the wider area can address infrastructure and servicing and bushfire management, as well as apportioning density and lot sizes and subdivision layout to ensure subdivision and development are sensitive to the landscape values of the area.

An indicative Local Structure Plan has been prepared and is contained in the relevant extracts of the Amendment document, included as Attachment No. SC131A.

COMMUNITY CONSULTATION:

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

The advertising period commenced on 10 October 2013 and concluded on 21 November 2013 and involved the following:

1. Adjoining/nearby landowners were written to and advised of the proposed Amendment;
2. A public notice appeared in the Midwest Times 10 October 2013;
3. A sign was placed on-site;
4. The Amendment details were available on the City's website;
5. The Amendment details publicly displayed at the Civic Centre; and
6. The Amendment was referred to the following:
 - ATCO Gas
 - Department of Environment Regulation
 - Department of Indigenous Affairs;
 - Department of Water;
 - Department of Fire and Emergency Services
 - State Heritage Office;
 - Main Roads;
 - Mid West Chamber of Commerce and Industry;
 - Mid West Development Commission;
 - NACC;
 - State Land Services;
 - Telstra;
 - Tourism (@ Department of Planning);
 - Water Corporation;
 - Western Power;

- Shire of Chapman Valley.

Submissions

As a result of the advertising, a total of 8 submissions were received (2 objections). Listed below is a summation of the main comments/concerns raised for the public comment period.

- Object to roads on eastern and western boundary of our property;
- Disruption to lifestyle, privacy and rural outlook;
- Increase in noise;
- Increase in traffic will impact on potential danger to children, native flora and fauna;
- The land is still used in active agriculture;
- The land not fully cleared;
- The land does contain drainage lines;
- Road lighting will impact on visual quality;
- The proposal does not address various requirements of the Scheme;
- The document does not provide sufficient justification for the proposal;
- Local Water Management Strategy required at the subdivision stage; and
- Should minimise direct lot access onto Chapman Valley Road.

A 'Schedule of Submissions' is included as Attachment No. SC131B and copies of the actual submissions are available to Council upon request.

COUNCILLOR CONSULTATION:

The Amendment was previously considered by Council at the meeting held on 27 August 2013 when the rezoning was initiated.

STATUTORY IMPLICATIONS:

The subject lot is currently zoned 'Rural' in the City's Local Planning Scheme No. 5 (Greenough). The majority of the land subject of the Amendment is also included in the Moresby Range Landscape Special Control Area (SCA 2). Only the southernmost portion of the land subject of this Amendment lies outside of the Special Control Area.

The Amendment proposes to introduce provisions specific to this particular area, to be known as Rural Residential Zone No. 7, into Schedule 11 of the Scheme. These provisions will detail matters to be addressed in a local structure plan that will be required to be prepared and adopted prior to subdivision, and require the preparation of Detailed Area Plans as a condition of subdivision approval.

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

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no financial and budget implications.

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

Goal 5: Governance – Inclusive civic and community engagement and leadership.

Outcome 5.2: Planning and Policy.

Strategy 5.2.1: Responding to community aspirations by providing creative yet effective planning and zoning for future development.

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

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

For area 3 the structure plan states that the land will be considered for future intensification, with the relative proximity of the southern portion to Central Geraldton, with good road networks, being a significant consideration in determining the most appropriate level of intensification.

Moresby Range Management Plan 2010:

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

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

The subject land is located within Precincts 10 and 13. Precinct 10 and 13 are identified as having higher visibility and should be developed for larger lots in the range of 2 – 4ha.

The indicative Local Structure Plan indicates greater densities and this issue will need to be examined in detail against site specific visual landscape assessment at the structure planning stage.

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

The amendment will potentially facilitate the development of a range of Rural Residential lots.

Social:

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

Environmental:

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act and that it was not necessary to provide any advice or recommendations.

Cultural & Heritage:

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

The subject land contains no sites listed within the City of Geraldton-Greenough Municipal Inventory. The Department of Aboriginal Affairs has advised that there are no Aboriginal heritage sites located within the subject area / upon the subject land.

RELEVANT PRECEDENTS:

Council at its meeting held on 28 February 2012 gave final approval to rezone Lots 1 and 52 Fairfax Drive (south of the subject land) to the 'Development' zone. The Minister for Planning granted final approval to the Amendment on 16 May 2012.

Council at its meeting held on 28 February 2012 gave final approval to rezone Lots 80 and 81 Hackett Road (north of the subject land) to the 'Development' zone. The Minister for Planning granted final approval to the Amendment on 26 July 2012.

The author is not aware of any other relevant precedents set by Council.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple Majority required.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

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

1. REFUSE to adopt for final approval Scheme Amendment No. 20 to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

Option 3:

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

1. DEFER the final approval of Scheme Amendment No. 20 to Local Planning Scheme No. 5 (Greenough); and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

The strategic intent for the site has already been demonstrated through recent strategic documents including the Greater Geraldton Structure Plan 2011 and the Moresby Range Management Plan 2010. West of the Moresby Range foothills it is considered appropriate that, in the longer term, the urban areas of the city will continue to expand to these limits.

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

Option 2 is not supported as the Amendment recognises the strategic planning environment in which the landholding is positioned, where it is identified as having increased development potential. The Amendment will facilitate more intensive structure planning for the landholding, and the greater locality in which it is located, to ensure a co-ordinated approach to rural residential development.

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

EXECUTIVE RECOMMENDATION:

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 20 to Local Planning Scheme No. 5 (Greenough); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

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

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 20 to Local Planning Scheme No. 5 (Greenough); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

CARRIED 14/0

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**

AGENDA REFERENCE:	D-13-84821
AUTHOR:	K Diehm, Chief Executive Officer
DISCLOSURE OF INTEREST:	No
FILE REFERENCE:	GO/6/0002
DATE OF REPORT:	2 December 2013

BACKGROUND:

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

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

ADMINISTRATIVE COMMENT:

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

<i>Reports of Corporate & Commercial Services</i>	
CCS025	Confidential Report – Monthly Accounts for Payment for the Period Ending 30 November 2013
<i>Reports of Sustainable Communities</i>	
SCDD081	Delegated Determinations

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Not applicable.

VOTING REQUIREMENTS:

Simple majority is required.

EXECUTIVE RECOMMENDATION:**PART A**

That Council by Simple Majority pursuant to Section 22(2) of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
 - a. Reports – Sustainable Communities:
 - i. SCD081 – 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. Confidential Report – Monthly Accounts for Payment for the Period Ending 30 November 2013.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR VAN STYN****PART A**

That Council by Simple Majority pursuant to Section 22(2) of the Local Government Act 1995 RESOLVES to

2. RECEIVE the following appended reports:
 - a. Reports – Sustainable Communities:
 - i. SCD081 – 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:

2. RECEIVE the following appended reports:
 - b. Reports – Corporate and Commercial Services:
 - ii. Confidential Report – Monthly Accounts for Payment for the Period Ending 30 November 2013.

CARRIED 14/0

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

NOTICE OF MOTION – OUTBUILDING SIZE

AGENDA REFERENCE:	D-13-86329
AUTHOR:	Cr L Graham
DATE OF REPORT:	7 December 2013
FILE REFERENCE:	GO/6/0008
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Nil.

Councillor Comment

In response to requests I have received from a number of landowners seeking an increase in the allowable Outbuilding building size and discussions at the December Concept Forum, I submitted to planning staff a proposal for Council to consider an increase in the maximum Outbuilding size in the R5 and lower density, Rural Residential properties and to remove the Rural Smallholdings (outside the Urban Boundaries) from the provisions of the Outbuildings Policy. At a subsequent meeting with planning staff on my proposed changes to the current Policy they suggested amendments and provided the rationale for their suggested upper limit for Outbuildings. I have included the staff's suggestions in my motion. The effect of the motion if passed by Council and the policy is subsequently amended after advertising will be to:

1. remove the Rural Smallholdings outside the Urban Boundary from the Policy (They will be treated the same as Rural in the future);
2. allow an increase in the maximum enclosed outbuildings for R5 and lower density and Rural Residential and Rural Smallholdings (within the Urban Boundary); and
3. prescribe maximum unenclosed areas for R10 and lower density, R5 and lower density and Rural Residential and Rural Smallholdings (within the Urban Boundary).

Executive Comment

The amendments outlined in the recommendation increase the outbuilding size limitations in the current policy. The size increase's that are proposed now also cover the "unenclosed area" component and will assist staff by putting an overall size limit that can be utilised when advising potential applicants and in assessment of applications.

The text changes also are a positive move and correct an anomaly that has arisen for the City's town site's such as Walkaway and will reduce some of the angst expressed on whether the policy applied to those areas.

VOTING REQUIREMENTS:

Simple Majority required.

COUNCILLOR MOTION:

That Council by Simple Majority pursuant to Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part

2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REVISE the relevant clauses of the “Outbuildings” Local Planning Policy to give effect to the following:
 - a. For Residential R10 and higher density – permitting up to a maximum of 30m² unenclosed area (in addition to the maximum 120m² outbuilding size);
 - b. For Residential R5 and lower density – increasing the maximum outbuilding size to 210m² and in addition, permitting up to a maximum of 60m² unenclosed area;
 - c. For Rural Residential & Rural Smallholdings – increasing the maximum outbuilding size to 300m² and in addition, permitting up to a maximum of 120m² unenclosed area; and
 - d. Ensuring that clause 5.2.2 e. (relating to rural land generally less than 20ha) is only applicable to that land within the “Urban Area Boundary” as depicted on the Residential Development Strategy.
2. SEEK consent from the WA Planning Commission to advertise the revised policy;
3. ADVERTISE the revised policy for a period of not less than 21 days, once the WA Planning Commission consent to advertise has been granted;
4. ADOPT for final approval the revised policy should no objections be received during the advertising period;
5. FORWARD the adopted revised policy to the WA Planning Commission for its endorsement; and
6. REQUIRE staff to present to Council a further report should there be any objections received during the advertising period.

COUNCIL DECISION

MOVED CR GRAHAM; SECONDED CR BRICK

That Council by Simple Majority pursuant to Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REVISE the relevant clauses of the “Outbuildings” Local Planning Policy to give effect to the following:
 - a. For Residential R10 and higher density – permitting up to a maximum of 30m² unenclosed area (in addition to the maximum 120m² outbuilding size);
 - b. For Residential R5 and lower density – increasing the maximum outbuilding size to 210m² and in addition, permitting up to a maximum of 60m² unenclosed area;
 - c. For Rural Residential & Rural Smallholdings – increasing the maximum outbuilding size to 300m² and in addition, permitting up to a maximum of 120m² unenclosed area; and
 - d. Ensuring that clause 5.2.2 e. (relating to rural land generally less than 20ha) is only applicable to that land within the

“Urban Area Boundary” as depicted on the Residential Development Strategy.

- 2. SEEK consent from the WA Planning Commission to advertise the revised policy;**
- 3. ADVERTISE the revised policy for a period of not less than 21 days, once the WA Planning Commission consent to advertise has been granted;**
- 4. ADOPT for final approval the revised policy should no objections be received during the advertising period;**
- 5. FORWARD the adopted revised policy to the WA Planning Commission for its endorsement; and**
- 6. REQUIRE staff to present to Council a further report should there be any objections received during the advertising period.**

CARRIED 14/0

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.

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 DEFERRED MATTERS

Pursuant to Section 5.2 (i) of the Meeting Procedures Local Law February 2011, please note this part of the meeting will be closed to the public due to its confidential nature.

The public gallery departed Chambers at 6.05pm.

Cr Shane Van Styn declared a proximity interest in CCS019 Confidential Item, as the company he is a director of is tendering on an airport related tender and departed the Chambers at 6.06pm.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority RESOLVES to MOVE behind closed doors.

COUNCIL DECISION

MOVED CR MCILWAINE, SECONDED CR BRICK

That Council by Simple Majority RESOLVES to MOVE behind closed doors.

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.

CCS019 CONFIDENTIAL ITEM

AGENDA REFERENCE:	D-13-83110
AUTHOR:	B Urquhart, Airport Manager
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	25 November 2013
FILE REFERENCE:	FM/6/0007
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (1X Confidential)

Confidential item, details of which have been circulated separately

EXECUTIVE RECOMMENDATION:

As per the confidential item.

PROCEDURAL MOTION

That Council by Simple Majority RESOLVES to MOVE from behind closed doors.

COUNCIL DECISION

MOVED CR MCILWAINE, SECONDED CR BRICK

That Council by Simple Majority RESOLVES to MOVE from behind closed doors.

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.

COUNCIL DECISION

MOVED CR GRAHAM, SECONDED CR BRICK

That Council by Absolute Majority pursuant to section 6.8 of the Local Government Act 1995 RESOLVES to:

1. APPROVE amendment to the 2013-14 Budget, making provision for expenditure of an additional \$600,000 (excluding GST) for the Geraldton Airport Sterile Lounge Extension, such funds to be appropriated from the revenues of Geraldton Airport; and
2. AUTHORISE the Chief Executive Officer to approve invitation of tenders for construction of the Geraldton Airport Sterile Lounge Extension by the appointed project managers Eastman, Poletti, Sherwood Pty Ltd.

CARRIED BY ABSOLUTE MAJORITY 13/0

6:08:55 PM

Mayor Carpenter	YES
Cr. McIlwaine	YES
Cr. Van Styn	N/V
Cr. Graham	YES
Cr. Hall	N/V
Cr. Brick	YES

Cr. Fiorenza	YES
Cr. Thomas	YES
Cr. Caudwell	YES
Cr. Critch	YES
Cr. Douglas	YES
Cr. Keemink	YES
Cr. Tanti	YES
Cr. deTrafford	YES
Cr. Clune	YES

Cr Van Styn returned to the Chambers at 6.10pm.

21 CLOSURE

There being no further business the Chairman closed the Council meeting at 6.12pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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