ORDINARY MEETING OF COUNCIL

AGENDA

20 DECEMBER 2016

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CITY OF GREATER GERALDTON

ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 20 DECEMBER 2016 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

DISCLAIMER:
The Chairman advises that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's Meeting Procedures Local Laws establish procedures for revocation or recision 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

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 ATTENDANCE

Present:

Officers:

Others:
Members of Public:
Members of Press:

Apologies:

Leave of Absence:
Cr R Ellis
Cr N Colliver
Cr T Thomas

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.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr R Ellis	22 November 2016	31 December 2016	22/11/2016
Cr N Colliver	10 December 2016	19 December 2016	25/10/2016
Cr T Thomas	5 December 2016	15 January 2017	25/10/2016
Cr J Critch	24 December 2016	9 January 2017	22/11/2016
Cr S Keemink	3 January 2017	27 January 2017	22/11/2016
Cr V Tanti	15 January 2017	22 January 2016	27/10/2016
Cr J Critch	25 January 2017	2 February 2017	22/11/2016
Cr N Colliver	8 February 2017	13 February 2017	25/10/2016

**Note: Where Elected Members' application for leave of absence is for the meeting that the request is submitted, they will be noted as an apology until Council consider the request. The granting of the leave, or refusal to grant the leave and reasons for that refusal, will be recorded in the minutes of the meeting*

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr S Douglas declared an impartiality interest in DCS313 Proposed Animal Management Facility – Issue of PTA Licence – Portion of Railway Reserve, Bradford Street Utakarra as wife is a volunteer for Geraldton Dog Rescue.

Cr N McIlwaine declared an impartiality interest in DCS313 Proposed Animal Management Facility – Issue of PTA Licence – Portion of Railway Reserve, Bradford Street Utakarra as salaried employee of business that leases adjoining properties.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 22 November 2016, as previously circulated, be adopted as a true and correct record of proceedings.

10 ANNOUNCEMENTS BY THE CHAIR

Events attended by the Mayor or his representative

DATE	FUNCTION	REPRESENTATIVE
23 November 2016	Spirit Radio Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
23 November 2016	ABC Radio Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
24 November 2016	Midwest Development Commission Special Board Meeting	Mayor Shane Van Styn
25 November 2016	WALGA Training – Sustainable Asset Infrastructure Management	Mayor Shane Van Styn
25 November 2016	Launch of the Road Ribbon Campaign and Road Safety Trailer	Cr Bob Hall
28 November 2016	ABC Ballarat & Southwest VIC Interview – Regional Capitals Australia	Mayor Shane Van Styn
28 November 2016	Regular Catch up – Mayor and CEO	Mayor Shane Van Styn
28 November 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn
28 November 2016	Photo Opportunity – Wandina Primary School	Mayor Shane Van Styn
28 November 2016	Photo Opportunity – Chapman River Mountain Bike Master Plan	Mayor Shane Van Styn
29 November 2016	Regional Capitals Australia Board Interview	Mayor Shane Van Styn
29 November 2016	Citizenship Ceremony	Mayor Shane Van Styn
30 November 2016	Local Government Chief Officer Group – Mayor's Welcome BBQ	Mayor Shane Van Styn
1 December 2016	ABC Interview – Mayoral Update	Mayor Shane Van Styn
1 December 2016	Meeting with Midwest Ports	Mayor Shane Van Styn
1 December 2016	Funding Announcement and update on the future plan of the Geraldton Regional Airport with Hon B Marmion, Minister for Transport	Mayor Shane Van Styn
1 December 2016	Local Government Chief Officer Group – Market Creations Sunset Cruise	Mayor Shane Van Styn
2 December 2016	Photo Opportunity – RV Friendly City	Mayor Shane Van Styn
2 December 2016	Geraldton Streetwork Aboriginal Corporation Catch-up	Mayor Shane Van Styn
2 December 2016	International Day for People with Disability	Mayor Shane Van Styn
2 December 2016	Inbound Tour Operators – China and Hong Kong Sundowner	Mayor Shane Van Styn
2 December 2016	India Cements Visit and Tour of Geraldton	Mayor Shane Van Styn
3 December 2016	2 Foreshore 2nd Birthday Celebrations	Mayor Shane Van Styn
5 December 2016	Regular Catch up – Mayor and CEO	Mayor Shane Van Styn
5 December 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn
5 December 2016	Judging for the Banners Photography Competition	Mayor Shane Van Styn
5 December 2016	Meeting with J Mitchell to discuss general development opportunities in Geraldton	Mayor Shane Van Styn
5 December 2016	Regular Meeting with Local Members	Mayor Shane Van Styn

5 December 2016	National Thank a Volunteer Day	Mayor Shane Van Styn
6 December 2016	Midwest Development Commission Workshop – Screen west	Mayor Shane Van Styn
6 December 2016	ABC Interview – Town Towers update	Mayor Shane Van Styn
6 December 2016	Annual Meeting of Electors	Mayor Shane Van Styn
6 December 2016	Concept Forum 2016	Mayor Shane Van Styn
7 December 2016	ABC Interview – AFL Game in Geraldton	Mayor Shane Van Styn
7 December 2016	GWN Interview – AFL Game in Geraldton	Mayor Shane Van Styn
8 December 2016	Regional Capitals Australia Executive Board Dinner	Mayor Shane Van Styn
8 December 2016	Christmas on the Terrace - Announcement of Winners - Banners Photography Competition	Deputy Mayor Neil McIlwaine
9 December 2016	Regional Capitals Australia Executive Board Meeting	Mayor Shane Van Styn
11 December 2016	Spruce Your Pooch Annual Event	Mayor Shane Van Styn
11 December 2016	2016 Carols By Candlelight	Deputy Mayor Neil McIlwaine
12 December 2016	Seniors Bowls and Morning Tea	Mayor Shane Van Styn
12 December 2016	Meeting with H Kumar to discuss general development opportunities in Geraldton	Mayor Shane Van Styn
12 December 2016	Town Towers Site Tour	Mayor Shane Van Styn
12 December 2016	Regular Catch up – Mayor and CEO	Mayor Shane Van Styn
12 December 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn
12 December 2016	Meeting with I Wheatland to discuss general development in Geraldton	Mayor Shane Van Styn
12 December 2016	711 Squadron Final Parade and Ceremony	Mayor Shane Van Styn
13 December 2016	Filming of Mayor's Christmas Video Message	Mayor Shane Van Styn
13 December 2016	Seniors Action Group Christmas Lunch	Mayor Shane Van Styn
13 December 2016	Agenda Forum	Mayor Shane Van Styn
15 December 2016	Midwest Development Commission Board Meeting and Christmas Lunch	Mayor Shane Van Styn
15 December 2016	City of Greater Geraldton Staff End of Year Party	Mayor Shane Van Styn
16 December 2016	Final Exhibition for 2016 - Geraldton Regional Art Gallery	Deputy Mayor Neil McIlwaine
18 December 2016	Mayor's Christmas Light Tour with Juniper Hillcrest Residents – Day 1	Mayor Shane Van Styn
19 December 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn
19 December 2016	Neighbourhood Watch Christmas Morning Tea	Mayor Shane Van Styn
19 December 2016	Office of the CEO Christmas Lunch	Mayor Shane Van Styn
19 December 2016	Mayor's Christmas Light Tour with Juniper Hillcrest Residents – Day 2	Mayor Shane Van Styn
20 December 2016	Pollinators Update	Mayor Shane Van Styn
20 December 2016	Catch-up with Midwest Chamber of Commerce and Industry	Mayor Shane Van Styn
20 December 2016	Ordinary Meeting of Council	Mayor Shane Van Styn

11 REPORTS OF DEVELOPMENT & COMMUNITY SERVICES

DCS312	PROPOSED LANEWAY LOT 123 (No. 178-182) MARINE TERRACE, GERALDTON
AGENDA REFERENCE:	**D-16-70277**
AUTHOR:	**P Melling, Director Development and Community Services**
EXECUTIVE:	**P Melling, Director Development and Community Services**
DATE OF REPORT:	**4 November 2016**
FILE REFERENCE:	**A11481**
ATTACHMENTS:	**Yes (x2)** **A. Laneway Plans** **B. Indicative Easement area plan**

EXECUTIVE SUMMARY:
A request has been received seeking rates concessions under the City Centre Revitalisation Program and offering an "easement in gross" for public laneway access through the former Lotteries House site on Lot 123 (No.178-182) Marine Terrace.

EXECUTIVE RECOMMENDATION:
That Council by Absolute Majority pursuant to Section 6.47 of the Local Government Act 1995 RESOLVES to:

Part A

1. APPROVES the waiver of City of Greater Geraldton planning and building fees and charges for refurbishment of the former Lotteries House located at Lot 123 (No. 178-182) Marine Terrace, Geraldton; and
2. APPROVE a waiver of rates for the refurbishment of the former Lotteries House located at Lot 123 (No. 178-182) Marine Terrace, Geraldton for a period of three years;

Part B

1. SUBJECT to the applicant satisfactorily completing an easement in gross in favour of the City (with the easement in place), the City agrees to contribute up to $100,000 for the upgrade of the laneway area only on Lot 123, Marine Terrace, Geraldton to City specifications and standards for pedestrian and vehicular access between Marine Terrace and Foreshore Drive;
2. ADVISE the property owner of Lot 123 Marine Terrace, Geraldton that they need to resolve the land tenure issue with Western Power for the power transformer (assumed to have been gifted to Western Power) at no cost to the City;
3. PROVIDES a drainage easement through the site in favour of the City for the existing drainage pipe;
4. SUBMIT the costed laneway upgrade project to Council for consideration as part of the Mid Year Budget Review process; and
5. ADVISE the applicant that gating the laneway at night is not supported.

PROPONENT:
The proponent is Foreshore Holdings Pty Ltd ATF CBD Property Trust (CBD).

BACKGROUND:
Project Concessions
The former Lotteries House buildings are being refurbished to offer residential and retail spaces in the unoccupied building that was previously home to a number of community based organisations.

The property owner has enquired as to concessions for planning and building fees and charges, and rates, under the Council's City Centre Revitalisation policy. This project appears to fit within that policy – and Council may be prepared to consider approval of concessions similar to the Town Towers project concessions i.e. waiving planning and building fees and charges for the project, and waiving general rates for a period, however other concessions are also being sought in relation to the laneway.

For Town Towers, Council approved 100% waiving of general rates for 3 years and 50% waiving for an additional 2 years. The former Lotteries House refurbishment is of significantly less scale, would suggest that waiving general rates for no more than 3 years might be an appropriate model to pursue or a laneway upgrade option.

Land Issues - Easements
The new owners of the former Lotteries House site at No. 178-182 (Lot 123)) Marine Terrace have offered the City the potential to formalise an improved pedestrian link between Foreshore Drive and Marine Terrace through their site (the link would also be used by vehicles accessing the on-site car parking (refer to attached maps see Attachment No. DCS312)). The City has previously considered purchasing this site to safeguard this access between the two streets.

The owners know that the City had identified the need for an access way as a key link for pedestrians between Foreshore Drive and Marine Terrace. Hence, the owners are prepared to encumber their title with an *easement in gross* in favour of the City to allow public access through the site. In return the owners are asking that the City upgrade the access link to a more pedestrian friendly standard. No details are yet available as to what this actually means (concrete, asphalt, pavers, drainage, levels etc.). A detailed scope of work statement and a signed agreement with the land owner would be prudent. The 'easement in gross' solution offered means the City would not have to acquire the land/ building to achieve its objectives via direct purchase from the Lotteries Commission as previously sort.

The City has identified the importance of this pedestrian link in a number of ways including Foreshore Redevelopment project plans, the City Centre Planning Policy (adopted by Council) and more recently the consultants working on the City Centre revitalisation component of the growth plan are also

advocating for better and more connections between Foreshore Drive and Marine Terrace.

Previous streetscape works in Foreshore Drive and Marine Terrace have provided pedestrian crossing links at this location in both Marine Terrace and Foreshore Drive.

It has been estimated (not at a detailed level) that the laneway improvements costs could be up to $150,000.

The drainage easement component already exists but may need to be reregistered given the changes proposed.

Originally the Executive recommended declining the waiving of any rates concessions given the level of expenditure proposed for the laneway upgrade. This was conveyed to the applicants who subsequently lodged a counter proposal to the City at a similar cost (the reason why the report was withdrawn from the last Council Agenda round in November).

The proposal now submitted by CBD is as follows:

"(1) Laneway
CBD proposes to CGG that that it undertakes the re-development of the laneway in its own right and obtains a grant from CGG of in the region of $100,000 towards the cost of doing such work.

The works undertaken by CBD will obviously need to be acceptable to CGG such that it is suitable for both the tenants occupying the building as well as the general public to whom access will be granted by virtue of an easement issued to CGG. A full costing will be prepared once the proposal is deemed acceptable but prior to any works being undertaken.

As part of the works one of CBD proposals is that an entry system is put in place such that the laneway can be closed at nights – probably between the hours of 7pm to 7am so that the tenants occupying the private residences (9 in total) in the complex can have peace and quiet during that time plus the benefit of added security from certain undesirables that tend to frequent such public places in Geraldton during that time.

This ability to close off the laneway will also increase the amenity of the area as events can be held in the space without extra fencing being needed for crowd control.

CBD will undertake (at its cost) a feasibility with the major tenant (9 residences) about the installation of sliding gates at both ends of the laneway to facilitate this.

(2) Rates Relief
By virtue of CGG advising that according to their calculations the total cost of re-developing the laneway would be in the region of $150,000 CBD proposes

that CBD be granted a period of rate relief valued at the difference between the total cost of the grant towards the laneway works and the $150,000 the City estimated the works on the laneway would cost had it been carried out by CGG.

This arrangement will result in no increase in cost to CGG but with an outcome that keeps within the original informal agreement between CGG and CBD.

That being the case; that CBD receive the normal incentives being offered within the Central Business District revitalisation strategy whilst also granting an easement in gross to CGG for the Laneway such that the connection between the Foreshore Drive and Marine Terrace is maintained on an ongoing basis. This easement to be granted in exchange for CGG assisting in any future upgrades to the laneway as required."

Given the above proposal there are three aspects that need to be considered:

1. Reconstruction of the laneway will need to meet the City's standards and specifications, payment would need to be made after the City receives the easement right over the laneway and possibly staged over the construction period;
2. The closing of the laneway at night as requested has not been the subject of discussion previously. The applicants see closing of the laneway would improve security for the premises and its tenants. For the City the laneway should be open at all times as there could be events etc. after hours in that area that would benefit from the laneway being open. Therefore, the gating of the laneway after hours is not supported; and
3. Rates concessions would equate to $40,413 as per the table below.

The new option put forward does have merit and could be supported by the City subject to conditions ensuring that the City's interests are safeguarded. It is noted that if the City does not support the proposal, the owner is within their legal rights to gate the laneway at all times subject to allowing the City access to the current drainage easement.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
Revitalisation of the City Centre is a key outcome identified in the draft Growing Greater Geraldton Growth Plan.

Social:
There are benefits to the creation of better linkages in the City Centre that create vibrant spaces that can be activated for events and accessibility.

Environmental:
There are no environmental impacts.

Cultural & Heritage:
This section of Marine Terrace is becoming a creative hub and the laneway has already been utilised for events such as markets and entertainment space. It links heritage buildings in Marine Terrace with the foreshore.

RELEVANT PRECEDENTS:
Council at its meeting of 26 August 2014 resolved to grant conditional approval for rates concessions for Lot 33 (No. 25-29) Cathedral Avenue, Town Towers, Geraldton.

Council at its meeting of 28 October 2014 resolved to grant conditional approval for rates concessions for Lot 565 (No. 30-32) Chapman Road, Geraldton.

COMMUNITY/COUNCILLOR CONSULTATION:
Consultation has occurred with the land owner, Director Infrastructure Services, Manager Urban & Regional Development.

LEGISLATIVE/POLICY IMPLICATIONS:
Refer to Section 6.47 of the Local Government Act 1995.

FINANCIAL AND RESOURCE IMPLICATIONS:
Concessions
Interim GRV for the property per Landgate, following its sale to the current owners in May 2016 is $52,0000. For the 2016-17 financial year, applying the current Non-Residential Rate-in-Dollar of $0.109956 annual rates are $5,717.71.

Based on the development application information and floor plans, Landgate has provided an indicative GRV for the property, at $149,812.
Assuming completion by July 2017, and 3.5% increase per year in RiD (to $0.1138045 for 17/18, $0.1177876 for 18/19 and $0.12191 for 19/20), value of the proposed Concession from waiving rates for three years would be as follows:

Year	GRV	Rates	Value of Concession
2016-17	$52,000	Nil	$5,718
2017-18	$149,812	Nil	$17,049
2018-19	$149,812	Nil	$17,646
2019-20	$149,812	**$18,264**	Nil
			Total: $40,413

With the building left in previous state *without* refurbishment, and GRV expected to have decreased due to declining state of the building, likely Rates collection from this property in the three-year period would be less than Rates expected to become payable in 2019-20.

Land Issues – Easements & Laneway Development
The costs of the process for execution of an easement in gross, and costs of design and construction of any laneway/easement upgrade would need to be borne by the City.

The laneway upgrade costs have been prepared and are estimated at $150,000 including a small contingency). Please note that it does not allow for:

- Additional drainage from the building (to be completed by others).
- Assumes the City can leave the street light switchboard where it is (need to install a meter).
- No allowance for additional lighting in the laneway.
- relocation of Telstra, western power, gas etc.
- Any amendments or entrances into adjoining buildings to match levels.

INTEGRATED PLANNING LINKS:

Title: Economy	A dynamic, diverse and sustainable economy
Strategy 4.1.3	Revitalising the CBD through economic, social and cultural vibrancy
Title: Governance	Inclusive civic and community engagement and leadership
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development
Strategy 5.2.6	Supporting decisions to create a long term sustainable City
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:
A revitalised City Centre has got the potential to be an economic stimulant to the region, offering improved business, tourism and lifestyle opportunities.

RISK MANAGEMENT:
With the City gaining control of the access way via an easement in gross it can manage the maintenance of the laneway without reliance on a third party. Insurance of the area will need to be worked through with the City's insurers.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
The following options were considered by City Officer:
The City could reject the request and monitor the access situation should the owner consider gating the laneway.

The City could determine that it will not support public access over the laneway and leave it for others to champion the City's revitalisation initiatives and City Centre Planning policy.

The City could provide a fixed contribution to the developer to renew the laneway in exchange for the laneway easement and transformer easement.

DCS313	PROPOSED ANIMAL MANAGEMENT FACILITY – ISSUE OF PTA LICENCE – PORTION OF RAILWAY RESERVE, BRADFORD STREET UTAKARRA
AGENDA REFERENCE:	**D-16-69221**
AUTHOR:	**B Robartson, Manager Land & Regulatory Services**
EXECUTIVE:	**P Melling, Director Development & Community Services**
DATE OF REPORT:	**1 November 2016**
FILE REFERENCE:	**PM/4/0076**
ATTACHMENTS:	**Yes (x1)** **A. Licence plan of site location**

EXECUTIVE SUMMARY:
The purpose of this report is to seek Council approval to endorse the location and the issue of a licence with the Public Transport Authority (PTA) to occupy part railway reserve Bradford Street, Utakarra for the site development of the City's Animal Management Facility (AMF).

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

1. ENDORSE the location of part railway reserve Bradford Street, Utakarra as the preferred location of the proposed Animal Management Facility;
2. ENTER into a LICENCE with the Public Transport Authority for an area of 7219m² over portion of railway reserve, Bradford Street, Utakarra;
3. SET the proposed conditions as:
   a. That the term is for a period of 10 years commencing 1 December 2016;
   b. That the PTA and the City of Greater Geraldton acknowledge that the PTA is in the process of rationalising the railway reserve land with the intent that this land be transferred to the City of Greater Geraldton when practicable;
   c. The licence fee is $1.00 per annum;
   d. The licensee to pay preparation fees of $350.00; and
4. APPROVE the co-location of the Geraldton Dog Rescue within the licence area, subject to the formalisation of a separate licence or lease.

PROPONENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The proposed AMF is a budgeted new works project for delivery this year.

City Executive have considered a number of options for the new Animal Management Facility location and following all due diligence on all sites the use of part of the railway reserve corridor adjacent Bradford Street and Flores Road adjacent the PTA leased properties is now the preferred site of the Executive Management Team (EMT).

Other sites considered were as follows:

- Flores Road – ex landfill site, however presents too many issues with building over contamination and obtaining approvals and clearance and becomes cost prohibitive;
- Meru – adjacent recycling facility; discounted due to location service distances (both supply and operational) also dependent on Meru future development suitability/ best use of land;
- Davies Road – (ex Shire of Greenough pound), used as an overflow or isolation facility from current Pass Street facility. Discounted due to current leasing tenure with SES and restricted area remaining on site.
- Airport (adjacent to current depot), not seen a compatible use with other activities at the airport plus operational service issues.

The location within the former railway reserve corridor adjacent to Bradford Street and Flores Road is shown on Attachment No. DCS313.

The City has received formal written approval from the PTA to occupy the railway corridor and have given consent to issue a licence over the land for a period of 10 years at peppercorn rental. PTA have indicated that a clause will be inserted in the licence that will indicate that both PTA & the City of Greater Geraldton acknowledge that the PTA is in the process of rationalising the land with the intent that this land be transferred to the City of Greater Geraldton when practicable.

The developed site will allow within the overall design the impoundment of all dogs, cats and livestock within a compound. The AMF will also accommodate a quarantine area and office. This site has appeal in that it is central for ranger operations, internet communications, CCTV and for the community.

City staff have held discussions with the Geraldton Dog Rescue (GDR) who initially approached the City seeking use of any available land that the City may have to enable them to establish their dog rescue operations. An offer to that group of establishing themselves adjacent to the AMF has been warmly accepted and as such will commence operations utilising the current Pass Street pound facility following that being relocated, at their cost, to site and appropriately upgraded to made good for their activities.

Planning and architectural concept design is well advanced and statutory servicing arrangements are in discussion phase with relevant bodies.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic impacts relating to this proposal.
Social:
There are no social impacts relating to this proposal.

Environmental:
There are no known known environmental issues with this proposal for use of the former rail corridor.

Cultural & Heritage:
The portion of corridor from Place Road (South) through to this subject site does have heritage interpretation value especially around the former Wonthella rail site and the recognised heritage trees.

The development and design of the AMF will take into consideration the heritage interpretation requirements and will also offer an opportunity to remedy some of the long term drainage issues in this area and may be accommodated in accordance with a landscape/interpretation plan for the area. Further,

The overall site design will accommodate and allow for the future heritage path and interpretative elements that will eventually be developed in this location.

RELEVANT PRECEDENTS:
The City has in existence land leasing and licence arrangements with the Crown and PTA.

COMMUNITY/COUNCILLOR CONSULTATION:
Formal approval from PTA for use of the subject corridor and location has been received. The Geraldton Dog Rescue have also been included in early planning for their considered inclusion.

LEGISLATIVE/POLICY IMPLICATIONS:
Section 3.58 of the Local Government Act 1995.

FINANCIAL AND RESOURCE IMPLICATIONS:
The license fee payable to PTA by the City is $1.00 per annum. In addition, the City is responsible for the payment of $350.00 licence preparation fee.

INTEGRATED PLANNING LINKS:

Title: Environment	A sustainable built form and natural environment
Strategy 2.3.2	Delivering projects utilising best practice to ensure timely, cost effective and quality outcomes.
Title: Governance	Inclusive civic and community engagement and leadership
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development

Strategy 5.2.6	Supporting decisions to create a long term sustainable City
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:
There are no potential impacts, either positive or negative to regional outcomes.

RISK MANAGEMENT:
There is risk associated with delay in the commencement of the AMF if the recommendation is not supported by Council as the current Pass Street site is subject to purchase and settlement early January 2017. Pound operations will continue in the interim at the Davies Street facility.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
It is considered that there are no alternative options for the site location of the AMF due to land availability and it is considered that due diligence of sites has been completed and the recommended site is the best option.

DCS314 LATE ITEM - PROPOSED LICENCE - ULTIMATE WATERSPORTS PL GERALDTON FORESHORE RESERVE

AGENDA REFERENCE:	**D-16-78851**
AUTHOR:	**B Robartson, Manager, Land and Regulatory Services**
EXECUTIVE:	**P Melling, Director Development and Community Services**
DATE OF REPORT:	**13 December 2016**
FILE REFERENCE:	**R50100**
ATTACHMENTS:	**Yes (x4)** **A. Confidential Submissions** **B. Schedule of Submissions** **C. Map of beach access ramp** **D. Confidential - Proponent's Application**

EXECUTIVE SUMMARY:
This report seeks Council approval of the licence to utilise the beach area on foreshore Reserve 50100 for the purposes of commercial water sports activities. The application is attached as Confidential Attachment No. DCS314D.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 18 of the Land Administration Act 1997 RESOLVES to:

1. APPROVE a licence for commercial water sport activities that will utilise portion of Crown Reserve 50100 to Ultimate Watersports Pty Ltd;
2. MAKE the determination subject to:
   a. consent from the Minister for Lands;
   b. all operations and activities are conducted in accordance with Department of Transport relevant marine legislation;
3. SET the proposed conditions as:
   a. enter into a one (1) year licence agreement;
   b. commence the licence on as soon as practically possible;
   c. set the licence fee at $500 per annum inclusive GST;
4. ADVISE the licensee they are responsible for separately paying;
   a. all applicable rates, taxes;
   b. all costs associated with:
      i. the preparation and execution of the licence; and
      ii. all other costs associated with the licence;

PROPONENT:
The proponent is Ultimate Watersports Pty Ltd.

BACKGROUND:
Council at meeting on the 22 November 2016 resolved the following:

COUNCIL DECISION MOVED CR TANTI, SECONDED CR CAUDWELL *That Council by Simple Majority pursuant to Section 18 of the Land Administration Act 1997 RESOLVES to:*

1. *GIVE local public notice of the intent to grant a licence for commercial water sport activities that will utilise portion of Crown Reserve 50100 to Ultimate Watersports Pty Ltd;*
2. *MAKE the determination subject to:*
    a. *advertising notice period of not less than 14 days inviting public submissions;*
    b. *consent from the Minister for Lands; and*
    c. *all operations and activities are conducted in accordance with Department of Transport relevant marine legislation;*
3. *SET the proposed conditions as:*
    a. *enter into a one (1) year licence agreement;*
    b. *commence the licence on as soon as practically possible;*
    c. *set the licence fee at $500 per annum inclusive GST;*
4. *ADVISE the licensee they are responsible for separately paying;*
    a. *all applicable rates, taxes;*
    b. *all costs associated with:*
    c. *the preparation and execution of the licence;*
        i. *all other costs associated with the licence; and*
5. *REFER the matter back to Council for final consideration if any objecting submissions are received.*

Advertising of the proposed disposition occurred on the City website from 29 November 2016. A public notice also appeared in the Geraldton Guardian on the 28 November 2016 and 6 December 2016 with submissions closing on the 13 December 2016 at 4.00pm.

At the closure of submissions, two submissions were received, one objecting and one supporting the proposal and form part of the Schedule of Submissions. See Confidential Attachment No. DCS314A.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
This proposal has the potential to offer a viable business opportunity for a local business looking for an opportunity to operate in a prime Geraldton location. Small businesses, such as this one may enhance tourism and add to the economic vibrancy and vitality of our community in this area.

Social:
A small business, providing the water based activities could enhance social quality of life by providing active recreation for people, particularly tourists.

Environmental:
This proposal may have environmental impacts upon the beach foreshore area being utilised as the continual vehicle movement will disturb the beach area.

Cultural & Heritage:
There is no cultural, heritage or indigenous impacts relating to this proposal.

RELEVANT PRECEDENTS:
The City provides licences for activities on Crown Reserves for a variety of purposes that are consistent with the uses under Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land and the Management Order.

COMMUNITY/COUNCILLOR CONSULTATION:
Advertising of the proposed disposition occurred on the City website from 29 November 2016. A public notice also appeared in the Geraldton Guardian on the 28 November 2016 and 6 December 2016 with submissions closing on the 13 December 2016 at 4.00pm.

At the closure of submissions, two submissions were received, one objecting and one supporting the proposal and form part of the Schedule of Submissions – Attachment No. DCS314B.

LEGISLATIVE/POLICY IMPLICATIONS:
Section 18 of the Land Administration Act 1997 – **Crown land transactions that need Ministerial approval**

Section 18:

(1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land.

The application for the proposed licence addresses the criteria and the objectives of Policy CPO39 – Foreshore Use & Development Policy and Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

FINANCIAL AND RESOURCE IMPLICATIONS:
A commencement licence fee of $500 per annum inclusive of GST plus all other costs associated with the preparation and issue of the licence agreement.

This fee is in line with the and Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land fee.

INTEGRATED PLANNING LINKS:

Title: Environment	A sustainable built form and natural environment
Strategy 2.1.2	Sustainably maintaining public open spaces and recreational areas
Title: Social	A strong healthy community which is equitable, connected and cohesive

Strategy: 3.5.3	Promoting healthy lifestyle initiatives and living standards
Title: Economy	A dynamic, diverse and sustainable economy
Strategy 4.3.2	Encouraging the development of a variety of industries that will offer diverse employment opportunities
Strategy 4.3.4	Supporting economic development initiatives and promotion of the region
Title: Governance	Inclusive civic and community engagement and leadership
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development
Strategy 5.2.6	Supporting decisions to create a long term sustainable City
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:
There are no potential impacts, either positive or negative to regional outcomes.

RISK MANAGEMENT
There are no consequent risks inherent in approving – or not approving – the recommendation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS
The following options were considered by City Officers:

The option for consideration by Council is to not approve the licence and decline the proposal as submitted. This is not supported as the proposal has the potential to increase activation in this section of the foreshore and offer a product different to that already available in the area.

Alternatively, Council may select an alternative location for the activity.
The proposal in addition meets the requirements and the objectives of Policy CPO39 – Foreshore Use & Development Policy and complies with Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS228 STATEMENT OF FINANCIAL ACTIVITY TO 30 NOVEMBER 2016

AGENDA REFERENCE:	**D-16-78026**
AUTHOR:	**T Machukera, Management Accountant**
EXECUTIVE:	**B Davis, Director Corporate and Commercial Services**
DATE OF REPORT:	**7 December 2016**
FILE REFERENCE:	**FM/17/0001**
ATTACHMENTS:	**Yes (x1)** **A. Monthly Management Report November 2016**

EXECUTIVE SUMMARY:
The attached financial reports provide a comprehensive report on the City's finances to 30 November 2016. The statements in this report include no matters of variance considered to be of concern.

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

1. RECEIVE the 30 November 2016 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	$834,693	1.4%	Positive Variance
Operating Expenditure	$971,266	2.8%	Positive Variance
Net Operating	$1,805,959		
Capital Expenditure	$155,733	1.1%	Positive Variance
Capital Revenue	$465,523	4.7%	Positive Variance
Cash at Bank – Municipal	$33,351,457		
Cash at Bank – Reserve	$10,327,730		
Total Funds Invested	$37,879,741		
Net Rates Collected	77.75%		

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

The financial position represented in the November financials shows a positive variance of $1,805,959 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.

13 REPORTS OF INFRASTRUCTURE SERVICES

Nil

14 REPORTS OF OFFICE OF THE CEO

Nil

15 REPORTS TO BE RECEIVED

REPORTS TO BE RECEIVED	
AGENDA REFERENCE:	**D-16-77302**
AUTHOR:	**K Diehm, Chief Executive Officer**
EXECUTIVE:	**K Diehm, Chief Executive Officer**
DATE OF REPORT:	**9 December 2016**
FILE REFERENCE:	**GO/6/0012-04**
APPLICANT / PROPONENT:	**City of Greater Geraldton**
ATTACHMENTS:	**Yes (x2)** **A. Delegated Determinations and Subdivision Applications for Development Approval** **B. Confidential - List of Accounts Paid Under Delegation November 2016**

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 & Community Services:
      i. DCSDD117 Delegated Determinations and Subdivision Applications for Development Approval

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

1. RECEIVE the following appended reports:
   a. Reports – Corporate and Commercial Services:
      i. CCS229 – Confidential Report – List of Accounts Paid Under Delegation November 2016

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.

16 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

18 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING

19 CLOSURE

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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