



ORDINARY MEETING OF COUNCIL  
MINUTES

22 MARCH 2016

## TABLE OF CONTENTS

<b>1.</b>	<b>DECLARATION OF OPENING.....</b>	<b>3</b>
<b>2.</b>	<b>ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>3</b>
<b>3.</b>	<b>ATTENDANCE.....</b>	<b>3</b>
<b>4.</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>4</b>
<b>5.</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>4</b>
<b>6.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>8</b>
<b>7.</b>	<b>PETITIONS, DEPUTATIONS OR PRESENTATIONS.....</b>	<b>9</b>
<b>8.</b>	<b>DECLARATIONS OF CONFLICTS OF INTEREST .....</b>	<b>9</b>
<b>9.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – AS CIRCULATED .....</b>	<b>10</b>
<b>10.</b>	<b>ANNOUNCEMENTS BY THE CHAIR .....</b>	<b>11</b>
<b>11.</b>	<b>REPORTS OF DEVELOPMENT AND REGULATORY SERVICES .....</b>	<b>13</b>
	<i>DRS249 EXTENSION OF LEASE AREA - CROWN RESERVE 50100 – ‘JAFFLE SHACK’ SEA CONTAINER CAFE .....</i>	<i>13</i>
	<i>DRS250 PROPOSED ALFRESCO DINING – GERALDTON FORESHORE.....</i>	<i>17</i>
	<i>DRS251 CAPE BURNEY LEASE HOLDING – PROPOSAL TO STRATA TITLE PORTION OF LOT 200, GASKIN DRIVE.....</i>	<i>27</i>
	<i>DRS252 ADOPTION OF DRAFT GERALDTON/BEACHLANDS HERITAGE AREA LOCAL PLANNING POLICY.....</i>	<i>33</i>
	<i>DRS253 MINOR REVIEW OF THE MUNICIPAL INVENTORY.....</i>	<i>38</i>
	<i>DRS254 TOWN PLANNING SCHEME No. 1A, AMENDMENT No. 4 – ‘SOUTHGATES DUNES’, CAPE BURNEY.....</i>	<i>45</i>
	<i>DRS255 FORMER RAIL CORRIDOR, WEBBERTON – NARNGULU.....</i>	<i>53</i>
	<i>DRS256 RE-ADOPTION OF CITY OF GREATER GERALDTON ANIMALS ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2015 .....</i>	<i>67</i>
<b>12.</b>	<b>REPORTS OF COMMUNITY SERVICES .....</b>	<b>71</b>
<b>13.</b>	<b>REPORTS OF CORPORATE &amp; COMMERCIAL SERVICES .....</b>	<b>72</b>
	<i>CCS162 COMPLIANCE AUDIT RETURN 2015 .....</i>	<i>72</i>
	<i>CCS163 COUNCIL POLICY CP006 RISK MANAGEMENT POLICY.....</i>	<i>75</i>
	<i>CCS164 COUNCIL POLICY CP010 PROCUREMENT OF GOODS &amp; SERVICES.....</i>	<i>77</i>
	<i>CCS165 COUNCIL POLICY CP014 PROCUREMENT VIA PANELS OF PREQUALIFIED SUPPLIERS.....</i>	<i>83</i>
	<i>CCS166 COUNCIL POLICY CP016 REGIONAL PRICE PREFERENCE.....</i>	<i>86</i>
	<i>CCS167 COUNCIL POLICY CP036 RISK TOLERANCE &amp; APPETITE POLICY.....</i>	<i>90</i>
	<i>CCS168 RATES EXEMPTION – RETIREES WA (INC).....</i>	<i>93</i>
	<i>CCS169 MONTHLY MANAGEMENT REPORT TO 29 FEBRUARY 2016 .....</i>	<i>98</i>
	<i>CCS170 LONG TERM FINANCIAL PLAN 2016 - 2026.....</i>	<i>101</i>
	<i>CCS171 COMMUNITY GRANTS COMMITTEE .....</i>	<i>112</i>
<b>14.</b>	<b>REPORTS OF INFRASTRUCTURE SERVICES .....</b>	<b>120</b>
	<i>IS116 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) ....</i>	<i>120</i>
<b>15.</b>	<b>REPORTS OF OFFICE OF THE CEO .....</b>	<b>124</b>
<b>16.</b>	<b>REPORTS TO BE RECEIVED.....</b>	<b>125</b>
<b>17.</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>127</b>
	<i>NOTICE OF MOTION – RESTRUCTURE OF TAFE .....</i>	<i>127</i>

---

<b>18.</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .....</b>	<b>131</b>
<b>19.</b>	<b>URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING .....</b>	<b>131</b>
<b>20.</b>	<b>DEFERRED ITEMS .....</b>	<b>132</b>
	<i>DRS254 TOWN PLANNING SCHEME No. 1A, AMENDMENT No. 4 – ‘SOUTHGATES DUNES’, CAPE BURNEY.....</i>	<i>132</i>
<b>21.</b>	<b>CLOSURE .....</b>	<b>143</b>
	<b>APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED .....</b>	<b>144</b>

**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**HELD ON TUESDAY, 22 MARCH 2016 AT 1.30PM**  
**MULLEWA DISTRICT OFFICE**

**M I N U T E S**

**DISCLAIMER:**

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

**1. DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 1.30pm

**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 the Yamaji people.

**3. ATTENDANCE**

Present:

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

Officers:

K Diehm, Chief Executive Officer  
P Melling, Director of Development & Regulatory Services

B Davis, Director of Corporate and Commercial Enterprises  
G Sherlock, A/ Director of Infrastructure Services  
S Moulds, PA to the Chief Executive Officer  
M Connell, Manager Urban and Regional Development  
B Wilson, Manager Mullewa Community Development

Others:

Members of Public: 14

Members of Press: 2

Apologies:

Cr S Keemink

Cr D Caudwell

C R Ellis

R McKim, Director of Infrastructure Services

B Davis, Director of Corporate and Commercial Services

Leave of Absence:

Nil.

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

Nil.

**5. PUBLIC QUESTION TIME**

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

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

*Public questioned time commenced at 1.31pm*

**Our Lady Mount Carmel Primary School Students**

Question - Caitlin

The Cricket Cup was a big success last year. Students from Years 1-6 at OLMC formed part of this day. With your help kids were able to have a catered lunch, a shirt and a wonderful game. Is there a possibility of this being a yearly event? If so, could we consider one at the start of the year and another at the end of the year?

Response

The 'Cricket Cup' was a Mullewa Youth Centre activity (diversionary, recreational activity in accordance with our DCP contract, on a pupil free day), local businesses contributed \$400 for the shirts, and lunch. The

City will consider its ability to have another 'Cricket Cup' next years as part of the budget process.

Question - Thomas

Kids from Mullewa have recently noticed that the town has had an increase in graffiti. The playground near the pool, the footpath and the plaques on the warpath are some of the worst occurrences. Is it possible to have the graffiti removed and maintained throughout the year?

Response

Thank you Thomas for your question. The City is always removing graffiti. As soon as we rub it off one place, it pops up somewhere else. It costs the City a lot of money to remove it as it looks bad if we don't remove it. I have told officers about the graffiti you have mentioned and if it has not already been removed, it will be soon. If you see any more graffiti, you can contact the City and we will try and remove it.

Question – Isabella

Kids in Mullewa enjoy exercise; however, we have recently noticed that there is a lack of kid friendly exercise equipment around town. We were wondering if you could put in an exercise park next to the pool, which would allow for kids to be more active in a safe environment.

Response

Thank you Isabella for your question. The City currently supports the children of Mullewa through the provision of a number of facilities. These facilities include a youth centre that is currently being upgraded, a swimming pool, playground equipment, tennis courts, parks, school holiday youth activities. In addition to this, the City also provides a library, roads, footpaths, street lights, and BBQ's. All of these facilities cost a lot of money to buy and maintain. It would cost the City a lot of money to also install exercise equipment. So we will take your request on notice.

**Mullewa District High School Students**

Question – Patrick Ryder & Tahneil Comeagain

When will the Youth centre be opened (back to the original site)?

Response

The City had planned to re-open the Youth Centre on Friday 8<sup>th</sup> April in time for the school holidays; however, the City hopes to be successful in receiving grant funding for the stage 2 external works the Youth City will remain in its temporary location until all the works are completed. At this stage the City envisages that all works will be completed by Friday 13<sup>th</sup> May.

Question - Patrick Ryder & Tahneil Comeagain

Will the youth centre be able to get more or new pool tables?

Response

At this stage the City is not planning to purchase more or new tables; however, the existing tables have been taken away to be refinished with new cloths and cushions.

Question - Patrick Ryder & Tahneil Comeagain

When will the roads in town (outside our school) be fixed?

Response

At present there are no funds available to undertake the reseal works outside the school.

**Mr Graham Sertorio, Director, Champion Bay Holdings  
2 Hoskin Street, Bluff Point**

Question:

If there is to be an extension to the Jaffle Shack's alfresco area, where are the toilet facilities to be located to accommodate the patrons?

Response:

The alfresco application submitted will be using the City's facilities that are provided on the foreshore given the size of the facility and temporary nature as approved.

Question

Where there is an alfresco area with more than 20 seats isn't the proponent to provide toilets

Response

This question will be taken on notice and a response will be provided in the next Agenda. A formal response will be provided to Mr Sertorio.

*Mr Graham Sertorio referred to a letter dated 3 Aug 2015, from the City of Greater Geraldton and the following question/response.*

*Questions were addressed at the Ordinary Meeting of Council of 28 July 2015 as per below*

Question

*If increased to 48sq meter now. Does this mean the Pop Up Café will have its own private seating for its customers?*

Response

*It will mean the footprint area of 48m<sup>2</sup> will be leased to the proponent for exclusive use under a lease agreement for use in line with a sea container café with a verandah /decking containing universal access.*

Question

With the excessive use now available, how is it maintained by Council?

Response

The City will monitor the use as per other alfresco areas and the recommendation includes a condition in this regard. For example the alfresco area at 2 Foreshore and those in Marine Terrace are not part of any lease area and no fees are charged by the City in order to encourage vibrancy.

Question

At no cost?

Response

Council will not charge for the Alfresco area exactly the same as other alfresco areas.

Question

Why do I get charged for the Alfresco area (at Dome)

Response

As your Alfresco area is part of the building structure and is for exclusive use.

**Mr C Cox, 19a Ajax Drive, Wandina, Geraldton**Question:

Will the proponent have to pay any money in lieu of parking like other restaurants and businesses considering they will be seating approximately 70 people and will they be required to subsidise the use of public toilets?

Response:

Provision of car parking on the foreshore for the various activity areas were part of the overall Foreshore Master Plan. It is noted that the foreshore car parking areas are also catering for the City Centre activities as well.

Question:

This business was approved as a pop up shop, with a set area. If the concept is now changing to a business/restaurant with the capacity for up to 70 people, should this therefore go back to council, and be reclassified as a restaurant rather than a pop up shop?

Response:

The current approval covers the operation of a sea container café with the floor area now set at 50 sq m. The proposed alfresco area does not change the current approval/ use.



Question

Will the proponent be erecting all the 9 tables and 54 chairs daily to increase the available shade seating on the foreshore for other users as was mentioned in his application or will he be erecting tables and chairs as required as stated at the agenda meeting purely for him own benefit and use?

Response:

The application mentions tables and chairs daily use. The proponent has advised that if business is quiet on certain days he will only put out chairs/tables to meet those needs.

*Public questioned time concluded at 1.45pm*

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

### Existing Approved Leave

Councillor	From	To (inclusive)
Cr N McIlwaine	2 March 2016	5 March 2016
Cr J Critch	8 March 2016	9 March 2016
Cr M Reymond	24 March 2016	4 April 2016
Cr L Freer	24 March 2016	24 April 2016
Cr N McIlwaine	15 April 2016	29 April 2016
Mayor S Van Styn	23 August 2016	23 August 2016
Cr M Reymond	1 September 2016	26 September 2016

### COUNCIL DECISION

#### MOVED CR HALL, SECONDED CR REYMOND

Cr L Graham requests leave of absence for the period 23 March 2016 to 29 March 2016 be approved.

Cr T Thomas requests leave of absence for the period 13 April 2016 to 23 April 2016 be approved.

Cr G Bylund requests leave of absence for the period 2 July 2016 to 17 July 2016 be approved.

Cr G Bylund requests leave of absence for the period 18 August 2016 to 29 August 2016 be approved.

Cr G Bylund requests leave of absence for the period 3 September 2016 to 10 September 2016 be approved.

Cr G Bylund requests leave of absence for the period 2 October 2016 to 9 October 2016 be approved.

**Cr J Critch requests leave of absence for the period 15 September 2016 to 10 October 2016 be approved.**

**CARRIED 12/0**

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

**7. PETITIONS, DEPUTATIONS OR PRESENTATIONS**

The City of Greater Geraldton was recently nominated for the Local Government Award for Outstanding Contribution to Multiculturalism, at the WA Multicultural Recognition Awards for 2016. The City won the award, which was received by Deputy Mayor Neil McIlwaine at the ceremony in Perth. The Deputy Mayor presented the award to the Mayor, which he was pleased to accept.

**8. DECLARATIONS OF CONFLICTS OF INTEREST**

Cr N McIlwaine declared a financial indirect and proximity interest in Item DRS255 Former Rail Corridor, Webberton – Narngulu as he is a salaried employee of the company that has premises abutting land that is to be considered in this item.

Cr T Thomas declared a proximity interest in item DRS253 Minor Review of the Municipal Inventory as Kinkora Farm House mentioned in the review is located on their family farm.

Cr S Douglas declared a financial indirect interest in item DRS249 Extension of Lease Area – Crown Reserve 50100 – 'Jaffle Shack' Sea Container Café as he and his wife own a block of land on nearby Forrest street.

Cr S Douglas declared a financial indirect interest in item DRS250 Proposed Alfresco Dining – Geraldton Foreshore, as he and his wife own a block of land on nearby Forrest Street.

Cr L Freer declared an impartiality interest in item D-16-16548 Councillor Notice of Motion – Restructure of TAFE as his father is a lecturer at TAFE.

Cr J Critch declared an impartiality interest in Item DRS254 as her farming company has purchased sand/lime from the company that mines out of Southgates dunes.

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

RECOMMENDED that the minutes of the Ordinary meeting of Council held on 23 February 2016 as previously circulated, be adopted as a true and correct record of proceedings.

**COUNCIL DECISION**

**MOVED CR GRAHAM, SECONDED CR HALL**

**RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 23 February 2016, as previously circulated, be adopted as a true and correct record of proceedings.**

**CARRIED 12/0**

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

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

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
24 February 2016	ABC Radio Interview – Outcomes from Council Meeting	Mayor Shane Van Styn
24 February 2016	Photo Opportunity – Ross Oakley – Bundiyarra	Mayor Shane Van Styn
24 February 2016	Photo Opportunity – Paul Brown – Geraldton Aquarena Pool Revitalisation Program	Mayor Shane Van Styn
24 February 2016	Mid-West Chamber of Commerce Business After hours	Mayor Shane Van Styn
26 February 2016	Radio Mama Interview – Current Council Issues	Mayor Shane Van Styn
26 February 2016	Geraldton Property Team – David Potuich	Mayor Shane Van Styn
26 February 2016	WA Museum – Geraldton Site Advisory Committee Meeting	Mayor Shane Van Styn
26 February 2016	Road Safety Forum	Mayor Shane Van Styn
26 February 2016	Road Safety Networking Session	Mayor Shane Van Styn
27 February 2016	Launch of Remember Me: The Lost Diggers of Vignacourt	Mayor Shane Van Styn
29 February 2016	Seniors Bowls	Mayor Shane Van Styn
29 February 2016	Meeting with Grant Woodhams – Mid West Cultural Heritage Exhibition Centre	Mayor Shane Van Styn
29 February 2016	Regular Catch Up – Mayor & CEO	Mayor Shane Van Styn
1 March 2016	Meeting with Local Residents Paul & Chris Taylor – Footpath Issues	Mayor Shane Van Styn
1 March 2016	Meeting with Pollinators – Paul Dyer Re: Creative Hub	Mayor Shane Van Styn
1 March 2016	Audit Committee Meeting	Mayor Shane Van Styn
1 March 2016	Concept Forum – March 2016	Mayor Shane Van Styn
2 March 2016	Geraldton RCDP Clusters Workshop	Mayor Shane Van Styn
2 March 2016	Meeting with Hon. Dean Nalder, Minister for Transport Re: Beresford Foreshore / Airport Runway Extension	Mayor Shane Van Styn
2 March 2016	Meeting with Hon Terry Redman, Hon Mia Davies, Martin Aldridge, Shane Love & Vince Catania	Mayor Shane Van Styn
3 March 2016	Photo Opportunity – Minister for Lands BCM2 site	Mayor Shane Van Styn
3 March 2016	CEDA Conference	Mayor Shane Van Styn
3 March 2016	Meeting with Hon Terry Redman – Abraham Street Bridge	Mayor Shane Van Styn
4 March 2016	ABC Radio Interview – Point Moore	Mayor Shane Van Styn
4 March 2016	Meeting with Fred Taylor & Ron – Lot 601	Mayor Shane Van Styn
5 March 2016	Official Opening of the Mens Darts Association Inaugural Midwest Darts Championships	Mayor Shane Van Styn
6 March 2016	Breakfast with Point Moore residents	Mayor Shane Van Styn
6 March 2016	RAMS Softball Club – Geraldton Skins Tournament and awards presentation	Mayor Shane Van Styn
8 March 2016	Regular Catch Up – Medial & Marketing	Mayor Shane Van Styn
8 March 2016	Regular Catch Up – Mayor & CEO	Mayor Shane Van Styn
8 March 2016	Meet & Greet – Purcher International – Rail Corridor Property	Mayor Shane Van Styn

---

10 March 2016	Triple J one night stand announcement – Pre-record interview	Mayor Shane Van Styn
10 March 2016	Regional Centres Development Plan Meeting	Mayor Shane Van Styn
10 March 2016	Meet and Greet – Malcolm Reed – Regional Asset Manager – Northgate Shopping Centre	Mayor Shane Van Styn
10 March 2016	Official Opening of the Brickstory Toilets	Mayor Shane Van Styn
10 March 2016	Ni Hao WA Dinner	Mayor Shane Van Styn
11 March 2016	Meeting with Hon. Minister Alan Tudge	Mayor Shane Van Styn
11 March 2016	Abrolhos Island Visit with Ni Hao Delegation	Mayor Shane Van Styn
11 March 2016	Mullewa 2016 Rural Family Fun Day	Mayor Shane Van Styn
12 March 2016	WALGA workshop – Policy & Strategy	Mayor Shane Van Styn
13 March 2016	Inaugural Fishability Day	Mayor Shane Van Styn
15 March 2015	Meeting with Melissa Price – Canberra	Mayor Shane Van Styn
15 March 2015	RCA Board Meeting	Mayor Shane Van Styn
16 March 2016	RCA Ministerial Delegation	Mayor Shane Van Styn
16 March 2016	Recognise Australia Meeting – Robert Little	Mayor Shane Van Styn
17 March 2016	Meeting with Australian Bureau of Statistics – Mark Cairn	Mayor Shane Van Styn
17 March 2016	Hope Springs Community Farm Visit – Meet & Greet with CEO Mark Geaney	Mayor Shane Van Styn
17 March 2016	St Patricks Day Celebrations – Midwest and Geraldton Irish Club	Mayor Shane Van Styn
18 March 2016	Meet and Greet – Consul General of the Republic of Indonesia	Mayor Shane Van Styn
21 March 2016	Regular Catch Up – Marketing & Media	Mayor Shane Van Styn
21 March 2016	Regular Catch Up – Mayor & CEO	Mayor Shane Van Styn
21 March 2016	Citizenship Ceremony – March 2016	Mayor Shane Van Styn
22 March 2016	Elected Member Tour – Mullewa	Mayor Shane Van Styn
22 March 2016	Ordinary Meeting of Council – March 2016	Mayor Shane Van Styn

---

## 11. REPORTS OF DEVELOPMENT AND REGULATORY SERVICES

DRS249 EXTENSION OF LEASE AREA - CROWN RESERVE 50100 – 'JAFFLE SHACK' SEA CONTAINER CAFE
---

<b>AGENDA REFERENCE:</b>	<b>D-16-13811</b>
<b>AUTHOR:</b>	<b>B Robartson, Manager Land &amp; Regulatory Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development and Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>1 March 2016</b>
<b>FILE REFERENCE:</b>	<b>R50100</b>
<b>APPLICANT / PROPONENT:</b>	<b>West End Hospitality Pty Ltd</b>
<b>ATTACHMENTS:</b>	<b>No</b>

### EXECUTIVE SUMMARY:

This report seeks Councils approval to increase the lease area from 48m<sup>2</sup> to 50m<sup>2</sup> for the Sea Container Café on portion of Crown Reserve 50100.

### EXECUTIVE RECOMMENDATION:

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

1. APPROVE the increase of the lease area being portion of Crown Reserve 50100 from 48m<sup>2</sup> to 50m<sup>2</sup>;
2. MAKE the determination subject to:
  - a. consent from the Minister for Lands;
  - b. all costs associated with the amendment to the lease or survey plans to be borne by the lessee; and
3. SET the commencement lease fee at \$8,225 plus GST per annum.

### PROPONENT:

The proponent is West End Hospitality Pty Ltd.

### BACKGROUND:

Council at its meeting on the 28 July 2015 approved to lease a 48m<sup>2</sup> portion of Crown Reserve 50100 to West End Hospitality Pty Ltd for the purpose of a temporary Sea Container Café.

During an inspection of the café by City officers in the development stage, it was identified that the footprint of the structure was 1.25m<sup>2</sup> larger than the leased area.

During this inspection of the building with the owner, the increase was found to be due to an additional floor board on the exterior deck area which is 200mm wider at the front and 100mm wider at the sides. The reason for this increase is to facilitate the installation of removable security screening for the exterior deck area. The installation of security screening was implemented after the owner's attention was brought to the possibility of potential anti-social

behaviour and/or homeless utilising the covered exterior deck afterhours and to provide a secure area for the storing of alfresco dining furniture after hours.

The additional area created by this is not generally usable however the extra space will aid with manoeuvring prams and wheelchairs especially where the access ramp joins the deck.

For the purposes of simplicity and efficiency the total leased area has been rounded at 50m<sup>2</sup>.

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

### **Economic:**

The 'Jaffle Shack' sea container café creates economic vibrancy and vitality to the foreshore and in particular to this area.

### **Social:**

The café has the potential to enhance social quality of life by providing another meeting place for people, particularly those with young children using the playground and play areas in the vicinity.

### **Environmental:**

There are no environmental impacts.

### **Cultural & Heritage:**

There are no cultural or heritage impacts.

## **RELEVANT PRECEDENTS:**

The City administers variations to Crown lease agreements from time to time as deemed necessary.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community councillor consultation regarding the increase of lease area by 1.25m<sup>2</sup>.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58 of the Local government Act 1995 details the process for "disposing" (in this case leasing) of property.

Council Policy CP039 Foreshore Use and Development Policy details requirements for applications and activities within the foreshore reserve.

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

The additional 2m<sup>2</sup> of lease area will increase the lease fee by an additional \$329.00 plus GST per annum.

**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 3.1.2	Encouraging informal recreation though well planned and developed public open spaces, cycle/walk paths and green streetscapes
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 5.2.8	Continuously improving business and governance frameworks to support a growing community

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

An option to reject the increased 1.25m<sup>2</sup> encroachment was not considered by officers due to the security screening requirement and aesthetics of the structure after hours with furniture storage. In addition, the structure was near completion. The approval of the additional leased area will correct the current lease. Consequently this option was rejected.

*Cr S Douglas declared a financial indirect interest in item DRS249 Extension of Lease Area – Crown Reserve 50100 – ‘Jaffle Shack’ Sea Container Café as he and his wife own a block of land on nearby Forrest street, and left Chambers at 1.56pm.*



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

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

1. **APPROVE** the increase of the lease area being portion of Crown Reserve 50100 from 48m2 to 50m2;
2. **MAKE** the determination subject to:
  - a. consent from the Minister for Lands;
  - b. all costs associated with the amendment to the lease or survey plans to be borne by the lessee; and
3. **SET** the commencement lease fee at \$8,225 plus GST per annum.

**CARRIED 11/0**

Mayor Van Styn	YES
Cr. Douglas	N/V
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**DRS250 PROPOSED ALFRESCO DINING – GERALDTON FORESHORE**

<b>AGENDA REFERENCE:</b>	<b>D-16-13817</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>TP15/435 &amp; A20081</b>
<b>APPLICANT / PROPONENT:</b>	<b>West End Hospitality</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

An application has been received for alfresco dining associated with the 'Jaffle Shack' café located on the Geraldton foreshore.

This report recommends conditional approval of the application.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Schedule 2, Part 9, clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. GRANT development approval for alfresco dining on portion of Lot 506 (Reserve 50100) Foreshore Drive Geraldton;
2. MAKES the determination subject to the following conditions:
  - a. Development shall be in accordance with the attached approved plan(s) dated 22 March 2016 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
  - b. All furniture is required to be removed from the area at the close of business each day;
  - c. All furniture located as part of the alfresco dining area is required to be readily removable. No permanent features are permitted;
  - d. The alfresco dining area is required to be cleaned daily and all rubbish removed;
  - e. All furniture for dining must not obstruct pedestrian movement with a minimum clear footpath width of 1.5 metres being maintained at all times;
  - f. No alteration to existing paved or landscaped areas shall be made without the prior written approval of the local government;
  - g. This development approval shall remain valid while the lease of the adjoining premises remains current and valid, and on expiration or earlier termination of the lease, this development approval shall cease to be valid;

- h. The approved alfresco dining area (other than the approved furniture) is not for the exclusive use of the patrons; and
- i. The alfresco dining area is to be maintained to the approval of the local government at all times (inclusive of existing landscaped areas).

**PROPONENT:**

The proponent is Christian Watters on behalf of West End Hospitality.

**BACKGROUND:**

The applicant is proposing to establish an alfresco area of approximately 60m<sup>2</sup> adjacent to the existing 'Jaffle Shack' café. The furniture for the alfresco area will consist of 9 cable reel tables with 6 stools per table.

In the application the proponent has advised the following:

- The addition of alfresco dining to the area surrounding the Jaffle Shack will assist in creating an environment that is healthy, safe and comfortable not only for patrons of the Jaffle Shack but for other users of the foreshore. Currently customers are bringing their own picnic blankets and congregating around the trees to take advantage of the shade on offer. The alfresco dining options proposed will increase the available shade and as a result will increase the availability of suitable spaces. Through thoughtful design in keeping with the shack, the attractiveness of the area will also be improved.
- By providing an area to sit and take in our wonderful foreshore (both protected from the heat of the sun and also in a way that ensures an ability to dine in some comfort) the vibrancy of the area will be enhanced. A more comfortable seating arrangement than currently is on offer (by way of seating on the grass) will encourage longer stays which is in keeping with the City's desire for the foreshore area.
- The public amenity of the area will not be impeded at all by this application. The area proposed for the seating is immediately adjacent to the Jaffle Shack and have both a path and trees which are well suited to the addition of further seating.
- This proposal will not impede at all on the community's use of the public infrastructure currently in place and will in fact improve the infrastructure on offer by freeing up community facilities for general usage.
- The proposed operating hours of the seating area are as per those of the café, this being 7.30am until 6pm at this time but subject to seasonal changes.

A copy of the site plan, aerial photo and proposed alfresco dining furniture is included in Attachment No. DRS250.

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

There are no economic issues.

**Social:**

The application has the potential to enhance the public's visit to the foreshore.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 28 July 2015 approved the lease for the 'Jaffle Shack' café on the foreshore.

Delegated approval was granted on 25 August 2014 for alfresco dining for the 'Two Foreshore' (Rest Centre) café on the foreshore.

The author is not aware of any other relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Geraldton Foreshore (Reserve 50100) is vested with the City for the purpose of 'Foreshore Reserve'. The City has power to lease the Reserve.

**Local Planning Scheme No. 1:**

The land is a 'Local Scheme Reserve' for the purpose of 'Foreshore' under the Scheme. The objective of the 'Foreshore' reserve is:

*To set aside land for foreshore reserves and provide for conservation and/or public access with a range of active and passive recreational uses.*

**Foreshore Use and Development policy:**

The aim of this policy is to provide for an effective framework for the management of proposals for commercial businesses, infrastructure development, recreational and other usages on the foreshore.

The policy advocates the activation of the foreshore recognising that while public open space is a high priority and should not be compromised, people want amenities and activities that enhance their experience of the foreshore.

It also promotes opportunities for activities that respect the essence of the place and enables providers to offer services and facilities to the public to enhance their visit to the foreshore.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Economy	Lifestyle and vibrancy
Strategy 4.1.3	Revitalising the CBD through economic, social and cultural vibrancy.

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

By not approving the application the proponent may seek a review of the decision from the State Administrative Tribunal.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

It is considered that the proposal will enhance the vibrancy and attraction of the foreshore area without compromising its recreational amenity for the general public and therefore the option to refuse the application is not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter. In any event a deferral may trigger a review right under Part 14, Division 2 of the Planning and Development Act 2005 which states that the local government is to be taken to have refused an application if it has not given its decision within a period of 60 days after receipt of the application.

*Cr S Douglas declared a financial indirect interest in item DRS250 Proposed Alfresco Dining – Geraldton Foreshore, as he and his wife own a block of land on nearby Forrest Street, therefore remained outside of Chambers.*

## **MOTION**

### **MOVED CR REYMOND, SECONDED CR MCILWAINE**

**That Council by Simple Majority pursuant to Schedule 2, Part 9, clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:**

- 1. GRANT development approval for alfresco dining on portion of Lot 506 (Reserve 50100) Foreshore Drive Geraldton;**
- 2. MAKES the determination subject to the following conditions:**
  - a. Development shall be in accordance with the attached approved plan(s) dated 22 March 2016 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;**
  - b. All furniture is required to be removed from the area at the close of business each day;**
  - c. All furniture located as part of the alfresco dining area is required to be readily removable. No permanent features are permitted;**
  - d. The alfresco dining area is required to be cleaned daily and all rubbish removed;**
  - e. All furniture for dining must not obstruct pedestrian movement with a minimum clear footpath width of 1.5 metres being maintained at all times;**
  - f. No alteration to existing paved or landscaped areas shall be made without the prior written approval of the local government;**
  - g. This development approval shall remain valid while the lease of the adjoining premises remains current and valid, and on expiration or earlier termination of the lease, this development approval shall cease to be valid;**
  - h. The approved alfresco dining area (other than the approved furniture) is not for the exclusive use of the patrons; and**
  - i. The alfresco dining area is to be maintained to the approval of the local government at all times (inclusive of existing landscaped areas).**

*Cr Colliver requested an amendment to the motion to add a new point 2(b) regarding the number of chairs and tables.*

**AMENDMENT MOTION****MOVED CR COLLIVER, SECONDED CR FREER**

That Council add a new point 2b to note the 'Alfresco furniture be limited to four tables, each seating a maximum of six patrons'.

**CARRIED 7/4**

Mayor Van Styn	NO
Cr. Douglas	N/V
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

*The amended motion became the substantive motion*

**MOTION****MOVED CR REYMOND, SECONDED CR MCILWAINE**

That Council by Simple Majority pursuant to Schedule 2, Part 9, clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, **RESOLVES** to:

1. **GRANT** development approval for alfresco dining on portion of Lot 506 (Reserve 50100) Foreshore Drive Geraldton;
2. **MAKES** the determination subject to the following conditions:
  - a. Development shall be in accordance with the attached approved plan(s) dated 22 March 2016 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
  - b. The Alfresco furniture be limited to four tables, each seating a maximum of six patrons;
  - c. All furniture is required to be removed from the area at the close of business each day;
  - d. All furniture located as part of the alfresco dining area is required to be readily removable. No permanent features are permitted;
  - e. The alfresco dining area is required to be cleaned daily and all rubbish removed;

- f. All furniture for dining must not obstruct pedestrian movement with a minimum clear footpath width of 1.5 metres being maintained at all times;
- g. No alteration to existing paved or landscaped areas shall be made without the prior written approval of the local government;
- h. This development approval shall remain valid while the lease of the adjoining premises remains current and valid, and on expiration or earlier termination of the lease, this development approval shall cease to be valid;
- i. The approved alfresco dining area (other than the approved furniture) is not for the exclusive use of the patrons; and
- j. The alfresco dining area is to be maintained to the approval of the local government at all times (inclusive of existing landscaped areas).

*Cr Reymond requested an amendment to the motion to add a new 2(k) so the City can review the decision in 3 and 12 months.*

*Cr Bylund left Chambers at 2.36pm*

#### **MOTION**

##### **MOVING CR REYMOND, SECONDED CR FREER**

That a new 2(k) be added requiring that the City reviews the decision after 3 months and again in 12 months.

#### **PROCEDURAL MOTION**

##### **MOVED MAYOR VAN STYN, SECONDED CR THOMAS**

That the motion be now put.

#### **CARRIED 9/1**

Mayor Van Styn	YES
Cr. Douglas	N/V
Cr. Bylund	N/V
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES



*Cr Bylund returned to Chambers at 2.38pm*

# **AMENDMENT MOTION**

## **MOVING CR REYMOND, SECONDED CR FREER**

That a new 2(k) be added requiring that the City reviews the decision after 3 months and again in 12 months.

### **LOST 10/1**

Mayor Van Styn	NO
Cr. Douglas	N/V
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	NO
Cr. Tanti	NO
Cr. Raymond	YES
Cr. McIlwaine	NO
Cr. Freer	NO
Cr. Colliver	NO
Cr. Caudwell	N/V
Cr. Thomas	NO

*Council returned to the substantive motion*

# **COUNCIL DECISION**

## **MOVED CR REYMOND, SECONDED CR MCILWAINE**

That Council by Simple Majority pursuant to Schedule 2, Part 9, clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. GRANT development approval for alfresco dining on portion of Lot 506 (Reserve 50100) Foreshore Drive Geraldton;
2. MAKES the determination subject to the following conditions:
  - k. Development shall be in accordance with the attached approved plan(s) dated 22 March 2016 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
  - l. The Alfresco furniture be limited to four tables, each seating a maximum of six patrons;
  - m. All furniture is required to be removed from the area at the close of business each day;

- n. All furniture located as part of the alfresco dining area is required to be readily removable. No permanent features are permitted;
- o. The alfresco dining area is required to be cleaned daily and all rubbish removed;
- p. All furniture for dining must not obstruct pedestrian movement with a minimum clear footpath width of 1.5 metres being maintained at all times;
- q. No alteration to existing paved or landscaped areas shall be made without the prior written approval of the local government;
- r. This development approval shall remain valid while the lease of the adjoining premises remains current and valid, and on expiration or earlier termination of the lease, this development approval shall cease to be valid;
- s. The approved alfresco dining area (other than the approved furniture) is not for the exclusive use of the patrons; and
- t. The alfresco dining area is to be maintained to the approval of the local government at all times (inclusive of existing landscaped areas).

#### LOST 7/4

Mayor Van Styn	NO
Cr. Douglas	N/V
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	NO

*Cr Graham foreshadowed to review the Foreshore Policy at the next Council meeting.*

**COUNCIL DECISION**

**MOVED CR GRAHAM, SECONDED CR THOMAS**

**That Council review the Foreshore Policy at the April 2016 Council Meeting.**

**CARRIED 11/0**

*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 Douglas returned to Chambers at 2.51pm*

DRS251 CAPE BURNEY LEASE HOLDING – PROPOSAL TO STRATA TITLE PORTION OF LOT 200, GASKIN DRIVE
--

<b>AGENDA REFERENCE:</b>	<b>D-16-13822</b>
<b>AUTHOR:</b>	<b>B Robartson, Manager Land &amp; Regulatory Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>2 March 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/5/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's approval to support the intent to subdivide portion of Lot 200 Gaskin Drive, Cape Burney to create 23 strata title residential Lots.

**EXECUTIVE RECOMMENDATION;**

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

1. GIVE local public notice of the intent to subdivide portion of Lot 200, Gaskin Drive, Cape Burney to create 23 strata title residential lots;
2. MAKE the determination subject to:
  - a. Advertising notice period of no less than 30 days inviting public submissions;
  - b. Any works being subject to and compliant with any necessary Town Planning, building compliance and other relevant statutory approvals and at the full cost of the applicant;
  - c. All subdivision, construction, surveyor and conveyancing costs to be borne by the current lessees;
  - d. The leases being terminated following subdivision and freehold strata title being available over the lots; and
  - e. The sale price of each single strata title lot is set at \$85,000 inclusive of GST;
3. TERMINATE those leases as of the 30 June 2019 that do not take up the option to acquire a freehold strata titled lot;
4. DELEGATE authority to the CEO to grant approvals subject to there being no objecting submissions received; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received.

**PROPONENT:**

The proponent is The City of Greater Geraldton.

**BACKGROUND:**

Council at its meeting on the 22 April 2014 resolved the following:

*PART D*

- 1. DIRECT the Chief Executive Officer to consult with lease holders to identify and develop options for the creation of single freehold lots on the land for further consideration of Council;*
- 2. DIRECT the Chief Executive Officer to provide his written report to the Council by no later than 28 October 2014; and*
- 3. NOTE that lessees entering into new leases would not be precluded from the ultimate purchase of freehold lots, if offered by Council.*

Council is advised that officers have met with appointed representatives, Mr Shane Crothers and Father Robert Cross from the Cape Burney leaseholders on a number of occasions since Council's determination on the 22 April 2014 in order to progress freeholding options.

Presented at a Council Concept Forum in October 2014, the option offered to the group for consideration was the potential to strata title the individual lots and have Gaskin Drive remain as 'common property' to the strata title shared equally with the 23 lease holders.

*The below photograph depicts the leasehold lots and Gaskin Drive, Cape Burney.*



The common property lot will have the requirements to be maintained as per any strata titled subdivision and would have the condition to landscape and provide visitor parking bays. The option to potentially strata title was considered as a best option due to the costs of freeholding being uneconomical viable to the City to subsidise and as such these costs would need to be met by the Cape Burney leaseholders and not the City.

Other issues include significant property encroachments and Gaskin Drive not being a gazetted road.

All lots are approximately 600m<sup>2</sup> in size.

Those current lessees that decide not to acquire a strata titled lot will have their lease automatically expire at the end date of 30 June 2019 and have the requirement to remove the dwelling in accordance with the lease terms. Early indications from the Cape Burney representatives are that there is a large majority of support to achieve this desired objective with a good understanding of costs involved.

The Cape Burney representatives have convened a Cape Burney lease holder meeting for Thursday 10 March 2016 to present the findings subject to this report and to receive confirmation of the numbers agreeable to take up strata title freehold.

If the City were to agree to the above proposal it would allow the City to resolve the long standing issue faced with Cape Burney and their desire to freehold. It will also clear the way for the City to complete the subdivision of the balance of Lot 200 for a future residential, tourism and residential/commercial lots whilst preserving future public open space.

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

### **Economic:**

This proposal provides a framework for an immediate cash return to the City whilst opening up future development and dedicated public open space on the balance of the lot through partial subdivision.

### **Social:**

The proposal to strata title the existing leasehold lots will provide the lessees with freehold title and enable them to have the continued use and the passive enjoyment of the public amenity of Lot 200. The City recognises that there is a social heritage in the current leasehold community.

### **Environmental:**

A full environmental study was undertaken by GHD as part of the Outline Development Plan for Town Planning Scheme No. 1 (Greenough River Resort) Amendment No. 6.

### **Cultural & Heritage:**

An ethnographic study of the area was conducted by the City in November 2010. There are five registered aboriginal sites in Cape Burney however there are no registered archaeological sites in the designated subject area.

There is no formal cultural, heritage or indigenous impacts that relate to this proposal. It is noted that previous lessees experiences in living in the area have added to the social culture of the area and state.

## **RELEVANT PRECEDENTS:**

There are no relevant precedents known to the author of undertaking strata title sub divisions as per this proposal.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The future of Cape Burney lease holding was presented at a Council meeting on the 22 April 2014. It was further discussed and updates provided at Council concept Forums on the 4 March 2014 and 7 October 2014.

Officers have worked with representatives from Cape Burney leaseholders to achieve the agreed proposal.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58 of the *Local Government Act 1995* describes how Local Government is to dispose of property.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The Cape Burney representative group has recently presented the City with itemized costs of strata title that amounts to \$1,235,600 that represents \$53,695 per lot (23) that will be met individually by the current leaseholder. In addition to these costs, the City needs to receive payment for the cost of the land and the general consensus of the Cape Burney representatives are that this value is in the order of \$80-\$85K per un-serviced lot.

This payment would have the potential to provide a return to the City of \$1,840,000 - \$1,955,000.

It should be noted that the City obtained a valuation for a proposed hypothetical strata titled allotment in October 2014 of approximately 650m<sup>2</sup> that provided a value of circa \$126,000 per un-serviced lot with shared access to the common property lot.

Recent lot sales from the REIWA data base provide the following comparative analysis for Cape Burney vacant land sales:

- 46 Thames Drive – sold for \$84,000 – 24/10/14;
- 6 Thames Drive – sold for \$92,000 – 16/03/15; and
- 30 Thames Drive – sold for \$85,000 – 28/05/15.

All lots are approximately 600m<sup>2</sup> in size.

The City will have a requirement under the WA Planning Commission subdivision requirements to make provision for statutory services to the balance of Lot 200 and these estimates of costings have been sought from the relevant authorities. These works will be undertaken at the time of the strata title construction and development works.

**INTEGRATED PLANNING LINKS:**

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 5.2.4	Maintaining ease of living in a small sized city, satellite communities and rural communities.

**Regional Outcomes:**

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

**RISK MANAGEMENT:**

The overall aim of this Policy is to provide an effective framework to minimise risk in the management of proposals for commercial business infrastructure development, recreational and other usages on the foreshore reserve in order to achieve the six key principles of the policy, namely activation, effective use, enabling, recognition and communication.

**ALTERNATIVE OPTIONS CONSIDERED**

It is considered that there are no further options for consideration.

**COUNCIL DECISION****MOVED CR CRITCH, SECONDED CR HALL**

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

1. **GIVE** local public notice of the intent to subdivide portion of Lot 200, Gaskin Drive, Cape Burney to create 23 strata title residential lots;
2. **MAKE** the determination subject to:
  - a. Advertising notice period of no less than 30 days inviting public submissions;
  - b. works being subject to and compliant with any necessary Town Planning, building compliance and other relevant statutory approvals and at the full cost of the applicant;
  - c. All subdivision, construction, surveyor and conveyancing costs to be borne by the current lessees;
  - d. The leases being terminated following subdivision and freehold strata title being available over the lots; and
  - e. The sale price of each single strata title lot is set at \$85,000 inclusive of GST;
3. **TERMINATE** those leases as of the 30 June 2019 that do not take up the option to acquire a freehold strata titled lot;
4. **DELEGATE** authority to the CEO to grant approvals subject to there being no objecting submissions received; and
5. **REFER** the matter back to Council for final consideration if any objecting submissions are received.



**CARRIED 12/0**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Bylund</b>	<b>YES</b>
<b>Cr. Ellis</b>	<b>N/V</b>
<b>Cr. Keemink</b>	<b>N/V</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>YES</b>
<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

DRS252 ADOPTION OF DRAFT GERALDTON/BEACHLANDS HERITAGE AREA LOCAL PLANNING POLICY
---

<b>AGENDA REFERENCE:</b>	<b>D-16-13823</b>
<b>AUTHOR:</b>	<b>K Elder, Coordinator Strategic Planning</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>2 March 2016</b>
<b>FILE REFERENCE:</b>	<b>LP/8/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The recently gazetted Local Planning Strategy has designated an area as the 'Geraldton/Beachlands Heritage Area'. Under the provisions of the *Planning and Development Act (Local Planning Schemes) Regulations 2015* the local government must adopt a local planning policy for a designated heritage area.

This report recommends adoption of the draft policy for the purpose of public advertising.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. ADOPT the Geraldton/Beachlands Heritage Area Local Planning Policy as a draft for the purpose of public advertising for a period of 30 days;
2. ADOPT the local planning policy for final approval should no objections be received during the advertising period; and
3. REQUIRE a further report to Council should there be any objections received during the advertising period.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The former City of Greater Geraldton Town Planning Scheme No. 3 (Geraldton) identified a number of '*Urban Precincts*' whose particular circumstances required more focused management and control. Two of which were *Precinct A – Fitzgerald Street* and *Precinct C – Augustus Street* areas which were governed by design guidelines.

Under the new *Planning and Development (Local Planning Schemes) Regulations 2015* if the local government considers that special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, they may designate it as a heritage area and set out control via a local planning policy.

The City's new Local Planning Strategy has designated the Geraldton/Beachlands Heritage Area ('Heritage Area') which is an amalgamation of portions of *Precinct A – Fitzgerald Street* and the *Precinct C – Augustus Street* and includes a new area which extends further south along Francis Street and west to Burges Street.

The heritage area is considered to have heritage significance because it maintains a maturity that results from the existence of many older buildings and established landscaping and street trees. The area's visual prominence, which differentiates it from other parts of the City, means it warrants special consideration in terms of the type of development that occurs within, in order to preserve the visual amenity that does currently exist.

The new Geraldton/Beachlands Heritage Area Local Planning Policy ('the policy') builds on the previous design guidelines documents, however a number of changes have occurred such as:

- Simplifying the objectives of the policy to bring them into line with those recommended by the Heritage Council of WA;
- Clarifying the relationship between the policy and the Residential Design Codes ('R-Codes');
- Minor modifications to the design requirements to ensure compatibility with other local planning policies and the R-Codes;
- The inclusion of additional figures to assist with illustrating the aims of the design requirements; and
- Including streetscape elements.

A copy of the policy which includes a map of the designated heritage area is included in Attachment No. DRS252.

## **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 132 places within the heritage area which are listed in the City's Municipal Inventory.

The objective of the policy is to assist in the conservation and preservation not just of the MI listed places but also to conserve and enhance the cultural heritage significance and character of the area as a whole.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 15 December 2015 re-adopted a number of local planning policies.

Council at its meeting held on 15 December 2015 adopted the Municipal Inventory as the heritage list for Local Planning Scheme No. 1.

Council at its meeting held on 23 February 2016 adopted a number of draft local planning policies for the purposes of public advertising.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The local planning policy is required to be publically advertised in accordance with the requirements of Schedule 2, Part 3, clause 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As part of the public advertising each landowner within the heritage area will be notified in writing and provided with a copy of the policy. The period for making submissions must not be less than 21 days.

There has been no Councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the designation of a heritage area as follows:

**9. Designation of heritage areas**

- (1) *If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area to which this Scheme applies, the local government may, by resolution, designate that area as a heritage area.*
- (2) *If the local government designates an area as a heritage area the local government must adopt for the area a local planning policy that sets out the following –*
  - (a) *a map showing the boundaries of the heritage area;*
  - (b) *a statement about the heritage significance of the area;*
  - (c) *a record of places of heritage significance in the heritage area.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.3	Addressing cultural heritage issues and the preservation and enhancement of natural areas as part of the development process.
Strategy 5.2.7	Ensuring efficient and effective delivery of service

**REGIONAL OUTCOMES:****Heritage Strategy:**

This Strategy provides the overarching framework and strategic direction for heritage planning in the City for 2013 and beyond. The Strategy has five aims one of which is:

*4.2 Protecting*

*In order to adequately protect heritage places, it is important that statutory legislation, controls, policies and procedures are in place and effectively utilised. Therefore securing (statutory) protection for identified places and objects is central to the City of Greater Geraldton's heritage strategy.*

One action in the Strategy is:

*2.3 Review the effectiveness of heritage management policies previously adopted, amend as needed.*

**RISK MANAGEMENT**

By not adopting the policy the City will be in breach of the *Planning and Development (Local Planning Schemes) Regulations 2015* which states that a local government must prepare a policy for a heritage area.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The heritage area is considered to have a high level of heritage significance (with 132 MI listed places) which warrants special consideration in terms of the type of development which occurs within it. The draft policy will provide appropriate guidance to conserve and enhance the cultural heritage significance and character of the area. The option to refuse is therefore not supported.

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

*Cr Freer left Chambers at 2.58pm*

# **COUNCIL DECISION**

## **MOVED CR HALL, SECONDED CR DOUGLAS**

**That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:**

- 1. ADOPT the Geraldton/Beachlands Heritage Area Local Planning Policy as a draft for the purpose of public advertising for a period of 30 days;**
- 2. ADOPT the local planning policy for final approval should no objections be received during the advertising period; and**
- 3. REQUIRE a further report to Council should there be any objections received during the advertising period.**

## **CARRIED 11/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	N/V
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

*Cr Colliver left Chambers at 2.59pm*

**DRS253 MINOR REVIEW OF THE MUNICIPAL INVENTORY**

<b>AGENDA REFERENCE:</b>	<b>D-16-13890</b>
<b>AUTHOR:</b>	<b>S Schewtschenko, Senior Statutory Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0049</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

A minor review has been undertaken by staff of the City of Greater Geraldton Municipal Inventory (MI), which includes modifications to the management categories of 12 places and the addition of 4 new places.

This report recommends the adoption of the revised MI.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT the revised City of Greater Geraldton local government municipal inventory; and
2. FORWARD the municipal inventory to the Heritage Council.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City's MI is a combination of the former inventories for the City of Geraldton, Shire of Greenough and Shire of Mullewa and now contains 3 components reflecting those former local government boundaries.

The MI acts as a record of the City's heritage places whilst also offering management guidelines for the conservation of those places. Each listing contains details regarding ownership, use, history, significance, and other supporting information.

Entry of a place into the MI is recognition of its importance to the community. A management category is allocated to each site depending on its level of significance, which provides a recommendation for the future conservation of the place.

The 6 management categories are as follows:

Management category		Level of significance	Management recommendation
1	Exceptional Significance	Essential to the heritage of the locality.	Conservation of the place is considered essential.  Any proposed change should not unduly impact on the significance of the place and be in accordance with either a Conservation Plan or Heritage Impact Statement.
2	Considerable Significance	Very important to the heritage of the locality.	Conservation of the place is highly recommended.  Any proposed change should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.
3	Moderate Significance	Important to the heritage of the locality.	Conservation of the place is recommended.  Any proposed change to the place should not unduly impact on the heritage values of the place and should retain significant fabric wherever feasible.
4	Some Significance	Contributes to the heritage and/ or historical development of the locality.	Conservation of the place is desirable.  Any proposed change to the place should be in sympathy with the heritage values of the place.
5	Historic Site	The site has historic significance for its previous use and its role in the historical development of the locality.	Proposed development may need to have regard to possible archaeological evidence remaining on the site.  Recognise and interpret the site if feasible. This may be achieved through a variety of methods including, but not limited to, signage, public art, paving treatment and landscaping as well as design treatment of any new development which reflects the former use of the site.
6	Municipal Inventory Archive	Place was previously included in the Municipal Inventory but has been removed due to demolition or diminished heritage significance.	The place does not form part of the Heritage List. This category is for record keeping purposes only.

#### **Changes to Greenough MI component:**

9 places currently listed have increased in their level of significance. The increase in the level of significance is mainly due to further restoration works that have been carried out since their initial listing, additional history and information has become available, or other significant features have become evident.



2 places have decreased their level of significance due to further deterioration, unsympathetic additions, or further investigation into their history and comparison to other places.

The proposed changes to the Greenough MI component are as follows:

<b>Listing details</b>	<b>Current Category</b>	<b>Proposed Category</b>
Place No. 19 – Rose Cottage Lot 202 (No. 123) Phillips Road, Greenough	3	2
Place No. 29 – Mount Pleasant (house) Lot 200 (No. 577) Company Road, Greenough	2	1
Place No. 48 – Barn Lot 1 (No. 220) McCartney Road, Greenough	3	2
Place No. 57 – Rock House (cottage) Lot 443 Company Road, Greenough	3	2
Place No. 95 – Kennedy Road Remnants Kennedy Road, Bootenal	4	3
Place No. 119 – Railway Gatekeeper's Cottage Site Lot 123 Short Road, Walkaway	2	5
Place No. 151 – Walkaway CWA Rooms Lot 1 (No. 5) Evans Road, Walkaway	4	1
Place No. 173 – Mary Drummond's Cottage Bayside Boulevarde, Drummond Cove	3	2
Place No. 186 – Greenough Leaning Tree Brand Highway Lot 302 (No. 26) Georgina Road, Greenough	3	1
Place No. 216 – Greenough River Bridge Brand Highway, Greenough	3	5
Place No. 218 – Sievwright Cottage Ruin Lot 305 (No. 2) Narra Tarra-Moonyoonooka Road, Moonyoonooka	5	4

#### **Changes to Mullewa MI component:**

Place Number M14 – Old police station and residence: Lot 590 (No. 5) Mills Road, Mullewa. Its current management category is 2.

In November 2013 approval was granted for the demolition of the place. In early 2015 the weatherboard building was demolished and the site, together with the adjoining lot, was redeveloped for the purpose of government housing.

The proposed amendment to the listing therefore modifies the history of the place to include the demolition and modifies the management category to 5.

#### **New listings for Mullewa MI component:**

Place Number M59 – Kinkora Farmhouse: Lot 3844 Thomas Road, Devil Creek. Recommended management category 4.

Place Number M60 – Former Pindar Post Office and Store: Lot 28 (No. 23) Sharpe Street, Pindar. Recommended management category 4.

Place Number M61 – Thomas Lintott's Grave: Lot 11855 Geraldton-Mt. Magnet Road, Pindar. Recommended management category 3.

**New listing for Geraldton MI component:**

Place Number G409 – Kurrajong Trees (18): within Old Railway Reserve along Flores Road, between Fourth and Fifth Streets, Wonthella. Recommended management category 2.

A copy of the proposed new listings for the Mullewa and Geraldton MI components are included as Attachment No. DRS253A.

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

**Economic:**

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

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

**RELEVANT PRECEDENTS:**

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

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

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

Council at its meeting held on 15 December 2015 resolved to adopt the municipal inventory as the heritage list for the Local Planning Scheme No. 1 Scheme area.

**COMMUNITY/COUNCILLOR CONSULTATION:**

All owners of the affected listings were advised in writing on 02 and 12 February 2016. The only submission received was from the PTA who had concerns regarding the following:

Listing	Submission	Comment
Place Number G409 – Kurrajong Trees (18): within Old Railway Reserve along Flores Road, between Fourth and Fifth Streets, Wonthella.	It is a preference of the PTA that the trees are not included into the MI, however if Council believes they are significant to the community the PTA will raise no objection subject to the Council maintaining the trees.	The trees are considered to be significant to the community. The trees are well established so maintenance should not be an ongoing issue.
Place No. 119 – Railway Gatekeeper's Cottage Site Lot 123 Short Road, Walkaway.	Query the reclassification from category 2 to 5 (as opposed to category 6) given the place has been demolished.	It is included as category 5 rather than category 6 as it still retains significance as a site given its relationship to the history of the area, its links to the Railways and being one of the few Gate Keepers Cottages in the locality.

Cr Thomas nominated all the new listings for the Mullewa MI component. There has been no other Councillor consultation.

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

Section 45 of the Heritage of Western Australia Act 1990 requires the Council of a municipality to compile and maintain an inventory of heritage places in its district which in its opinion are, or may become of cultural heritage significance.

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

There are no financial and resource implications.

#### **INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:****State Planning Policy 3.5 Historic Heritage Conservation:**

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

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

**Heritage Strategy:**

This Strategy provides the overarching framework and strategic direction for heritage planning in the City for 2013 and beyond. The Strategy has five aims one of which is:

*4.1 Knowing*

*This involves identifying, assessing and documenting heritage places and assets and establishing the information systems to make this knowledge publicly accessible. Understanding our heritage means investigating why it holds meaning for us in the present. As new information becomes known, heritage values can and do change – knowing enables the City to plan for the transitions.*

One action in the Strategy is:

*1.6 Review and identify places of heritage significance not already included on the Municipal Inventory.*

**RISK MANAGEMENT:**

Not supporting the revisions to the MI could be interpreted as failing to comply with the Heritage of Western Australia Act 1990, which requires a local government to compile and maintain an inventory of heritage places.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Entry of a place into the MI is recognition of its importance to the community. The MI acts as an aid to the local government and the community to easily identify and recognise the essence of their surrounding heritage. Section 45 of the Heritage of Western Australia Act 1990 requires the MI to be maintained and therefore the option to refuse is not supported.

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

*Cr T Thomas declared a proximity interest in item DRS253 Minor Review of the Municipal Inventory as Kinkora Farm House mentioned in the review is located on their family farm and left Chambers at 2.59pm.*

*Cr Colliver and Cr Freer returned to Chambers at 3.01pm*

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

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

- 1. ADOPT the revised City of Greater Geraldton local government municipal inventory; and**
- 2. FORWARD the municipal inventory to the Heritage Council.**

**CARRIED 11/0**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>YES</b>
<b>Cr. Bylund</b>	<b>YES</b>
<b>Cr. Ellis</b>	<b>N/V</b>
<b>Cr. Keemink</b>	<b>N/V</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>YES</b>
<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>N/V</b>

*Cr Thomas returned to Chambers at 3.03pm*

DRS254 TOWN PLANNING SCHEME No. 1A, AMENDMENT No. 4 – 'SOUTHGATES DUNES', CAPE BURNEY
--

<b>AGENDA REFERENCE:</b>	<b>D-16-14581</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>LP/16/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>Bayform Holdings Pty Ltd</b>
<b>ATTACHMENTS:</b>	<b>Yes (x4)</b>

**EXECUTIVE SUMMARY:**

The Minister for Environment has consulted with the Minister for Planning and reached agreement on the conditions to which the Amendment should be subject if it is to be implemented. The Minister for Environment has advised that there is no environmental reason why the Amendment should not be implemented subject to conditions.

It is understood that the Minister for Planning will now be making a final determination on the Amendment and this report recommends that Council advise the Minister for Planning of its on-going concerns regarding the Amendment.

There are still unknown impacts relating to the proposed Scheme Amendment for Southgates and its subsequent environmental review. The Minister for Environment has issued a Statement of Conditions that indicate environmentally the Scheme Amendment is acceptable, but the City has not seen / received any of the documentation prepared to address the issues previously raised. The scheme amendment is also part of an agreement that the proponents and State Government have signed and if progressed in its current form could see the City having to finance ongoing management and maintenance of ceded coastal and recreation reserves, along with potentially having to address coastal impacts on land to the north of the area.

Given the uncertainty and potential significant impacts created by the amendment in its current form the Executive Recommendation reflects the City's concern that needs to be raised with the Hon. Minister for Planning.

**EXECUTIVE RECOMMENDATION:**

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

1. ADVISE the Minister for Planning of the following:
  - a. That Council strongly objects to the implementation of Local Planning Scheme Amendment No. 4 in its current form and reiterates its previous concerns regarding the Amendment;

- b. Council is disappointed that (to date) it has not been furnished copies of the reports that the proponent undertook in response to the appeal against the EPA's report relating to coastal processes, foreshore reserve and native vegetation; and
- c. Should the Amendment be given approval, Council will be vehemently objecting to any structure plan until such time as the issues relating to:
  - i. native title and Aboriginal heritage issues relevant to the subject area;
  - ii. agreement from key stakeholders on the broader planning for the southern growth corridor;
  - iii. arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
  - iv. serviceability issues caused by the flooding of Rudds Gully;
  - v. cultural heritage assessment of the areaare addressed to Council's satisfaction; and
- 2. ADVISE the Department of Lands that should any Scheme Amendment, structure plan or subdivision be approved without the support of the City, then the City would not accept any Management Order(s) for any associated public reserves created as part of the subdivision process.

**PROPOSER:**

The proposer is Bayform Holdings with consultants CLE and Coffey Environment.

**BACKGROUND:**

The Amendment involves an area of around 780ha commonly known as the 'southgates dunes' and proposes to rezone the land to 'Development' for future urban subdivision.

**23 February 2005:**

The (then) Shire of Greenough resolved to initiate the Amendment. Under the proposed 'Development' zone, development in the area is to accord with an adopted Subdivision Guide Plan.

**18 April 2005:**

The Environmental Protection Authority (EPA) determined that the Amendment should be assessed under the Environmental Protection Act 1986.

**28 March 2007:**

Council resolved to endorse the Greenough River Estate Structure Plan (Subdivision Guide Plan) dated February 2007. A copy of that subdivision guide plan is included in Attachment No.DRS254A which broadly indicates how the land may be developed.

**15 August 2008:**

An environmental review was undertaken by the proponent and the EPA approved the review for public release.

**27 November 2008:**

The Department for Planning & Infrastructure gave consent for the Amendment to be advertised.

**January/February 2009:**

The Environmental Review and Amendment were concurrently advertised.

**24 March 2009:**

Council resolved in to not proceed with the Amendment and revoke its endorsement of the Greenough River Estate Structure Plan (Subdivision Guide Plan) on the following grounds:

- a) *Council considers that the current oversupply of residential zoned land that is yet to be subdivided within the Geraldton-Greenough area indicates that the proposed rezoning of additional land for residential purposes is contrary to Scheme Objective 1.6 (a) that seeks to facilitate and coordinate progressive development;*
- b) *the submission period has raised a considerable number of objections both from the community and government agencies based on a range of substantial concerns;*
- c) *the need for further study into coastal processes along the Geraldton coastline;*
- d) *Council considers that it would be premature and prejudicial to proceed with a substantial amendment of this nature at this time given there are a number of broader planning issues that are still outstanding for the southern growth corridor; including potential upgrades to infrastructure that will rely on outcomes from the environmental assessment process; and*
- e) *the current uncertainty over the native title and land exchange process.*

**25 May 2009:**

The EPA released its report on the Environmental Review and recommended to the Minister for Environment that the Amendment could not meet environmental objectives and therefore should not be implemented. A copy of the EPA's report and recommendations is included in Attachment No. DRS254B.

**8 June 2009:**

The proponent lodged an appeal against the EPA's report and recommendations.



**16 December 2009:**

The Minister for Planning advised that he had deferred consideration of the Amendment until the outcome of the appeal against the Environmental Review.

**31 August 2010:**

The Minister for Environment partially allowed the appeal which enabled the proponent time to undertake further studies and provide further information regarding coastal processes, foreshore reserve and native vegetation. A copy of the Minister's appeal determination is included as Attachment No. DRS254C.

**18 December 2015:**

The Minister for Environment determined that there is no environmental reason why the Amendment should not be implemented subject to conditions. A copy of the Minister's statement of conditions (Statement No. 1024) is included in Attachment No. DRS254D.

**26 February 2016:**

Department of Lands has sought advice on "whether the City would accept Management Order for the prospective 'foreshore reserve'".

In relation to the "prospective foreshore reserve" it is the Executive's recommendation that this be declined given that the City is not in a position to support the Local Planning Scheme amendment in its current form. The advice indicates that the proponent as part of an agreement between themselves and the State Government commit that "stabilisation of the 'foreshore reserve' would be subject to acceptance by the State of the work done by Bayform". This effectively means that the State will decide on the standard of any stabilisation that would then be subject to the ongoing management responsibility of the City. In other foreshore areas, the City has had a part to play in any agreement and has required ongoing maintenance by the proponent for up to 5 years to the City's satisfaction.

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

The proposed rezoning would facilitate a substantial amount of land for future urban development of Geraldton.

**Social:**

There were a number of social issues raised with the Amendment in particular the recreational, social and iconic value of the dune system.

**Environmental:**

The Minister for Environment has advised that there is no environmental reason why the Amendment should not be implemented subject to conditions.

**Cultural & Heritage:**

The Department of Indigenous Affairs have advised that there are 19 registered Aboriginal heritage sites within the general surrounding area with the map provided by the Department indicating that there are 8 sites within the rezoning area itself.

**RELEVANT PRECEDENTS:**

The Amendment was considered by Council at meetings held on 23 February 2005, 28 March 2007 and 24 March 2009.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The Amendment and Environmental Review were publicly advertised in accordance with the provisions of the Planning & Development Act 2005 and Environmental Protection Act 1986. The proposal was also widely publicised in the local media.

As a result of the advertising, a total of 113 submissions were received (6 offering no objection, 2 expressing indifference and 105 in objection). Three late submissions were also received all objecting to the proposed rezoning.

Councillors have been informed at various stages of the process via briefing notes.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Planning & Development Act 2005 and Environmental Protection Act 1986 set out the process for Amendments. It should be noted that the Minister for Planning is the ultimate decision-maker with regard to Amendments.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There could be substantial financial and resource implications to the City with regard to the future development and on-going maintenance of the land.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.1	Respond to community aspirations by providing creative yet effective planning and zoning for future development

**REGIONAL OUTCOMES:****Geraldton Region Plan (1999):**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area which identifies the land as 'Future Urban'. Section 9.4.1 of the Region Plan states:

*"Residential development of the Southgate Dunes is constrained by environmental considerations. The development of land in the vicinity of the Southgate Dunes has been the subject of considerable investigation. In*

*October 1994 Landrow, a company with significant landholdings north and south of the Greenough River, submitted a proposal to exchange its landholding south of the Greenough River with the Department of Land Administration (DOLA), which owns land to the north containing the Southgate sand dunes. Landrow proposes to stabilise and ultimately urbanise the Southgate Dunes. While this proposal is considered long-term, the principles, terms and conditions of the land exchange and dune stabilisation agreement between Landrow and DOLA have been agreed and this land has been included in the Structure Plan.”*

**Local Planning Strategy:**

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The subject land is shown as a 'Development Investigation Area 8 – Cape Burney' which requires assessment to determine appropriate land uses. The Strategy identifies urban, district centre and community / public purposes as land use considerations for the area.

**Residential Development Strategy:**

The Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City to meet the needs of all residents and build strong communities. It broadly indicates the extent of residential and future residential land along with existing and proposed rural living areas.

The subject land is identified as a 'future residential area'.

**RISK MANAGEMENT:**

The Local Planning Scheme Amendment in its current form poses significant risks for the City of Greater Geraldton both financially and environmentally. Financially the City is being asked to take on Management of large foreshore areas that include active mobile dunes subject to “stabilisation” works undertaken by a private proponent to the satisfaction of the State Government. There is no indication of anticipated costs or if the works will be undertaken to the City's standards for such areas (which normally include a significant ongoing maintenance period).

In addition there is no indication as to whether the City's concerns (relating to the potential impact the project could have on the City's beach areas north of this point) have been addressed. If those concerns have not been addressed there is risk of erosion and a community expectation that mitigation works would need to be undertaken.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Although the Minister for Environment has concluded that there is no environmental reason why the Amendment should not be implemented subject to conditions, it is still considered that there are a number of outstanding issues that the proponent has yet to address including:

- native title and Aboriginal heritage issues relevant to the subject area;
- agreement from key stakeholders on the broader planning for the southern growth corridor;
- arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
- serviceability issues caused by the flooding of Rudds Gully; and
- cultural heritage assessment of the area.

The option to support the Amendment is therefore not supported.

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Although the Minister for Environment has concluded that there is no environmental reason why the Amendment should not be implemented subject to conditions, it is still considered that there are a number of outstanding issues that the proponent has yet to address including:

- native title and Aboriginal heritage issues relevant to the subject area;
- agreement from key stakeholders on the broader planning for the southern growth corridor;
- arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
- serviceability issues caused by the flooding of Rudds Gully; and
- cultural heritage assessment of the area.

The option to support the Amendment is therefore not supported.

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

**PROCEDURAL MOTION****MOVED CR GRAHAM, SECONDED CR HALL****That Item DRS254 be moved to the end of the meeting.****CARRIED 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**DRS255 FORMER RAIL CORRIDOR, WEBBERTON – NARNGULU**

<b>AGENDA REFERENCE:</b>	<b>D-16-14654</b>
<b>AUTHOR:</b>	<b>P Melling, Director Development and Regulatory Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development and Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>3 February 2016</b>
<b>FILE REFERENCE:</b>	<b>PM/2/0004</b>
<b>APPLICANT / PROPONENT:</b>	<b>Public Transport Authority</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**EXECUTIVE SUMMARY:**

The Public Transport Authority (PTA) is seeking the City's input on the future land use of the former rail corridor between the North West Coastal Highway, Webberton and the Geraldton-Mount Magnet Road at Narngulu. This report outlines possible alternate use options and seeks a Council resolution that can be presented to the Public Transport Authority.

**EXECUTIVE RECOMMENDATION:**

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

1. ADVISE the Public Transport Authority of its position on the section of the former rail corridor between Webberton and Narngulu as follows:
  - a. Section between North West Coastal Highway and Place Road, the City has no interest in this section of the corridor apart from identified drainage requirements being satisfied; AND provided that all proceeds from the sale of this portion by the Public Transport Authority are reinvested with the City for use for community purposes as outlined in this report;
  - b. Section between Place Road and Horwood Road, the City seeks transfer of this portion of the corridor at nil cost for community purposes as outlined in this report;
  - c. Horwood Road to Ross Ariti Road, a portion at the north end of this section needs to be set aside for North South Road corridor and the City has an interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road for community purposes as outlined in this report. The City has no interest in the balance of this section;
  - d. Ross Ariti Road to Geraldton-Mount Magnet Road, no interest in this section by the City. The City is also to advise the Public Transport Authority of the need to consider the surrounding area land zoning to ensure consistency / compatibility is achieved;
2. ADVISE that future zoning, subdivision and heritage matters will need to be addressed on any disposal of land in the corridor; and
3. ADVISE that the City has no interest in taking possession of the former railway cottages.

**PROPONENT:**

The proponent is the Public Transport Authority.

**BACKGROUND:**

Over an extended period of time there have been a number of discussions with the Public Transport Authority (PTA) and the City in relation to the future use / disposal of the former rail corridor between North West Coastal Highway, Bluff Point and the Narngulu Marshalling Yard. These discussions have taken place over a number of years and Council has considered the matter previously, but no final decision has been made by the PTA. A copy of Council's previous position is attached as reference (see Attachment No. DRS255A). The section between Chapman Road and North West Coastal Highway is dealt with via a separate subdivision process.

The Public Transport Authority has now sought advice from the City on its position on the disposal of the corridor that is surplus to the PTA's requirements. The PTA has indicated that they want to sell the land to help reduce the PTA's current debt. Following discussions with the PTA, the City officers in November 2013 wrote to the PTA outlining possible future land use options for various sections of the corridor and advising that this was officer comment only and a formal report via Council would need to be considered. The City has had limited feedback on the letter however, the PTA has now contacted the City to advise it is progressing with the disposal and seeking the City's formal position.

The Wonthealla Progress Association have also had a long term position supporting the retention of the corridor and its ultimate development as a rail trail with heritage interpretation and as a vegetated "Greenway". Landowners abutting a section of the corridor between North West Coastal Highway and Place Road have also expressed interest in acquiring sections of the corridor, (one owner has also offered to purchase the balances not taken by other owners).

Given the distance of this linear corridor (approximately 7.5 km) there is only one overall land use solution which is that of the Wonthealla Progress Association proposal, but at an Executive level there is no one solution on its future use so information on the four sections is presented with possible disposal options. See map of railway line – NWCH to Narngulu as Attachment No. DRS255C.

**North West Coastal Highway to Place Road**

Proposal to work the corridor land into an overall structure plan for the CSBP fertiliser depot site has unfortunately not progressed. The City was keen to achieve some form of dual use path link through this corridor. The construction of this link would have been tied into a road network that would need to have addressed community safety / business security issues and maximise land development opportunities. The City saw this pathway link

---

running from the Wonthella Sporting Complex through to the former PTA land in Bluff Point and the path / interpretation of that site area (rail cutting area).

Unfortunately, for a number of reasons this approach has not proceeded beyond some initial concept plan designs. Given that the alternate design option has not proceeded and looks like it will not be occurring in the short to medium term, the City therefore will not object to the disposal of this portion of the former rail corridor to abutting land owners. This option however should not be progressed if it creates isolated parcels of land. In relation to the pathway link as an offset the City will seek a commitment from the PTA for a new dual use path linking Place Road with the former rail corridor at Bluff Point utilising the existing road network.

It is recommended that any proceeds from the sale of land received by the PTA for this section be reinvested for use to develop community infrastructure in the rail corridor segment between Place Road and Horwood Road.

It is noted that there are some long standing drainage areas within the former corridor that drains sections of Flores Road, this aspect will need to be addressed as part of the process; this may be a legacy issue arising from when the corridor was still an active railway.

### **Place Road to Horwood Road**

The City has a strong interest in taking over the responsibility of this section of the corridor (at nil transfer cost to the City). The majority of this portion of the corridor has limited commercial potential due to the existing road network configuration and surrounding land uses:

- The portion of corridor from Place Road (South) through to the Holcim site does have heritage interpretation value especially around the former Wonthella rail site and the recognised heritage trees. It will permit this section of the former railway to have a path and interpretive elements (this in turn could assist in alleviating some of the concerns of the Wonthella Progress Association. Noting that the Association's current position is that they see the rail reserve being preserved from at least Horwood Road through to North West Coastal Highway and a heritage trail established).
- The corridor will provide a buffer between the Service Industrial Area (on the east side of Bradford Street) and the residential area of Wonthella to the west.
- The corridor in this area is located between two gazetted roads for a substantial section that severely limits any alternate land use (including the fact that the City would not support commercial / industrial uses on this land and it would have poor amenity value for residential use).
- There is a need to formalise access to Bradford Street in at least one location (adjoining the former tip site) via the creation of a road reserve across the rail corridor.



- The corridor also offers an opportunity to remedy some of the long term drainage issues in this area and the drainage can be accommodated in accordance with a landscape / interpretation plan for the area.
- In relation to the area abutting the existing PTA lease areas on Flores Road, the City notes that the long term use of the lease areas at the former Utakarra siding need to be determined. For information the City had prepared the Sporting Futures Report that outlines a long term vision for sports activities across the City of Greater Geraldton that provides for integrating the corridor into the recreation reserves that surround this southern area. The attached extract Attachment No. DRS255B refers.
- The leasehold sites in Utakarra siding are a legacy land use arising from the location of the former siding but have no land use relationship with the surrounding area. Over time the surrounding land areas have been developed for recreational use and surrounding reserves yet to be developed and are also recreationally focussed. The land uses currently occupying the lease areas are more appropriate to a General Industry area and could be considered for relocation in the reserve north of Place Road (if some of the abutting owners do not wish to acquire).
- It is recommended to advise the PTA that it is unlikely that the City would support a spot zoning for General Industry in this area.

#### **Horwood Road to Ross Ariti Road**

- Portion immediately south of Horwood Road will be required for the future North South Road (Main Roads), the future of the State Registered cottage will need to be factored into this portion of the rail reserve's disposal. The PTA do not wish to retain ownership of the cottage and it would form part of the disposal of this section of corridor
- There is City interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road; the City has an opportunity to add this area to an existing reserve and the site interpreted accordingly (to the Office of State Heritage requirements), but any costs for interpretation / maintenance of the former platform would be at the City's cost. In return, part of this adjoining City managed reserve could be reconfigured to give the rail reserve direct lot frontage to Edward Road.
- Part of the reserve through this area could be offered to adjoining industrial lot owners, but noting again, this could create lots with a dual road frontage creating issues via the W.A. Planning Commission. The City would not support industrial lots having access to Beaconsfield Road.
- The City has no interest in the balance area through this section.

#### **Ross Ariti Road to Geraldton – Mt Magnet Road**

No interest in this section by the City, the PTA will be advised of the surrounding land zoning to ensure consistency / compatibility.

---

The City notes that there is a Water Corporation pipeline in a portion of the reserve through this area.

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

#### **Economic:**

Potentially some sections of the former rail corridor have subdivision / land use potential that could ultimately provide for extensions to existing businesses or redevelopment opportunities, both having positive economic benefits.

#### **Social:**

The disposal of the corridor north of Place Road has the potential to lessen current anti-social activities in the area especially in relation to damage and burglary. The section south of Place Road provides the opportunity to work with the Wonthealla Progress Association on its heritage trail concept.

#### **Environmental:**

The section south of Place Road if transferred to the City will continue to act as a buffer area between the existing Wonthealla residential area and the Webborton industrial area.

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

The former rail corridor is listed on the State Heritage Register and the PTA will need to satisfy the Heritage Council of W.A. requirements in this regard. It is noted that the Wonthealla Progress Association proposal would achieve this objective.

### **RELEVANT PRECEDENTS:**

There are no relevant precedents.

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

Councillors have been provided with status reports on the former rail corridor over a number of years. There have also been discussions (and the recent presentation) with the Wonthealla Progress Association, local landowners have also discussed the corridor's future with City officers.

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

There is potentially a conflict with the Heritage Act of W.A. which the PTA will need to address.

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

If the City were to become responsible for any sections of the corridor and structures thereto, there will be requirement for restoration of structures and even at minimum maintenance requirements (to retain the actual corridor in its current form) will require firebreak mowing. If the Rail Trail concept was progressed any additional facilities would require ongoing maintenance and will need to be fully costed and form part of future budget consideration.

**INTEGRATED PLANNING LINKS:**

Title: Economy	A dynamic, diverse and sustainable economy.
Strategy 4.2.1	Developing more efficient transport options that are secure and safe to sustain our lifestyle.

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

No significant risks identified.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The following options were considered by City Officers:

Disposal of the full length of the corridor, for freeholding to alternate (non-community) land uses. This option is not supported as it potentially could create conflicting land use activities on some sections of the former corridor.

Alternately, the City could request that the whole 7.5 km former rail corridor be transferred to the City, free of charge, for either possible community use / or as a strategic linear corridor for some future potential transport activity which would support the Wonthealla Progress Association's proposal.

At an Executive level this option is not supported for the following reasons:

- Its retention as a strategic linear link is not supported as the City has an adopted position statement for the Geraldton North-South Transport Corridor located on a parallel corridor less than a kilometre away.
- Retention of the whole corridor in City ownership could create a community expectation for improved facilities on the corridor.
- The creation of a rail trail is not a priority for the City.
- It is likely that restoration and ongoing maintenance of the cottage at Horwood Road would also be a requirement if the City were to seek this section of the adjoining corridor.
- The ongoing maintenance of the 7.5km long corridor (40 metres wide) and structures thereto, would add additional costs to the City's budget.

*Cr N McIlwaine declared a financial indirect and proximity interest in Item DRS255 Former Rail Corridor, Webberton – Narngulu as he is a salaried employee of the company that has premises abutting land that is to be considered in this item and left Chambers at 3.04pm.*

*Cr Raymond proposed an alternative motion that the whole 7.5m former rail corridor be transferred to the City.*

**MOTION****MOVED CR REYMOND, SECONDED CR BYLUND**

That the City request that the whole 7.5 km former rail corridor be transferred to the City, free of charge, for either possible community use or as a strategic linear corridor for some future potential transport activity.

*REASON FOR VARIATION: The advice provided is not what Cr Reymond agrees with and disrupts the creation of a continuous north / south rail trail corridor.*

*The Mayor foreshadowed that the Executive Recommendation be moved should this motion be lost.*

**PROCEDURAL MOTION****MOVED CR HALL, SECONDED CR DOUGLAS**

That the motion be now put.

**CARRIED 10/1**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	N/V
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

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

That the City request that the whole 7.5 km former rail corridor be transferred to the City, free of charge, for either possible community use or as a strategic linear corridor for some future potential transport activity.

**LOST 9/2**

Mayor Van Styn	NO
Cr. Douglas	NO
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	N/V
Cr. Freer	NO
Cr. Colliver	NO
Cr. Caudwell	N/V
Cr. Thomas	NO

*Cr Reymond left Chambers at 3.25pm.*

*Cr Reymond returned to Chambers at 3.26pm*

**MOTION****MOVED MAYOR VAN STYN, SECONDED CR HALL**

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

- 1. ADVISE the Public Transport Authority of its position on the section of the former rail corridor between Webberton and Narngulu as follows:**
  - a. Section between North West Coastal Highway and Place Road, the City has no interest in this section of the corridor apart from identified drainage requirements being satisfied; AND provided that all proceeds from the sale of this portion by the Public Transport Authority are reinvested with the City for use for community purposes as outlined in this report;**
  - b. Section between Place Road and Horwood Road, the City seeks transfer of this portion of the corridor at nil cost for community purposes as outlined in this report;**
  - c. Horwood Road to Ross Ariti Road, a portion at the north end of this section needs to be set aside for North South Road corridor and the City has an interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road for community purposes as outlined in this report. The City has no interest in the balance of this section;**
  - d. Ross Ariti Road to Geraldton-Mount Magnet Road, no interest in this section by the City. The City is also to advise the Public Transport Authority of the need to consider the surrounding area land zoning to ensure consistency / compatibility is achieved;**
- 2. ADVISE that future zoning, subdivision and heritage matters will need to be addressed on any disposal of land in the corridor; and**
- 3. ADVISE that the City has no interest in taking possession of the former railway cottages.**

*Cr Graham moved an amendment to update 1(d) to remove the text 'The City has no interest in the balance of this section'; and add a new 1 (e) to create a 10 metre wide buffer.*

**MOTION****MOVED CR GRAHAM, SECONDED CR DOUGLAS**

That the following update to 1(d) and a new 1 (e) be included in the Executive Recommendation.

- d. Horwood Road to Ross Ariti Road, a portion at the north end of this section needs to be set aside for North South Road corridor and the City has an interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road for community purposes as outlined in this report; and
- e. The creation of a 10 metre wide “buffer” area running from Ross Ariti Road to the north eastern corner of Lot 1 Hatch Place, Utaarra for the purposes of a buffer between the residential and the light industry lots in the area. The City has no interest in the balance of this section.

**PROCEDURAL MOTION****CR HALL, SECONDED CR DOUGLAS**

That the motion be now put.

**CARRIED 11/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	N/V
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

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

That the following update to 1(d) and a new 1 (e) be included in the Executive Recommendation.

- d. Horwood Road to Ross Ariti Road, a portion at the north end of this section needs to be set aside for North South Road corridor and the City has an interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road for community purposes as outlined in this report; and
- e. The creation of a 10 metre wide “buffer” area running from Ross Ariti Road to the north eastern corner of Lot 1 Hatch Place, Utaarra for the purposes of a buffer between the residential and the light industry lots in the area. The City has no interest in the balance of this section.

**LOST 9/2**

Mayor Van Styn	NO
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	YES
Cr. Tanti	NO
Cr. Reymond	NO
Cr. McIlwaine	N/V
Cr. Freer	NO
Cr. Colliver	NO
Cr. Caudwell	N/V
Cr. Thomas	NO

*Cr Bylund foreshadowed that he would provide an alternative motion should the motion be lost.*



**COUNCIL DECISION****MOVED MAYOR VAN STYN, SECONDED CR HALL**

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

1. **ADVISE the Public Transport Authority of its position on the section of the former rail corridor between Webberton and Narngulu as follows:**
  - a. **Section between North West Coastal Highway and Place Road, the City has no interest in this section of the corridor apart from identified drainage requirements being satisfied; AND provided that all proceeds from the sale of this portion by the Public Transport Authority are reinvested with the City for use for community purposes as outlined in this report;**
  - b. **Section between Place Road and Horwood Road, the City seeks transfer of this portion of the corridor at nil cost for community purposes as outlined in this report;**
  - c. **Horwood Road to Ross Ariti Road, a portion at the north end of this section needs to be set aside for North South Road corridor and the City has an interest in retaining a portion of the corridor at the heritage listed old platform area adjacent to Ross Ariti Road for community purposes as outlined in this report. The City has no interest in the balance of this section;**
  - d. **Ross Ariti Road to Geraldton-Mount Magnet Road, no interest in this section by the City. The City is also to advise the Public Transport Authority of the need to consider the surrounding area land zoning to ensure consistency / compatibility is achieved;**
2. **ADVISE that future zoning, subdivision and heritage matters will need to be addressed on any disposal of land in the corridor; and**
3. **ADVISE that the City has no interest in taking possession of the former railway cottages.**

**CARRIED 7/4**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>NO</b>
<b>Cr. Bylund</b>	<b>NO</b>
<b>Cr. Ellis</b>	<b>N/V</b>
<b>Cr. Keemink</b>	<b>N/V</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>NO</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>NO</b>

<b>Cr. McIlwaine</b>	<b>N/V</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

**PROCEDURAL MOTION****MOVED MAYOR VAN STYN, SECONDED CR FREER****That Council take a short break at 3.46pm****CARRIED 11/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	N/V
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

*Cr Mcilwaine returned to Chambers at 3.47pm**Following a short break the Meeting resumed at 3.55pm*

DRS256 RE-ADOPTION OF CITY OF GREATER Geraldton ANIMALS ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2015
---

<b>AGENDA REFERENCE:</b>	<b>D-16-14037</b>
<b>AUTHOR:</b>	<b>N Ferridge, Compliance Officer, Ranger Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director of Development and Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>17 February 2016</b>
<b>FILE REFERENCE:</b>	<b>LE/5/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**EXECUTIVE SUMMARY:**

This report is seeking Council to readopt the Animals Environment and Nuisance Amendment Local Law 2015 under section 3.12 of the *Local Government Act 1995* and the *Health Act 1911* to correct minor formatting errors. The draft local law for readoption, that repeals the previous gazetted version, is attached as Attachment No. DRS256A.

**EXECUTIVE RECOMMENDATION;**

That Council by Absolute Majority pursuant to *Section 3.12 of the Local Government Act and Section 199 of the Health Act 1911* RESOLVES to:

1. READOPT the *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*;
2. GAZETTE the readopted version of *City of Greater Geraldton Animals Environment and Nuisance Amendment Local Law 2015*; and
3. ADVISE the Executive Director of Public Health on the readopted *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

On 25 August 2015 Council approved for final adoption the *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015* which was subsequently gazetted on 2 October 2015.

Following the gazettal, it was noted that there were some minor formatting errors. The City sought advice from the Delegated Legislation Committee. It is deemed necessary for the City to amend these minor typographical errors and essentially, requires Council to re-adopt the law and gazette it once more. The Delegated Legislation Committee advised that it is best for the “new” law to include an added clause that repeals the one gazetted on 2 October 2015, to avoid any confusion for local residents. Please see the explanation of the formatting errors included as Attachment No. DRS256B & DRS256C.

The *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2014* was published in the Government Gazette on 13 May 2014. It was then referred to the Joint Standing Committee on Delegated Legislation (the 'Committee') for its consideration. The Committee found that it contained subject matter which required consent from the Executive Director, Public Health which had not been obtained. Consequently, the Committee recommended that Part 2, 'Keeping of Animals' and items 1-22 in Schedule 1 of the local law be disallowed. The Committee then wrote to the City advising that Part 2 had been disallowed due to a procedural invalidity.

The Committee in its report findings made it clear that the validity issue arises through no fault on the part of the City or its officers who forwarded the local law to the Executive Director, Public Health for his consideration.

As a result of the disallowance of Part 2 and items 1-22 in Schedule 1 of the local law, the City has since received advice from Department of Local Government and Communities and Department of Health and has considered that advice. The advice considered most appropriate is to introduce Part 2 'Keeping of Animals' as a new amendment to the existing local laws. At the same time it is appropriate that the City corrects several minor errors that have been identified through the making of the local laws as part of being additional amendments to the local law.

Council on 24 February 2015 resolved the following:

1. *PROPOSE the City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015; and*
2. *APPROVE for advertising the City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015 and invite public comment.*

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

### **Economic:**

There are no economic impacts.

### **Social:**

This item addresses the provision of effective local laws that deal with potential social impacts relating specifically to the 'Keeping of Animals' to address issues where animals may cause nuisance where kept in proximity to neighbours or other sensitive land use.

### **Environmental:**

This item addresses the provision of effective local laws that deal with potential environmental impacts relating specifically to the 'Keeping of Animals' such as erosion of soil and dust complaints due to overstocking rates and proximity to neighbours.

### **Cultural & Heritage:**

There are no cultural or heritage impacts.

---

**RELEVANT PRECEDENTS:**

There are relevant precedents in that Council has already made the local law which relates to this agenda item and it is being considered for final adoption.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The City commenced advertising state wide of the Local Law Amendment on 1 April 2015 and concluded on 4 May 2015 for a period of 33 days inviting public comment. However, under section 3.12 of the *Local Government Act 1995* the required period of advertising is for 42 days and the City was advised by the Department of Local Government (DLG) to re-advertise the Local Law Amendment as the actual period of advertising was less than the statutory minimum of 42 days. Following this advice, the City in keeping with the Act, recommenced state wide advertising on 9 May 2015 and concluded on 26 June 2015 for the required minimum period of 42 days.

Minor corrections were noted by the Department of Health and changes were made by the City of Greater Geraldton officers.

There were no other submissions received following the advertising periods.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are legislative implications to making amendments to a local law. This item follows the statutory process for making amendments to local laws, specifically in relation to obtaining the consent from the Executive Director, Public Health.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are financial and resource implications for making amendments to the local laws. Officers' time is required in following the processes for making the laws as well as the implementation of the local law. There are also costs associated with publishing the amendments circa \$500 per page, and there is potential income and associated costs that the City may expect in the way of fines and enforcement expenses.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

The provision of effective local laws further enhances the City of Greater Geraldton as a Regional Centre.

**RISK MANAGEMENT**

This item addresses the risk to the City arising from having an incomplete local law. Part 2 of the law was disallowed due to a procedural error through no fault of the City, reinstating it by an amendment makes good Council's original decision which was to make the local law in its entirety. This item removes the risk of the City being unable to deal with issues regarding the

'Keeping of Animals' and remedy relevant issues the community expects the City to assist to resolve.

### **ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The following options were considered by City Officers:

The executive recommendation is considered the best option as it deals specifically with part of the laws that were disallowed and that formed part of Council's original decision to make the *City of Greater Geraldton Animals, Environment and Nuisance Local Law 2015* in its entirety. This is consistent with the advice the City received regarding making the local law valid.

### **COUNCIL DECISION**

#### **MOVED CR DOUGLAS, SECONDED CR TANTI**

**That Council by Absolute Majority pursuant to Section 3.12 of the Local Government Act and Section 199 of the Health Act 1911 RESOLVES to:**

- 1. READOPT the *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*;**
- 2. GAZETTE the readopted version of *City of Greater Geraldton Animals Environment and Nuisance Amendment Local Law 2015*; and**
- 3. ADVISE the Executive Director of Public Health on the readopted *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*.**

#### **CARRIED BY ABSOLUTE MAJORITY 12/0**

*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.*

**12. REPORTS OF COMMUNITY SERVICES**

Nil.



### 13. REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS162 COMPLIANCE AUDIT RETURN 2015
-------------------------------------

<b>AGENDA REFERENCE:</b>	<b>D-16-12187</b>
<b>AUTHOR:</b>	<b>M Adam, Governance Advisor</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>RM/6/0020</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of the Compliance Audit Return (CAR) 2015 as required under the Local Government Act 1995.

#### EXECUTIVE RECOMMENDATION;

That Council by Absolute Majority pursuant to Section 7.13(1) of the Local Government Act and regulation 13 of the Local Government (Audit) Regulations RESOLVES to:

1. ADOPT the 2015 Compliance Audit Return.

#### PROPONENT:

The proponent is the City of Greater Geraldton.

#### BACKGROUND:

In accordance with section 7.13(1) of the *Local Government Act 1995* and regulation 13 and 14 of the *Local Government (Audit) Regulations 1996*, a local government authority is required to carry out a compliance audit for the period 1 January to 31 December in each year and prepare a Compliance Audit Return in a form approved by the Minister.

Pursuant to regulation 14 (3A) of the *Local Government (Audit) Regulations 1996*:

*(3A) The local governments audit committee is to review the compliance audit return and is to report to the council the results of that review.*

The 2015 CAR was submitted to the Audit Committee Meeting on 1 March 2016 for the Committee to review and subsequently report the results of the review to Council.

The Audit Committee resolved to:

1. *ENDORSE the results of the Compliance Audit Return 2015 subject to a review of the section 'Delegation of Power/ Duty' , regarding whether Delegation of Authority has been made, by Council , to the Community Grants Committee, and consequent review of related questions, if applicable.*

2. *REPORT the results of the review of the Compliance Audit Return 2015 to Council at the Ordinary meeting to be held on 22 March 2016.*

The Minutes of the Audit Committee Meeting 1 March 2015 and Briefing Note response to the Audit Committee, as requested, are attached in Report to be Received CCS171.

## **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 adopts the Compliance Audit Return each year, prior to its submission to the department.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

The CAR was submitted to the Audit Committee to review the results at its meeting on 1 March 2016.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

Section 7.13(1)(i) of the LGA and Regulation 13 and 14 of the *Local Government (Audit) Regulations 1996*.

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

## **INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.8	Continuously improving business and governance frameworks to support a growing community.

## **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

## **RISK MANAGEMENT**

The Compliance Audit Return is a statutory compliance requirement for Local Governments and is subject to review first by the Audit Committee and then as a report to Council for adoption before being submitted to the Department of Local Government.

The City is required to provide this to the Department no later than 31 March 2016. The City does not have the option to not adopt the CAR as it would result in non-compliance with the Local Government Act 1995 and Local Government (Audit) Regulations 1996.

#### **ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers.

#### **COUNCIL DECISION**

##### **MOVED CR REYMOND, SECONDED CR HALL**

That Council by Absolute Majority pursuant to Section 7.13(1) of the Local Government Act and regulation 13 of the Local Government (Audit) Regulations **RESOLVES** to:

1. **ADOPT the 2015 Compliance Audit Return.**

#### **CARRIED BY ABSOLUTE MAJORITY 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

CCS163 COUNCIL POLICY CP006 RISK MANAGEMENT POLICY
--

<b>AGENDA REFERENCE:</b>	<b>D-16-14448</b>
<b>AUTHOR:</b>	<b>C Cook, Governance Officer (Risk)</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP006 Risk Management Policy which has under gone review.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP006 Risk Management Policy.

**PROPONENT:**

The proponent is City of Greater Geraldton.

**BACKGROUND:**

This policy was last endorsed by the Council of the City of Greater Geraldton 24 July 2012 and has now been reviewed and minor amendments made to align with the process and structure changes in the organisation.

In summary these changes include:

1. Alignment to the City of Greater Geraldton Risk Management Framework; and
2. Updating Policy References.

**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:**

There are relevant precedents for the endorsement of Risk Management Policies and process by Council as follows:

- *CS001 Greater Geraldton Council Policies;*
- *OP0002 City of Greater Geraldton Council Policies; and*
- *CCS108 Risk Management Framework.*

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

This Policy's implementation is associated with the legislative compliance requirements as follows:

- Local Government (Audit) Regulations 1996 Regulation 17;
- Department of Local Government & Communities Integrated Planning; and
- City of Greater Geraldton Risk Management Framework.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

Implementation of this Policy is a principal control for ensuring the City's ongoing compliance with the legislation requirements.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers.

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

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

- 1. ENDORSE Council Policy CP006 Risk Management Policy.**

**CARRIED 12/0**

*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.*

CCS164 COUNCIL POLICY CP010 PROCUREMENT OF GOODS & SERVICES
---

<b>AGENDA REFERENCE:</b>	<b>D-16-14457</b>
<b>AUTHOR:</b>	<b>B Pearce, Governance &amp; Risk Coordinator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP010 Procurement of Goods & Services.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP010 Procurement of Goods & Services.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In October 2015 the *Local Government (Functions & General) Regulations 1996* was amended to contemporise local government procurement.

These changes streamlined and clarified requirements local governments were to meet in the management of procurement functions.

Following the formal gazetting of the amended Regulations the City undertake a detailed review of the CP010 Procurement of Goods & Services (the Policy) to determine what changes were required to ensure compliance with the new regulations. The City also in the review assessed what additional further amendments could be considered to ensure the continued effectiveness and relevance of this policy and used this opportunity to align the proposed Policy to WALGA best practice guidelines.

The changes to the Policy are summarised as follows:

1. Aligned the Policy requirement to call a Public Tender to the Regulations new level of \$150,000;
2. Contemporised the below tender purchasing thresholds that take into account the current City procurement procedural controls,

- eQuotes implementation, and increases in the costs of goods and services over the last 5 years;
3. Detailed the new requirements that the City will when able making use of newly established tender exemptions for Disability Enterprises and Aboriginal Businesses;
  4. Detailed that the City will when possible seek to engage Disability Enterprises and Aboriginal Businesses for supply of goods and services contracts;
  5. Detailed that the City may provide a qualitative weighting to Disability Enterprises and Aboriginal Businesses that provides a competitive advantage in the assessment and award; and
  6. In general clarified and simplified the wording of the Policy without reducing its scope and intent to enable accessibility and ease of use.

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

### **Economic:**

There are no specific measurable economic impacts that can be determined at this time; however this Policy's intent and scope is to ensure that the City is able to maintain contemporary, accountable and responsible procurement practices that will ultimately benefit the community.

### **Social:**

This Policy also establishes the City's intent to support and engage Disability Enterprises and will when possible seek to procure goods and services from Disability Enterprises.

This Policy also confirms the City's intent to when possible provide a competitive advantage to Suppliers who can demonstrate a high level of corporate social responsibility in their business practices.

### **Environmental:**

This Policy confirms the City's intent to when possible provide a competitive advantage to Suppliers who can demonstrate a sustainable and responsible business practices.

### **Cultural & Heritage:**

This Policy establishes the City's intent to support and engage Aboriginal Businesses and will when possible seek to procure goods and services from Aboriginal Businesses.

## **RELEVANT PRECEDENTS:**

Council previously endorsed the revision of this Policy to ensure its ongoing effectiveness and compliance in item

- *CCS022 Amendment to CP010 Procurement of Goods and Services.*

**COMMUNITY/COUNCILLOR CONSULTATION:**

The City sought feedback from the Mid-West Chamber of Commerce & Industry on this Policy via the joint Procurement Working Group who advised support for the proposed amendments to this Policy.

The City also sought feedback from WALGA Procurement Services and was advised that the Policy was aligned to the new Regulations and would enable effective management of procurement.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Local Government Act 1995 section 3.57 and the Local Government (Functions & General) Regulations 1996 section 11, outline the requirements that local government must comply with when undertaking procurement activities. This policy has been drafted to ensuring ongoing compliance with these requirements

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

This Policy confirms the City's intent to as much as possible seek to procurer goods and services from locally sourced Suppliers. This Policy is supported by the CP016 Regional Pricing Preference.

**RISK MANAGEMENT**

This Policy shall be a significant risk control to ensure the ongoing effectiveness and compliance of the City's procurement systems.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

In the consideration of this item the City Officers considered the following Policy purchasing thresholds;

**OPTION 1 - REJECTED**

Option 1 detailed a minor amendment to the current Policy purchasing thresholds i.e. the increase of the Tender threshold.

<b>Purchase Threshold</b>	<b>Purchasing Requirement summary</b>
<i>Up to \$1,000</i>	<i>Obtain at least one written quotation from a suitable supplier</i>
<i>\$1,000 - \$30,000</i>	<i>Obtain at least two (2) written quotations</i>
<i>\$30,000 - \$60,000</i>	<i>Obtain at least three (3) written quotations</i>
<i>\$60,000 - \$150,000</i>	<i>Obtain at least three (3) written quotations, with specifications, contract requirements and evaluation criteria</i>
<i>Over \$150,000</i>	<i>Public Tender, or exempt appointment</i>



This method was rejected following detailed consultation with internal and external stakeholders as it is:

1. Not in keeping with the contemporary procurement practices;
2. Does not account for the increases in costs of goods and services; and
3. Is an ongoing administration burden for low value purchases.

## **OPTION 2 – REJECTED**

Option 2 detailed a moderate amendment to the current Policy purchasing thresholds i.e. raised all thresholds slightly and increased the Tender threshold, and removed the now obsolete 2 quotes threshold which due to eQuotes system requirements is now redundant i.e. RFQ's go to all registered suppliers which by default is over 3 suppliers.

<b>Purchase Threshold</b>	<b>Purchasing Requirement summary</b>
Up to \$3,000	Obtain at least one written quotation from a suitable supplier
\$3,000 - \$50,000	Obtain at least three (3) written quotations
\$50,000 - \$150,000	Obtain at least three (3) written quotations, with specifications, contract requirements and evaluation criteria
Over \$150,000	Public Tender, or exempt appointment

This method was rejected following detailed consultation with internal and external stakeholders as:

1. Whilst it is an improvement on the current purchasing levels it does not adequately account for the full increase in costs of goods and services; and
2. Is an ongoing administration burden for low value purchases, though a slight improvement over Option 1.

## **OPTION 3 – RECOMMEND**

Consideration was given to Option 3 which was ultimately selected as being the most advantageous and effective for the City administration following extensive consultation with internal and external stakeholders due to:

1. Procurement of goods and services costs have increased and the higher quote thresholds is in line with current industry costs;
2. The established procedural control over purchasing that minimises potential noncompliance and probity in low level procurement (*these in brief are Synergy software system controls, Separation of Duties, Procurement Policy and Procedures, eQuotes System, Audit and Finance oversight*);
3. The effectiveness of coordinating all sub tendering procurement via eQuotes;

4. The efficiency of enabling areas to work within delegated authority and approved budgets; and
5. Reduced administrative burden of needing to process multiple quotations for low value procurement.

<b>Purchase Threshold</b>	<b>Purchasing Requirement summary</b>
up to \$5,000	Obtain at least one written quotation from a suitable supplier
\$5,000 - \$50,000	Obtain at least three (3) written quotations
\$50,000 - \$150,000	Obtain at least three (3) written quotations, with specifications, contract requirements and evaluation criteria
Over \$150,000	Public Tender, or exempt appointment

**MOTION****MOVED CR DOUGLAS, SECONDED CR HALL**

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

1. **ENDORSE Council Policy CP010 Procurement of Goods & Services.**

**PROCEDURAL MOTION****MOVED CR HALL, SECONDED CR REYMOND**

That Items CCS164, CCS165, CCS 166; CCS167 be carried En bloc

**CARRIED 11/1**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

*The following items were dealt with 'En bloc'*

*Note: 'En bloc' is the practice when dealing with similar items where elected members have no reason to disagree to the recommendations.*

CCS164 Council Policy CP010 Procurement of Goods & Services

CCS165 Council Policy CP014 Procurement via Panels of Prequalified Suppliers

CCS166 Council Policy CP016 Regional Price Preference

CCS167 Council Policy CP036 Risk Tolerance & Appetite Policy

## **COUNCIL DECISION**

### **MOVED CR HALL, SECONDED CR FREER**

**That Items CCS164, CCS165, CCS166; CCS167 be carried En bloc**

### **CARRIED 8/4**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

CCS165 COUNCIL POLICY CP014 PROCUREMENT VIA PANELS OF PREQUALIFIED SUPPLIERS
--

<b>AGENDA REFERENCE:</b>	<b>D-16-14521</b>
<b>AUTHOR:</b>	<b>B Pearce, Governance &amp; Risk Coordinator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP014 Procurement via Panels of Prequalified Suppliers.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP014 Procurement via Panels of Prequalified Suppliers.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In October 2015 the Local Government Functions & General Regulations 1996 was amended to contemporise local government procurement.

A significant amendment to these Regulations was formally legislating that Local Governments could now establish local panels of prequalified suppliers for goods and services that generally cost a Local Government in excess of the tender threshold of \$150,000.

However Local Governments are only able to establish panels of prequalified suppliers where a Policy has been implemented which ensures legislative compliance and ongoing management of the panels when in operation.

This Policy is required to enable the City to establish a panels moving forward.

This Policy's content in summarised as follows:

1. Details the requirements for establishment of panels via a public tender in accordance with Regulations;
2. Details the process for ensuring fair and equitable distribution of work amongst all panel members;

3. Details how City Officers will purchase through the Panel; and
4. Details the recording requirements requirement for ongoing management and accountability

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

#### **Economic:**

There are no specific measurable economic impacts that can be determined at this time; however this Policy's intent and scope is to ensure that the City is able to establish panels of prequalified suppliers with predominately local businesses, which will enable a greater share of City expenditure across the City's business sector which will have a positive impact on the City's economy.

#### **Social:**

There are no Social implications.

#### **Environmental:**

There are no Environmental implications.

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

There are no Cultural & Heritage implications.

### **RELEVANT PRECEDENTS:**

This is a new Policy as required by Regulation changes; as such there are no previous relevant precedents.

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

The City sought feedback from the Mid-West Chamber of Commerce & Industry on this Policy via the joint Procurement Working Group who advised support for this Policy.

The City also sought feedback from WALGA Procurement Services and was advised that the Policy was aligned to the new Regulations and would enable effective management of procurement.

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

The Local Government Act 1995 section 3.57 and the Local Government (Functions & General) Regulations 1996 section 11, outline the requirements that local government must comply with when undertaking procurement activities. This policy has been drafted to ensuring ongoing compliance with these requirements

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

There are no financial or resource implications.

### **INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

This Policy confirms the intent to establish City specific panels of prequalified suppliers which will predominantly consist of locally and regionally based business. This Policy shall enable the City to source goods and services from a broader range of local businesses which will enable a greater share of City expenditure across the City's business sector which will have a positive impact on the regions business sector.

**RISK MANAGEMENT**

This Policy shall be a significant risk control to ensure the ongoing effectiveness and compliance of the City's procurement systems.

The City's implementation eQuotes (the electronic quotation management system) will enable effective management and compliance with this Policy.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers as this Policy was drafted in accordance with WALGA best practice guidance.

*Carried En Bloc – see page 81*

**MOTION****MOVED CR HALL, SECONDED CR FREER**

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

1. **ENDORSE Council Policy CP014 Procurement via Panels of Prequalified Suppliers.**

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

That Items CCS164, CCS165, CCS166; CCS167 be carried En bloc

**CARRIED 8/4**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

CCS166 COUNCIL POLICY CP016 REGIONAL PRICE PREFERENCE
---

<b>AGENDA REFERENCE:</b>	<b>D-16-14529</b>
<b>AUTHOR:</b>	<b>B Pearce, Governance &amp; Risk Coordinator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP016 Regional Pricing Preference.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP016 Regional Pricing Preference.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

As part of the general review into City procurement the City undertook a review of CP016 Regional Pricing Preference. This review assessed what additional amendments could be considered to ensure the continued effectiveness and relevance of this Policy.

The changes to the Policy are summarised as follows:

1. Implementation of the highest possible regional pricing preference allowable under the Regulations;
2. Quantifying the pricing preference into 2 separate categories as follows;
  - a. Price preference for **regionally based business**; and
  - b. Price preference for goods and services **sourced regionally**

This will enable a Regional based business tendering for City goods and services to receive a price preference for both categories, where as a business from outside the prescribed area is would only be able to receive a preference for goods and services sourced within the region.

3. Extending the prescribed area from the City of Greater Geraldton boundary to a 150km distance from the City's main office. The prescribed area was extended to this distance as it encompass the area within which the City generally considers a business to be local and able to effectively provide goods and services; and

- captures the Councils that share a boundary with the City whom the City has a close relationship with; and
4. In general the Policy has been clarified and the wording simplified without reducing its scope and intent to enable accessibility and ease of use.

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

### **Economic:**

This Policy confirms the City's intent to as much as possible seek to procure goods and services from locally sourced Suppliers. The City ongoing support of local suppliers shall have a positive impact on the City and region's economy.

### **Social:**

There are no Social implications.

### **Environmental:**

There are no environmental implications.

### **Cultural & Heritage:**

There are no Cultural & Heritage implications.

## **RELEVANT PRECEDENTS:**

Council previously endorsed the revision of this Policy to ensure its ongoing effectiveness and compliance in item

- *OP0002 Amendment to CP016 Regional Price Preference Policy.*

## **COMMUNITY/COUNCILLOR CONSULTATION:**

The City sought feedback from the Mid-West Chamber of Commerce & Industry on this Policy via the joint Procurement Working Group and it was the Chamber who proposed the idea that alignment to state regional pricing preference policy may offer a clearer and more advantageous approach for regional tenderers. The City upon review agreed and where possible amended this policy to align with the State example (i.e. 2 categories for regional price preference as detailed in this item).

The City also sought feedback from WALGA Procurement Services and was advised that the Policy was aligned to the new Regulations and would enable effective management of procurement.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

The Local Government Act 1995 section 3.57 and the Local Government (Functions & General) Regulations 1996 section 11, outline the requirements that local government must comply with when undertaking procurement activities. This policy has been drafted to ensuring ongoing compliance with these requirements



**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

This Policy confirms the City's intent to as much as possible seek to procure goods and services from locally sourced Suppliers via the use of a regional price preference.

**RISK MANAGEMENT**

This Policy shall be a significant risk control to ensure the ongoing effectiveness and compliance of the City's procurement systems.

The implementation of this Policy shall also be a significant risk control to mitigate the possible public perception that the City contracts goods and services from outside the region; as this Policy establishes the City clear intent that the City is supportive of sourcing goods and services regional whenever possible.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers as this Policy was drafted in accordance with WALGA best practice guidance.

*Carried En Bloc – see page 81*

**MOTION****MOVED CR HALL, SECONDED CR FREER**

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

1. **ENDORSE Council Policy CP016 Regional Pricing Preference.**

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

That Items CCS164, CCS165, CCS166; CCS167 be carried En bloc

**CARRIED 8/4**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO

<b>Cr. Tanti</b>	<b>NO</b>
<b>Cr. Reymond</b>	<b>YES</b>
<b>Cr. McIlwaine</b>	<b>NO</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

CCS167	COUNCIL APPETITE	POLICY POLICY	CP036	RISK	TOLERANCE	&
<b>AGENDA REFERENCE:</b>		<b>D-16-14532</b>				
<b>AUTHOR:</b>		<b>B Pearce, Governance &amp; Risk Coordinator</b>				
<b>EXECUTIVE:</b>		<b>B Davis, Director Corporate and Commercial Services</b>				
<b>DATE OF REPORT:</b>		<b>4 March 2016</b>				
<b>FILE REFERENCE:</b>		<b>GO/14/0001</b>				
<b>APPLICANT / PROPONENT:</b>		<b>City of Greater Geraldton</b>				
<b>ATTACHMENTS:</b>		<b>Yes (x1)</b>				

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's endorsement's to formally retire CP036 Risk Tolerance & Appetite which during recent policy review was found to no longer be appropriate or relevant.

**EXECUTIVE RECOMMENDATION:**

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

1. RETIRE Council Policy CP036 Risk Tolerance & Appetite.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

This Policy was endorsed by Council on 27 March 2012 and was at that time the only overarching Policy that provided direction to the City as to how the City was to determine if the appetite or tolerance for a risk exposure in City operations.

The City in recent review into risk Policies found that this Policy was no longer relevant for the following reasons:

1. Council adopted in April of 2015 the City of Greater Geraldton Risk Management Framework; which details the same assurance as to at what levels risk exposures could be managed and accepted;
2. The City of Greater Geraldton Risk Management Framework being a current document provides greater assurance and outlines the required process that the City utilises in determining how and when a risk exposure is tolerable and if the City has any appetite for such a risk exposure;
3. The City of Greater Geraldton Risk Management Framework details the required reporting structure to ensure that risk is managed at the correct level of responsibility; and

4. The Policy whilst relevant and needed in 2012 due to a lack of policy direction determining risk tolerance and appetite is now outdated and obsolete due to changes in recent years.

## **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:**

There are relevant precedents for the endorsement of Risk Management Policies and process by Council as follows:

- CS055 Approval of Financial Policies (including CP036); and
- CCS108 Risk Management Framework.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

This Policy's implementation is associated with the legislative compliance requirements as follows:

- Local Government (Audit) Regulations 1996 Regulation 17;
- Department of Local Government & Communities Integrated Planning;
- CP006 Risk Management Policy; and
- City of Greater Geraldton Risk Management Framework.

## **FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

## **INTEGRATED PLANNING LINKS:**

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

## **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

## **RISK MANAGEMENT**

There are no risks impacts.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers.

*Carried En Bloc – see page 81*

**MOTION****MOVED CR HALL, SECONDED CR FREER**

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

1. RETIRE Council Policy CP036 Risk Tolerance & Appetite.

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

That Items CCS164, CCS165, CCS166; CCS167 be carried En bloc

**CARRIED 8/4**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**CCS168 RATES EXEMPTION – RETIREES WA (INC)**

<b>AGENDA REFERENCE:</b>	<b>D-16-14168</b>
<b>AUTHOR:</b>	<b>S Russell, Senior Rates Coordinator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>24 February 2016</b>
<b>FILE REFERENCE:</b>	<b>RV/4/0003</b>
<b>APPLICANT / PROPONENT:</b>	<b>Retirees WA (Inc.)</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

Retirees WA Incorporated submitted an application for rates exemption to Council dated 2 September 2015 for their property at 58 Kempton Street, Bluff Point to be deemed as 'non-rateable' land by reason of section 6.26(2)(g) of the *Local Government Act 1995* ("LGA") (being land used exclusively for charitable purposes) and therefore exempt from paying rates.

**EXECUTIVE RECOMMENDATION;**

That Council by Simple Majority under Section 6.26(2)(g) of the Local Government Act 1995:

1. APPROVE a rates exemption for Retirees WA Incorporated on the property situated at 58 Kempton Street, Bluff Point on the basis that the property is being used exclusively for a charitable purpose; and
2. EXEMPTION to take effect from the date of completion of the units being 1 February 2016.

**PROPONENT:**

The proponent is Retirees WA Incorporated.

**BACKGROUND:**

Retirees WA Incorporated submitted the application while the property was still being rated as vacant land, therefore were advised their application would be processed once Council received advice the new units were completed.

Retirees WA Incorporated (formerly known as the Australian Pensioners League of Western Australian Inc.) is a not for profit organisation which offers to eligible persons accommodation, including by way of the grant of leases of units in retirement villages and units or rooms in aged care facilities.

**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:**

This Council and its predecessor Councils have previously approved rate exemptions for property utilised exclusively for charitable purposes, consistent with section 6.26 of the Local Government Act 1995.

Retirees WA Incorporated have been to WA State Administrative Tribunal (SAT) twice, with the latest date being 2012 WASAT 190. The findings were in favour of Retirees WA Incorporated with the Tribunal determining that the land was used exclusively for charitable purposes and was therefore not rateable land under s 6.26 of the Local Government Act 1995.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 6.26 of the Local Government Act provides broad definitions for rateable and non-rateable land. Section 6.26(2)(g) states that land is not rateable if it is “used exclusively for charitable purposes”.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The value of the exemption for the period from the date of completion 01/02/2016 to 30/06/2016 is estimated to be \$2,922.13.

**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**

Council by not approving the application for rate exemption may be required to defend its decision if the matter were to be appealed by the applicant to the State Administrative Tribunal and that legal costs may be incurred as a result.

**ALTERNATIVE OPTIONS CONSIDERED**

No alternative options considered.

*Mayor foreshadowed an alternative motion that the City does NOT approve a rates exemption should this motion be lost.*

# **COUNCIL DECISION**

## **MOVED CR GRAHAM, SECONDED MAYOR VAN STYN**

**That Council by Simple Majority under Section 6.26(2)(g) of the Local Government Act 1995 RESOLVES to:**

- 1. APPROVE a rates exemption for Retirees WA Incorporated on the property situated at 58 Kempton Street, Bluff Point on the basis that the property is being used exclusively for a charitable purpose; and**
- 2. EXEMPTION to take effect from the date of completion of the units being 1 February 2016.**

## **LOST 11/1**

Mayor Van Styn	NO
Cr. Douglas	NO
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	NO
Cr. McIlwaine	YES
Cr. Freer	NO
Cr. Colliver	NO
Cr. Caudwell	N/V
Cr. Thomas	NO

# **MOTION**

## **MOVED MAYOR VAN STYN, SECONDED CR HALL**

**That Council by Simple Majority under Section 6.26(2)(g) of the Local Government Act 1995 RESOLVES to:**

- 1. NOT approve a rates exemption for Retirees WA Incorporated on the property situated at 58 Kempton Street, Bluff Point on the basis that the property is not being used exclusively for a charitable purpose.**



**PROCEDURAL MOTION****MOVED MAYOR VAN STYN, SECONDED CR HALL**

That the motion be now put.

**CARRIED 10/2**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**COUNCIL DECISION****MOVED MAYOR VAN STYN, SECONDED CR HALL**

That Council by Simple Majority under Section 6.26(2)(g) of the Local Government Act 1995 RESOLVES to:

1. NOT approve a rates exemption for Retirees WA Incorporated on the property situated at 58 Kempton Street, Bluff Point on the basis that the property is not being used exclusively for a charitable purpose.

**CARRIED 10/2**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:**  
**That Council does not agree that the property is being used exclusively for a charitable purpose.**

CCS169	MONTHLY MANAGEMENT REPORT TO 29 FEBRUARY 2016
--------	---

<b>AGENDA REFERENCE:</b>	<b>D-16-15060</b>
<b>AUTHOR:</b>	<b>M Jones, Financial Business Planner</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>8 March 2016</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The attached financial reports provide a comprehensive report on the City's finances to 29 February 2016. The statements include no matters of variance considered to be of concern.

**EXECUTIVE RECOMMENDATION;**

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

1. RECEIVE the February 2016 monthly financial activity statements as attached.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

Operating Income	\$275,234	0.4%	Positive Variance
Operating Expenditure	\$129,688	0.3%	Positive Variance
Net Operating	\$404,922		
Capital Expenditure	\$93,056	-0.3%	Negative Variance
Capital Revenue	\$63,018	-1.2%	Negative Variance
Cash at Bank – Municipal	\$8,580,047		
Cash at Bank – Reserve	\$16,914,071		
Total Funds Invested	\$20,002,212		
Net Rates Collected	92.96%		

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 February financials shows a positive variance of \$404,922 in the net operating result.

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

There are no economic impacts.

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

Council is provided with financial reports each month.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

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

**FINANCIAL AND RESOURCE IMPLICATIONS:**

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

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There are no risks to be considered.

**ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options to consider.

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

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

- 1. RECEIVE the February 2016 monthly financial activity statements as attached.**

**CARRIED 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**CCS170 LONG TERM FINANCIAL PLAN 2016 - 2026**

<b>AGENDA REFERENCE:</b>	<b>D-16-14603</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager Finance &amp; Treasury</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>6 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1) Confidential</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek, Council's endorsement of the underlying key principles and assumptions that will underpin the Long Term Financial Plan for the 10 year period 2016 to 2026. The new LTFP will review the City's current position in response to internal and external changes and is the process to inform the annual budget.

**EXECUTIVE RECOMMENDATION;**

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

1. ENDORSE the underlying key principles and assumptions as contained within this report in formulation of the Long Term Financial Plan 2016 to 2026;
2. DIRECT the Chief Executive Officer to develop a:
  - a. draft 2016/2017 Budget in accordance with the endorsed principles for the Council's consideration; and
  - b. draft 2016 to 2026 Long Term Financial Plan in accordance with the endorsed principles for the Council's consideration.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City of Greater Geraldton Long Term Financial Plan is a high level informing strategy that outlines the City's approach to delivering infrastructure and services to the community in a financially sustainable and affordable manner. It also demonstrates the City's commitment to managing its operations in a way that avoids unsustainable rate increases for ratepayers.

In response to concerns raised by the Community, the Mayor, and Councillors, a long term financial planning scenario has been developed that will see future rate increases reduced by 1% in year one and by 0.5% in years two to ten – as compared to the currently adopted Long Term Financial Plan.

The Plan is aligned to other core planning documents by which the City is accountable to the community including the Strategic Community Plan and the Corporate Business Plan. Information contained in other strategic plans including the Asset Management Plan and Workforce Plan is used to inform

the LTFP. Year 1 of the LTFP will represent the proposed budget that will be presented to Council for consideration and adoption.

**Key Principles:**

- Annual aggregate rate collection increase of 2.9% (plus growth) in Year 1. In Year 2 to 10 the increase per annum would be 3.5% (plus growth). The City's current LTFP (2015-25) was based on an increase of 3.9% per annum (plus growth).
- Growth in annual rate base will continue per annum to be at 1% or estimated in accordance with current growth.
  - **Increases in revenue from rates, fees and charges should be smoothed to avoid revenue raising shocks to the community.**
- Continual positive movements and achievements of all financial and sustainability ratio benchmarks within the life of the new LTFP.
- The plan delivers a net operating surplus from ordinary activities within ten years.
- Savings of \$3.227M are to be built into the Long Term Financial Plan. These savings are to be found as follows:
  - A \$0.742M reduction in the range and level of services as indicated in Attachment A.
  - A \$2.4855M reduction in staff costs from restructuring and efficiency gains as indicated in Attachment A.
  - **The new proposed LTFP removes this budgeted revenue from land sales on the basis of the high level of uncertainty and risk associated with not realising these sales that would significantly impact on achieving benchmark indicators. This City will continue in its effort to realise these sales over the life of the plan and any revenue generated will be applied either to servicing debt, increasing the level of capital renewal or replacement expenditure, and funding new and high prioritised emergent capital projects.**
  - **Debt levels will provide the Council with the ability and capacity to manage unexpected peaks in capital expenditure that may result from emergent works or other capital funding opportunities.**
  - **Renewing assets when required to maintain capacity of performance and associated levels of services.**
  - **A nominal increase in domestic rubbish charges to accommodate the following initiatives:**
    - **Free dumping for residential customers.**
    - **Bulk residential kerbside collection to be reintroduced using skip bin containers.**
    - **Free mulch for residential and not-for profit customers to be made available from Meru landfill.**

**Key Assumptions (Scenarios):**

The base point of the LTFP modelling is 2016-17 financial year and the table below provides the assumptions/scenarios that will be applied to the model.

**Table 1 (Global Scenarios)**

	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26
<b>Operating Income</b>										
Rates	2.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
Fees & Charges	3.5%	3.5%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Operating Grants	2.0%	2.0%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
<b>Operating Expend</b>										
Employee Costs*	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Materials & Contracts*	2.7%	2.7%	3.2%	3.2%	3.2%	3.5%	3.5%	3.5%	3.5%	3.5%
Utilities	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Insurance	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%

\* The \$3.227M projected reductions in service levels and efficiency gains and through restructuring the organisation will be manually offset against these operating expenditure items.

Where applicable and throughout the life of the plan an activity growth factor of 0.6% to 0.7% per annum has been applied to all operating expenditure to account for increased costs associated with natural growth.

Interest rates from 2017-18 have been calculated to increase by 0.25 percentage points per annum until 2021-22 and then to level out for the remaining years.

Fair value adjustments have been incorporated on assets every 3 years for the term of the LTFP reflective in adjustment to depreciation costs.

**Moving Forward:**

The following will or may influence the final and detailed configuration of the new proposed LTFP:

- Alignment of differential ratings categories per Governor's Orders gazetted for the amalgamation following the merger of the Shire of Mullewa and the City of Geraldton-Greenough.
- Finalisation of the City's organisational restructure.
- Impacts of Commonwealth and State budgets.
- The City's End of Year financial position.



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

Various strategies and initiatives included in the LTFP that will contribute to the Region's economy.

**Social:**

Various strategies are included in the LTFP that will create and improve social outcomes in the community.

**Environmental:**

Various strategies and initiatives included in the LTFP that will examine and support environmental programs and resourcing.

**Cultural & Heritage:**

Various strategies are included that will create and improve cultural and heritage outcomes in the community.

**RELEVANT PRECEDENTS:**

The Long Term Financial Plan is reviewed and updated annually.

**COMMUNITY/COUNCILLOR CONSULTATION:**

City of Greater Geraldton Councillors have been actively engaged through a series of Workshops and Concept Forums which have been conducted through January to March of 2015. Particular workshops addressed Non-Mandatory Services, Organisational Restructure, Capital Works Planning, Long Term Financial Plan and Level and Range of Services.

Further Workshops will be rolled out to Councillors as part of the annual budget deliberation process.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The LTFP will be reviewed and updated in accordance with Council Policy CP005 (Integrated Strategic Planning Framework) and in consideration of maintaining and updating integrated strategic planning processes that enables the City of Greater Geraldton to plan for the future.

Under section 5.56 "Planning for the Future", the Local Government Act 1995 requires local governments to plan for the future of the district and to make plans in accordance with regulations (*Local Government (Administration) Regulations 1996; Regulation 19C, 19D*).

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The elected Council is to consider the content of its Long Term Financial Plan (LTFP) when preparing the Annual Budget for 2016-17 and subsequent years, and it is expected that adopted budgets will be closely aligned with both the proposals and underpinning assumptions contained within the current LTFP.

Review of the LTFP occurs each year as budgets are prepared, to account for performance information and changing circumstances. Aligning annual budgets with the LTFP enables Council to set priorities within its resourcing capabilities to sustainably deliver the assets and the range and level of services required by the community in a fiscally responsible manner.

#### **INTEGRATED PLANNING LINKS:**

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

#### **REGIONAL OUTCOMES:**

Capital projects will deliver benefits for the broader region, for example the continuation of the Karloo-Wandina Project and the commencement of Foreshore stabilisation and protection work's for Beresford Foreshore and St Georges Beach.

#### **RISK MANAGEMENT**

The Long Term Financial Plan is a requirement of the Department of Local Government's Integrated Strategic Planning Framework.

#### **ALTERNATIVE OPTIONS CONSIDERED**

Alternative models have been previously presented and Council may, through the budget deliberation process, consider alternate models.

#### **PROCEDURAL MOTION**

**MOVED CR REYMOND,**

**That the item be deferred to the end of the meeting.**

#### **LAPSED DUE TO NO SECONDER**

*Cr Thomas and Cr Bylund left Chambers at 4.27pm*

*Cr Reymond requested an update to the Key principles and they be added to the recommendation.*

*A request was made for a short break so the update could be made to the recommendation.*

# **PROCEDURAL MOTION**

## **MOVED CR FREER, SECONDED CR CRITCH**

**That the meeting adjourn for 5 minutes at 4.33pm**

### **CARRIED 7/3**

Mayor Van Styn	NO
Cr. Douglas	NO
Cr. Bylund	N/V
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	YES
Cr. Collier	YES
Cr. Caudwell	N/V
Cr. Thomas	N/V

*The meeting resumed at 4.38pm.*

# **MOTION**

## **MOVED CR REYMOND, SECONDED CR MCILWAINE**

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

1. **ENDORSE the underlying key principles and assumptions for the formulation of the Long Term Financial Plan 2016 to 2026; which are :**
  - Annual aggregate rate collection increases of 2.9% (plus growth)
  - Growth in annual rate base will continue per annum to be at 1% or estimated in accordance with current growth.
  - **Increases in revenue from rates, fees and charges should be smoothed to avoid revenue raising shocks to the community by controlling expenditure.**
  - Continual improvements in achieving positive movements and achievements of all financial and sustainability ratio benchmarks within the life of the new LTFP.

- 
- The Long Term Financial plan to deliver a net operating surplus from ordinary activities within ten years.
  - **NOTE:** Savings of \$3.227M are to be built into the Long Term Financial Plan. These savings are to be found as follows:
    - A \$0.742M reduction in the range and level of services as indicated in Attachment A.
    - A \$2.4855M reduction in staff costs from restructuring and efficiency gains as indicated in Attachment A.
  - **NOTE:** The new proposed LTFP removes this budgeted revenue from land sales on the basis of the high level of uncertainty and risk associated with not realising these sales that would significantly impact on achieving benchmark indicators. This City will continue in its effort to realise these sales over the life of the plan and any revenue generated will be applied to servicing debt. Debt levels from the end 2016/17 are to decrease to Zero by the end of the Long Term Financial Plan.
  - Debt levels will provide the Council with the ability and capacity to manage unexpected peaks in capital expenditure that may result from emergent works or other capital funding opportunities.
  - Renewing assets when required to maintain capacity of performance and associated levels of services.
  - A \$30 increase in domestic rubbish charges to accommodate the following initiatives:
    - Free dumping for residential customers.
    - Bulk residential kerbside collection to be reintroduced using skip bin containers.
    - Free mulch for residential and not-for profit customers to be made available from Meru landfill.
    - Investigations continue into further savings in the range of level of services in subsequent years;
2. **DIRECT** the Chief Executive Officer to develop a:
- a. draft 2016/2017 Budget in accordance with the endorsed principles for the Council's consideration; and
  - b. draft 2016 to 2026 Long Term Financial Plan in accordance with the endorsed principles for the Council's consideration.
-

**PROCEDURAL MOTION****MOVED CR FREER, SECONDED CR THOMAS**

That the Member no longer be heard.

**CARRIED 11/1**

Mayor Van Styn	YES
Cr. Douglas	NO
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**PROCEDURAL MOTION****MOVED MAYOR VAN STYN, SECONDED CR GRAHAM**

That the motion be now put.

**CARRIED 11/1**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

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

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

1. **ENDORSE** the underlying key principles and assumptions for the formulation of the Long Term Financial Plan 2016 to 2026; which are
  - Annual aggregate rate collection increases of 2.9% (plus growth)
  - Growth in annual rate base will continue per annum to be at 1% or estimated in accordance with current growth.
  - Increases in revenue from rates, fees and charges should be smoothed to avoid revenue raising shocks to the community by controlling expenditure.
  - Continual improvements in achieving positive movements and achievements of all financial and sustainability ratio benchmarks within the life of the new LTFP.
  - The Long Term Financial plan to deliver a net operating surplus from ordinary activities within ten years.
  - **NOTE:** Savings of \$3.227M are to be built into the Long Term Financial Plan. These savings are to be found as follows:
    - A \$0.742M reduction in the range and level of services as indicated in Attachment A.
    - A \$2.4855M reduction in staff costs from restructuring and efficiency gains as indicated in Attachment A.
  - **NOTE:** The new proposed LTFP removes this budgeted revenue from land sales on the basis of the high level of uncertainty and risk associated with not realising these sales that would significantly impact on achieving benchmark indicators. This City will continue in its effort to realise these sales over the life of the plan and any revenue generated will be applied to servicing debt. Debt levels from the end 2016/17 are to decrease to Zero by the end of the Long Term Financial Plan.
  - Debt levels will provide the Council with the ability and capacity to manage unexpected peaks in capital expenditure that may result from emergent works or other capital funding opportunities.
  - Renewing assets when required to maintain capacity of performance and associated levels of services.
  - A \$30 increase in domestic rubbish charges to accommodate the following initiatives:
  - Free dumping for residential customers.
    - Bulk residential kerbside collection to be reintroduced using skip bin containers.
    - Free mulch for residential and not-for profit customers to be made available from Meru landfill.

- 
- Investigations continue into further savings in the range of level of services in subsequent years;
2. **DIRECT** the Chief Executive Officer to develop a:
- a. draft 2016/2017 Budget in accordance with the endorsed principles for the Council's consideration; and
  - b. draft 2016 to 2026 Long Term Financial Plan in accordance with the endorsed principles for the Council's consideration.

**LOST 11/1**

Mayor Van Styn	NO
Cr. Douglas	NO
Cr. Bylund	NO
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	NO
Cr. Critch	NO
Cr. Graham	NO
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	NO
Cr. Freer	NO
Cr. Colliver	NO
Cr. Caudwell	N/V
Cr. Thomas	NO

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

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

- 1. ENDORSE the underlying key principles and assumptions as contained within this report in formulation of the Long Term Financial Plan 2016 to 2026; and**
- 2. DIRECT the Chief Executive Officer to develop a:**
  - a. draft 2016/2017 Budget in accordance with the endorsed principles for the Council's consideration; and**
  - b. draft 2016 to 2026 Long Term Financial Plan in accordance with the endorsed principles for the Council's consideration.**

**CARRIED 11/1**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES



**CCS171 COMMUNITY GRANTS COMMITTEE**

<b>AGENDA REFERENCE:</b>	<b>D-16-15022</b>
<b>AUTHOR:</b>	<b>B Rafferty, Business Planning Services Officer</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>3 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's endorsement of changes made to the Community Grants Terms of Reference, Guidelines and Scoring Criteria; allowing for a fair and equitable disbursement of funds in support of community activities, events, programs and services

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT the updated Terms of Reference for the Greater Geraldton Community Grants Committee;
2. ADOPT the updated Scoring Criteria for the Community Grants Program; and
3. ADOPT the updated Community Grants Guidelines

**PROPONENT:**

The proponent is the City of Greater Geraldton

**BACKGROUND:**

The Greater Geraldton Community Grants Committee recently met to review the Round 16 applications. At this time, it was noted that the documents relating to the Community Grants process needed to be reviewed and updated to ensure a fair and equitable process as well as consistency between guidelines and assessments.

Following is a summary of the changes to the Terms of Reference:

<b>Current Terms Of Reference</b>	<b>Updated Terms Of Reference</b>
<b>City of Greater Geraldton – support staff</b> Manager Strategic Business Planning Services <i>Not previously listed</i> <i>Not previously listed</i>	<b>City of Greater Geraldton – support staff</b> Strategic Business Planning Services Officer Director of Community Services Chief Executive Officer
<b>Terms of Reference</b> a. appoint 5 Elected Members to this committee and discontinue external representation;	<b>Terms of Reference</b> c. appoint up to 5 Elected Members and 2 external representatives to this committee;

<p>b. must be a not for profit incorporated body or be supported by an incorporated body;</p> <p>d. must demonstrate achievable outcomes and clear benefits for the City of Greater Geraldton community from the investment by aligning with the City's Strategic Community Plan and / or the 2029 and Beyond Community Charter;</p> <p>h. the committee consisting of 3 Councillors and representatives from the Chamber of Commerce, indigenous community and broader community are elected for 2 year period;</p> <p>i. <i>Not previously applied</i></p>	<p>d. must be a not for profit incorporated body;</p> <p>d. must demonstrate achievable outcomes and clear benefits for the City of Greater Geraldton community from the investment by aligning with the City's Strategic Community Plan;</p> <p>h. the committee consisting of 5 Councillors and representatives from the indigenous community and broader community are elected for the Term of Office;</p> <p>a. Councillors who are not Committee Members are permitted to attend meetings as observers</p>
--	---

Following is a summary of the changes to the Scoring Criteria:

<b>Current Scoring Criteria</b>	<b>Updated Scoring Criteria</b>
<p><b>Community Impact</b></p> <ol style="list-style-type: none"> <li>1. Very limited community impact. Benefits not identified / or only meets the desired needs of the applicant.</li> <li>2. Fair community impact. Benefits a very small cross section of the community.</li> <li>3. High community impact. Benefits the wider community.</li> <li>4. High community impact. Demonstrated regional need that will impact on a high proportion of the community.</li> <li>5. Very high community impact. Demonstrated regional significance that will support the needs of the Greater Geraldton community.</li> </ol>	<p><b>Community Impact</b> (weighted at 40%)</p> <ol style="list-style-type: none"> <li>1. Low community impact. Benefits a very small cross section of the community.</li> <li>2. Moderate community impact. Benefits a sector of the community.</li> <li>3. High community impact. Benefits a high proportion of the community.</li> <li>4. Very high community impact. Significantly supports the needs of the Greater Geraldton community.</li> <li>5. Demonstrates an ongoing legacy to the Greater Geraldton community.</li> </ol>
<p><b>How well Supported is the Application with our Resources?</b></p> <ol style="list-style-type: none"> <li>1. Application has low financial contribution and low external support.</li> <li>2. Application has modest support, however it requires that majority of project (more than 60%) to be supported by the grant.</li> <li>3. Application has modest support and seeks approximately half of the project to be supported by the grant.</li> </ol>	<p><b>Level of Support from Other Resources</b> (weighted at 40%)</p> <p><i>No changes to scoring criteria</i></p>

<p>4. Application has strong external support and seeks approximately half of the project to be supported by the grant.</p> <p>5. Application has strong external support and funds, and seeks less than 40% to be supported by the grant.</p>	
<p><b>How well does the Application Align with the Community Strategic Plan?</b></p> <p>1. Very limited alignment.</p> <p>2. Low alignment (marginally supports our Community Strategic Plan).</p> <p>3. Aligns well with one or more strategies (modestly supports our Community Strategic Plan).</p> <p>4. Aligns very well with one or more strategies (directly supports our Community Strategic Plan with at least one strategy).</p> <p>5. Aligns very well with two or more strategies (directly supports our Community Strategic Plan with at least two strategies).</p>	<p><b>Alignment with the Strategic Community Plan</b> (weighted at 20%)</p> <p><i>No changes to scoring criteria</i></p>
<p><i>Not previously applied</i></p>	<p><b>Community Grants Scoring Criteria</b> matrix created</p>
<p><b>Project Sustainability</b></p> <p>1. Strong likelihood the funded activity will not be able to continue at current size and require funding assistance from multiple sources including the CGG going forward.</p> <p>2. Strong likelihood the funded activity will be able to continue at the current size and require funding assistance from multiple sources including CGG</p> <p>3. Strong likelihood the funded activity will continue in the future at the same size and require continued assistance in the form of sponsorship</p> <p>4. Potential for the funded activity to grow in size over time and become sustainable (without support from CGG but perhaps other funding providers)</p> <p>5. Potential for the funded activity to grow in size over time, provide a lasting legacy for the community and become sustainable (without external support)</p>	<p><i>Deleted</i></p>

Following is a summary of the changes to the Community Grant Guidelines:

Current Guidelines	Updated Guidelines
<i>Not previously applied</i>	<p><b>Funding Information</b> (created)</p> <p>The City of Greater Geraldton's Community Grants Program is for funding requests of \$2,001 up to \$20,000.</p> <p>Applicants can apply for up to 50% of the total cost of the project or a maximum amount of \$20,000 (whichever is the lesser).</p> <p>Applicants seeking financial assistance of up to \$2,000 are to apply through the Community Grants Project Support Program.</p> <p>All successful applicants are required to have any outstanding City of Greater Geraldton grants satisfactorily acquitted before any funding will be released.</p>
<p><b>Eligibility Criteria</b></p> <ul style="list-style-type: none"> <li>• Be a properly constituted not for profit organisation or be sponsored by an incorporated organisation;</li> <li>• Have the majority of members of the group / organisation residents in the Greater Geraldton area;</li> </ul>	<p><b>Eligibility Criteria</b></p> <ul style="list-style-type: none"> <li>• Be a not for profit incorporated body;</li> <li>• Applicants must be based within Greater Geraldton;</li> </ul>
<p><b>Selection Criteria</b></p> <p>Applicants must demonstrate:</p> <ul style="list-style-type: none"> <li>• The benefit to the people of the Greater Geraldton region;</li> </ul> <p><i>Not previously applied</i></p> <ul style="list-style-type: none"> <li>• Linkage to the City of Greater Geraldton's Strategic Community Plan.</li> <li>• The capacity of the applicant to successfully complete the project;</li> <li>• A balanced, realistic and complete project budget <u>including</u> a cash or in-kind contribution to the project by their group / organisation</li> </ul>	<p><b>Selection Criteria</b></p> <p>Applicants must demonstrate:</p> <ul style="list-style-type: none"> <li>• The community impact the program / project / event has on the residents of Greater Geraldton;</li> <li>• The level of support for the program / project / event from other resources;</li> <li>• Alignment to the City of Greater Geraldton's Strategic Community Plan.</li> </ul> <p><i>Deleted</i></p> <p><i>Deleted</i></p>
<i>Not previously applied</i>	<p><b>Council Facilities Resources</b> (created)</p> <p>If the program / project / event impacts at all on Council facilities and / or resources, it will be a condition of funding that Council approves the nominated project and endorses the</p>

	recommendations made by the Greater Geraldton Community Grants Committee before a Funding Contact is offered.
<b>Ineligible Applicants</b> <ul style="list-style-type: none"> <li>• They are a sporting group / club applying for funding towards uniforms; or</li> <li>• The program / project / event has been successful in securing funding in the past two years through the City of Greater Geraldton Community Grants Program; or</li> </ul> <i>Not previously applied</i>	<b>Ineligible Applicants</b> <del>Deleted</del> <ul style="list-style-type: none"> <li>• The program / project / event has been successful in securing funding in the past twelve months through the City of Greater Geraldton Community Grants Program; or</li> <li>• The program / project / event has already received financial assistance from another source offered by the City.</li> </ul>
<b>Ineligible Items</b> <ul style="list-style-type: none"> <li>• Purchase of land / buildings / facilities (renewal / upgrade of building and facilities will be eligible along with purchase of equipment);</li> <li>• Events / activities / programs that have received funding in the past through the City of Greater Geraldton Community Grants Program.</li> </ul>	<b>Ineligible Items</b> <ul style="list-style-type: none"> <li>• General wear &amp; tear or renewal of plant, furniture or equipment;</li> <li>• Events / activities / programs that have received funding in the past twelve months through the City of Greater Geraldton Community Grants Program.</li> </ul>
<b>How And When Will I Be Notified</b> Applications are assessed against the selection criteria by the Greater Geraldton Community Grants Committee before being submitted for approval by the CEO, who has delegated authority from Council.	<b>How And When Will I Be Notified</b> Applications are assessed against the selection criteria by the Greater Geraldton Community Grants Committee before being submitted for approval by the CEO, who has delegated authority from Council to ensure that the proper process has been followed and to authorise the recommendations made by the Greater Geraldton Community Grants Committee.

## 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:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Consultation has taken place with Councillors that on the Greater Geraldton Community Grants Committee.

**LEGISLATIVE/POLICY IMPLICATIONS:**

CP033 – Community funding will be reviewed and updated to reflect the endorsed amendments.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.8	Continuously improving business and governance frameworks to support a growing community

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There is no specific risk.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers in review of the Community Grants documents.

*Cr M Reymond foreshadowed an alternative motion should the motion be lost to amend the terms of reference for grants to be referred to council for consideration and to revoke the delegated authority to the CEO to approve community grants.*

**MOTION****MOVED CR CRITCH, SECONDED CR FREER**

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

1. **ADOPT** the updated Terms of Reference for the Greater Geraldton Community Grants Committee;
2. **ADOPT** the updated Scoring Criteria for the Community Grants Program; and
3. **ADOPT** the updated Community Grants Guidelines.

**PROCEDURAL MOTION****MOVED CR DOUGLAS, SECONDED CR HALL****That the motion be now put.****CARRIED 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**COUNCIL DECISION****MOVED CR CRITCH, SECONDED CR FREER****That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act RESOLVES to:**

1. **ADOPT the updated Terms of Reference for the Greater Geraldton Community Grants Committee;**
2. **ADOPT the updated Scoring Criteria for the Community Grants Program; and**
3. **ADOPT the updated Community Grants Guidelines.**

**CARRIED 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES

<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>



## 14. REPORTS OF INFRASTRUCTURE SERVICES

IS116	COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF)
-------	---

<b>AGENDA REFERENCE:</b>	<b>D-16-15464</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Asset Management</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>23 February 2016</b>
<b>FILE REFERENCE:</b>	<b>GS/1/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Spalding Tennis Club</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1 Confidential)</b>

### EXECUTIVE SUMMARY:

The objective of this report is to seek a Council resolution on a Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants application.

### EXECUTIVE RECOMMENDATION:

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

1. SUPPORT Spalding Tennis Club CSRFF Small Grant application for the replacement of 4 old lighting poles and provision of 2 new lighting poles;
2. LIMIT the City of Greater Geraldton's contribution to not exceed the contribution made by the Department of Sport and Recreation through the CSRFF process to a maximum of \$36,602 for the Spalding Tennis Club; and
3. ADVISE the Spalding Tennis Club that any shortfall in funding for the project is their responsibility and must be confirmed prior to commencement of the project.

### PROponent:

The proponent is Spalding Tennis Club.

### BACKGROUND:

The State Government through the CSRFF provides funding to assist sporting groups improve their facilities. The fund is administered through the Department of Sport and Recreation (DSR) and organisations must discuss their projects in depth with the local representative before submitting applications.

In most instances CSRFF grants are offered on the basis of 1/3 funding from the applicant sporting body, 1/3 CSRFF and 1/3 local government. Some applications will be eligible for up to one half of the project cost if the project meets key development principles. The total state pool for CSRFF grants is \$7 million for the 2016/17 financial year distributed across the state. "Small Grants" as defined by CSRFF guidelines is for projects where the total project cost does not exceed \$200,000. CSRFF small grant rounds are offered twice

a year. Applications successful in the March 2016 round will be funded in the 2016/17 financial year.

Application for CSRFF small grant (March 2016) Round:

**Spalding Tennis Club**

Spalding Tennis Club submitted a request to replacement of 4 old lighting poles and provision of 2 new lighting poles. This project has a total project cost of \$109,806 making the City's required 1/3 contribution a maximum of \$36,602.

The original 4 lighting poles were installed in 1991 and they are rusting on the inside and the wiring is unsafe and needs replacing. The current night pennants played at Spalding Tennis Club has limits to the number of Teams and players due to the availability of tennis courts for night play. With new upgraded lighting, more players and teams will be able to play during the night time.

The Spalding Tennis Club's application has been assessed by City officers and is supported on the basis that:

- a. The Club has demonstrated sound strategic and financial planning toward achieving this project;
- b. The project is financially sustainable; and
- c. There is an identified need for this project.

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

**Economic:**

Improved sporting facilities will enhance the City's capacity to host sporting events which have the potential to bring visitors to Geraldton and increase overnight visitation to the City which has direct economic benefit. The City is working with Sports Marketing Australia to attract sporting events to Geraldton. These projects align with this objective and have the potential to add to the City's capacity in this area.

**Social:**

Improvement of sporting facilities in the City lead to community benefits such as health, inclusion and a sense of belonging, safety and amenity.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

The City has supported many CSRFF small grants in the past e.g. the Geraldton Golf Club CSRFF grant in September 2015 to install new pumps and mainline piping.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

CP058 "Minor Sporting Facility Development Funding (<\$150,000)" applies to this item.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The total amount allocated in the 2016/17 Budget for progressing projects under CP058 is \$75,000. The Total amount left in the 2016/17 Budget for processing projects under CP058 is \$75,000.

Should the Spalding Tennis Club's application be supported by Council and is successful in attracting full CSRFF small grant funding in the March 2016 round, the maximum cost to the City will be \$36,602.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

As the Regional Capital for the Mid West, many of the City's facilities play a vital role in regional amenity. Strong regional facilities allow regional residents to participate in sporting events and activities without having to travel outside the region.

**RISK MANAGEMENT**

The City recognises the risk that if projects are not fully funded by CSRFF, applicants can expect the City to meet the shortfall. The Executive Recommendation addresses this risk.

A further risk is the cost for ongoing operations, maintenance and renewal. This risk has been mitigated by evaluation of the applicants financial planning for the project and by clearly communicating to applicants that these costs will be the responsibility of the respective club.

**ALTERNATIVE OPTIONS CONSIDERED**

To not support the Spalding Tennis Club's application to replacement of 4 old lighting poles and provision of 2 new lighting poles.

*NOTE: Spalding Tennis Club asked to withdraw the funding application with the City of Greater Geraldton as their external funding application wasn't successful, therefore this item was not required to be addressed.*

**PROCEDURAL MOTION**

**MOVED MAYOR VAN STYN, SECONDED CR TANTI**

**That Council move to the next Agenda Item**

**CARRIED 12/0**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

**15. REPORTS OF OFFICE OF THE CEO**

Nil.

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

<b>AGENDA REFERENCE:</b>	<b>D-16-14856</b>
<b>AUTHOR:</b>	<b>K Diehm, Chief Executive Officer</b>
<b>EXECUTIVE:</b>	<b>K Diehm, Chief Executive Officer</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**EXECUTIVE SUMMARY:**

To receive the Reports of the City of Greater Geraldton.

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

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

1. RECEIVE the following appended reports:
  - a. Reports – Development & Regulatory Services:
    - i. DRS257 - Batavia Local Emergency Management Committee Meeting Minutes – 18 February 2016; and
    - ii. DRSD108 - 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. CCS172 Audit Committee Meeting Minutes – 1 March 2016; and
    - ii. CCS173 – Confidential List of Accounts Paid Under Delegation – February 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.

**COUNCIL DECISION**

**MOVED CR THOMAS, SECONDED CR DOUGLAS**

**PART A**

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

- 1. RECEIVE the following appended reports:**
  - a. Reports – Development & Regulatory Services:**
    - i. DRS257 - Batavia Local Emergency Management Committee Meeting Minutes – 18 February 2016; and**
    - ii. DRSD108 - 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:**
  - a. Reports – Corporate and Commercial Services:**
    - i. CCS172 Audit Committee Meeting Minutes – 1 March 2016; and**
    - ii. CCS173 – Confidential List of Accounts Paid Under Delegation – February 2016**

**CARRIED 12/0**

*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 – RESTRUCTURE OF TAFE

<b>AGENDA REFERENCE:</b>	<b>D-16-16548</b>
<b>AUTHOR:</b>	<b>Cr S Douglas</b>
<b>EXECUTIVE</b>	<b>B Davis, Director of Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>15 March 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0008</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

### COUNCILLOR COMMENT

Centralisation of government services and staff has continued to impact negatively on regional communities including Geraldton.

The proposed re-structure of TAFE will see Durack Institute of Technology become part of a very large Central Region which will extend from Exmouth-Geraldton- Jurien-Northam-Kalgoorlie, Wiluna. A decision on the location of the administration base has yet to be announced - the Goldfields are lobbying furiously to have it based in Kalgoorlie.

See below:

<http://mobile.abc.net.au/news/2016-03-03/mining-school-director-disappointed-with-tafe-changes/7214638>. Disappointingly, there is no apparent advocacy from local leaders for Geraldton to be the base. The article above also refers to the possibility of FIFO lecturers!!!

The local Department of Finance (which is largely involved with procurement) will be reduced to one person by mid-year (from a staff of 3-4). It was announced today that regional museums under the WA Museum will also face cuts - this may well impact on the ability of WAM to progress any planned initiatives in Geraldton.

### EXECUTIVE COMMENT

The City Council has a legitimate advocacy role with other spheres of Government, on matters of government policy, strategy and resource allocation that directly impact the City community and the City region, but also – because the City is a Regional services centre – on matters that impact the broader region, impacting neighbouring Councils whose communities depend on the range of Government and Private facilities and services only available in the City. The role of the City Council embraces advocacy on behalf of the community across a wide range of policy fields, including health, education, transport, law and order, the environment, economic development, trade – and so on.

The City has long maintained a very strong and supportive relationship with Durack Institute of Technology (Durack), as it also has with the Geraldton University Centre, having regard to their pivotal role in overcoming the



significant disadvantage that confronts rural students and their parents, or student's employers, with the social and economic costs of the only alternative for post-secondary education: attending institutions in Perth Metro. The consequences of the Perth alternative include failure to build regional capability, failure to preserve family connectivity, serious youth drain and failure to grow and retain regional workforce capacity.

In addition to its major campuses in Geraldton (including the Batavia Coast Maritime Institute), Durack has also established teaching campuses in Carnarvon and Exmouth, administered from Geraldton, extending its crucial presence to meet the needs not just of the Mid West, but also for Murchison and Gascoyne and regional communities.

Durack is important to the City, the Mid West Region, and our neighbouring regions. It has developed both its administrative and academic services delivery capacity and expertise based on intimate knowledge of regional communities, their local economies, their unique current and emerging workforce needs – comprehensive knowledge and collated intelligence discrete to the region that has only been able to accumulate *because Durack and its management and administrative staff live in the communities where their campuses are*.

Any decision by the State to withdraw the administration function from Durack, to centralise it somewhere else, will result in reduction of State Government employment levels in the City, with significant adverse multiplier effects on the local economy. The City is committed to working with the State to pursue the social and economic development ambitions set out in the Mid West Development Blueprint, hence would see reduction in Durack resource capacity in the City as running contrary to what the City understood the intentions of the State Government to be in relation to Mid West regional development.

As a fundamental principle, because of adverse local economic effects, and loss of growth-enabling capacity in-region, the City opposes the State withdrawing TAFE administrative employment levels *from any regional centre*. Similarly, as a strong proponent of decentralisation of location of Government agency head offices out of Perth Metro and into regional cities such as Geraldton or Bunbury, as an initiative to develop the regional cities as an alternative to over-populating the Perth/Peel basin, the City strongly opposes reduction in other State agency staffing levels in the regional cities.

The City notes most particularly that Durack as a high-performing institution has demonstrated the capability and capacity to remotely administer TAFE campuses – Carnarvon, Exmouth – over very long distances. If the State insists on centralising regional TAFE administration into a single institution, then it should be based in Geraldton to take advantage of Durack Institute's capability – they have the runs on the board when it comes to managing and administering multiple remote TAFE campuses.

**COUNCILLOR MOTION:**

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

1. WRITE to the Premier and the Minister for Regional Development:
  - a. Outlining its disapproval with the State Governments continued centralisation of services and staff, to the detriment of regional communities;
  - b. Seeking clarification on what appears to be contradictory State Government policies of centralisation on one hand and regional development on the other;
  - c. Requesting an update on the restructure of TAFE and assurance that the administration centre will be based in Geraldton; and
  - d. Requesting advice on any further cuts to regional services and staff, the most current being the TAFE system, Department of Finance and WA Museum.

*Cr L Freer declared an impartiality interest in Item reference D-16-16548 Councillor Notice of Motion – Restructure of TAFE, as his father is a lecturer at TAFE and left Chambers at 5.04pm.*

*Cr Douglas declared an impartiality interest in Item reference D-16-16548 as his wife works at Durack, but remained in Chambers for the debate.*

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

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

1. WRITE to the Premier and the Minister for Regional Development:
  - a. Stating its disapproval with the State Governments continued centralisation of services and staff, to the detriment of regional communities;
  - b. Seeking clarification on what appears to be contradictory State Government policies of centralisation on one hand and regional development on the other;
  - c. Requesting an update on the restructure of TAFE and seeking assurance that the administration centre will be based in Geraldton; and
  - d. Requesting advice on any further cuts to regional services and staff, the most current being the TAFE system, Department of Finance and WA Museum

**CARRIED 11/0**

Mayor Van Styn	YES
Cr. Douglas	YES

<b>Cr. Bylund</b>	<b>YES</b>
<b>Cr. Ellis</b>	<b>N/V</b>
<b>Cr. Keemink</b>	<b>N/V</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>YES</b>
<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>N/V</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

*Cr Freer returned to Chambers at 5.12pm*

**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 ITEMS**

DRS254 TOWN PLANNING SCHEME No. 1A, AMENDMENT No. 4 – 'SOUTHGATES DUNES', CAPE BURNEY
--

<b>AGENDA REFERENCE:</b>	<b>D-16-14581</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>4 March 2016</b>
<b>FILE REFERENCE:</b>	<b>LP/16/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>Bayform Holdings Pty Ltd</b>
<b>ATTACHMENTS:</b>	<b>Yes (x4)</b>

**EXECUTIVE SUMMARY:**

The Minister for Environment has consulted with the Minister for Planning and reached agreement on the conditions to which the Amendment should be subject if it is to be implemented. The Minister for Environment has advised that there is no environmental reason why the Amendment should not be implemented subject to conditions.

It is understood that the Minister for Planning will now be making a final determination on the Amendment and this report recommends that Council advise the Minister for Planning of its on-going concerns regarding the Amendment.

There are still unknown impacts relating to the proposed Scheme Amendment for Southgates and its subsequent environmental review. The Minister for Environment has issued a Statement of Conditions that indicate environmentally the Scheme Amendment is acceptable, but the City has not seen / received any of the documentation prepared to address the issues previously raised. The scheme amendment is also part of an agreement that the proponents and State Government have signed and if progressed in its current form could see the City having to finance ongoing management and maintenance of ceded coastal and recreation reserves, along with potentially having to address coastal impacts on land to the north of the area.

Given the uncertainty and potential significant impacts created by the amendment in its current form the Executive Recommendation reflects the City's concern that needs to be raised with the Hon. Minister for Planning.

**EXECUTIVE RECOMMENDATION:**

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

1. ADVISE the Minister for Planning of the following:
  - a. That Council strongly objects to the implementation of Local Planning Scheme Amendment No. 4 in its current form and reiterates its previous concerns regarding the Amendment;

- b. Council is disappointed that (to date) it has not been furnished copies of the reports that the proponent undertook in response to the appeal against the EPA's report relating to coastal processes, foreshore reserve and native vegetation; and
- c. Should the Amendment be given approval, Council will be vehemently objecting to any structure plan until such time as the issues relating to:
  - i. native title and Aboriginal heritage issues relevant to the subject area;
  - ii. agreement from key stakeholders on the broader planning for the southern growth corridor;
  - iii. arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
  - iv. serviceability issues caused by the flooding of Rudds Gully;
  - v. cultural heritage assessment of the areaare addressed to Council's satisfaction; and
- 2. ADVISE the Department of Lands that should any Scheme Amendment, structure plan or subdivision be approved without the support of the City, then the City would not accept any Management Order(s) for any associated public reserves created as part of the subdivision process.

**PROPOSER:**

The proponent is Bayform Holdings with consultants CLE and Coffey Environment.

**BACKGROUND:**

The Amendment involves an area of around 780ha commonly known as the 'southgates dunes' and proposes to rezone the land to 'Development' for future urban subdivision.

**23 February 2005:**

The (then) Shire of Greenough resolved to initiate the Amendment. Under the proposed 'Development' zone, development in the area is to accord with an adopted Subdivision Guide Plan.

**18 April 2005:**

The Environmental Protection Authority (EPA) determined that the Amendment should be assessed under the Environmental Protection Act 1986.

**28 March 2007:**

Council resolved to endorse the Greenough River Estate Structure Plan (Subdivision Guide Plan) dated February 2007. A copy of that subdivision guide plan is included in Attachment No.DRS254A which broadly indicates how the land may be developed.

**15 August 2008:**

An environmental review was undertaken by the proponent and the EPA approved the review for public release.

**27 November 2008:**

The Department for Planning & Infrastructure gave consent for the Amendment to be advertised.

**January/February 2009:**

The Environmental Review and Amendment were concurrently advertised.

**24 March 2009:**

Council resolved in to not proceed with the Amendment and revoke its endorsement of the Greenough River Estate Structure Plan (Subdivision Guide Plan) on the following grounds:

- a) *Council considers that the current oversupply of residential zoned land that is yet to be subdivided within the Geraldton-Greenough area indicates that the proposed rezoning of additional land for residential purposes is contrary to Scheme Objective 1.6 (a) that seeks to facilitate and coordinate progressive development;*
- b) *the submission period has raised a considerable number of objections both from the community and government agencies based on a range of substantial concerns;*
- c) *the need for further study into coastal processes along the Geraldton coastline;*
- d) *Council considers that it would be premature and prejudicial to proceed with a substantial amendment of this nature at this time given there are a number of broader planning issues that are still outstanding for the southern growth corridor; including potential upgrades to infrastructure that will rely on outcomes from the environmental assessment process; and*
- e) *the current uncertainty over the native title and land exchange process.*

**25 May 2009:**

The EPA released its report on the Environmental Review and recommended to the Minister for Environment that the Amendment could not meet environmental objectives and therefore should not be implemented. A copy of the EPA's report and recommendations is included in Attachment No. DRS254B.

**8 June 2009:**

The proponent lodged an appeal against the EPA's report and recommendations.

**16 December 2009:**

The Minister for Planning advised that he had deferred consideration of the Amendment until the outcome of the appeal against the Environmental Review.

**31 August 2010:**

The Minister for Environment partially allowed the appeal which enabled the proponent time to undertake further studies and provide further information regarding coastal processes, foreshore reserve and native vegetation. A copy of the Minister's appeal determination is included as Attachment No. DRS254C.

**18 December 2015:**

The Minister for Environment determined that there is no environmental reason why the Amendment should not be implemented subject to conditions. A copy of the Minister's statement of conditions (Statement No. 1024) is included in Attachment No. DRS254D.

**26 February 2016:**

Department of Lands has sought advice on "whether the City would accept Management Order for the prospective 'foreshore reserve'".

In relation to the "prospective foreshore reserve" it is the Executive's recommendation that this be declined given that the City is not in a position to support the Local Planning Scheme amendment in its current form. The advice indicates that the proponent as part of an agreement between themselves and the State Government commit that "stabilisation of the 'foreshore reserve' would be subject to acceptance by the State of the work done by Bayform". This effectively means that the State will decide on the standard of any stabilisation that would then be subject to the ongoing management responsibility of the City. In other foreshore areas, the City has had a part to play in any agreement and has required ongoing maintenance by the proponent for up to 5 years to the City's satisfaction.

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

The proposed rezoning would facilitate a substantial amount of land for future urban development of Geraldton.

**Social:**

There were a number of social issues raised with the Amendment in particular the recreational, social and iconic value of the dune system.

**Environmental:**

The Minister for Environment has advised that there is no environmental reason why the Amendment should not be implemented subject to conditions.



**Cultural & Heritage:**

The Department of Indigenous Affairs have advised that there are 19 registered Aboriginal heritage sites within the general surrounding area with the map provided by the Department indicating that there are 8 sites within the rezoning area itself.

**RELEVANT PRECEDENTS:**

The Amendment was considered by Council at meetings held on 23 February 2005, 28 March 2007 and 24 March 2009.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The Amendment and Environmental Review were publicly advertised in accordance with the provisions of the Planning & Development Act 2005 and Environmental Protection Act 1986. The proposal was also widely publicised in the local media.

As a result of the advertising, a total of 113 submissions were received (6 offering no objection, 2 expressing indifference and 105 in objection). Three late submissions were also received all objecting to the proposed rezoning.

Councillors have been informed at various stages of the process via briefing notes.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The Planning & Development Act 2005 and Environmental Protection Act 1986 set out the process for Amendments. It should be noted that the Minister for Planning is the ultimate decision-maker with regard to Amendments.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There could be substantial financial and resource implications to the City with regard to the future development and on-going maintenance of the land.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.1	Respond to community aspirations by providing creative yet effective planning and zoning for future development

**REGIONAL OUTCOMES:****Geraldton Region Plan (1999):**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area which identifies the land as 'Future Urban'. Section 9.4.1 of the Region Plan states:

*"Residential development of the Southgate Dunes is constrained by environmental considerations. The development of land in the vicinity of the Southgate Dunes has been the subject of considerable investigation. In*

*October 1994 Landrow, a company with significant landholdings north and south of the Greenough River, submitted a proposal to exchange its landholding south of the Greenough River with the Department of Land Administration (DOLA), which owns land to the north containing the Southgate sand dunes. Landrow proposes to stabilise and ultimately urbanise the Southgate Dunes. While this proposal is considered long-term, the principles, terms and conditions of the land exchange and dune stabilisation agreement between Landrow and DOLA have been agreed and this land has been included in the Structure Plan.”*

**Local Planning Strategy:**

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The subject land is shown as a 'Development Investigation Area 8 – Cape Burney' which requires assessment to determine appropriate land uses. The Strategy identifies urban, district centre and community / public purposes as land use considerations for the area.

**Residential Development Strategy:**

The Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City to meet the needs of all residents and build strong communities. It broadly indicates the extent of residential and future residential land along with existing and proposed rural living areas.

The subject land is identified as a 'future residential area'.

**RISK MANAGEMENT:**

The Local Planning Scheme Amendment in its current form poses significant risks for the City of Greater Geraldton both financially and environmentally. Financially the City is being asked to take on Management of large foreshore areas that include active mobile dunes subject to “stabilisation” works undertaken by a private proponent to the satisfaction of the State Government. There is no indication of anticipated costs or if the works will be undertaken to the City's standards for such areas (which normally include a significant ongoing maintenance period).

In addition there is no indication as to whether the City's concerns (relating to the potential impact the project could have on the City's beach areas north of this point) have been addressed. If those concerns have not been addressed there is risk of erosion and a community expectation that mitigation works would need to be undertaken.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Although the Minister for Environment has concluded that there is no environmental reason why the Amendment should not be implemented subject to conditions, it is still considered that there are a number of outstanding issues that the proponent has yet to address including:

- native title and Aboriginal heritage issues relevant to the subject area;
- agreement from key stakeholders on the broader planning for the southern growth corridor;
- arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
- serviceability issues caused by the flooding of Rudds Gully; and
- cultural heritage assessment of the area.

The option to support the Amendment is therefore not supported.

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

Although the Minister for Environment has concluded that there is no environmental reason why the Amendment should not be implemented subject to conditions, it is still considered that there are a number of outstanding issues that the proponent has yet to address including:

- native title and Aboriginal heritage issues relevant to the subject area;
- agreement from key stakeholders on the broader planning for the southern growth corridor;
- arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
- serviceability issues caused by the flooding of Rudds Gully; and
- cultural heritage assessment of the area.

The option to support the Amendment is therefore not supported.

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

*Cr J Critch declared an impartiality interest in Item DRS254 as her farming company has purchased sand/lime from the company that mines out of Southgates Dunes, but remained in Chambers for the debate.*

*The Mayor moved a motion that includes a new point 3, 4 and 5.*

## **MOTION**

### **MOVED MAYOR VAN STYN, SECONDED CR HALL**

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

- 1. ADVISE the Minister for Planning of the following:**
  - a. That Council strongly objects to the implementation of Local Planning Scheme Amendment No. 4 in its current form and reiterates its previous concerns regarding the Amendment;**
  - b. Council is disappointed that (to date) it has not been furnished copies of the reports that the proponent undertook in response to the appeal against the EPA's report relating to coastal processes, foreshore reserve and native vegetation; and**
  - c. Should the Amendment be given approval, Council will be vehemently objecting to any structure plan until such time as the issues relating to:**
    - i. native title and Aboriginal heritage issues relevant to the subject area;**
    - ii. agreement from key stakeholders on the broader planning for the southern growth corridor;**
    - iii. arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;**
    - iv. serviceability issues caused by the flooding of Rudds Gully;**
    - v. cultural heritage assessment of the area addressed to Council's satisfaction;**
- 2. ADVISE the Department of Lands that should any Scheme Amendment, structure plan or subdivision be approved without the support of the City, then the City would not accept any Management Order(s) for any associated public reserves created as part of the subdivision process;**
- 3. DIRECT the CEO to ensure that all conditions of the extractive industries permit issued in the area known as Southgates have been met, in particular as they relate to the volume of material removed annually and initiate a full review of the mining operations;**
- 4. ADVISE the current mining operator, Midwest Sand Supplies and land owner Bayform Holdings Pty Ltd, that the extractive industries permit that currently allows for mining in the area known as Southgates will not be renewed after its expiry in**

June 2016, until after a full review of the mining operations has been completed;

5. **CALL** on the current mining operator to voluntarily cease all mining related activities immediately.

*Cr Hall requested an amendment to the recommendation to remove point 4 and 5.*

#### **AMENDMENT MOTION**

**MOVED CR HALL, SECONDED CR FREER**

**That point 4 and 5 be removed from the Recommendation.**

#### **CARRIED 10/2**

Mayor Van Styn	NO
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	NO
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	N/V
Cr. Thomas	YES

#### **PROCEDURAL MOTION**

**MOVED CR DOUGLAS, SECONDED CR THOMAS**

**That the motion be now put.**

#### **CARRIED 10/2**

Mayor Van Styn	NO
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	N/V
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	YES

<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

*The amended motion then became the substantive motion.*

## **COUNCIL DECISION**

### **MOVED CR HALL, SECONDED CR FREER**

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

- 1. ADVISE the Minister for Planning of the following:**
  - a. That Council strongly objects to the implementation of Local Planning Scheme Amendment No. 4 in its current form and reiterates its previous concerns regarding the Amendment;**
  - b. Council is disappointed that (to date) it has not been furnished copies of the reports that the proponent undertook in response to the appeal against the EPA's report relating to coastal processes, foreshore reserve and native vegetation; and**
  - c. Should the Amendment be given approval, Council will be vehemently objecting to any structure plan until such time as the issues relating to:**
    - i. native title and Aboriginal heritage issues relevant to the subject area;**
    - ii. agreement from key stakeholders on the broader planning for the southern growth corridor;**
    - iii. arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;**
    - iv. serviceability issues caused by the flooding of Rudds Gully;**
    - v. cultural heritage assessment of the area addressed to Council's satisfaction;**
- 2. ADVISE the Department of Lands that should any Scheme Amendment, structure plan or subdivision be approved without the support of the City, then the City would not accept any Management Order(s) for any associated public reserves created as part of the subdivision process;**
- 3. DIRECT the CEO to ensure that all conditions of the extractive industries permit issued in the area known as Southgates have been met, in particular as they relate to the volume of material removed annually and initiate a full review of the mining operations.**

**CARRIED 12/0**

<b>Mayor Van Styn</b>	<b>YES</b>
<b>Cr. Douglas</b>	<b>YES</b>

<b>Cr. Bylund</b>	<b>YES</b>
<b>Cr. Ellis</b>	<b>N/V</b>
<b>Cr. Keemink</b>	<b>N/V</b>
<b>Cr. Hall</b>	<b>YES</b>
<b>Cr. Critch</b>	<b>YES</b>
<b>Cr. Graham</b>	<b>YES</b>
<b>Cr. Tanti</b>	<b>YES</b>
<b>Cr. Reymond</b>	<b>YES</b>
<b>Cr. McIlwaine</b>	<b>YES</b>
<b>Cr. Freer</b>	<b>YES</b>
<b>Cr. Colliver</b>	<b>YES</b>
<b>Cr. Caudwell</b>	<b>N/V</b>
<b>Cr. Thomas</b>	<b>YES</b>

**21. CLOSURE**

The presiding member declared the meeting closed at 5.51pm.



**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/>