



## ORDINARY MEETING OF COUNCIL

### AGENDA

24 MARCH 2015

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**TO BE HELD ON TUESDAY, 24 MARCH 2015 AT 1.30PM**  
**MULLEWA DISTRICT OFFICE**

**A G E N D A**

**DISCLAIMER:**

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

**1 ACKNOWLEDGEMENT OF COUNTRY**

I would like to 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'.

**2 DECLARATION OF OPENING**

**3 ATTENDANCE**

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Cr S Keemink

Leave of Absence:

Mayor I Carpenter

Cr B Hall

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

Nil.

**5 PUBLIC QUESTION TIME**

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

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

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

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>
Cr B Hall	23 March 2015	7 June 2015
Mayor I Carpenter	24 March 2015	27 March 2015
Cr V Tanti	10 April 2015	26 April 2015
Cr V Tanti	30 April 2015	18 May 2015
Cr N McIlwaine	10 April 2015	21 April 2015
Cr N McIlwaine	2 July 2015	10 July 2015

Cr S Douglas requests leave of absence for the period of 19 August 2015 to 21 September 2015 be approved.

**7 PETITIONS, DEPUTATIONS OR PRESENTATIONS****8 DECLARATIONS OF CONFLICTS OF INTEREST**

Director of Sustainable Communities Phil Melling – declared a Financial Indirect Interest in Item SC208 2015 Extended Retail Trading Hours as a family member works for one of the submitters.

Cr S Douglas – Declared an Impartiality Interest in Item CC203 – Mullewa Town Centre Revitalisation as the funding for the Revitalisation is being sought from his employer – MWDC.

Cr S Douglas – Declared an Impartiality Interest in Item SC202 – Proposed Closure of Portion of Foreshore Drive and Forrest Street road reserve, Geraldton as his employer MWDC is involved in the development of the land.

Cr P Fiorenza – Declared an Impartiality Interest in Item SC204 – Lease Rover Football Club as he is a member of the Board of Rover Football Club.

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

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

**10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)***Events attended by the Mayor or his representative*

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
25 February 2015	Interview with ABC Radio – Outcomes of Council Meeting	Mayor Ian Carpenter
26 February 2015	Local Emergency Management Committee Meeting	Mayor Ian Carpenter
26 February 2015	Anzac Day Commemorative Service Discussion	Mayor Ian Carpenter
27 February 2015	Mid-West Development Commission Board Meeting	Mayor Ian Carpenter
28 February 2015	Official Opening of the Mid-West Art Prize and Presentation Evening	Mayor Ian Carpenter
03 March 2015	Concept Forum	Mayor Ian Carpenter
04 March 2015	Meet and Greet Breakfast – Abu Dhabi Delegation	Mayor Ian Carpenter
04 March 2015	Mid-West Gascoyne Local Government Emergency Management Network Meeting	Mayor Ian Carpenter
04 March 2015	Community Summit Part 1	Mayor Ian Carpenter
05 March 2015	Video Interview with Pro Docs – Geraldton Promotional Video	Mayor Ian Carpenter
06 March 2015	Office Opening – Darren West – Member for Agriculture Region	Mayor Ian Carpenter
06 March 2015	Photo Opportunity – Geraldton Little Athletics Club – Grant Receivers	Deputy Mayor Neil McIlwaine
11 March 2015	Western Australia Regional Councils Association Meeting – Bunbury	Mayor Ian Carpenter
12 March 2015	Meeting with Hon. Kim Hames – Discuss the Abrolhos Islands	Mayor Ian Carpenter
13 March 2015	Photo Shoot – Bike Week Promotion	Mayor Ian Carpenter
13 March 2015	Incident Support Group Meeting – Cyclone Olwyn	Mayor Ian Carpenter
13 March 2015	Interview with ABC Radio – Cyclone	Mayor Ian Carpenter
14 March 2015	Incident Support Group Meeting – Cyclone Olwyn	Mayor Ian Carpenter
16 March 2015	Everlasting Partnerships Breakfast	Mayor Ian Carpenter
17 March 2015	Photo Shoot – Foodbank turning of the sod	Mayor Ian Carpenter
17 March 2015	Public Arts Advisory Committee Meeting	Mayor Ian Carpenter
17 March 2015	Agenda Forum	Mayor Ian Carpenter
21 March 2015	Harmony Day – Speech	Mayor Ian Carpenter
22 March 2015	Community Summit Part 2	Mayor Ian Carpenter
23 March 2015	Citizenship Ceremony – Urgent	Mayor Ian Carpenter
23 March 2015	Official Flick of the Switch – Geraldton Aquarena Geothermal System	Mayor Ian Carpenter
23 March 2015	Mid-West Development Commission Event – Northampton	Mayor Ian Carpenter
23 March 2015	Plaque Hand Over – Pacific Jewel Cruise Liner	Deputy Mayor Neil McIlwaine
24 March 2015	Ordinary Meeting of Council	Deputy Mayor Neil McIlwaine

## 11 REPORTS OF COMMUNITY INFRASTRUCTURE

CI090	COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF)
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<b>AGENDA REFERENCE:</b>	<b>D-15-13367</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Design</b>
<b>EXECUTIVE:</b>	<b>N Arbutnot, Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>26 February 2015</b>
<b>FILE REFERENCE:</b>	<b>GS/1/0012</b>
<b>APPLICANT / PROPONENT:</b>	<b>Geraldton Netball Association Geraldton Tennis Club</b>
<b>ATTACHMENTS:</b>	<b>Yes x4 (x3 Confidential)</b>

### EXECUTIVE SUMMARY:

The objective of this report is to review and provide a formal Council position on two (2) Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants applications.

### EXECUTIVE RECOMMENDATION;

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

1. SUPPORT the Geraldton Netball Association CSRFF Small Grant application for the replacement of their existing stadium floor with a sprung floor;
2. DEFER consideration of the Geraldton Tennis Club CSRFF Small Grant application until such time that the new lease agreement has been negotiated to allow an informed assessment of the club's financial position and capacity to maintain and renew the existing and proposed infrastructure.
3. 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 \$48,659 for the Geraldton Netball Association; and
4. ADVISE the Geraldton Netball Association that any shortfall in funding for the project is the Association's responsibility to fund any shortfall which must be confirmed prior to commencement of the project.

### PROPONENT:

The proponents are the Geraldton Netball Association and the Geraldton 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 DSR 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 \$20 million per annum 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 Grants rounds are offered twice a year. Applications successful in the March 2015 round will be funded in the 2014/15 financial year.

Applications for CSRFF Small Grants March 2015 Round

**Geraldton Netball Association**

Geraldton Netball Association submitted a request for the replacement of the existing 18 year old stadium floor with a new sprung board floor. This project has a total project cost of \$145,978 making the City's required 1/3 contribution a maximum of \$48,659.

This project was approved by the City as part of CSRFF Small Grants September 2014 Round, however the application was not supported by DSR at the time due to a misunderstanding of the City's position in regards to the proposed multipurpose indoor stadium in the Sporting Futures Report. DSR were concerned about funding a facility that may only have a short life span and that they would then be asked for funding for a new stadium a few years down the line. In Sporting Futures Report 2013, it is planned that the current indoor court of Geraldton Netball Association will remain and form part of any new multiuse facility.

This misunderstanding has been addressed and DSR has a better understanding of the Geraldton Netball Association's facility situation in the long term.

The Geraldton Netball Association'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 – i.e. the Club has planned for life-cycle costs;
- c. There is an identified need for this project; and
- d. The project can be considered as a multi-purpose facility as it will cater for other community groups – e.g. Basketball, Heart Moves.

**Geraldton Tennis Club**

Geraldton Tennis Club submitted a request to resurfacing of two existing hard courts. This project has a total project cost of \$16,223 making the City's required 1/3 contribution a maximum of \$5,407.



These two existing hardcourts are suffering with extensive wear to the courts bitumen surface and cracks in courts. Resurfacing these two tennis courts would provide their members and other users with a higher quality playing environment.

The Geraldton Tennis Club's application has been assessed by City officers and is NOT Supported on the basis that;

- a. The lease between Geraldton Tennis Club and The City of Greater Geraldton is due to expire;
- b. New lease conditions will likely have a significant impact on the club's financial situation e.g. funding to maintaining existing 23 turf courts; and
- c. More information and financial planning needed from Geraldton Tennis Club to show that the club has capacity to continue to maintain both existing 23 turf courts and two planned hard courts.

### **Spalding Tennis Club**

The Spalding Tennis Club submitted a request for the replacement of 4 old lighting poles and provision of 2 new lighting poles at their facility on Chapman Road with a total project cost of \$109,806. However, applications made by the club seeking secondary funding were unsuccessful and as such the club has decided to withdraw their application for City support at this time.

## **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, 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 grants in the past e.g. the Geraldton Croquet Club CSRFF grant in September 2014 round to install flood lights on their third court.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

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**LEGISLATIVE/POLICY IMPLICATIONS:**

There have been no legislative/policy changes

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The total amount allocated in the 2014/15 Budget for progressing projects under CP058 is \$75,000. The balance remaining in the 2014/15 budget for processing projects under CP058 is \$71,200.

Should the Geraldton Netball Association's application be supported by Council and is successful in attracting full CSRFF Small Grant funding in the March 2015 round, the maximum cost to the City will be \$48,659 (ex GST).

**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**

An alternative would be for the City to also support the Geraldton Tennis Club's application.

CI091	RFQ 18 1415 – REGIONAL WASTE COLLECTION AND FACILITIES OPERATION SERVICES
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<b>AGENDA REFERENCE:</b>	<b>D-15-13369</b>
<b>AUTHOR:</b>	<b>M Wong, Regional Waste and Energy Manager</b>
<b>EXECUTIVE:</b>	<b>N Arbuthnot, Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>17 February 2015</b>
<b>FILE REFERENCE:</b>	<b>WM/9/0006</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2 Confidential)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek the Council's approval to award a contract for a Regional Waste Collection and Waste Infrastructure Operations Services.

**EXECUTIVE RECOMMENDATION;**

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

1. AWARD RFQ 18 1415 – Regional Waste Collection and Facilities Operation Services to the preferred tenderer, based upon the Regional pricing structure contained in the tender submission;
2. AUTHORISE the Chief Executive Officer to AWARD the contract to preferred tenderer, based upon the Individual pricing structure to the City of Greater Geraldton contained in their submission, should the Regional Pricing Structure not be accepted by the participating Local Governments; and
3. RECORD both the Regional and Individual pricing structures in the Minutes.

**PROPONENT:**

The proponents are the City of Greater Geraldton, the Shires of Northampton, Chapman Valley and Irwin. For the purposes of this document and its attachments, reference to the Principal(s) refer to one or of all the Local Government Authorities (LGA)s listed.

**BACKGROUND:**

The City of Greater Geraldton and Shires of Northampton, Chapman Valley and Irwin sought quotations from suitably qualified organisation(s) for the provision of Waste Collection and Infrastructure Operation Services across the region, starting 31 August 2015 for a seven (7) year contract period.

Objectives of sourcing a common contractor to deliver the required services include:

- Providing a Consistent and Reliable service that meets the Principal's needs;

- Achieving a high level of Compliance with Health, Safety and Environmental requirements, as well as Federal, State and Local Legislation; and
- Providing Cost Effective Waste Management Services to the Community.

To procure those services, the participating Councils released a joint Request for Quotation (RFQ) with four separable portions to obtain quotations through the tender-exempt Western Australian Local Government Association (WALGA) prequalified Preferred Suppliers Panel for Waste Collection Goods and Services. WALGA have pre-qualified all the major waste management companies under the Preferred Supply Conditions of Contract (CoC), making them exempted from the Local Government Act's Tender regulations. The CoC had been extensively updated recently by the Herbert Smith Freehill's waste legal team.

Two (2) price schedules have been provided for each separable portion, one in the event that the four (4) contracts are awarded to the same contractor and one in the event that 2 or more separate contractors are engaged by the Proponent. Each submission has evaluated by all 4 principals as well as an independent third party consultant.

The contract(s) may be awarded to either a panel of Respondent(s) or a sole respondent who best demonstrates the ability to provide quality products and/or services at a competitive price. The submissions have been assessed together with the Qualitative, Quantitative and Compliance criteria to determine the most advantageous outcome to the Principals.

The Contract comprised of the following schedules:

- Schedule 1 – General Contract Specifics
- Schedule 2 – Goods
- Schedule 3 – Bin Services
- Schedule 4 – Collection Services
- Schedule 5 – Landfill Management Services and Transfer Station Services
- Schedule 6 – Recyclables Sorting Services and Green Waste Processing Services
- Schedule 7 – Standards and Procedures
- Schedule 8 – KPIs
- Schedule 9 – Collection Area
- Schedule 10 – Specification
- Schedule 11 – Contract Price Schedule
- Schedule 12 – Variation Form
- Schedule 13 – System and Plan Requirements

The General Conditions of Contract are the standard clauses in such service agreements and also reflect the requirement to comply with the subsequent Schedules that follow. Those Schedules included clauses for each of the

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LGAs to document their specific requirements from the services. These in turn form the draft contract to be issued with the RFQ.

As a number of the services required across the 4 participating councils varied, this required that separate price Schedules for each of the LGAs was necessary. The services listed in the price schedules for each separable portion were split into Mandatory and Discretionary services.

Mandatory Services are those that are programmed with an estimated service number and frequency. When a Mandatory Service is not an ongoing Service (i.e. it does not have an estimated service number and frequency) it is specified as an 'as required' service. This means that the Contractor must provide this service only when requested to do so by the Principal.

A Discretionary Service is one that may be included in the Contract at the sole discretion of the Principal. These services are generally not currently offered by the Principal, but may be considered if the preferred contractor can provide these services at a cost effective rate.

Key services the City requested include:

- Weekly collection of 240L MGB Kerbside Refuse Collection (Residential and Commercial);
- Public Place Refuse Collection (120L MGB, 240L MGB and Front Lift Receptacle) as required;
- Special, discretionary Residential Services as required;
- Front and Hook Lift Commercial and Industrial Collection (1.5m<sup>3</sup>, 3 m<sup>3</sup> and 4.5m<sup>3</sup> Front Lift, and 3m<sup>3</sup>, 6m<sup>3</sup>, 8m<sup>3</sup>, 10m<sup>3</sup> and 30m<sup>3</sup> Hook Lift Bins) as required
- Supply and Delivery of Receptacles (120L MGB, 240L MGB, 1.5m<sup>3</sup>, 3m<sup>3</sup> and 4.5m<sup>3</sup> Front Lift and 3m<sup>3</sup>, 6m<sup>3</sup>, 8m<sup>3</sup>, 10m<sup>3</sup> and 30m<sup>3</sup> Hook Lift);
- Special Event provision and collection of receptacles (240L MGB, Bulk front lift receptacles) as required;
- Removal and disposal of road kill;
- Transfer of Waste in Bulk Transportation Vehicles from Mullewa; and
- Sharps Collection and Disposal.

The RFQ was released on Monday 15 December 2014 via the WALGA E-quotes Portal. Three Submissions from the following organisations were received before the deadline of 2pm on Friday 23 January 2015. They were:

- Avon Waste;
- Toxfree Solutions; and
- Veolia Environmental Services

Detailed pricing of each service, both mandatory and discretionary, from the respective providers are contained within the confidential attachments.

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

There are significant positive Economic benefits. Having a common contractor benefits the collective pricing mechanism for Geraldton and participating Local Governments. There are monetary benefits from transport efficiency, and waste management operational improvements at all sites, including Geraldton's Meru Waste Disposal Facility.

**Social:**

There are no direct social impacts.

**Environmental:**

The DER regulate the Waste Avoidance and Resource Recovery (WARR) Act 2007, the main legislation under which the collection and transport of waste lies under. There are no negative environmental issues to be addressed.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Cr Laurie Graham, the Council's representative on waste pertaining matters has been generally briefed on the contract methodology. The following Officers have represented their respective Local Governments on the evaluation Panel and throughout the process.

- Mr Maurice Battiliana, CEO - Shire of Chapman Valley
- Mr Felix Neuweiler, Manager of Community Safety - Shire of Irwin
- Mr Glen Bengay, Principal EHO/Building Surveyor - Shire of Northampton
- Mr Garry O'Keefe, CEO - Shire of Northampton
- Mr Brice Campell, Waste Management Consultant - Talis Consultants
- Kieran Garvey, Waste Management Consultant - Talis Consultants
- Mr Ronan Cullen, Director and Waste Management Section Leader - Talis Consultants
- Mr Mark Wong, Manager Regional Waste and Energy - City of Greater Geraldton
- Ms Jessica Felix, Environmental Services Technical Officer – City of Greater Geraldton
- Mr Ray Bailey, Tenders and Contracts Officer – City of Greater Geraldton

**LEGISLATIVE/POLICY IMPLICATIONS:**

The *WARR Act 2007* is the principal legislation governing waste management in Western Australia.

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**FINANCIAL AND RESOURCE IMPLICATIONS:**

It is the continuation of an existing service and ongoing costs are covered within the operational budgets, with any additional amounts adjusted during the budget process. The cost of providing this service is essentially derived from residential waste rates.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service
Title: Environment	Reduce-Reuse-Recycle
Strategy 2.2.2	Promoting, researching and implementing green practices such as improved and innovative waste management, water reuse and renewable energy production.

**REGIONAL OUTCOMES:**

In June 2014, a Northern Country Zone meeting that involved most of the previously mentioned LGAs, and the Executive Officer Northern Country Zone Mr Barrye Thompson, indicated that all parties agreed upon improvements to Asset Management, Information Technology and Waste Management; and are priorities for improvements within the Northern Country Zone.

**RISK MANAGEMENT**

Section 50(1) of the WARR Act 2007, states that the Chief Executive Officer (CEO) of the Department of Environmental Regulation may, for the purpose of protecting human health or the environment, by written notice require a local government, or 2 or more local governments together, to provide, in relation to local government waste, a waste service of a kind specified in the notice. The risk of not providing this essential service may result in the CEO issuing a notice to the City.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The methodology used to secure a suitable contractor to provide the service covered options for individual contracts and a regional supplier of the service. The City is obligated to provide the service and contracting to the least cost and risk to the City.

CI092	RFT 22 1415 – WONTHELLA SKATE PARK EXTENSION
<b>AGENDA REFERENCE:</b>	<b>D-15-15980</b>
<b>AUTHOR:</b>	<b>G Sherlock, Manager of Project Delivery &amp; Infrastructure Management</b>
<b>EXECUTIVE:</b>	<b>N Arbuthnot, Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>13 March 2015</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0062</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 approval to award a contract for RFT 22 1415 Wonthella Skate Park Extension to the preferred tenderer.

**EXECUTIVE RECOMMENDATION;**

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

1. AWARD the contract for RFT 22 1415 Wonthella Skate Park Extension to the preferred tenderer; and
2. RECORD the successful tenderer and tender amount for RFT 22 1415 Wonthella Skate Park Extension in the minutes.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City of Greater Geraldton issued a Request for Tender (RFT 22 1415) for the construction of the Wonthella Skate Park Extension and the refurbishment of the existing Skate Park on the 16 February 2015. The RFT was advertised in the local and state press and through the City's tenderlink connection.

Wonthella Skate Park detailed design was completed in March 2014, the scope of this project is to construct from the finalised design an extension to the existing Skate Park facilities of approximately 700 square metres and refurbish as required, the existing facility.

The City has sought tenders from the market in relation to the refurbishment and extension of the existing Skate Park, two tender responses were received.

1. Crothers Construction Pty Ltd
2. Convic Pty Ltd

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

There are no known economic issues.



**Social:**

The refurbishment of this dated facility will provide value-added infrastructure and improved interaction of the youth community.

**Environmental:**

There are no known environmental impacts.

**Cultural & Heritage:**

There are no known cultural or heritage issues.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Community consultation was undertaken at an early stage of the project prior to design of the Skate Park extension.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The Wonthella Skate Park Extension Construction budget is \$800,000 which is funded from the following sources:

- (1) \$ 310,546 CLGF Royalties for Regions
- (2) \$ 183,333 Depart of Sport & Recreation
- (3) \$ 306,121 City of Greater Geraldton (\$200,000 Provisional Funds)

The full scope of works plus possible provisional works to the existing Skate Park can be undertaken and completed from the available funding based on the executive recommendation and the provisional funding sourced from the mid-year budget review.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

The completion of this project will provide an effective upgrade and extension to a popular and much utilised facility. The upgrade will provide a new focus and challenge for the skate boarding fraternity and will become the premier skate boarding facility in the City and immediate region for the local population and tourists alike.

**RISK MANAGEMENT**

The most significant risk factor to the overall project is the particular skills and capabilities of available experienced contractors with regard to skate park construction. The preferred contractor however has demonstrated a

successful and significant track record in the construction of first class skate park facilities.

**ALTERNATIVE OPTIONS CONSIDERED**

No other alternatives to the present proposal have been given realistic consideration. The proposed option has always been considered the best use of limited funds.

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## 12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS102	COMPLIANCE AUDIT RETURN 2014
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<b>AGENDA REFERENCE:</b>	<b>D-15-13078</b>
<b>AUTHOR:</b>	<b>M Adam, Executive Assistant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>25 February 2015</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 2014 (CAR) 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 2014 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 the Local Government (Audit) Regulations 1996, the City is required to complete a Compliance Audit in relation to the period 1 January 2014 to 31 December 2014 against the requirements set out in the CAR.

The 2014 CAR continues in a reduced format, with the areas of compliance included restricted to those considered high risk.

**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 and the Committee, at its meeting on 24 February 2015, endorsed the Local Government Compliance Audit Return for the period 1 January 2014 to 31 December 2014 (Refer to Reports of Corporate and Commercial Services- Audit Committee Minutes 24 February 2015, and attachment CCS102)

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 7.13(1)(i) of the LGA and Regulation 13 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 2015. 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.

<b>CCS103 STATEMENT OF FINANCIAL ACTIVITY</b>
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<b>AGENDA REFERENCE:</b>	<b>D-15-13519</b>
<b>AUTHOR:</b>	<b>T Machukera, Management Accountant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>6 March 2015</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The attached financial reports provide a comprehensive report on the City's finances to 28 February 2015. The statements include no matters of variance considered to be of concern.

**EXECUTIVE RECOMMENDATION;**

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

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

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The financial position at the end of February 2015 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$479,927	0.8%	Positive Variance
Operating Expenditure	\$2 195,572	4.3%	Positive Variance
Net Operating	\$2,675,499		
Capital Expenditure	\$4,242,937	15.9%	Positive Variance
Capital Revenue	\$1,874,050	24.9%	Negative Variance
Cash at Bank - Municipal	\$12,400,245		
Cash at Bank – Reserve	\$16,410,489		
Total Funds Invested	\$21,783,573		
Net Rates Collected	91.23%		
Receivables Outstanding	\$1,015,038		

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

financial position represented in the February financials shows a positive variance of \$2,675,499 in the net operating result.

The closing funding surplus is due to year to date Capital expenditure being less than YTD budget, as a result of timing of works for buildings, roads, plant & equipment

### **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.

CCS104	ORDINARY COUNCIL ELECTIONS 2015
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<b>AGENDA REFERENCE:</b>	<b>D-15-13081</b>
<b>AUTHOR:</b>	<b>M Adam, Executive Assistant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>6 March 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/8/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>WA Electoral Commission</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's approval to appoint the West Australian Electoral Commission to carry out the 2015 ordinary elections by postal vote.

**EXECUTIVE RECOMMENDATION;**

That Council by Absolute Majority pursuant to Section 4.20(4) and 4.61(2) of the Local Government Act RESOLVES to:

1. DECLARE, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Western Australian Electoral Commissioner to be responsible for the conduct of the 2015 ordinary elections together with any other elections or polls which may be required; and
2. DECIDE, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

**PROPONENT:**

The proponent is David Kerslake, Electoral Commissioner, WA Electoral Commission (WAEC), Perth.

**BACKGROUND:**

The City has received advice that the ordinary elections will be held on Saturday 17 October 2015.

Eight (8) councillors will be elected with one councillor representing each ward. Each term will be for a period of four (4) years.

The vacancies for the 2015 Local Government ordinary elections for the City of Greater Geraldton will be:

- 1 vacancy – District Ward
- 1 vacancy – Champion Bay Ward
- 1 vacancy – Chapman Ward
- 1 vacancy – Hills Ward
- 1 vacancy – Port Ward
- 1 vacancy – Tarcoola Ward
- 1 vacancy – Willcock Ward

### 1 vacancy – Mullewa Ward

Council is required to decide whether the ordinary election of local government council members on Saturday 17 October 2015 will be conducted by an In-Person vote method or by a Postal vote method.

As voting is non-compulsory, electors are not required to attend and therefore, historically, response rates on In-Person voting have been low. In previous years ordinary elections have been conducted using the Postal voting method as this generates a greater participation rate amongst voters. Should the City choose this method for 2015, in accordance with section 4.20(4) of the Local Government Act 1995, it will appoint the Electoral Commissioner to be responsible for the process.

### **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:**

Historically, the postal voting method has been adopted to conduct ordinary elections.

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

There has been no community/councillor consultation.

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

Part 4 – Elections and other polls, Division 3 – Ordinary Elections of the Local Government Act 1995.

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

The WAEC has advised that their estimate to undertake the 2015 postal elections will be approximately \$86,000 (incl GST). Additional electoral expenditure of \$13,000 will also be set aside to cover any local advertising and promotion, hire costs and some staff costs. This will be budgeted for in the 2015/16 financial year.

### **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**

The Australian Electoral Commission will be responsible for management of the Risk if appointed as per the Executive Recommendation.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

Previous years' Council decisions to appoint the Western Australian Electoral Commissioner to conduct Postal elections have proven effective therefore there were no alternative options considered by City Officers.

CCS105	MID YEAR BUDGET REVIEW
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<b>AGENDA REFERENCE:</b>	<b>D-15-13511</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager Finance &amp; Treasury</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>6 March 2015</b>
<b>FILE REFERENCE:</b>	<b>FM/6/0020</b>
<b>APPLICANT / PROPONENT:</b>	<b>N/A</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

This report seeks Council consideration of variations as per the attached financial statements, for the mid-year budget review and determination of whether or not to authorise these proposed variations according to both operating and capital income/expenditure (nature and type).

For compliance purposes, the attached financial statements include the budget figures as per the budget adopted by Council 1st July 2014. The mid-year review figures (effectively presenting a proposed revised budget) incorporate all budget amendments already authorised by Council post budget adoption, up to the period of the budget review. Councillors should note the amendments to the budget adopted by absolute majority of Council at its meeting of 24th September 2014 (Agenda reference CCS076).

The original 2014-15 budget as adopted by Council forecast a net operating position (loss) from ordinary activities of \$7,451,645. The position after the mid-year review shows an operating loss of \$6,849,402 a reduction of \$602,243 in the expected loss.

**EXECUTIVE RECOMMENDATION;**

That Council by Absolute Majority by virtue of Part 6, Division 4, s6.8 of the Local Government Act 1995 RESOLVES to:

1. APPROVE the proposed budget amendments as detailed in the attachments as Mid-Year Review Budget and AUTHORISE any unauthorised expenditure contained within the proposed amendments.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The proposed attached budget amendments have been identified under the following criteria:

- a) Provide resources to complete and/or undertake high or newly identified priority projects and activities;
- b) Identify incorrect postings to accounts;

- c) Account for deferred or cancelled budget items;
- d) Review allocations against current and projected figures and profiles; and
- e) Review and correct any coding errors for income and expenditure nature & type.

**Statement of Financial Activity (see attached financial statements):**

**Operating Income:**

Total operating income forecast for this financial year has been increased by \$3,303,295 in relation to the original budget adopted by Council 1<sup>st</sup> July 2015. The significant movements are:

- \$2.22m adjustment in grant revenue authorised by Council at September 2014 meeting that related to projects carried over from 2013-14.
- \$0.25m reimbursement of GST from unimproved land sales that the City was able to claim due to a position change in the ATO.
- \$0.33m book entry to effectively recognise income and the acquisition of an asset (fire truck) that was purchased by Department of Fire & Emergency Services (DFES).
- \$0.25m increase in grant revenue based on confirmed funding.
- \$0.12m additional revenue received from rubbish collection charges.
- \$0.8m increase in forecast revenue from parking activities.

**Operating Expenditure:**

Total operating expenditure forecast for this financial year has been increased by \$110,342. The significant movements are:

- \$0.67m increase adjustment to operating expenditure authorised by Council at September 2014 meeting that related mainly to projects carried over from 2013-14.
- \$0.13m of airport operating expenses recoded to capital for airport security operations and sterile lounge extension.
- \$0.20m reduction in fleet and minor plant operating expenditure due to efficiency gains from reduction in light vehicle fleet and introduction of the pool box system.
- \$0.05m reduction in utilities charges in recognition of cost savings initiatives implemented at the Art Gallery and Aquarena.
- \$0.08m reduction in the allocation of whole of organisation legal costs based on current activity level.

- \$0.07m reduction in budgeted expenditure whole of organisation building operations based on current actuals projected to year end.
- \$0.08m reduction in data services costs due to an audit and review of services delivering efficiency savings.

Note: In consideration of the City's eight point plan to reduce the budget moving forward, \$600k of savings has been identified within employment costs. These savings realised mainly via a recruitment freeze implemented early in this financial year have been moved to a "redundancy bank" as a provisional sum to cover potential redundancy payouts in this financial year. In summary, there is no overall increase budget allocation of employment costs but \$600k has now been set aside to assist with funding potential redundancies in this financial year.

**Capital Revenue (Includes Reserves):**

The budget allocation associated with this revenue stream has been increased by \$1.85m based mainly on the following:

- \$1.70m increase adjustment relating to unspent funds held in Cash Reserves from 2013-14 applied to projects carried over into this financial year which was authorised by Council at September 2014.
- \$0.15m transfer from unspent funds held in Reserves for the Eastern Breakwater Project. These funds will be applied to the design and installation of interpretive signage and provisional works associated with landscape planting and irrigation.

**Capital Expenditure (Include Reserves):**

The overall increase in capital expenditure of \$3.13m (excluding debt principal repayments) is impacted mainly by the following movements:

- Net increase in capital expenditure relating to carried over projects from 2013-14 of \$3.2m as authorised by Council at September 2014.
- \$0.42m decrease in plant replacement budget for this financial year due to a reduction in light vehicle and major plant fleet.
- \$0.21m savings for toilet building replacement due to WA Country Builders "Brick Story" project.
- \$0.20m increase budget allocation to Skate Park Extension project to allow for refurbishing existing facility.
- \$0.23m increase budget allocation for new depot workshop. This increase relates to the installation of new fire services not part of the original project scope which is now a statutory requirement as a result of discussions held with DFES.
- \$0.15m budget allocation to Eastern Breakwater (as noted under capital revenue movements).

- \$0.13m increase budget allocation to Airport works (as noted under operating expenditure movements)

### **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:**

A mid-year budget review is a mandatory regulatory requirement.

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

There has been no community/councillor consultation.

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

Section 6.8 of the Local Government Act 1995 requires any expenditure not included in the annual budget to be authorised by Absolute Majority.

Local Government (Financial Management Regulations) 1996 regulation 33A requires that Council between 1 January and 31 March in each financial year, carry out a review of its annual budget for that year.

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

The City's original budget forecasted the following in relation to the Statement of Financial Activity:

1. Opening fund deficit of \$50k. After completion of the End of Year financials for 2013-14 the actual opening fund deficit was \$1.13m and the mid-year budget review now accounts for the actual fund opening position.
2. Closing fund deficit of \$2.2m. In consideration of the adjustment to the opening fund position of \$1.13m plus accounting for the savings achieved via previous budget amendments and this mid-year review the closing fund deficit position has been reduced to \$1.38m.
3. Overall savings achieved in relation to both operating and capital from the original budget adopted by Council amounts to \$1.91m.

### **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**

Associated risk would be a failure to comply with relevant Financial Management Regulations requiring local governments to review their annual budget.

**ALTERNATIVE OPTIONS CONSIDERED**

Alternative options for adjustments to budget forecasts were considered by Directors and Managers, within every function. Proposed increase adjustments to particular expenditures were offset to the extent practicable by reducing expenditure allocations elsewhere in the budget, with the view to ensuring that the budget outcome for the year achieves or delivers a better overall result than the original budget. With a reduced operating loss, this budget review delivers an improved position.

### 13 REPORTS OF CREATIVE COMMUNITIES

CC203	MULLEWA TOWN CENTRE REVITALISATION
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<b>AGENDA REFERENCE:</b>	<b>D-15-13506</b>
<b>AUTHOR:</b>	<b>B Wilson, District Manager–Mullewa</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director–Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>17 March 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### **EXECUTIVE SUMMARY:**

This item seeks Council's agreement to establish an expression of interest for the Mullewa Town Centre Revitalisation (MTCR) project with the Mid West Development Commission (MWDC), utilising the prioritised projects below, as informed by consultation with the Mullewa community.

#### **EXECUTIVE RECOMMENDATION;**

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

1. ACKNOWLEDGE the consultation conducted within the Mullewa community in establishing the priorities for the Mullewa Town Centre Revitalisation project;
2. SUBMIT a new expression of interest for the Mullewa Town Centre Revitalisation project with the Mid West Development Commission with the following elements in order of priority;
  - a. Youth Centre (new or refurbishment);
  - b. Streetscape Enhancements (completing the Mullewa Townscape plan);
  - c. Preservation of heritage listed buildings in the Mullewa Railway precinct;
  - d. An Aboriginal Cultural Centre – noting that consultation revealed strong interest towards maintaining the current Indigenous Art Studio, rather than a Cultural Centre (to be explored);
  - e. Wireless Internet service – similar to foreshore in Geraldton; and
  - f. Internal restoration of the Mullewa Masonic Lodge;
3. PROGRESS the development of full business cases should the expression of interest be successful; and
4. REFER completed business cases to Council for a decision regarding each project.

#### **PROPONENT:**

The proponent is the City of Greater Geraldton

#### **BACKGROUND:**

This original project was to be a collaborative effort between the City, the Mid West Employment and Economic Development Aboriginal Corporation, and the Mid-West Development Commission. The original project consisted of the following components:

- Procurement and renovation of 27 Jose St – Indigenous Art Studio, to be retained as an Indigenous Art Studio.
- Procurement and renovation of 29A Jose St – MEEDAC building, to be renovated suitable for a bank branch to be established.
- Fibre Optic Connectivity – Connectivity of the commercial precinct and government services to fibre optic cable (hospital, police, and schools).
- Streetscape improvements – completing remaining elements of the Mullewa Town-scape plan (public furniture and entry statement).

At the Ordinary Meeting of Council on 27 May 2014, Council resolved to withdraw this existing EOI with the Mid-West Development Commission. The proposal was withdrawn as the components which made up this project were no longer viable; did not align to the City's Capital Works Priority Listing; and proposed funding partnerships were no longer possible.

In August 2014, consultation with various groups within the Mullewa community commenced in accordance with the Council resolution, with the goals of informing participants of the capital works listing, the process to establish it, and the Mullewa-based projects within the listing, which would be suitable to consolidate into a town centre revitalisation project; and to have the Mullewa community provide input regarding their priorities for these projects.

During this period of community consultation, community members evaluated the Mullewa based projects (per attachment) that were deemed suitable for consolidation in a town revitalisation project, from the capital works listing.

It is noteworthy that historical arrangements and agreements (pre-amalgamation) may impact the location of some components of the Mullewa Town Centre Revitalisation project. Should this expression of interest prove successful, these agreements will be reviewed, and used to inform the development of business cases.

The process for progressing this EOI with the MWDC is as follows;

1. Submission of EOI early April 2015 (Pending Council decision on 24 March);
2. Review by MWDC Board prior to 30 June 2015;
3. Undertake business cases for project components (independent of each other), subject to board approval; and
4. Return completed business cases to council for endorsement, prior to submission to MWDC.



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

The conduct of this project would have a significant and enduring economic impact to the Mullewa community; particularly to the local businesses and government services (including schools), as well as the wider community for projects such streetscape improvements to the town site's appeal. Positive economic impact is also expected as a result of construction activities associated with delivering these components locally, and the potential to engage providers such as MEEDAC to provide candidates during construction to potentially assist and learn throughout these construction projects.

**Social:**

There are considerable social benefits that could be realised by this project. For example; a more usable (new or refurbished) Youth Centre will enable diversionary recreational activities to be facilitated in a safe and suitable facility.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

The Aboriginal Cultural Centre, preservation of the Railway precinct buildings, and Masonic Lodge (internal) restoration components of this project represent substantial cultural consideration and heritage preservation commitments.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been extensive community consultation undertaken in order to establish this list of priorities. This included 2 public forums, small group meetings, one-on-one interviews and correspondence. In all approx. 100 stakeholders from the Mullewa community participated. See attached Community Ranking document and Comments document.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

At this point in the project there are no financial implications. However, any project seeking MWDC funding does require a co-contribution from the applicant; therefore as part of developing any business case, the financial implication for the City will be clearly and accurately quantified for Council consideration.

**INTEGRATED PLANNING LINKS:**

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

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Strategy 1.1.3	Recognising & celebrating Yamaji people and their languages and culture
Title: Social	Youth
Strategy 3.2.1	Offering young people more opportunities for education, recreation & participation in their community
Title: Economy	Lifestyle and vibrancy
Strategy 4.1.3	Revitalising the CBD through economic, social and cultural vibrancy
Strategy 4.4.1	Encouraging the development of industries and services related to advances in telecommunications technologies and the National Broadband Network

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There is no immediate risk with progressing with an EOI. However, independent business cases will be required for each project component and a detailed risk analysis will be conducted for each component.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

Not proceeding with an expression of interest to the Mid-West Development Commission was considered, however that would result in a significantly larger portion of City-borne funding being required to fund any of the capital works projects listed as priorities for Mullewa. Alternative options for each specific project will be considered and presented to council as part of relevant business cases, subject to the MWDC's approval of the expression of interest.

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

## 15 REPORTS OF SUSTAINABLE COMMUNITIES

SC202	PROPOSED CLOSURE OF PORTION OF FORESHORE DRIVE AND FORREST STREET ROAD RESERVE, GERALDTON
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<b>AGENDA REFERENCE:</b>	<b>D-15-13007</b>
<b>AUTHOR:</b>	<b>K Elder, City Strategic Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>5 March 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>Quantum Surveys</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

### EXECUTIVE SUMMARY:

The advertising period has concluded for the closure of a portion of road reserve located at the intersection of Foreshore Drive and Forrest Street, Geraldton.

This report recommends support of the closure and that it be forwarded to the Minister for Lands for final approval.

### EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to Section 58 of the Land Administration Act 1997, RESOLVES to:

1. REQUEST the Minister for Lands, further to the notice of motion published in the Midwest Times on 29 January 2015, to close portion of the Foreshore Drive and Forrest Street road reserves as shown on Drawing No. 10526PR01-AERIAL (Rev A).

### PROPONENT:

The proponent is Quantum Surveys who are acting on behalf of Landcorp.

### BACKGROUND:

The portion road reserve proposed to be closed is located on the north eastern corner of the intersection of Foreshore Drive and Forrest Street, Geraldton. The portion of road reserve is 416m<sup>2</sup> in area and is unsealed as it is surplus to the road and pathway requirements.

It is proposed that the portion of road reserve will be amalgamated into the adjacent lots which will form part of the Batavia Coast Marina Stage 2 (BCMII) development.

A copy of the proposed Road Closure plan which includes an aerial photo of the site is included as Attachment No. SC202.

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

#### Economic:

There are no economic issues.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

The author is not aware of any relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The closure was publicly advertised in accordance with the provisions of the Land Administration Act 1997.

The advertising period was for 37 days (commencing on 29 January 2015 and concluding on 6 March 2015) and involved the following:

1. A sign erected on-site;
2. A notice appeared in the Midwest Times on 29 January 2015;
3. The details of the closure were made available on the City's website;
4. The details of the closure were publicly displayed at the Civic Centre;
5. The closure was referred to the following agencies:
  - ATCO Gas
  - Department of Fire and Emergency Services
  - Landcorp
  - Mid West Development Commission
  - Public Transport Authority
  - Telstra
  - Water Corporation
  - Western Power

**Submissions:**

As a result of the advertising, a total of 2 submissions were received from Western Power and the Water Corporation. Both agencies had no objection to the closure however they did advise that they would require the relocation of some infrastructure at the applicants' cost.

As part of the larger BCMII project, Landcorp will be relocating infrastructure across the site. Discussions between the project engineers and both agencies have, and will continue to occur as part of the overall development of the project.

Copies of the actual submissions are available to Council upon request.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 58 of the Land Administration Act 1997 provides for the closure of public roads.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

The road closure is part of the overall land tenure and assembly process to enable the future development of the BCMII project. Not approving the closure would result in surplus land not being utilised to its fullest potential.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The closure will allow for the unused portion of the road reserve to be amalgamated into the adjacent lots which will ensure more efficient use of land as part of the BCMII project and therefore the option to refuse the closure is not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter and there are pressing timeframes that are associated with the delivery of the BCMII project.

SC203 MINOR MODIFICATION TO THE GERALDTON AIRPORT TECHNOLOGY PARK STRUCTURE PLAN
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<b>AGENDA REFERENCE:</b>	<b>D-15-13160</b>
<b>AUTHOR:</b>	<b>K Elder, City Strategic Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>03 March 2015</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The City is proposing a minor modification to the Geraldton Airport Technology Park Structure Plan following the completion of further detailed design of the land.

This report recommends final approval of the modified structure plan and that it be forwarded to the WA Planning Commission for its endorsement.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to Clause 5.17.14 of Local Planning Scheme No. 5 (Greenough), RESOLVES to:

1. ADOPT the modified Geraldton Airport Technology Park Structure Plan; and
2. FORWARD the modified structure plan to the WA Planning Commission for its endorsement.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

As part of progressing road and infrastructure works and as a result of further detailed design, there a number of minor modifications that are required for the structure plan as follows:

- Following a detailed site survey, a drainage area has now been defined within the low point of the subject area.
- The retention of the City's current Depot site has necessitated a number of changes to the proposed road and lot layout.
- The southern boundary of the structure plan has been amended to align with the Bureau of Meteorology buffer area. This has resulted in the southern road which intersects with Arthur Road being extended further east. This road extension will enable the land to

the north to be opened up for development as part of the Geraldton Airport Technology Park.

- The replacement of the western cul-de-sac with a north-south through road, which provides better vehicle permeability and connectivity throughout the site.

The existing and proposed structure plans are included as Attachment No. SC203.

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

### **Economic:**

The structure plan will potentially facilitate the development of a range of uses that encourages a high level of innovation, economic activity and creates significant local, permanent employment opportunities.

### **Social:**

There are no social issues.

### **Environmental:**

All environmental issues were dealt with via the approval of the existing Local Structure Plan. There are no further environmental issues as a result of the proposed modification to the structure plan.

### **Cultural & Heritage:**

The Geraldton Airport has been identified as having cultural heritage significance. The place is classified by the National Trust of Australia (Western Australia) and is also listed on the Shire of Greenough Municipal Inventory of Heritage Places (Place No. 217) wherein it has been allocated as Management Category 2.

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

There are no further cultural and heritage issues as a result of the proposed modification to the structure plan.

## **RELEVANT PRECEDENTS:**

To guide future development at the Geraldton Airport, the 'Geraldton Airport Technology Park Design Guidelines' Local Planning Policy was adopted by Council at its meeting held on 27 June 2010.

Council at its meeting held on 23 October 2012 resolved to adopt the existing structure plan which was subsequently endorsed by the WA Planning Commission on 3 January 2013.

The author is not aware of any other relevant precedents.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

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**LEGISLATIVE/POLICY IMPLICATIONS:**

Clause 5.17.14 of Local Planning Scheme No. 5 (Greenough) allows for variations to a structure plan as follows:

**5.17.14 Variation to structure plan**

*5.17.14.1 The local government may vary a structure plan:*

- (a) *by resolution if, in the opinion of the local government, the variation does not materially alter the intent of the structure plan;*

It is considered that the proposed minor modification does not materially alter the intent of the structure plan.

The 'Geraldton Airport Technology Park Guidelines' (which are appended to the structure plan) was adopted by Council on 27 June 2010 as a Local Planning Policy.

A Local Planning Policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications involved with the modification to the structure plan however there are financial and resource implications involved with the overall development of the Technology Park.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**Geraldton Airport Master Plan:

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

Local Planning Strategy:

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

*The Geraldton Airport is strategically situated to serve the needs of Greater Geraldton for the foreseeable future. Appropriate planning around the airport will ensure compatible uses are located adjacent to the airport, enabling its continued operation and future development.*

*The City of Geraldton-Greenough has completed an airport master plan, which will provide the opportunity for further expansion of the facility.*

Geraldton Region Plan (1999) and Greater Geraldton Structure Plan (2011):

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as Public Utilities 'Airport' on the structure plan.

Narngulu Industrial Area Strategic Land Use Directions (2010):

This study reviews the current strategic planning framework for the Narngulu industrial area and to provide direction for future planning and development. The subject land is identified as Public Utilities – Airport 'Potential airport business park' on the strategic land use directions plan.

**RISK MANAGEMENT:**

There are no inherent risks to the City in approving the modified structure plan.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The minor modification to the structure plan is required as a result of further detailed design and infrastructure works. The modification will ensure that drainage for the area is appropriately catered for, it will also increase the land area available for development as part of the Geraldton Airport Technology Park and it will improve the road connectivity and permeability of the area. The option to refuse the modification 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.

**SC204 LEASE – ROVER FOOTBALL CLUB**

<b>AGENDA REFERENCE:</b>	<b>D-15-13029</b>
<b>AUTHOR:</b>	<b>L MacLeod, Coordinator Land and Property Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>4 March 2015</b>
<b>FILE REFERENCE:</b>	<b>A68866</b>
<b>APPLICANT / PROPONENT:</b>	<b>Rover Football Club</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's support to enter into a new twenty (20) year lease agreement with the Rover Football Club Inc. over portion of Lot 47 Horwood Road, Utakarra.

**EXECUTIVE RECOMMENDATION;**

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

1. ENTER into a new lease agreement with the Rover Football Club over approximately 750 square metre portion of Lot 47 Horwood Road, Utakarra;
2. SET the conditions as follows:
  - a. enter into a twenty (20) year lease agreement;
  - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges 2014/15 reviewed annually; and
  - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy and appropriate governance requirements;
3. LESSEE being responsible for separately paying;
  - a. All applicable rates, taxes and other utilities; and
  - b. Legal expenses associated with the preparation, execution and registration of the lease; and
4. BEFORE the expiry date of the lease the Lessor reserves the right to negotiate with Rover Football Club to achieve the outcomes identified in the Sporting Futures Report to relocate the Club to the Southern Districts Sporting Facility upon its completion the timing of which is anticipated to occur during the term of this lease.

**PROPONENT:**

The proponent is Rover Football Club.

**BACKGROUND:**

The Rover Football Club was established in 1895 and traditionally the Club has had a lease agreement for that portion of land in which their clubrooms are located. Refer to attachment aerial map.

Council at its meeting on 15 June 2010, during the Sporting Futures Report Project, approved a lease to the Club for a three (3) year period with a further term option of one (1) year. The current lease expired on the 31 December 2014 and is currently operating under the holding over clause of the lease on a month to month basis.

The reason for the short term tenure at that time was due to the fact the use for the land at Horwood Road had potential for development with its freehold ownership to the City and the future tenure would be worked through with the Sporting Futures processes and the club be aligned with the Southern Districts Sporting Facilities development.

The Sporting Futures Report with regard to the Southern Districts Sporting Facility states:

*The City has identified the Greenough Oval, home to the Rover Football Club, as a land development opportunity due to the fact that the land is 'freehold' to the City and not subject to the same state government conditions as other recreational spaces within the City. Negotiations with the Rover Football Club over several years has led to an 'in-principle' agreement that Rover Football Club be relocated to the Southern Districts Sporting Facility allowing this land development to proceed. Net return from the land development would be used to provide premier oval facilities at Southern Districts Sporting Facility.*

With the Southern Districts Sporting Facility not expected to be completed within the next 5-10 years the Club is now looking toward improving their facilities in the interim. Security of long tenure will enable the Club to position itself to apply for applicable funding for these improvements to their club facility.

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

### **Economic:**

There are no economic impacts.

### **Social:**

Rover Football Club is a member of the GNFL and promotes junior and senior football throughout the Midwest region.

### **Environmental:**

There are no environmental impacts as the Club is already well established on portion of the lot.

### **Cultural & Heritage:**

Rover Football Club has been in existence since 1895 and is one of Geraldton's oldest established clubs.

## **RELEVANT PRECEDENTS:**

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The City leases Crown Reserves and freehold land to community organisations for a variety of recreational purposes.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Liaison between the City and the community sporting groups occurred prior to the adoption and implementation of Council Policy CP049.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 3.58 of the Local government Act 1995 details the process for “disposing” (in this case leasing) of property. Regulation 30 of the Local Government Functions and General Regulations describes dispositions of property excluded from Section 3.58 of the Local Government Act 1995 for recreational, sporting and other like nature organisations.

CP049 Community group Land Lease/Licence Policy details the process for the leasing of Crown Land to Community Groups.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The lease fee is set by the City of Greater Geraldton Schedule of Fees and Charges 2014/15 adopted by Council and reviewed annually. The commencement lease fee is \$355.00 per annum inclusive of GST.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

Sport and recreation in regional areas is a vital link in developing opportunities to network and socialise whilst providing a wide range of activities.

The City recognises the importance of supporting sport and recreation clubs and their volunteers as a benefit to the Greater Geraldton region as a whole.

**RISK MANAGEMENT**

There are no risks identified with this proposal.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

It is considered that any alternative options other than leasing for the maximum term of 20 years would limit the Club’s ability to obtain funding for improvements to the current facility.

SC205	ACQUISITION AND DISPOSAL OF VARIOUS CROWN RESERVES
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<b>AGENDA REFERENCE:</b>	<b>D-15-13049</b>
<b>AUTHOR:</b>	<b>B Robartson, Manager Economic, Tourism &amp; Property</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>27 February 2015</b>
<b>FILE REFERENCE:</b>	<b>R34449, R44807, R31543, R29549, R48689 R48448, R49967, R40027, R27506, R28116</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

This report seeks Council approval to proceed with the statutory processes to the acquisition and subsequent disposal to various Crown reserves that have been identified as surplus to the City's requirements as detailed in the endorsed City of Greater Geraldton Public Open Space (POS) Strategy.

The intent is to convert the reserves to freehold land and dispose of them via public auction or private treaty with the profits from sales to be held in a POS Trust in respect to the relevant locality areas for future upgrades of other reserves and recreational facilities in the locality.

**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 ACQUIRE the following Crown Reserves as listed under Section 20A "Public Recreation" Reserves Policy Guidelines for 5% of the unimproved land valuation from the Crown:
  - a. R34449 (Lot 2740) McAleer Drive, Mahomets Beach;
  - b. R44807 (Lot 3011) Omega Place, Spalding;
  - c. R31543 (Lot 2590) Pollett Street, Spalding;
  - d. R29549 (Lots 2504,2742) Hammersley Street, Spalding;
  - e. R48689 (Lot 12707) Wahn Ave, Waggrakine;
  - f. R48448 (Lot 12691) Macedonia Drive, Glenfield;
  - g. R49967 (Lot 596) Woodman Street, Utakarra;
  - h. R40027 (Vic Loc 11732) Edward Road, Narngulu;
  - i. R27506 (Lot 2331) Off Cairncross Street, Beresford; and
  - j. R28116 (Lot 2334) Off Cairncross Street, Beresford.
2. MAKE the determination subject to:
  - a. advertising notice period of not less than 42 days inviting public submissions;
3. REFER the matter back to Council for final consideration if any objecting submissions are received;
4. SUBJECT to point (3) above; ACQUIRE the Crown Reserves as listed in point (1) above;

5. DISPOSE of the now freehold lots by way of public auction or private treaty;
6. DELEGATE authority to the Chief Executive Officer to set the reserve prices; and
7. ESTABLISH specific Public Open Space Trust Accounts for each lot to receive proceeds from the profits of the sales for distribution for future upgrades of other reserves and recreation facilities within each locality.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Pursuant to Regulations 12A and 12B of the Town Planning Regulations 1967, the City prepared and adopted as a local planning strategy the Public Open Space Strategy. Council resolved at the meeting held 28 May 2013 to adopt the draft Public Open Space Strategy and seek consent to advertise from the WA Planning Commission.

The WA Planning Commission requested some modifications to the POS Strategy and subsequently granted consent to advertise on 26 June 2014. The POS Strategy was publicly advertised, commencing on 14 August 2014 and ended 26 September 2014. The Strategy is currently with the WA Planning Commission pending the final endorsement.

The POS Strategy identified various reserves vested in the City that are deemed as surplus to the City's requirements because of an excess of POS in those areas.

As these reserves were created under Section 20A of the Town Planning and Development Act 1928 and vested in the City by way of management order for Public Recreation, the City may apply to acquire these reserves from the Crown under Section 20A "Public Recreation" Reserves Policy Guidelines for 5% of the unimproved land valuation.

If successfully acquired, the reserves may then be disposed of pursuant to Section 3.58 of the Local Government Act 1995 and proceeds from the disposal to be allocated to the POS Trust for the improvement of other reserves and recreational facilities in the locality.

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

There is economic stimulus related to this proposal.

**Social:**

The funds raised from the disposal of the surplus reserves will be allocated to the improvement of established reserves (POS) in the relevant areas. This will assist the City to meet the active and passive recreation needs of the community.

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**Environmental:**

There are no environmental impacts relating to this proposal.

**Cultural & Heritage:**

There is no cultural, heritage or indigenous impacts relating to this proposal.

**RELEVANT PRECEDENTS:**

Following the statutory advertising process, Council at its meeting on the 22 March 2011 resolved to acquire Reserves 46001 (Lot 3086) Eastern Road, 28031 (Lot 2357 King Street, 40233 (Lot 2890) Quarry Street, 34453 (Lot 2737) Drew Street, 29788 (Lot 2514) Houston Street, from the Crown under Section 20A "Public Recreation" Reserves Policy Guidelines. for 5% of the unimproved land valuation. Once the City obtains these lots in fee simple, they may be disposed pursuant to Section 3.58 of the Local Government Act 1995 at the current market value.

The WA Planning Commission and the Department of Lands at this point of the acquisition process declined to approve the acquisition of the above Reserves due to the absence of an up to date POS Strategy. As a result, the City initiated the new POS Strategy process.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Council adopted the POS Strategy and the purpose and intent of that strategy at the meeting held 28 May 2013. In addition, the POS strategy was effectively advertised within the community and the strategic importance of land acquisition and disposal was discussed and supported by the community at the Community forums involving the range and level of services project undertaken by the City.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Pursuant to section 74 of the Land Administration Act 1997 – Part 6 Division 2 – Sale of Crown Land

- (1) *The Minister may sell Crown land and may, without limiting the generality of that power –*
  - (f) *sell Crown land by public auction, public tender or by private treaty;*

Section 3.58 of the Local Government Act 1995 (as amended) –

**Disposing of Property**

Section 3.58:

- (1) *In this section –*
  - “dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
  - “property” includes the whole or any part of the interest of a local government in property, but does not include money*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
  - (a) *it gives local public notice of the proposed disposition –*
    - (i) *describing the property concerned; and*
    - (ii) *giving details of the proposed disposition; and*



- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Funds from the sale of the reserves would be allocated to specific POS Trust accounts designated for the allocation to improvement of other reserves and recreational facilities in the near vicinity and will allow for potential savings to existing budget allocations for POS management.

**INTEGRATED PLANNING LINKS:**

Title: Environment Strategy 2.1.2	Revegetation-Rehabilitation-Preservation Sustainably maintaining public open spaces and recreational areas
Title: Social Strategy 3.1.2	Recreation and Sport Encouraging informal recreation though well planned and developed public open spaces, cycle/walk paths and green streetscapes
Title: Governance Strategy: 5.2.1	Planning and Policy Responding to community aspirations by providing creative yet effective planning and zoning for future development

**Regional Outcomes:**

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

**RISK MANAGEMENT**

The disposal of the lots by the City will be as determined with market conditions.

**ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options for consideration, as there is sufficient information for Council to determine the matter.

SC208	2015 EXTENDED RETAIL TRADING HOURS
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<b>AGENDA REFERENCE:</b>	<b>D-15-15256</b>
<b>AUTHOR:</b>	<b>HJ Davis, Economic Development Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director of Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>13 March 2015</b>
<b>FILE REFERENCE:</b>	<b>ED/3/003/02</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 the application for extension of retail trading hours for 2015.

**EXECUTIVE RECOMMENDATION;**

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

1. ADOPT the following package of extensions to the City of Greater Geraldton during the full year of 2015:
  - a. Easter Monday 6 April 2015 - 10.00am to 5.00pm;
  - b. Monday 27 April 2015 – 10.00am to 5.00pm;
  - c. Sunday, 13 December 2015 – 10.00am to 4.00pm;
  - d. Sunday, 20 December 2015 - 10.00am to 4.00pm;
  - e. Monday, 21 December 2015 – 6.00am to 9.00pm;
  - f. Tuesday, 22 December 2015 – 6.00pm to 9.00pm; and
  - g. Wednesday, 23 December 2015 – 6.00pm to 9.00pm
2. SEEK approval from the Minister for Commerce to adopt the package of extensions to retail trading hours in point (1.) above.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Following consultation by City staff with the Mid West Chamber of Commerce and Industry (MWCCI), Department of Commerce (DOC) and key retailers, it was agreed by the above stakeholders that the City put one agenda item to Council regarding trading hours for the full year, instead of going through the procedure separately for different holidays.

On 18 February 2015, Federation Stirlings Central wrote to the City (refer to Attachment No.1) proposing to open during on ALL Sundays, and ALL weekdays from 7.00am to 7.00pm.

It is considered that Federation Stirling's application is almost equivalent to permanent deregulation of trading hours in Geraldton, and given that the Council at its meeting on the 28 May 2013 resolved:

**MOVED CR GABELISH, SECONDED CR HALL**

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

1. *RECEIVE the two petitions on the deregulated trading hours; and*
2. *NOT SUBMIT an application to the Minister for Commerce for the deregulation of trading hours in the City of Greater Geraldton area;*
  - a. *Makes the determination for the following reasons: that deregulation of trading hours is not supported in Geraldton.*
3. *NOT consider the matter of deregulated trading hours until such time that the population of City of Greater Geraldton reaches a minimum of 50,000 people.*

The application by Federation Stirlings Central is not considered for further progressing in its current form.

On 17 February and 18 February 2015, Northgate Shopping Centre and Spot Light Geraldton wrote to the City (refer to Attachment No.1) suggesting the following extensions be adopted:

**Public Holidays**

Easter Sunday 5 April 2015	10.00am	5.00pm
Easter Monday 6 April 2015	10.00am	5.00pm
Anzac Day Saturday 25 April 2015	1.00pm	6.00pm
Foundation Day Monday 1 June 2015	10:00am	8.00pm
Queen's Birthday Monday 28 September 2015	10.00am	5.00pm
Boxing Day Saturday 26 December 2015	10.00am	5.00pm
Boxing Day Monday 28 December 2015	10.00am	4.00pm
New Year's Day 1 January 2016	11.00am	5.00pm

**Christmas and New Year Season**

Sunday, 6 December 2015	10.00am	5.00pm
Sunday, 13 December 2015	10.00am	5.00pm
Sunday, 20 December 2015	10.00am	5.00pm
Monday, 21 December 2015	6.00pm	9.00pm
Tuesday, 22 December 2015	6.00pm	9.00pm
Wednesday, 23 December 2015	6.00pm	9.00pm
Sunday, 3 January 2016	10.00am	5.00pm

**Sunday Extended Trading Hours**

Sunday, 1 March 2015	10.00am	4.00pm
Sunday, 29 March 2015	10.00am	4.00pm
Sunday, 26 April 2015	10.00am	5.00pm
Sunday, 24 May 2015	10.00am	4.00pm
Sunday, 31 May 2015	10.00am	5.00pm
Sunday, 28 June 2015	10.00am	4.00pm
Sunday, 26 July 2015	10.00am	4.00pm
Sunday, 30 August 2015	10.00am	4.00pm
Sunday, 27 September 2015	10.00am	4.00pm
Sunday, 1 November 2015	10.00am	4.00pm

Sunday, 29 November 2015	10.00am	4.00pm
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### Key Sales Events

Monday, 16 March 2015	Extended to	8.00pm
Tuesday, 17 March 2015	Extended to	8.00pm
Tuesday, 2 June 2015	Extended to	8.00pm
Monday, 17 August 2015	Extended to	8.00pm
Tuesday, 18 August 2015	Extended to	8.00pm
Monday, 9 November 2015	Extended to	8.00pm
Tuesday, 10 November 2015	Extended to	8.00pm

Feedback was sought from the MWCCI, on the above proposed retail trading extensions.

The MWCCI advised the City (refer attached letter – attachment No.2), the only hours retail extensions support are the following extensions for the Xmas period to be adopted:

- a. Sunday, 13 December 2015 – 10.00am to 4.00pm;
- b. Sunday, 20 December 2015 - 10.00am, to 4pm; and
- c. Wednesday, 23 December 2015 – 6.00pm to 9.00pm.

The MWCCI also highlighted the determination of Council of its meeting of the 28 May 2013 and requested that this determination be adhered to.

On the 13 March 2015 Councillors received correspondence from Woolworths Limited. This letter from Woolworths highlights the request for extended retail trading to be granted for Sunday 26 April 2015 and Monday 27 April 2015 being a public holiday for Anzac Day on the 25 April 2015 when shops will be closed for that day. Included as Attachment No.3 SC208.

Woolworths Limited base their application around closure for three consecutive days having a serious impact on retail businesses and causing an inconvenience to both local families and tourists who may not have planned for such a lengthy closure.

The application from Northgate Shopping Centre seeks an extension of retail trade on Saturday 25 April 2015 (Anzac Day) which was rejected by the MWCCI. It did not seek alternative trading on Sunday 26 April 2015 and Monday public holiday on the 27 April 2015.

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

#### **Economic:**

Opening retail outlets for the additional hours may have the following economic impacts:

1. There may be increased opportunity for income within the retail outlets that wish to open the additional hours; and

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

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

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

A precedent was set in 2009, by Council adopting a package of trading hours that was a compromise between recommendations from the DOC, MWCCI, Federation Stirlings Central, Northgate Shopping Centre and Spotlight Centre.

This practice has continued in subsequent years.

**2009** adopted package for the full year:

Sunday, 13 Dec 2009	10.00am	5.00pm
Sunday, 20 Dec 2009	10.00am	5.00pm
Wednesday, 23 Dec 2009	8.00am	9.00pm
Thursday, 24 Dec 2009	8.00am	6.00pm
Sunday, 27 Dec 2009	10.00am	5.00pm*
Tuesday, 29 Dec 2009	8.00am	9.00pm*
Wednesday, 30 Dec 2009	8.00am	9.00pm*
Thursday, 31 Dec 2009	8.00am	6.00pm*
Sunday, 3 Jan 2010	10.00am	5.00pm*

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

**2010** adopted package for the full year:

Sunday, 12 Dec 2010	10.00am	5.00pm
Sunday, 19 Dec 2010	10.00am	5.00pm
Monday, 20 Dec 2010	8.00am	9.00pm
Tuesday, 21 Dec 2010	8.00am	9.00pm
Wednesday, 22 Dec 2010	8.00am	9.00pm
Friday, 24 Dec 2010	8.00am	6.00pm
Tuesday, 28 Dec 2010 (public holiday)	8.00am	5.00pm

**2011** adopted package for the full year:

Tuesday, 26 April 2011	9.00am	5.00pm
Sunday, 11 December 2011	10.00am	4.00pm
Sunday, 18 December 2011	10.00am	4.00pm
Friday, 23 December 2011	8.00am	9.00pm
Tuesday, 27 December 2011 (Boxing Day, Public Holiday)	8.00am	5.00pm

**2012** adopted package for the full year:

Sunday, 16 December 2012	10.00am	4.00pm
Friday, 21 December 2012	8.00am	9.00pm
Sunday, 23 December 2012	10.00am	4.00pm

**2013** adopted package for the full year:

Monday, 28 January 2013 (Australia Day)	9.00am	5.00pm
Monday, 1 April 2013 (Easter Monday)	10.00am	4.00pm
Sunday, 15 December 2013	10.00am	4.00pm
Sunday, 22 December 2013	10.00am	4.00pm
Monday, 23 December 2013	8.00am	9.00pm

**2014** adopted package for the full year:

Sunday, 14 December 2014	10.00am	4.00pm
Friday, 19 December 2014	10.00am	4.00pm
Sunday, 21 December 2014	10.00am	4.00pm
Monday, 22 December 2014	8.00am	9.00pm
Tuesday, 23 December 2014	8.00am	9.00pm

**COMMUNITY/COUNCILLOR CONSULTATION:**

Upon receipt of the application letters from Federation Stirlings Central, Northgate Shopping Centre and Spotlight the MWCCI were invited to provide comment on the proposals submitted. The MWCCI have responded by convening a meeting with members and as a result have submitted their response (attachment 2) for consideration.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 12(E), Variation of Trading Hours of the Retail Trading Hours Act 1987 applies to this matter.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or 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:**

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

**RISK MANAGEMENT**

It is considered that there is no risk applicable to this item.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The following options were considered by City Officers:

The package suggested by the MWCCI offers relatively little option for traders to exercise their discretion to trade additional hours during 2015. In addition, the package recommended by the Northgate and Spotlight Centre may put additional pressure to the local/small retailers and their employees to work extra hours during public holidays and festive seasons.

For the above reasons, options to adopt packages as submitted by the retailers are not supported.

Based on precedents since 2009, especially in 2013 and 2014, the executive recommendation is an adaptation of the packages recommended by the MWCCI and the retailers and also takes into consideration that all retailers are able to exercise their individual discretion regarding whether or not to trade during the approved hours.

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

<b>AGENDA REFERENCE:</b>	<b>D-14-13569</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>9 March 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0002</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 22.(2) of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
  - a. Reports – Sustainable Communities
    - i. SC209 – Community Safety Crime Prevention Committee Meeting Minutes - 25 February 2015
    - ii. SCDD096 – Delegated Determinations
  - b. Reports – Corporate & Commercial Services
    - i. CCS106 - Audit Committee Meeting Minutes – 24 February 2015

**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. CCS107 - Confidential Report – List of Accounts Paid Under Delegation February 2015

**PROponent:**

The proponent is the City of Greater Geraldton

**BACKGROUND:**

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be



presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Not applicable.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Not applicable.

- 17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
  
- 18 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
  
- 19 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING**
  
- 20 CLOSURE**

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

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