



ORDINARY MEETING OF COUNCIL  
AGENDA

25 AUGUST 2015

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**TO BE HELD ON TUESDAY, 25 AUGUST 2015 AT 5.30PM**  
**CHAMBERS, CATHEDRAL AVENUE**

**A G E N D A**

**DISCLAIMER:**

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

Leave of Absence:

Cr S Douglas

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**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.*

**Frack Free Geraldton, Irene Ghannage, 121 Shenton Street, Geraldton WA6530**

Question

What is the Council's position on fracking activity in Greater Geraldton?

Question

Is the Council aware that there will be fracking activity in the Allanooka springs aquifer that supplies the bulk of Geraldton's potable water?

Question

Is the Council fully aware of the risks and impacts of invasive gasfields?

Question

Will the CGG be adopting the same position as the Shire of Carnamah and Shire of Three Springs on fracking?

**Mr Max Correy, PO Box 202, Geraldton WA 6531**

Question

In the Tender Comparison table at the top of page 8 Council Minutes 28 July 2015 you have a credit for "Design and delivery optimisations". Could you please explain what this consists of?

Question

In the Tender Comparison the final adjusted Georgiou price was \$ 7,106,860.53 + GST. Can you please explain in detail why a contract was subsequently awarded to Georgiou for \$ 8.17M + GST which represents an increase of \$ 1.06M from the adjusted price quoted at the last council meeting?

Question

Can you please explain why \$1.06M worth of additional work was negotiated with Georgiou the preferred tenderer on what is effectively a "sole invitee" basis, without any evidence of further market testing or pricing pressure to ensure the council was receiving value for money?

Question

If the range of tenders received varied between \$ 7,180,969.22 to \$8,424,131.45 (GST inclusive), however the final award of contract was \$8,989,000 (GST inclusive), is it reasonable to conclude that council

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tender planning, documentation, and contract management procedures were deficient, and a recalling of the tender may have been a better way to proceed with the contract?

*Responses will be provided at the meeting.*

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

### **Existing Approved Leave**

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>
Cr S Keemink	14 August 2015	23 August 2015
Cr S Douglas	19 August 2015	21 September 2015

Cr J Clune requests leave of absence for the period 3 September to 13 September inclusive be approved.

Cr P Fiorenza requests leave of absence for the period 14 November to 6 December 2015 inclusive be approved.

Cr P Fiorenza requests leave of absence for the period 15 September 2015 be approved.

Cr J Critch requests leave of absence for the period 28 September to 8 October 2015 inclusive be approved.

Mayor I Carpenter requests leave for the period 11 September to 16 September 2015 inclusive be approved.

## **7 PETITIONS, DEPUTATIONS OR PRESENTATIONS**

At Local Government Week held from 5-8 August 2015, Cr Bob Hall received a Long and Loyal Service Award. Cr Hall has been a Councillor in the Geraldton region since 2001, serving on the City of Geraldton Council, the City of Geraldton-Greenough Council and more recently the City of Greater Geraldton Council. During this time Cr Hall has been on an array of Committees, most notably the Roadwise Committee where as a police officer in the local community has was able to provide the committee with a different perspective due to his experience and local knowledge.

Cr Tarleah Thomas recently completed a Diploma of Local Government (Elected Members), and was honoured with her diploma at Local Government Week in August 2015. The Diploma covers areas that directly relate to the roles and responsibilities of Elected Members and provides a nationally recognised qualification.

*Mayor Ian Carpenter will acknowledge their achievements at the meeting.*

**8 DECLARATIONS OF CONFLICTS OF INTEREST**

Cr J Clune has declared an impartiality interest in Item *S100 RFT 25 1415 – Wonthella Oval Floodlight Installation*, as he is a Chair of the Wonthella Oval Management Committee.

Cr J Critch has declared a proximity interest in Item *IS099 Grain Haulage Route Options Study*, as she is a Director of the farm that took part in the study, and lives in the vicinity.

Cr J Critch has declared an impartiality interest in Item *CS221 Establishment of Mullewa Community Farm*, as she is a member of the Group.

Cr T Thomas has declared an impartiality interest in Item *CS221 Establishment of Mullewa Community Farm*, as she is a Councillor and community member of the Mullewa Community Group.

Cr T Thomas has declared an impartiality interest in Item *IS099 Grain Haulage Route Options Study*, as she has a cousin-in-law that lives that that side of Mullewa.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 28 July 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>
29 July 2015	Geraldton Grammar School morning tea - meet Chinese delegation from Putuo district	Mayor Ian Carpenter
29 July 2015	ABC Interview - Outcomes of Council Meeting	Mayor Ian Carpenter
30 July 2015	Visit Leon Baker and the 'Leon Baker wildflower collection'	Mayor Ian Carpenter
30 July 2015	Regional Business Leaders Meeting	Mayor Ian Carpenter
31 July 2015	Tourism WA Cruise Exchange Lunch	Mayor Ian Carpenter
31 July 2015	Tourism Sundowner - Cruise Ship Delegation	Mayor Ian Carpenter
3 August 2015	Regular Catch Up - Marketing & Media	Mayor Ian Carpenter
3 August 2015	Regular Catch Up - Mayor & CEO	Mayor Ian Carpenter
3 August 2015	Regular meeting with Local Members and City of Greater Geraldton	Mayor Ian Carpenter
3 August 2015	Presentation by Infrastructure Development Group on Cashmere Downs Iron Project	Mayor Ian Carpenter
4 August 2015	Meeting with Hon Albert Jacob MLA / Tour of Geraldton Visitor Centre	Mayor Ian Carpenter
4 August 2015	Spirit FM Interview : Mayor	Mayor Ian Carpenter
4 August 2015	Meeting with CQU Assoc Vice Chancellor Prof Trevor Davison and GUC	Mayor Ian Carpenter
4 August 2015	Concept Forum	Mayor Ian Carpenter
5 August 2015	Local Government Week - Annual General Meeting	Mayor Ian Carpenter
5 August 2015	Local Government Week - Opening Welcome Reception	Mayor Ian Carpenter
6 August 2015	Local Government Week - Switch on to Contemporary Country Health Issues	Mayor Ian Carpenter
6 August 2015	Local Government Week - Sundowner	Mayor Ian Carpenter
6 August 2015	Mayor's & Presidents Reception with her excellency the Honourable Kerry Sanderson AO- Governor of WA	Mayor Ian Carpenter
8 August 2015	Radio Theatre Mural - "Just a minute, I've got something to say – and I want you all to listen" Alice Nannup	Neil Mcilwaine
8 August 2015	Mullewa Fire & Rescue Service Captains Dinner 2015	Mayor Ian Carpenter
10 August 2015	Meet with Margaret Croft – Wildflowers Cards	Mayor Ian Carpenter
10 August 2015	Official Opening of the Geraldton Airport Sterile Lounge Extension	Mayor Ian Carpenter
10 August 2015	Regular Catch Up - Marketing & Media	Mayor Ian Carpenter
10 August 2015	Regular Catch Up - Mayor & CEO	Mayor Ian Carpenter
14 August 2015	Launch of Ottomans – Marine Tce	Mayor Ian Carpenter
14 August 2015	Discussion Community Group of Greenough – Lease Renewal	Mayor Ian Carpenter

15 August 2015	Geraldton City RSL Annual Dinner	Mayor Ian Carpenter
16 August 2015	Point Moore Lighthouse - Official Signage Launch	Mayor Ian Carpenter
17 August 2015	Regular Catch Up - Marketing & Media	Mayor Ian Carpenter
17 August 2015	Regular Catch Up - Mayor & CEO	Mayor Ian Carpenter
17 August 2015	Visit Old Gaol, Geraldton – Mrs Margaret Croft	Mayor Ian Carpenter
18 August 2015	Spirit FM Interview : Mayor	Mayor Ian Carpenter
18 August 2015	CEO Performance Review Committee Meeting	Mayor Ian Carpenter
18 August 2015	Agenda Forum	Mayor Ian Carpenter
19 August 2015	Launch: “The Aboriginal History of Geraldton (Jambinu) and Surrounding Areas”	Mayor Ian Carpenter
20 August 2015	LEMC MEETING	Mayor Ian Carpenter
20 August 2015	Randolph Stow Young Writers Award - Presentation Night	Mayor Ian Carpenter
21 August 2015	Dawn Princess - Batavia Coast Marina	Mayor Ian Carpenter
24 August 2015	WALGA Northern Country Zone Meeting	Mayor Ian Carpenter
24 August 2015	Regular Catch Up - Marketing & Media	Mayor Ian Carpenter
24 August 2015	Regular Catch Up - Mayor & CEO	Mayor Ian Carpenter
24 August 2015	Citizenship Ceremony	Mayor Ian Carpenter
24 August 2015	Candidates for Councillors - Introduction to Local Government	Mayor Ian Carpenter
24 August 2015	The Nationals Sundowner - Geraldton University Centre	Mayor Ian Carpenter
25 August 2015	Mid West Economic & Resources Summit 2015	Mayor Ian Carpenter
25 August 2015	Opening the Clontarf Mid West Cup	Cr Shane Van Styn
25 August 2015	Ordinary Meeting of Council	Mayor Ian Carpenter



## 11 REPORTS OF INFRASTRUCTURE SERVICES

IS099	GRAIN HAULAGE ROUTE OPTIONS STUDY
<b>AGENDA REFERENCE:</b>	<b>D-15-46974</b>
<b>AUTHOR:</b>	<b>M Atkinson, Manager Infrastructure Planning &amp; Asset Management</b>
<b>EXECUTIVE:</b>	<b>N Arbuthnot, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>4 August 2015</b>
<b>FILE REFERENCE:</b>	<b>TT/6/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x1 Confidential</b>

### EXECUTIVE SUMMARY:

The objective of this report is to seek Council endorsement of the final Grain Haulage Route Options Study, which recommends Peter Road as the primary grain haulage access to and from the Ambania and Tenindewa area.

### EXECUTIVE RECOMMENDATION:

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

1. ENDORSE the final Grain Haulage Route Options Study (May 2014, Rev B);
2. ENDORSE the Peter Road route as the preferred access to the Ambania and Tenindewa agricultural areas due to it having the highest current and projected grain haulage demand; and
3. REFER the upgrade of the Peter Road route to 36.5m road train access to be listed for consideration in the Capital Works Priority List (CWPL).

### PROponent:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

This item is in response to Councils' resolution (Item 3) from its February 2013 meeting, as per extract below:

1. DIRECT the CEO to undertake an options analysis for transport in the Ambania and Eradu in particular access and movement onto and off the Geraldton – Mt Magnet Road and that such analysis:
  - a. make an assessment of actual traffic volumes of the State and local roads in the localities;
  - b. quantify the expected demand and nature of the traffic;
  - c. develop options for servicing the localities and include analysis of connections to other areas such as the Tenindewa – Yuna Road; and

- d. provide approximate cost estimates for each of the options; and report back with the findings within 9 months for final consideration by Council on the matter.

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

#### **Economic:**

There are no economic impacts.

#### **Social:**

There are no social impacts.

#### **Environmental:**

There are no environmental impacts.

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

There are no cultural or heritage impacts.

### **RELEVANT PRECEDENTS:**

There are no relevant precedents.

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

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

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

There are no legislative or policy implications.

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

There are no financial and resource implications. Endorsing the Executive Recommendation does not obligate the Council to fund any works on Peter Road.

### **INTEGRATED PLANNING LINKS:**

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

### **REGIONAL OUTCOMES:**

There are no regional outcomes.

### **RISK MANAGEMENT**

There are no risk management issues.

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

Alternative routes were considered in the study; however Peter Road was identified as the route with the highest current and expected traffic demand.

IS100	RFT 25 1415	–	WONTHELLA OVAL FLOODLIGHT INSTALLATION
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<b>AGENDA REFERENCE:</b>	<b>D-15-47169</b>
<b>AUTHOR:</b>	<b>G Sherlock, Manager Project Design &amp; Delivery</b>
<b>EXECUTIVE:</b>	<b>N Arbuthnot, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>4 August 2015</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0066</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x1 confidential</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval to award RFT 25 1415 Wonthella Oval Floodlights Installation 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 25 1415: Wonthella Oval Floodlight Installation to the preferred tenderer; and
2. RECORD the tender amount for RFT 25 1415: Wonthella Oval Floodlight Installation in the minutes.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Wonthella Oval is currently considered to be the main football and cricket facility for the City of Greater Geraldton. Football finals, WAFL matches and State and international cricket matches have been hosted at the grounds in the past. In addition to the sporting events Wonthella Oval is ideally positioned to host non-sporting events such as concerts, markets and various other large scale events where the catering of larger crowds are required.

The works include the installation of the Electrical Services for a 500 Lux floodlight system at the Wonthella Football Oval (Towns Football Club) on behalf of the City of Greater Geraldton.

The key stakeholders at the venue are Towns Football Club and Sportsmans Cricket Club.

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

The project will deliver an oval which will become a high quality facility in the Mid-West that is capable of attracting elite level sporting and non-sporting events that have previously bypassed Geraldton.

**Social:**

The project, once completed will be capable of attracting elite level sporting and non-sporting events that have previously bypassed Geraldton.

**Environmental:**

Consideration was given to the impact of the lighting on local residents; however, the final design LUX levels will have minimal if no impact on local residents.

**Cultural & Heritage:**

There are no known cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no known relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been consultation undertaken on various occasions with both internal and external stakeholders.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There is no planning permission required; however, a building permit will have to be procured.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

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

1. City of Greater Geraldton	\$351,000
2. Country Local Government Fund (CLGF)	\$229,000
3. Midwest Development Commission	\$590,000
4. Department of Sport & Recreation (CSRFF)	\$230,000
5. AFL	\$100,000

**INTEGRATED PLANNING LINKS:**

Title: Social	Recreation and Sport
Strategy 3.1.1	3.1 Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle

**REGIONAL OUTCOMES:**

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

**RISK MANAGEMENT**

Should Western Power not be able to install the new transformer as per the agreed program, possible knock on delay to the completion of the project. This is being addressed by working closely with Western Power to ensure that they deliver as per the agreed schedule with the City.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The installation of 250 LUX Lighting was also designed and considered. This was discounted as it did not meet the minimum requirement for the Australian Football League (AFL).

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## 12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS125 COUNCIL POLICY CP034 FRAUD CONTROL
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<b>AGENDA REFERENCE:</b>	<b>D-15-45901</b>
<b>AUTHOR:</b>	<b>A Van der Weij, Financial Accountant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>28 July 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x1</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP034 Fraud Control Policy.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP034 Fraud Control.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Council Policy CP034 Fraud Control was previously adopted by Council on 27 March 2012 (CSO55). A review is now required and the policy has been updated with minor changes to the definition and wording of what constitutes fraud.

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

There are no economic impacts.

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There are no specific risks associated with this policy.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered:

<b>CCS126 COUNCIL POLICY CP035 WRITING OFF BAD DEBTS</b>
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<b>AGENDA REFERENCE:</b>	<b>D-15-45988</b>
<b>AUTHOR:</b>	<b>A Van der Weij, Financial Accountant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>28 July 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x1</b>

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council's adoption of CP035 Writing Off Bad Debts.

**EXECUTIVE RECOMMENDATION:**

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

1. ENDORSE Council Policy CP035 Writing Off Bad Debts.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Council Policy CP035 Writing Off Bad Debts was previously adopted by Council on 27 March 2012 (CSO55). A review is now required and the policy has been updated with minor changes to the policy principles.

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

There are no economic impacts.

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.



**LEGISLATIVE/POLICY IMPLICATIONS:**

There are no legislative or policy implications.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There are no specific risks identified.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered:

<b>CCS127 STATEMENT OF FINANCIAL ACTIVITY TO 31 JULY 2015</b>
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<b>AGENDA REFERENCE:</b>	<b>D-15-47033</b>
<b>AUTHOR:</b>	<b>A van der Weij, Financial Accountant</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>07 August 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 31 July 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 July 2015 monthly financial activity statements as attached.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

Operating Income	\$4,296	0.0%	Variance
Operating Expenditure	\$269,759	4.2%	Positive Variance
Net Operating	\$274,055		
Capital Expenditure	\$766,861	9.3%	Negative Variance
Capital Revenue	\$950	1.6%	Negative Variance
Cash at Bank - Municipal	\$3,466,384		
Cash at Bank – Reserve	\$16,662,106		
Total Funds Invested	\$16,928,347		
Net Rates Collected	10.06%		
Receivables Outstanding	\$2,263,366		

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

The financial position represented in the July financials shows a positive variance of \$274,055 in the net operating result.

The closing funding surplus is due to year to date 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.

**CCS128 COUNCIL POLICY CP033 COMMUNITY FUNDING**

<b>AGENDA REFERENCE:</b>	<b>D-15-46706</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager Treasury &amp; Finance</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate &amp; Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>5 August 2015</b>
<b>FILE REFERENCE:</b>	<b>GS/1/0049</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x1</b>

**EXECUTIVE SUMMARY:**

This report seeks adoption by Council of a revised version of Council Policy (CP033) Community Funding.

**EXECUTIVE RECOMMENDATION;**

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act RESOLVES to:

1. ADOPT the revised version of Council Policy CP033 – Community Funding.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

As part of the moving forward project and the associated programme of identifying cost savings, a review of the current policy for community funding was undertaken. The outcome of the review which was subsequently endorsed by Council through 2015-16 budget deliberations has resulted in the development of the following new funding framework (reduced annual funding) to support community groups:

- Recurrent service agreements up to and not exceeding a value of \$100k per annum to recipients as nominated in the new policy.
- An annual allocation of \$150k for signature events as nominated in the new policy.
- \$40k annual allocation for project support to allow sponsorship of smaller requests tied to community use of CGG facilities and activities such as Community Christmas Lunch.
- \$235k annual allocation for Community Grants based on one funding round per annum (September).
- 2015-16 budget allocation in the amount of \$15k for the Mayoral Discretionary Fund.

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

There are no economic impacts.

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

This report proposes revision of Council's previous policy on Community Funding.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Community & Council consultation via the 2015-16 budget process and "Moving Forward" project.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Council Policy CP033 Community Funding

**FINANCIAL AND RESOURCE IMPLICATIONS:**

Under the new proposed funding framework and in reference to the City's 2015-16 Budget, savings achieved from 2014-15 amount to \$265,954.

**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 specific risks associated with this policy.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternate options considered.

**CCS129 BUDGET AMENDMENTS 2015-16**

<b>AGENDA REFERENCE:</b>	<b>D-15-47262</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>5 August 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>N/A</b>
<b>ATTACHMENTS:</b>	<b>Yes x 1</b>

**EXECUTIVE SUMMARY:**

This report seeks Council approval for proposed amendments to the 2015-16 Budget.

These amendments bring into account any unspent grant funds as at 30 June 2015, and funded expenditure items (commenced and in-progress projects not completed at year end) carried over from the 2014-15 financial year.

Final year-end accounting information for 2014-15 was not available at the time of formulation and adoption of the 2015-16 budget, hence the requirement (*as is the case every financial year*) to integrate brought forward funds and expenditure items into the Budget as early as is practicable after adoption of a budget and commencement of the financial year.

This annual process also enables Council if required to make amendments to its Budget to correct any minor errors or omissions in budget detail discovered after the budget process.

**EXECUTIVE RECOMMENDATION:**

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

1. APPROVE the proposed budget amendments and AUTHORISE any unauthorised expenditure contained within the proposed amendments based on the following:
  - a. Table 1(Carryover Projects/Unspent Grants).

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The proposed types of budget amendments have been identified as follows:

- a) Accounting for unspent or prepaid Grant funds from 2014-15 quarantined in Cash Reserves to be brought forward into the 2015-16 budget; and
- b) Funded projects of both an operating and capital expenditure nature not completed by 30 June 2015 and carried over from 2015-16.

**Table 1 (Carryover Projects/Unspent Grants)**

<b>Project Description</b>	<b>Account Number</b>	<b>Current Budget \$</b>	<b>Revised Budget \$</b>
<b>Operating Expenditure</b>			
<b>Materials &amp; Contractors</b>			
Town Planning Scheme and Local Planning Strategy Project	580004.3100	0	(37,476)
<b>Contributions</b>			
CSRFF Annual Contribution (add funding for Netball Association)	11305002.3700	(75,000)	(123,659)
Community Grants (subscribed funding not yet claimed)	4100402.3700	(235,000)	(316,400)
Mullewa Community Trust (subscribed funding not yet claimed)	4100452.3700	0	(1,000)
Recurrent Grants (subscribed funding not yet claimed)	4100502.3700	0	(54,680)
<b>Total Operating Expenditure</b>		<b>(310,000)</b>	<b>(533,215)</b>
<b>Capital Expenditure</b>			
Airport Sterile Lounge Extension	7024590.3100	0	(32,375)
New Back Beach Toilets	7024519.3100	0	(40,000)
Main Depot Upgrade	7024547.3100	0	(80,410)
Drainage Works – Anderson St	6090128.3100	0	(43,935)
Drainage Works – Vincent St	6090222.3100	0	(90,667)
Drainage Works – Webberton Rd	6090282.3100	0	(46,246)
Signage Environmental Projects	7077240.3100	0	(50,000)
Fleet Replacement (2014-15 orders awaiting delivery)	120068.3100	(1,962,000)	(2,392,000)
Greys Beach Stabilisation	6077213.3100	0	(109,482)
Meru Landfill Liner	6130002.3100	0	(150,000)
QPT Line Array	7024654.3101	0	(100,060)
Morris St Sump	7090113.3100	0	(111,000)
Wonthella Skate Park	7077267.3100	0	(54,734)
Mullewa Sewerage System	350012.3100	0	(55,000)
<b>Total Capital Expenditure</b>		<b>(1,962,000)</b>	<b>(3,355,909)</b>
<b>Capital Revenue</b>			
Transfer from Reserve 280 (Unexpended Capital Works & Restricted Grant Reserve)	3208955.1501	8,133,496	9,750,620
<b>Total Capital Revenue</b>		<b>8,133,496</b>	<b>9,750,620</b>

**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:**

Post financial-year-end adjustments to succeeding year Council budgets are necessary *every financial year*. Annual timing of the Budget process, before the end of each preceding financial year, means that year-end accruals have not been transacted and final end-of-year accounting figures are not available at the time of framing and adopting the next budget, and therefore the determination of any unspent grant monies or project carry-overs cannot be accurately stated in the budget process for the succeeding year.

As well, amendments to budget details may be necessary to recognise any recent changes that impact on proposed revenue streams and/or expenditure levels.

Precedent practise is to identify unspent grant funds and funded project carryovers, and any minor budget amendment requirements, as early as is practicable after commencement of the new financial year, to enable Council to integrate them into its adopted Budget.

**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.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The net impact per table 1 of this report to the 2015-16 Budget is detailed below:

<b>Income &amp; Expenditure Category</b>	<b>Current Budget \$</b>	<b>Revised Budget \$</b>	<b>Budget Movement \$</b>
Capital Revenue	8,133,496	9,750,620	1,617,124
Operating Expenditure	(310,000)	(533,215)	(223,215)
Capital Expenditure	(1,962,000)	(3,355,909)	(1,393,909)
<b>Net Movement – Surplus (Deficit)</b>			<b>0</b>



**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**

No alternative option considered.

### 13 REPORTS OF COMMUNITY SERVICES

CS221	ESTABLISHMENT OF MULLEWA COMMUNITY FARM
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<b>AGENDA REFERENCE:</b>	<b>D-15-49158</b>
<b>AUTHOR:</b>	<b>B Wilson, Manager Community Development, Mullewa</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director Community Services</b>
<b>DATE OF REPORT:</b>	<b>18 August 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015-05</b>
<b>APPLICANT / PROPONENT:</b>	<b>Mullewa Community Trust Committee</b>
<b>ATTACHMENTS:</b>	<b>Yes x2</b>

#### EXECUTIVE SUMMARY:

This item seeks Council's approval to transfer the remaining funds of the Mullewa Community Trust, to the Mullewa Community Group Inc. for the purpose of procuring and establishing a community farm.

Once this farming enterprise becomes financially sustainable, profits generated will be returned to the Mullewa community in the form of an annual grant round, replacing the current Mullewa Community Trust grant round.

#### EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 6.9 of the Local Government Act RESOLVES to:

1. AUTHORISE the CEO to negotiate a formal agreement with the Mullewa Community Group Inc. for the establishment of a community farm, based on the following principles:
  - a. Governance of the Mullewa Community Group Inc. to be in accordance with the group's Rules of Association, and the Associations Incorporation Act 1987.
  - b. Profits from the community farm be returned to the community in the form of an annual community grant round.
  - c. A reserve of \$50,000 be held at all times.
  - d. Should the venture fail, the asset (or proceeds of sale of the asset) should be returned to the City of Greater Geraldton for disbursement to the Mullewa Community in a manner consistent with the original agreement with Mount Gibson mining and the then Mullewa Shire Council.
  - e. A Council nominated representative (and proxy) be allocated a place on the Mullewa Community Trust Committee (as a sub-committee of the Mullewa Community Group Inc.)
2. APPROVE a transfer from Mullewa Community Reserve 190 up to the current balance of \$556,390 and AUTHORISE any reasonable expenditure to the Mullewa Community Group Inc. for the purpose of procuring and establishing a community farm.
3. APPOINT the following Councillors to the new Mullewa Community Trust Committee (established as a sub-committee of the Mullewa Community Group Inc.).

- a. Councillor \_\_\_\_\_;
- b. Councillor \_\_\_\_\_; and
- c. Councillor \_\_\_\_\_ (proxy).

**PROPONENT:**

The proponent is the Mullewa Community Trust Committee.

**BACKGROUND:**

On 26 March 2004, the Mullewa Shire Council established a Public Benefit Agreement with Mount Gibson Iron Ltd. This agreement saw payment of \$100,000 per annum (based on the tonnage of hematite mined) to the Shire, (then City). The Public Benefit Agreement cites that *“disbursements from the structural adjustment fund <a special purpose fund established to facilitate this agreement> shall only be made for the public benefit of the citizens of the Shire of Mullewa.”*

Until 2014, the Mullewa Community Trust Committee, (comprising of a Mullewa ward Councillor, Mount Gibson Iron Ltd representative, and a Mullewa community member) functioned as a Committee of Council, and provided an annual grant round to the Mullewa community. In mid-2014, Mount Gibson Iron Ltd ceased mining activities at Tallering Peak. This saw an end to the \$100,000 contribution received by the Mullewa Community Trust.

The Mullewa Community Trust Committee was approached by two Mullewa farmers, Mr Kim Keeffe and Mr Peter Barnetson to consider utilising Mullewa Community Trust funds to purchase a Community Farm. The principle aim of this farming operation would be to return the farm's profit to the Mullewa Community in the form of an annual grant round – replacing the current Mullewa Community Trust.

Since Council provided in-principle support for this proposal at the Ordinary Meeting of Council on 28 April 2015, this proposal has been further developed and refined by the City, with the Mullewa Community Trust Committee, and with stakeholders. A supporting business case has been developed by Planfarm – Farm Management Consultants (see attachment A).

The Mullewa Community Group Inc. held an Annual General Meeting on 22 July 2015, and significantly increased its membership base to now include 34 community members. The Group has further agreed to the establishment of two sub-committees – a farm management committee, and a Mullewa Community Trust sub-committee. These two sub-committees will cooperatively manage the farm and the provision of grant funding rounds. The proposed arrangements for the management and operation of the community farm are noted in attachment A, coupled with concurrence and support from the Mullewa Community Group Inc.

Consultation with the WA Department of Commerce, determined that the Mullewa Community Group Inc. could undertake this enterprise within the scope of its present Objects of Association, namely section 3(e) – “Create innovative projects aimed at improving the community environs”. A copy of the

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Mullewa Community Group Inc. Rules of Association is attached (attachment B).

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

### **Economic:**

Since the cessation of Mount Gibson Iron's mining activities at Talling Peak, the community is aware that the Mullewa Community Trust in its present state, will begin to deplete its balance with any future funding rounds. Should Council agree to this proposal, there would be an investment in farming in the Mullewa area with the farm's profits being reinvested into the community.

### **Social:**

Agreement to this proposal will prove socially beneficial, as a farm will provide a significant asset of community ownership and civic pride. Many of the community groups and associations currently funded by the Mullewa Community Trust's annual grant rounds contribute to the social enrichment of the community.

### **Environmental:**

Whilst no particular site has been identified for procurement and establishment of this community farm, an existing farm is proposed to be purchased, which would therefore result in a minimal change of environmental implications.

### **Cultural & Heritage:**

Many of the community groups currently funded via Mullewa Community Trust grant rounds actively contribute to the cultural and heritage enrichment of the community. Approval of this proposal would provide some funding longevity for these groups.

## **RELEVANT PRECEDENTS:**

There are no relevant precedents.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

This proposal was given in principle support by Council at the Ordinary Meeting of Council held on 28 April 2015, and subsequently appeared in online media, Facebook and Yahoo!7 News, courtesy of the Geraldton Guardian. The current Mullewa Community Trust Committee (as a Committee of Council) has also undertaken some consultation with stakeholders following the receipt of this proposal.

The community has been advised of the proposal with numerous opportunities for feedback and participation being offered.

- It has appeared in the Mullewa Mail (community newsletter) in the May and July 2015 editions - advising of the concept and advising consultation timings with the Mullewa Community Group Inc., and again in the August 2015 edition, noting the outcome of the Mullewa

Community Group's AGM, and keen enthusiasm to undertake this project.

- A Short Message Service (SMS) was sent to 81 local residents, on 22 July, reminding recipients of the Mullewa Community Group Inc. meeting at which the Mullewa Community Farm proposal was considered.
- An email was sent to 94 local Mullewa residents explaining the community farm proposal, and reminding of the Mullewa Community Group Inc. meeting where this proposal was considered.
- On 23 June, all local businesses (nine), Mullewa-based government & non-government agencies/service providers (seven), and local clubs, sporting groups, & associations (nineteen) were sent correspondence from the Mullewa Community Group Inc. explaining the community farm proposal, and seeking support to undertake this project. The Mullewa Community Group Inc. has been consulted throughout the development of this proposal. The Group has noted its support for this proposal in appendix A, and these consultation activities have seen a significant increase in membership of the Mullewa Community Group Inc.

As the initial funding partner, Mount Gibson Iron (via their Chief Operating Officer) has participated in discussions regarding this initiative. Mount Gibson Iron is supportive of this proposal.

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

Council Policy CP033 – Community Funding Section 3 deals with the Mullewa Community Trust funding arrangements in its present state. Should Council agree to this proposal, Council Policy CP033 will require revision to exclude Section 3.

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

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

Approval of this item will see the Mullewa Community Trust Committee in its present form - as a Committee of Council, be disbanded. The establishment of a Mullewa Community Trust Committee (within the Mullewa Community Group Inc.) will occur with an obligation to include a City Councillor.

The transfer of this function to the Mullewa Community Group Inc. will also relieve City resources presently employed in administrative and financial functions associated with the Trust, administering grant funding rounds and applications.

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

Social	Community Health and Safety
Strategy 3.5.4	Supporting volunteering to ensure sustainable levels of participation

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes. The ongoing provision of grant rounds is proposed to be made to eligible groups and associations within Mullewa and surrounding communities, within the City of Greater Geraldton local government authority boundary.

**RISK MANAGEMENT**

It is noteworthy that in the event of an incident/event resulting in the inability to maintain the Community Farm, the asset (or proceeds of sale) will be returned to the City.

The Community Farm will maintain a \$50,000 reserve, for unforeseen issues, and only disburse (via community grants) 50% of the farms' profit, up to \$65,000.

The City has worked with the Mullewa Community Group Inc. to increase membership levels, such to ensure that sufficient membership exists, there is significant community participation, and governance arrangements are established and well defined.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The following options were considered by City Officers - Maintaining the current Mullewa Community Trust Committee as a Committee of Council is a valid option. Under this option however, the provision of ongoing community grants would continue until the Trust's remaining balance is depleted resulting in the absence of any lasting legacy for the community and Mount Gibson Iron Ltd.

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

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## 15 REPORTS OF DEVELOPMENT AND REGULATORY SERVICES

<b>DRS225 MINOR MODIFICATION TO GLENFIELD STRUCTURE PLAN</b>	
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<b>AGENDA REFERENCE:</b>	<b>D-15-47195</b>
<b>AUTHOR:</b>	<b>K Elder, Coordinator Strategic Planning</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>30 July 2015</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0032</b>
<b>APPLICANT / PROPONENT:</b>	<b>Whelans</b>
<b>ATTACHMENTS:</b>	<b>Yes x2</b>

**EXECUTIVE SUMMARY:**

The City has received a request for a minor modification to the Glenfield Structure Plan to incorporate a proposed primary school site onto Lot 3 Bluefin Drive, Glenfield.

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 Section 5.17.14 of Local Planning Scheme No. 5 (Greenough), RESOLVES to:

1. ADOPT the modified Glenfield Structure Plan; and
2. FORWARD the modified Structure Plan to the WA Planning Commission for its endorsement.

**PROPONENT:**

The proponent is Whelans on behalf of the Department of Education.

**BACKGROUND:**

The Department of Education acquired a portion of Lot 3 from the landowner in 2001 for the purposes of securing a site for a future public primary school. The Department and landowner are now seeking to formally transfer the portion of Lot 3 into the Departments ownership. A subdivision application has been lodged with the WA Planning Commission.

As part of excising the school site from Lot 3 a number of minor modifications are required to be made to the Glenfield Structure Plan as follows:

- Amending the structure plan design for Lot 3 by deleting the indicative east-west local access road traversing Lot 3;
- Designing a new local road layout over both Lot 3 and Lot 100 (No. 2) Macedonia Drive, Glenfield to the south; and
- Incorporating the proposed primary school site into the structure plan map and provide a new 'School' classification in the legend.



The Structure Plan map will also be updated to reflect current subdivision and subdivision guide plan approvals in the area.

Clause 4.6 of the Structure Plan text will also be modified to reflect the selection of a specific school site within the structure plan area.

The existing and proposed Structure Plan maps are included as Attachment No. 225A.

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

#### **Economic:**

The Structure Plan will potentially facilitate the development of a residential area with a mixed use area which accommodates the establishment of a mix of residential development with small “boutique type” retail and commercial businesses.

At full development the Structure Plan proposes an approximate total of 5,365 lots and the area could generate around 580 job opportunities.

#### **Social:**

The projected population for the Structure Plan area is around 13,690 people.

The Structure Plan proposes a wide range of residential densities from R5 to R80 which provides for greater housing and lifestyle choice.

#### **Environmental:**

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

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

There are no cultural and heritage issues.

### **RELEVANT PRECEDENTS:**

Council at its meeting held on 23 November 2010 resolved to adopt the existing Structure Plan which was subsequently endorsed by the WA Planning Commission on 16 February 2011.

The author is not aware of any other relevant precedents.

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

The modified Structure Plan was publicly advertised in accordance with the provisions of the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough).

The advertising period was for 21 days and commenced on 19 June 2015 and concluded on the 9 July 2015 and involved the following:

1. A notice appeared in the Geraldton Guardian on the 19 June 2015;
2. Adjoining landowners within a 100m radius were written to and advised of the proposed modification;
3. The Department of Education was advised of the proposed modification;
4. The affected landowner to the south of Lot 3 (Lot 100 Macedonia Drive, Glenfield) was specifically written to and advised of the proposed amendment;
5. The modified Structure Plan details were available on the City's website; and
6. The modified Structure Plan details were publically displayed at the Civic Centre.

### **Submissions**

As a result of the advertising a total of 3 submissions were received (2 objecting to the proposal).

The main concerns raised were with regard to the noise and traffic impacts that a proposed school would impose on the area and existing residents.

A 'Schedule of Submissions' is included as Attachment No. 225B and copies of the actual submission are available to Council upon request.

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

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

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

There are no financial and resource implications related to the modification to the structure plan.

### **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 Region Plan 1999:

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

**Residential Development Strategy (2013):**

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

The subject land is identified as a 'Single Density Residential (R10-R25)' area.

**Draft Local Planning Strategy:**

The purpose of this document is to guide the long-term land use planning and provide the rationale for land use development controls. The Glenfield locality is identified as 'Urban'.

**RISK MANAGEMENT:**

There are no inherent risks to the City in approving this modification to the Structure Plan.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The minor modification to the Glenfield Structure Plan is required to accommodate the primary school site selected by the Department of Education on Lot 3 Bluefin Drive, Glenfield. The modifications provide a local road network that will support the possible development of a future school site. Further design and transport assessment at the development stage will ensure that any issues with vehicle noise and congestion are minimised and appropriately dealt with. As a result, the option to refuse the modification is not supported.

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

DRS226 FINAL ADOPTION OF CITY OF GREATER GERALDTON ANIMALS ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2015
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<b>AGENDA REFERENCE:</b>	<b>D-15-48243</b>
<b>AUTHOR:</b>	<b>K Seidl, Manager Health &amp; Ranger Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Regulatory Services</b>
<b>DATE OF REPORT:</b>	<b>04 August 2015</b>
<b>FILE REFERENCE:</b>	<b>LE/5/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes x2</b>

**EXECUTIVE SUMMARY:**

This report is provided for consideration by Council to adopt the Animals Environment and Nuisance Amendment Local Law 2015 under section 3.12 of the *Local Government Act 1995* and the Health Act 1911. The final draft of the proposed local law is attached as Attachment No. DRS226A.

**EXECUTIVE RECOMMENDATION:**

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

1. NOTE that no community submissions were received to the existing *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*; and
2. ADOPT the *City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015*.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

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

relation to the local law is attached as Attachment No. DRS226B with this agenda item for further information.

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

Council on 24 February 2015 resolved the following:

*That the Council by Simple Majority in accordance with s.3.12 of the Local Government 1995 RESOLVES to:*

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

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

### **Economic:**

There are no economic impacts.

### **Social:**

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

### **Environmental:**

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

### **Cultural & Heritage:**

There are no cultural or heritage impacts.

## **RELEVANT PRECEDENTS:**

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

## **COMMUNITY/COUNCILLOR CONSULTATION:**

The City commenced advertising state wide of the Local Law Amendment on 1 April 2015 and concluded on 4 May 2015 for a period of 33 days inviting public comment. However, under section 3.12 of the *Local Government Act*

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1995 the required period of advertising is for 42 days and the City and was advised by the Department of Local Government (DLG) to re-advertise the Local Law Amendment as the actual period of advertising was less than the statutory minimum of 42 days. Following this advice, the City in keeping with the Act, recommenced state wide advertising on 9 May 2015 and concluded on 26 June 2015 for the required minimum period of 42 days.

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

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

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

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

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

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

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

#### **REGIONAL OUTCOMES:**

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

#### **RISK MANAGEMENT**

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

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

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

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

<b>AGENDA REFERENCE:</b>	<b>D-15-47759</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>10 August 2015</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**EXECUTIVE SUMMARY:**

To receive the Reports of the City of Greater Geraldton.

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

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

1. RECEIVE the following appended reports:
  - a. Reports – Community Services:
    - i. CS218 – Geraldton Regional Art Gallery Committee Meeting Minutes 8 July 2015;
    - ii. CS219 – QEII Seniors Centre Committee Meeting Minutes 15 July 2015;
    - iii. CS220 – HMAS Sydney II Memorial Committee Meeting Minutes 15 July 2015; and
  - b. Reports – Development & Regulatory Services:
    - i. DRSD101 – Delegated Determinations and Subdivision Applications.

**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. CCS130 - Confidential Report – List of Accounts Paid Under Delegation July 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/>