



ORDINARY MEETING OF COUNCIL

AGENDA

26 APRIL 2016



**NOTICE OF ORDINARY MEETING OF COUNCIL**

Dear Council Member

An Ordinary meeting of the City of Greater Geraldton Council will be held on Tuesday 26 April 2016 at Chambers, Cathedral Avenue commencing at 5.00pm.

A handwritten signature in black ink, appearing to read "Ken Diehm".

Ken Diehm  
**CHIEF EXECUTIVE OFFICER**

19 April 2016

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**TO BE HELD ON MONDAY, 26 APRIL 2016 AT 5.00PM**  
**CHAMBERS, CATHEDRAL AVENUE**

**A G E N D A**

**DISCLAIMER:**

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

**1 DECLARATION OF OPENING**

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

**3 ATTENDANCE**

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Leave of Absence:

Cr R Ellis

Cr N McIlwaine

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

**Graham Sertorio – PO Box 2104, Geraldton WA 6530**

Question

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

Response

The requirements for toilets is specified within the National Construction Code (NCC) Sanitary facilities need to be provided for patrons if the total number of persons accommodated in the building is more than 20.

This is generally calculated by the number of seating proposed (Tables, Chairs) for patrons. The toilet facilities to be used by patrons need not be for their use exclusively. For a building accommodating more than 20, the NCC goes on to state "Suitable sanitary facilities for personal hygiene must be provided in a convenient location within or associated with a building, to the degree necessary. The proximity to the public toilets is not dissimilar to a café etc. within a shopping centre.

*A formal response has been provided to Mr Sertorio*

#### 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 L Freer*	24 March 2016	24 April 2016
Cr R Ellis	10 April 2016	27 April 2016
Cr N McIlwaine	15 April 2016	29 April 2016
Cr T Thomas	13 April 2016	23 April 2016
Cr G Bylund	2 July 2016	17 July 2016
Mayor S Van Styn	23 August 2016	23 August 2016
Cr G Bylund	18 August 2016	29 August 2016
Cr G Bylund	3 September 2016	10 September 2016
Cr G Bylund	2 October 2016	9 October 2016
Cr J Critch	15 September 2016	10 October 2016
Cr M Reymond	1 September 2016	26 September 2016

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

Cr L Graham declared an impartiality interest in item DCS261 Lease – Geraldton Clay Target Club Incorporated – Portion Reserve 24569 as he is a past paid Secretary of the Club.

Cr L Graham declared a financial indirect interest in item DCS262 RFT 17 1516 – Cleaning of City Public Ablution Blocks as he is closely associated with one of the applicants – Delron Cleaning.

Cr N Colliver declared an impartiality interest in item DCS262 Lease – Geraldton Clay Target Club Incorporated – Portion Reserve 24569 as her husband is a member of the club.

Cr S Douglas declared a proximity interest in item DCS258 Proposed Alfresco Dining – Geraldton Foreshore as he and his wife own a block of land on Forrest Street.

Cr D Caudwell declared an Impartiality Interest in item DCS262 Lease – Geraldton Clay Target Club Incorporated – Portion Reserve 24569 as he has family members who are members of the Geraldton Clay Target Club.

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

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

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

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
18 March 2016	ABC Radio Interview – Southgates	Mayor Shane Van Styn
18 March 2016	Southgates Video Filming	Mayor Shane Van Styn
18 March 2016	Harmony Day 2016	Cr Renee Ellis
21 March 2016	GWN Interview – Cashless Welfare Card	Mayor Shane Van Styn
21 March 2016	Meeting with Local Member Ian Blayney – Southgates	Mayor Shane Van Styn
21 March 2016	ABC Interview – Cashless Welfare Card	Mayor Shane Van Styn
22 March 2016	Meeting with Colin Dymond - Southgates	Mayor Shane Van Styn
22 March 2016	Meeting with Member of Public - Phil Cooper – Library / Heritage Issues	Mayor Shane Van Styn
22 March 2016	Ordinary Meeting of Council – March 2016	Mayor Shane Van Styn
23 March 2016	Public Hearing – WA Local Government Grants Commission	Mayor Shane Van Styn
23 March 2016	Film Harvest/ Ex POW – “A Long Way Back” with Geraldton RSL	Mayor Shane Van Styn
24 March 2016	Meeting with Joan Hay – Senior Action Group	Mayor Shane Van Styn
24 March 2016	ABC Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
24 March 2016	Green Army Certificate Presentation	Mayor Shane Van Styn
24 March 2016	Catch – up with Deputy Mayor Neil McIlwaine	Mayor Shane Van Styn
24 March 2016	Meeting with Member of public – Steve Allan – Historical Information on Southgates	Mayor Shane Van Styn
24 March 2016	Carol Martin – Exhibition Opening	Mayor Shane Van Styn
29 March 2016	Meeting with Gavin Treasure – Midwest Development Commission – Administration Building Site & K-Mart	Mayor Shane Van Styn
29 March 2016	Mullewa Youth Centre – Lotterywest Grant Presentation	Mayor Shane Van Styn
29 March 2016	Budget Workshop – Future Capital Works Plan	Mayor Shane Van Styn
30 March 2016	Radio Mama Interview – Current Council Issues	Mayor Shane Van Styn
30 March 2016	Presentation by Main Roads – Proposed Dongara – Geraldton – Northampton Planning Study & Geraldton Traffic Modelling	Mayor Shane Van Styn
30 March 2016	Regular Catch-Up – Mayor & CEO	Mayor Shane Van Styn
30 March 2016	Meeting with Trevor Baldwin ADA – Triple J Security	Mayor Shane Van Styn
30 March 2016	Meeting with Jen Benson – Cashless Welfare Card Trial	Mayor Shane Van Styn
30 March 2016	Meeting with Chris Cox – RSL – Sutton Veny Relationship	Mayor Shane Van Styn
1 April 2016	2016 Biennial Conference – Northern Country Zone – Councillor Training	Mayor Shane Van Styn
2 April 2016	2016 Biennial Conference – Northern Country Zone – Conference	Mayor Shane Van Styn
4 April 2016	ABC Interview – Installation of Playgrounds	Mayor Shane Van Styn
4 April 2016	Sound Bites with RCA	Mayor Shane Van Styn
4 April 2016	Regular Catch – Up Media & Marketing	Mayor Shane Van Styn
4 April 2016	Meeting with Brendan Litzman – Batavia Film	Mayor Shane Van Styn

	in Geraldton	
5 April 2016	Meet & Greet with Volunteers – Old Gaol Tour	Mayor Shane Van Styn
5 April 2016	Concept Forum – April 2016	Mayor Shane Van Styn
7 April 2016	6PR Radio Interview – One Night Stand Concert	Mayor Shane Van Styn
7 April 2016	Regional Capitals Australia – Board Meeting	Mayor Shane Van Styn
7 April 2016	Regional Capitals Australia – Board Dinner	Mayor Shane Van Styn
8 April 2016	Regional Capitals Australia – Regionalism Conference	Mayor Shane Van Styn
9 April 2016	Meet & Greet – Triple J, ABC staff and Bands	Mayor Shane Van Styn
9 April 2016	Triple J One Night Stand Concert	Mayor Shane Van Styn
10 April 2016	Geraldton Cup – Geraldton Turf Club	Mayor Shane Van Styn
11 April 2016	Regular Catch – Up Mayor & CEO	Mayor Shane Van Styn
11 April 2016	Community Meeting – Senator Rachel Siewert – Cashless Welfare Card	Mayor Shane Van Styn
11 April 2016	Meeting with Minister Scullion – Update on Geraldton Issues	Mayor Shane Van Styn
11 April 2016	SHINE Official Opening – Geraldton Senior College	Mayor Shane Van Styn
12 April 2016	Walga Training – CEO Performance Appraisals	Mayor Shane Van Styn
13 April 2016	Walga Training- Manage Conflict	Mayor Shane Van Styn
14 April 2016	Walga Training – Land Use Planning	Mayor Shane Van Styn
14 April 2016	Regional Centres Development Plan – Clusters Presentation	Mayor Shane Van Styn
14 April 2016	Gero Youth Fest	Mayor Shane Van Styn
15 April 2016	CEO Performance & Catch Up	Mayor Shane Van Styn
15 April 2016	Pacific Eden Cruise Ship – Plaque hand over	Mayor Shane Van Styn
15 April 2016	PM & C Jen Benson – Welfare Card public Meeting	Mayor Shane Van Styn
15 April 2016	Future Direction of the City with MWCCI Board Members	Mayor Shane Van Styn
15 April 2016	Cheque Presentation – Donations from Triple J concert to HeadSpace	Mayor Shane Van Styn
15 April 2016	Meeting with Simone Mahoney – Geraldton PCYC Update	Mayor Shane Van Styn
15 April 2016	Meeting with Member of Public Sarah Parry – Cashless Welfare Card	Mayor Shane Van Styn
18 April 2016	Regular Catch – Up with Media & Marketing	Mayor Shane Van Styn
18 April 2016	Regular Catch – Up with CEO & Mayor	Mayor Shane Van Styn
18 April 2016	Dob in a Dealer Campaign	Mayor Shane Van Styn
18 April 2016	Meeting with Member of public – John Rigter – Development Requirements	Mayor Shane Van Styn
19 April 2016	Agenda Forum – April 2016	Mayor Shane Van Styn
21 April 2016	Green Army Graduation	Mayor Shane Van Styn
21 April 2016	Regional Centres Development Plan – Cluster Workshop	Mayor Shane Van Styn
21 April 2016	Cashless Debit Card Local Reference Group Meeting	Mayor Shane Van Styn
21 April 2016	Geraldton Universities Centre – Graduation Ceremony	Mayor Shane Van Styn
22 April 2016	Meeting with Department of Health - Aged Care Services - Mullewa	Mayor Shane Van Styn



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22 April 2016	Morning Tea with Mark McGowen	Mayor Shane Van Styn
22 April 2016	Official Opening of the Geraldton Career Fire Station	Mayor Shane Van Styn
22 April 2016	ANZAC Day Briefing	Mayor Shane Van Styn
22 April 2016	Art Gallery Exhibitions	Mayor Shane Van Styn
22 April 2016	US Embassy Visit	Mayor Shane Van Styn
23 April 2016	Mullewa Bowls Club – 22 Annual Midwest Golden Bowls	Mayor Shane Van Styn
23 April 2016	Frack Free Midwest & Gascoyne Alliance Community presentation with John Fenton	Mayor Shane Van Styn
25 April 2016	ANZAC Day Dawn Service	Mayor Shane Van Styn
25 April 2016	ANZAC Day Main Service	Mayor Shane Van Styn
26 April 2016	Regular Catch – Up with Media & Marketing	Mayor Shane Van Styn
26 April 2016	Regular Catch – Up Mayor & CEO	Mayor Shane Van Styn
26 April 2016	Citizenship Ceremony – April 2016	Mayor Shane Van Styn
26 April 2016	Meeting with Ross Ayling – Midwest Caravan Club	Mayor Shane Van Styn
26 April 2016	Meeting with Phil Frazee – Consulting Arborist	Mayor Shane Van Styn
26 April 2016	Ordinary Meeting of Council – April 2016	Mayor Shane Van Styn

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## 11 REPORTS OF DEVELOPMENT & COMMUNITY SERVICES

### DCS267 FORESHORE USE AND DEVELOPMENT POLICY REVIEW

<b>AGENDA REFERENCE:</b>	<b>D-16-23816</b>
<b>AUTHOR:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>14 April 2016</b>
<b>FILE REFERENCE:</b>	<b>TP15/435 &amp; A20081</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### **EXECUTIVE SUMMARY:**

Following consideration of the Foreshore Policy by Councillors at the Concept Forum on 5 April 2016, no changes were identified, therefore this report recommends that the review be noted and no changes be made to the policy.

#### **EXECUTIVE RECOMMENDATION:**

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

1. NOTE that the current Foreshore Use and Development Policy meet's the City's governance objectives for the Geraldton Foreshore.

#### **PROPONENT:**

The proponent is the City of Greater Geraldton.

#### **BACKGROUND:**

Council at its meeting held on 22 March 2016 considered item DRS250 Proposed Alfresco Dining-Geraldton Foreshore and part of the resolution was:

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

The matter was raised at the Concept Forum on 5 April 2016, although there was general discussion it was generally felt that the current policy gives Council the direction and flexibility to consider proposals on the foreshore on a case by case basis.

No changes have been identified by the Executive Team, the team believes the current policy gives enough flexibility to Council and officers to assess and recommend applications as they arise.

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

There are no economic issues.

**Social:**

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

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

The Foreshore Use and Development Policy CP039 was considered by Council at its meeting held on 24 November 2015 and adopted. Attachment No. DCS267 refers.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The Foreshore Use and Development Policy was discussed with councillors at the Concept Forum on 5 April 2016.

**LEGISLATIVE/POLICY IMPLICATIONS:**

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

**Local Planning Scheme No. 1:**

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

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

**Foreshore Use and Development policy:**

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

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

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

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

The Foreshore Use and Development policy could be rescinded and each application treated on its merits by officers under delegation. Council has expressed a view that given the importance of the Geraldton Foreshore that it will determine any applications received for that area.

**DCS258 PROPOSED ALFRESCO DINING – GERALDTON FORESHORE**

<b>AGENDA REFERENCE:</b>	<b>D-16-21700</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>4 April 2016</b>
<b>FILE REFERENCE:</b>	<b>TP15/435 &amp; A20081</b>
<b>APPLICANT / PROPONENT:</b>	<b>West End Hospitality</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

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

This report recommends conditional approval of the application.

**EXECUTIVE RECOMMENDATION:**

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

1. GRANT development approval for alfresco dining on portion of Lot 506 (Reserve 50100) Foreshore Drive Geraldton; and
2. MAKES the determination subject to the following conditions:
  - a. development shall be in accordance with the attached approved plan(s) dated 26 April 2016 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
  - b. all furniture is required to be removed from the area at the close of business each day;
  - c. all furniture located as part of the alfresco dining area is required to be readily removable. No permanent features are permitted;
  - d. the alfresco dining area is required to be cleaned daily and all rubbish removed;
  - e. all furniture for dining must not obstruct pedestrian movement with a minimum clear footpath width of 1.5 metres being maintained at all times;
  - f. no alteration to existing paved or landscaped areas shall be made without the prior written approval of the local government;
  - g. THIS development approval shall remain valid while the lease of the adjoining premises remains current and valid, and on expiration or earlier termination of the lease, this development approval shall cease to be valid;
  - h. the approved alfresco dining area (other than the approved furniture) is not for the exclusive use of the patrons; and

- i. the alfresco dining area is to be maintained to the approval of the local government at all times (inclusive of existing landscaped areas).

**PROPONENT:**

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

**BACKGROUND:**

The application was originally presented to Council at its meeting held on 22 March 2016 and involved an area of approximately 60m<sup>2</sup> and 9 tables each with 6 stools per table. The Executive Recommendation to conditionally approve the application was lost 7/4 and Council did not resolve to refuse the application.

The applicant is now proposing to establish an alfresco area of approximately 50m<sup>2</sup> adjacent to the existing 'Jaffle Shack' café. The furniture for the alfresco area will consist of 4 cable reel tables with 5 stools per table.

In the application the proponent has advised the following:

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

- The proposed operating hours of the seating area are as per those of the café, this being 7.30am until 6pm at this time but subject to seasonal changes.
- The tables and chairs will be stored in the existing lease area.
- The stools have rubber stoppers on the bottom of each foot preventing damage to the grass.

A copy of the (amended) site plan, aerial photo and proposed alfresco dining furniture is included in Attachment No. DCS258.

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

#### **Economic:**

There are no economic issues.

#### **Social:**

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

#### **Environmental:**

There are no environmental issues.

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

There are no cultural and heritage issues.

### **RELEVANT PRECEDENTS:**

The original application was considered by Council at its meeting held on 22 March 2016 where Council did not support the Executive Recommendation to approve the application.

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

The author is not aware of any other relevant precedents.

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

There has been no community/councillor consultation.

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

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

#### **Local Planning Scheme No. 1:**

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

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

**Foreshore Use and Development policy:**

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

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

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

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial and resource implications.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

There are no regional outcomes.

**RISK MANAGEMENT:**

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**

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

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



DCS259	PROPOSED CLOSURE AND DISPOSAL OF PORTION OF ROAD RESERVE – CNR GREGORY AND STANLEY STREETS, BEACHLANDS
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<b>AGENDA REFERENCE:</b>	<b>D-16-21603</b>
<b>AUTHOR:</b>	<b>N Browne, Coordinator Statutory Planning</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>4 April 2016</b>
<b>FILE REFERENCE:</b>	<b>RO/11/0011 &amp; RC109</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 and disposal of a portion of road reserve abutting Lot 21 Gregory Street (cnr Stanley Street), Beachlands. This report recommends support of the closure and disposal 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 to approve the closure and amalgamation of portion of the road reserve abutting Lot 21 Gregory Street as shown on Drawing No. 16040PR01.

**PROPONENT:**

The proponent is Quantum Surveys who are acting on behalf of the owners of Lot 21 Gregory Street (Christine G. and Craig D. Spence).

**BACKGROUND:**

The subject portion of road reserve is 13.5m<sup>2</sup> in area and currently forms part of the corner truncation for the intersection of Gregory and Stanley Streets.

The purpose of the proposed closure and disposal is to rectify an existing anomaly where the first floor of a group dwelling on Lot 21 Gregory Street has been marginally constructed into the road reserve. The closure and disposal of the portion of road reserve will result in a 3m x 3m corner truncation.

The error occurred when the truncation was not identified through the planning approval process, approvals were then granted accordingly. The development was then built and the error identified during the strata approval process. Processes have been put in place to address the issue.

The development is part of 2 group dwellings on Lot 21. The proponent wishes to strata subdivide the land and this cannot be achieved until the encroachment into the road reserve anomaly has been resolved.

A copy of the plan showing the extent of the encroachment is included in Attachment No. DCS259.

### **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 proposed closure and disposal was publicly advertised in accordance with the provisions of the Land Administration Act 1997 (as amended).

The advertising period was for 35 days (commencing on 19 February 2016 and concluding on Friday 1 April 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on 19 February 2016;
2. The closure was publicly displayed at the Civic Centre;
3. The closure and disposal was referred to the following servicing authorities:
  - Australia Post
  - ATCO Gas Australia
  - Western Power
  - Telstra
  - Water Corporation
  - Main Roads WA
  - Department of Fire and Emergency Services
  - Department of Planning

#### **Submissions:**

As a result of advertising, a total of 5 submissions were received all from servicing authorities with no objection. Copies of the actual submissions are available to Council upon request.

There has been no Councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

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

**Liveable Neighbourhoods:**

This is an operational policy for the design and assessment of structure plans and subdivision for new urban areas.

Element 2 'Movement Network' of Liveable Neighbourhoods stipulates that truncations of 3m x 3m should generally be provided on corner lots. Truncations may also be reduced or omitted where it can be demonstrated that a decrease in size or not truncation is warranted.

The resultant truncation of 3m x 3m for the proposed closure and disposal complies with the requirements of Liveable Neighbourhoods and will provide sufficient sightlines for the intersection with Gregory and Stanley Streets.

**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**

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

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The proposal will correct an anomaly that exists where the first floor of a dwelling marginally encroaches into the road reserve. It is imperative that this anomaly is rectified to ensure that the dwelling is contained wholly within private property.

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

DCS260 ADOPTION OF DRAFT 'REVEGETATION IN THE RURAL RESIDENTIAL ZONE' LOCAL PLANNING POLICY
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<b>AGENDA REFERENCE:</b>	<b>D-16-21605</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>5 April 2016</b>
<b>FILE REFERENCE:</b>	<b>LP/8/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

With the gazettal of the new Local Planning Scheme No. 1, staff have prepared a new local planning policy to guide revegetation requirements in the Rural Residential zone.

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

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT the 'Revegetation in the Rural Residential Zone' local planning policy as a draft for the purpose of public advertising;
2. ADOPT the local planning policy for final approval should no objections be received during the advertising period; and
3. REQUIRE a further report to Council should there be any objections received during the advertising period.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The new Local Planning Scheme No. 1 has the specific objective for the Rural Residential zone to improve environmental and biodiversity outcomes through the protection and enhancement of remnant vegetation. It also has specific clauses requiring revegetation in the Rural Residential zone.

A local planning policy is required to provide further guidance and clarity to the Scheme.

The draft policy acknowledges the existing revegetation controls in place for the Waggrakine Rural Residential structure plan area and also the significant River restoration works being undertaken by the developer of the Deepdale estate. It also provides guidance on species, planting density, cash-in-lieu and bonding of works.

The draft policy is included as Attachment No. DCS260.

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

### **Economic:**

There are no economic issues.

### **Social:**

There are no social issues.

### **Environmental:**

The Geraldton area is included in one of only 34 global biodiversity hotspots (being both very high biodiversity value, yet also under significant threat) and is one of only 15 national biodiversity hotspots. The Geraldton region supports a very high level of biodiversity but is also under significant threat from clearing, fragmentation and degradation. Less than 18% of pre-European extent of native vegetation remains in the area, and nearly half of that may be lost through planned developments.

The policy will assist in improving biodiversity outcomes.

### **Cultural & Heritage:**

There are no cultural and heritage issues.

## **RELEVANT PRECEDENTS:**

Council at its meeting held on 21 December 2010 adopted the Waggrakine Rural Residential structure plan.

Council has previously adopted a number of local planning policies.

## **COMMUNITY/COUNCILLOR CONSULTATION:**

Local planning policies are required to be publically advertised for a period of not less than 21 days in accordance with the requirements of Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There has been no Councillor consultation.

## **LEGISLATIVE/POLICY IMPLICATIONS:**

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide for local planning policies as follows:

### **3. *Local planning policies***

- (1) *The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) *A local planning policy:*

- (a) *may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
  - (b) *may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
- (3) *A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) *The local government may amend or repeal a local planning policy.*
- (5) *In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

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

The policy acknowledges that there may be landowners more committed, skilled and resourced to undertake revegetation and rehabilitation and management. There also may be instances where more positive biodiversity outcomes can be achieved through revegetation and rehabilitation of selective areas. In these instances the City may accept a cash contribution in lieu of revegetation. Monies collected will be held in trust for use in achieving biodiversity outcomes within the locality.

This practice is already occurring in the Waggrakine Rural Residential structure plan area.

### **INTEGRATED PLANNING LINKS:**

Title: Environment	Revegetation – Rehabilitation – Preservation
Strategy 2.1.3	Preserving, rehabilitating and enhancing natural flora and fauna corridors
Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

### **REGIONAL OUTCOMES:**

In November 2013, the City adopted the Local Biodiversity Strategy. The Strategy was developed on the basis of detailed spatial and technical information contained within the Geraldton Regional Flora and Vegetation Survey and the Geraldton Regional Conservation Report, together with significant community consultation and agency input. The Strategy provides a prioritised list of natural areas for conservation action and highlights the need for innovative planning outcomes, greater private land owner conservation and increased community involvement.

The policy will assist in achieving the goals of the Strategy.

### **RISK MANAGEMENT**

By not adopting the policies there is a risk that the City will not have a sufficient planning framework to guide decision making.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

It is considered essential, that in the interest of providing a sound planning framework from which the local government can be guided in its discretion and decision making process, that new policies be prepared and existing policies be revised.

The new Local Planning Scheme No. 1 has the specific clauses requiring revegetation in the Rural Residential zone and a local planning policy is required to provide further guidance and clarity to the Scheme. The option to refuse is therefore not supported.

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

**DCS261 LEASE - MULTI USER FACILITY - RESERVE 50100**

<b>AGENDA REFERENCE:</b>	<b>D-16-21712</b>
<b>AUTHOR:</b>	<b>L MacLeod, Coordinator Land &amp; Property Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Development &amp; Community Services</b>
<b>DATE OF REPORT:</b>	<b>7 April 2016</b>
<b>FILE REFERENCE:</b>	<b>R50100</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 consent to enter into lease agreements with the TS Morrow, the Geraldton and Districts Offshore Fishing Club, and the Geraldton Senior College for portions of the Multi User Facility.

**EXECUTIVE RECOMMENDATION:**

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

1. ENTER into a lease agreement for portion of the Multi User Facility located on Reserve 50100 with the following organisations;
  - a. TS Morrow(Commonwealth of Australia for the Department of Defence) for the purpose of Operating Base and Storage being a total area of approximately 202 square metres;
  - b. Geraldton and Districts Offshore Fishing Club for the purpose of Operating Base and Storage being a total area of approximately 79 square metres;
  - c. Geraldton Senior College (Department of Education) for the purpose of Storage Area and Yacht Yard being a total area of approximately 192 square metres;
2. SET the conditions as follows;
  - a. enter into a five (5) year lease with a further option of five (5) years giving a total lease term of then (10) years;
  - b. commence the lease fee at \$3,000 per annum plus GST for the Geraldton and Districts Offshore Fishing Club and the Geraldton Senior College;
  - c. commence the lease fee at \$6,000 per annum plus GST for the TS Morrow;
  - d. review the lease fee annually by CPI and a market revaluation at the commencement of any further term option;
  - e. obtain written consent from the Minister for Lands;
  - f. the endorsed leased and associated documents to be returned to the City of Greater Geraldton prior to taking occupancy in the facility;
  - g. abide by the terms and conditions of use outlined in the lease;
3. EACH 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.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Multi User Facility forms part of the Foreshore's West End Revitalisation Project.

As a result of the revitalisation of this area, it was necessary to remove the club house structures for the TS Morrow and the Geraldton and Districts Offshore Fishing Club. Both organisations had leases with the City which expired on 30 June 2010 and the organisations have been on the Holding Over clause contained in their leases since then. Both organisations have been identified as primary stakeholders in the new Multi User Facility and offered leases in the facility. A copy of the Multi User Facility lease area map is attached as Attachment No. DSC261A.

Geraldton Senior College requested a lease for a Boat Storage unit and a storage area for their training boats.

The boat storage area allocation for Geraldton Yacht Club and draft lease agreement thereto is still to be finalised and will be the subject of a further report to Council.

The Champion Bay Surf Lifesaving Club had also been offered a lease for the front office and boat storage area under the same terms and conditions as the other organisations. Although the Club initially expressed interest, the Club declined the offer at an onsite meeting held on 7 April 2016.

**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:**

The City of Greater Geraldton leases Crown Reserves and facilities to community and sporting clubs for various associated purposes.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Extensive engagement has been conducted between City officers and representatives of the stakeholder organisations throughout the process.

**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.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The commencement lease fees will assist with the ongoing maintenance of the Multi User Facility.

**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:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There are no identified specific risks to the City regarding this proposal. The proposal reduces the City's exposure to risk by ensuring the City's statutory obligations are met.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

There were no other options considered by City Officers.

DCS262 LEASE – GERALDTON CLAY TARGET CLUB INCORPORATED - PORTION RESERVE 24569
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<b>AGENDA REFERENCE:</b>	<b>D-16-21737</b>
<b>AUTHOR:</b>	<b>L MacLeod, Coordinator Land &amp; Property Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Community &amp; Development Services</b>
<b>DATE OF REPORT:</b>	<b>4 April 2016</b>
<b>FILE REFERENCE:</b>	<b>R24569</b>
<b>APPLICANT / PROPONENT:</b>	<b>Geraldton Clay Target Club Incorporated</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**EXECUTIVE SUMMARY:**

The Geraldton Clay Target Club Incorporated has written to the City requesting to surrender their current lease and enter into a new lease agreement to provide long term tenure to the Club.

The purpose of this report is to seek Council's consent to surrender the current lease agreement with the Club and enter into a new 21 year lease over portion of Reserve 24569.

**EXECUTIVE RECOMMENDATION:**

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

1. SURRENDER the current registered lease number H836891;
2. ENTER into a new lease agreement with the Geraldton Clay Target Club Incorporated for portion of Reserve 24569;
3. SET the conditions as follows:
  - a. enter into a 21 year lease agreement commencing 1 July 2016;
  - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
  - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy;
4. MAKE the determination subject to consent from the Minister for Lands; and
5. THE lessee being responsible for separately paying;
  - a. relevant building insurance and other insurances;
  - b. all applicable rates, taxes and other utilities; and
  - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

**PROponent:**

The proponent is Geraldton Clay Target Club Incorporated.

**BACKGROUND:**

The Geraldton Clay Target Club is located on portion of Crown Reserve 24569. This Reserve is vested in the City by way of a Management Order for the purpose of Recreation with the power to lease for up to 21 years.

The Geraldton Clay Target Club Incorporated has a lease agreement with the City that expires on 30 June 2020. The Club has written to the City expressing its desire to upgrade and expand their current facilities which will include a new shed and disabled access to two of the layouts. The letter is attached as Attachment No. DCS262.

The Sporting Futures Report investigated the feasibility of relocating the three Ballistics Clubs from Reserve 24569, however it was determined that it was more cost effective to retain the Ballistics Clubs in their current location. The recommendation in the report is as follows:

*Provide Geraldton Small Bore Rifle Club, Geraldton Pistol Club and Geraldton Clay Target Club with security of tenure to remain in their current location as a high priority.*

To increase the Club's eligibility for Grant funding and to establish future viability, the Club is seeking a long term lease tenure beyond the current expiry of 30 June 2020.

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

### **Economic:**

There are no economic impacts.

### **Social:**

The Club organises the Geraldton Crayfish Carnival that draws in excess of 200 competitors annually from around Australia to the region. The Club also hosts charity events and has raised over \$150,000 for local charities over the last few years.

### **Environmental:**

There are no environmental impacts with this proposal as the Club is well established on that portion of the Reserve.

### **Cultural & Heritage:**

There are no cultural or heritage impacts.

## **RELEVANT PRECEDENTS:**

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

## **COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/Councillor consultation.

## **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 adopted by Council and reviewed annually. The commencement lease fee for 2015/16 is \$373.00 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:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

There are no identified risk management issues with this report.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

An option exists to allow the current lease to run to its end, however this would not provide any benefit to the City or the Club, therefore, this option was disregarded.

**DCS266 RFT 17 1516 - CLEANING OF CITY PUBLIC ABLUTION BLOCKS**

<b>AGENDA REFERENCE:</b>	<b>D-16-23122</b>
<b>AUTHOR:</b>	<b>L MacLeod, Coordinator Land and Property Services</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Community and Development Services</b>
<b>DATE OF REPORT:</b>	<b>9 April 2016</b>
<b>FILE REFERENCE:</b>	<b>PM/8/0005</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 for Council to consider and determine the award of RFT 17 1516 Cleaning of City Public Ablution Blocks to the preferred tenderer. See Confidential Attachment No. DCS266.

**EXECUTIVE RECOMMENDATION:**

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

1. AWARD RFT 17 1516 Cleaning of City Public Ablution Blocks to the preferred tenderer; and
2. RECORD the tendered rates in the minutes.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City is responsible for the cleaning of the public ablution blocks within the City of Greater Geraldton. Previously the City conducted its own cleaning of the ablutions however since the cessation of elements of the Sanitation Department, the City now seeks a contractor to conduct these services.

Please note this tender does not include the locality of Mullewa as these facilities continue to be serviced by City staff.

There are 37 Public Ablutions throughout the City divided into three priority areas. Priority One areas are cleaned five (5) days a week. Priority Two areas are cleaned twice weekly and Priority Three are cleaned once a week. 13 of the ablutions are cleaned on the weekends as they are considered high use areas and the five (5) most frequented Priority One ablutions are cleaned twice daily (morning and afternoon) on Saturday, Sunday and Public Holidays.

The tender process and assessment was completed in accordance with Council's Procurement of Goods and Services Policy (CP010). The tender was advertised in the Geraldton Guardian on 5 March 2016 the West Australian on 2 March 2016 and throughout the WALGA TenderLink e-Tendering Portal. The closing date for tenders was 4:00pm Thursday 17 March 2016. Five (5) submissions were received.

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

The contract has been budgeted for in the 2015/16 budget.

**Social:**

There are no social impacts.

**Environmental:**

There are no environmental impacts as the tender has specified environmentally friendly products are to be used for cleaning purposes.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

The City currently contracts the cleaning of its Civic Centre offices, the Airport, Aquarena, QEII, Family Day Care and the Regional Library. This contract was awarded as a result of a RFT

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

The RFT was conducted in compliance with the Council's Procurement of Goods and Services policy (CP010).

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The tendered amount is within the City's budget for public ablution cleaning.

**INTEGRATED PLANNING LINKS:**

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

**REGIONAL OUTCOMES:**

To maintain a high level of service and cleanliness of the City's Public Ablutions to the Community and Tourists.

**RISK MANAGEMENT**

The tender requires the contractor to provide a professional service that complies with all safety and hygiene standards.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

There were no alternative options to be considered by City officers as the task now requires to be outsourced.

## 12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

### CCS174 STATEMENT OF FINANCIAL ACTIVITY TO 31 MARCH 2016

<b>AGENDA REFERENCE:</b>	<b>D-16-22580</b>
<b>AUTHOR:</b>	<b>M Jones, Financial Business Planner</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>7 April 2016</b>
<b>FILE REFERENCE:</b>	<b>FM/17/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

#### EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 31 March 2016. The statements include no matters of variance considered to be of concern.

#### EXECUTIVE RECOMMENDATION;

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

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

#### PROPONENT:

The proponent is the City of Greater Geraldton.

#### BACKGROUND:

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

Operating Income	\$393,247	1.0%	Positive Variance
Operating Expenditure	\$64,421	-0.1%	Negative Variance
Net Operating	\$328,826		
Capital Expenditure	\$59,656	0.2%	Positive Variance
Capital Revenue	\$32,566	-0.6%	Negative Variance
Cash at Bank – Municipal	\$5,575,029		
Cash at Bank – Reserve	\$16,914,072		
Total Funds Invested	\$17,002,213		
Net Rates Collected	95.81%		

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



The financial position represented in the March financials shows a positive variance of \$328,826 in the net operating result.

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

#### **Economic:**

There are no economic impacts.

#### **Social:**

There are no social impacts.

#### **Environmental:**

There are no environmental impacts.

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

There are no cultural or heritage impacts.

### **RELEVANT PRECEDENTS:**

Council is provided with financial reports each month.

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

There has been no community/councillor consultation.

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

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

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

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

### **INTEGRATED PLANNING LINKS:**

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

### **REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

### **RISK MANAGEMENT**

There are no risks to be considered.

### **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options to consider.

CCS175 CHANGE METHOD OF VALUATION OF LAND FROM UV TO GRV
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<b>AGENDA REFERENCE:</b>	<b>D-16-22582</b>
<b>AUTHOR:</b>	<b>S Russell, Rates Coordinator</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Corporate and Commercial Services</b>
<b>DATE OF REPORT:</b>	<b>30 March 2016</b>
<b>FILE REFERENCE:</b>	<b>RV/7/0002</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x4 Confidential)</b>

**EXECUTIVE SUMMARY:**

A review of the method of valuation for properties within the rating system has recently been carried out. This review identified 161 property rate assessments which have been subject to development within the rural residential areas of Moresby and Deepdale and are currently being rated on unimproved valuations (UV), however due to the predominant use of these properties being for non-rural purposes should be rated on Gross Rental Valuation (GRV).

Land currently rated UV but which should be rated on GRV, based on the predominant use of non-rural purposes, requires Council and Ministerial approval to be rated on the GRV method of valuation.

It is recommended that Council resolve to seek Ministerial approval for the basis of rating for the various land areas listed in the attachment to this report be changed from unimproved value to gross rental value.

**EXECUTIVE RECOMMENDATION;**

That Council by Simple Majority under Section 6.28 of the Local Government Act 1995 RESOLVES to:

1. MAKE application to the Minister of Local Government and Communities to change the method of valuation on the 161 property rate assessments referred to in this report from unimproved valuations (UV) to gross rental valuations (GRV); and
2. CHANGE the method of valuation from UV to GRV to take effect on 1 July 2016.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

A review of the method of valuation was undertaken by rates staff and an initial assessment of properties identified 161 property rate assessments as potentially requiring a change to Gross Rental Value (GRV) due to their use being predominantly for non-rural purposes.

A letter was sent to all affected ratepayers together with a land use declaration form advising if it was not filled in and returned it would be assumed that the land is used predominantly for non-rural purposes.

A total of 72 land use declaration forms were returned of which 70 indicated 'No' to rural use a further 1 'No' to rural use was received verbally.

A total of 2 property owners indicated 'yes' to rural use. Both properties are approximately 1ha in size and they have indicated they are growing fruit, vegetables and timber and one has indicated they also have livestock such as a horse, cow and poultry. There is no doubt some rural activities are undertaken on the property. However these activities are undertaken on a small scale and are of a hobby farm nature as both owners have indicated they do not earn their livelihood from these activities. It is unlikely that land used as a hobby farm would satisfy the definition as land used predominately for rural purposes therefore the predominant use can be said to be residential, which would then align them adjoining properties to ensure the method of valuation is applied fairly and equitably and like properties be treated in a like manner.

The 161 lots are zoned Rural Residential and are in the suburbs of Moresby and Deepdale. The approved subdivision in the Moresby area consists of residential lots approximately 2,000 square metres in size. The Deepdale subdivisions consist of various lots ranging from 2,000 square metres up to approximately 1 ha in size.

77 properties are now improved with houses and or sheds and 84 properties are vacant land with no development.

## **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:**

The City is to ensure that similar properties in the district are treated consistently, equitably and with fairness. Other properties within the City which are similar have already had their system of valuation changed to GRV therefore these properties currently under consideration will be brought into line with them.

**COMMUNITY/COUNCILLOR CONSULTATION:**

A letter has been sent out to all affected ratepayers together with a Land Use Declaration form and answers to rating review frequently asked questions. Landowners who do not wish to have their property changed to a GRV valuation were requested to submit their declaration no later than 29 March 2016.

This has resulted in telephone calls and counter enquiries with ratepayers who were asking for further clarification on the process and the impact it would have on their rates.

There were no submissions objecting to the change of method of valuation from UV to GRV from affected landowners, however there were two landowners which submitted a land use declaration form indicating 'yes' to rural use. Neither of these are earning a livelihood from these activities and are undertaken on a small scale more of a hobby farm nature.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Section 6.28 of the Local Government Act 1995 states:-

**6.28. Basis of rates**

- (1) The Minister is to —
  - (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and
  - (b) publish a notice of the determination in the Government Gazette.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
  - (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
  - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.

The Department of Local Government and Communities has issued a Local Government Operational Guideline No 12 relating to changing methods of Valuation of land. The guideline identifies a number of guiding principles for Local Government to consider when developing or assessing rating structures Such as:

- Objectivity
- Fairness and equity
- Consistency
- Transparency; and

- Administrative efficiency

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The impact on the properties under review is the valuation will be based on improvements to the land and the potential annual rental yield, with the exception of vacant land which would be derived from a calculation of 3% of the capital value. This is opposed to the current UV valuations which are assessed on the land with no improvements taken into account.

The valuations would not be known until the Valuer General has carried out valuations on all of the identified properties. Changes to the method of valuing land can result in increases or decreases in rate assessments and consequently an increase or reduction in revenue for the City.

**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**

If the method of valuation is not changed then the risk to Council would be that these properties are not being rated accordingly to similar properties in the district and the City's current rating structure.

**ALTERNATIVE OPTIONS CONSIDERED**

No alternative options considered.

### 13 REPORTS OF INFRASTRUCTURE SERVICES

IS118	SPORTING FACILITIES SUPPORT REVIEW
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<b>AGENDA REFERENCE:</b>	<b>D-16-23453</b>
<b>AUTHOR:</b>	<b>D Emery, Manager Sport &amp; Leisure</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>8 April 2016</b>
<b>FILE REFERENCE:</b>	<b>RC/4/0025</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x14, x2 Confidential)</b>

#### EXECUTIVE SUMMARY:

The Sporting Facilities Support Review covered the following four aspects of provision of support for operation and maintenance of sporting facilities:

1. Grounds managed by Ground Management Committees;
2. Facilities (land/buildings) leased from the City by sporting groups/clubs;
3. Cricket pitches; and
4. Floodlighting.

The review was initiated in response to Council concerns that there was a real or perceived inequity in the allocation of City resources for the operation and maintenance of sporting grounds and facilities.

The recommendations aim to provide a more transparent and robust foundation for decision-making resulting in more equitable and focussed support to the sporting community.

#### EXECUTIVE RECOMMENDATION:

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

#### 1. GROUND MANAGEMENT COMMITTEE MANAGED GROUNDS

- a. ADOPT the three-tiered approach for categorising Ground Management Committee (GMC) managed sporting grounds;
- b. ADOPT the attached criteria (see Attachment A) to assess GMC managed sporting grounds and assign each ground to a tier;
- c. ENDORSE the current tiering of GMC managed sporting grounds as follows:

<b><i>Tier 1</i></b>
Eadon Clarke
Wonthella Oval
<b><i>Tier 2</i></b>
Woorree Park
Utakarra Ball Park
Walkaway Recreation Ground
Greenough Oval

Recreation Ground
Mullewa Recreation Ground
Little Athletics Centre
Moonyoonooka Recreation Ground
<b>Tier 3</b>
Spalding Park
Muir Park
Alexander Park
8th Street West

See Attachment B Scoring of GMC managed grounds against criteria.

See Attachment C Maps of GMC managed sporting grounds.

- a. ADOPT the proposed Operational Maintenance Service Levels for each tier as per attachments D and E;
- b. MAINTAIN the fee structure outlined in CP050 (i.e. clubs are charged on a number of players) to continue to offset expenditure by an average of 7% and work with GMCs to ensure they better understand the fee structure, expenditure on grounds based on the tiered system and communicate these principles to all members of the GMC;
- c. ENABLE GMCs to apply for once-off funding via Community Grants to increase the capacity of their ground to host one-off events, noting that the ground would revert to its substantive tier and receive the level of service commensurate with that tier after the event;
- d. MAKE provision for GMCs to apply to the City to have the tier of their ground reassessed against the criteria should their circumstances change. Applications to be assessed by a working group that includes representatives from the MWSF;
- e. ADVISE GMCs that the proposed service levels apply only to the service level provided/funded by the City and that groups wanting an increased level of service can make necessary arrangements with the City or private contractors at their own cost;
- f. REVIEW the tiering and operational maintenance requirements 12 months after implementation; and
- g. AMEND *CP050 Ground Management Policy* to align with the above; and

## 2. LAND LEASES

- a. AMEND Council Policy *CP049 – Community Group Land Lease / License Policy* to remove Clause 4.1 that states that the City will be responsible for providing building insurance on behalf of sporting clubs/community groups on a cost recoverable basis and add a statement stipulating that

appropriate building insurance is the responsibility of the lessee;

- b. ADVISE the Croquet Club that all conditions of CP049 will apply should they seek a new lease when their current lease expires in 2025;
- c. ADVISE the Geraldton Tennis Club that all conditions of CP049 will apply to their new lease with conditions phased in over a three-year period – i.e. the ground maintenance grant will be phased out in instalments of 1/3 each year over three years (full amount in 2015/16; two-thirds in 2016/17; one-third in 2017/18 and ceasing from 2018/19 onwards.); and

### **3. CRICKET PITCHES**

- a. LIMIT the City's contribution to \$45,000pa inc GST regardless of the number of pitches;
- b. ADVISE the Geraldton Regional Cricket Board (GRCB) that the City will work with them to facilitate the transfer of ownership of the pitch rollers to them; and

### **4. ARENA FLOODLIGHTING**

- a. INVESTIGATE responsibility for arena floodlighting on non-leased grounds and conduct a detailed analysis of costs.

#### **PROPONENT:**

The proponent is City of Greater Geraldton.

#### **BACKGROUND:**

The City of Greater Geraldton is a community that prides itself on the range, diversity and quality of its sporting facilities with almost every sporting code catered for. Many of these facilities have been developed by clubs and associations through the efforts of dedicated volunteers over many years. These sporting facilities are valued and appreciated by the community and the City however, there are growing concerns that the current distribution of City resources such as staff time, equipment and materials into operating and maintaining sporting facilities is inequitable.

As the decisions regarding levels of support provided by the local government were made by three separate local governments prior to the two amalgamations, there is a strong view that these decisions have lacked consistency and transparency and that there is no clear rationale for the differing levels of resource allocation.

The matter of expenditure on sporting facilities was also highlighted during the March 2015 Community Summit where all expenditure was reviewed by Summit participants and an inequity of resource allocation was observed. Sporting Facilities are currently managed under two different management models; Ground Management Committee managed grounds/precincts and facilities that are leased from the City by sporting clubs.



**Ground Management Committees**

There are currently fourteen sporting grounds/precincts that are managed by Ground Management Committees (GMCs). These grounds have multiple stakeholders sharing the grounds and GMCs are the representative group of all users of the ground/precinct. The grounds are not fenced and therefore accessible to the public. GMCs are responsible for season bookings and ensuring all users' needs are considered and negotiations on any conflicts are done at a GMC level. Council's position on GMCs is articulated in *CP050 Ground Management Committees*. See Attachment F - CP050.

CP050 stipulates that the City will charge a standard fee per user to partially offset the cost of maintenance carried out by the City on the ground. The offset ranges from 0% to 21% noting that the number of users and operational maintenance costs for each ground also vary.

**Land Leases**

There are currently thirty-four sporting leases between the City and sporting clubs. Leases are applied where the intention is to grant exclusive possession of a property or part thereof. These facilities, or part thereof, may be fenced and are not generally accessible to the public. Council's position on leases is articulated in *CP049 Community Group Land Lease/Licence Policy* (see attachment G - CP049).

CP049 stipulates that the Lessee is responsible for all maintenance, cleaning, repairs and operational costs of the leased area/s. The Policy also stipulates that the City will be responsible for arranging building insurance and will recover the costs of that insurance from the Lessee as the City was able to leverage economies of scale to obtain insurance at a cheaper rate than could be obtained by individual sporting clubs.

An audit conducted in 2015 has shown the following:

- Thirty clubs have not had any City funded works carried out on their premises in 2014/15;
- The City has paid utilities charges for nine clubs as follows;
  - Both water consumption and electricity – five clubs;
  - Water consumption only – four clubs; and
  - Electricity – five clubs.
- The Croquet Club received support to the value of \$19,550.19 in 2014/15 and the Geraldton Tennis Club received a cash grant of \$37,586 in 2014/15 for court maintenance, along with financial support for other items giving a total of \$38,945 until March 2015 making these two clubs the largest recipients of City support provided to clubs with leased facilities (\$57,136 out of the total \$71,280);

In transitioning clubs to the conditions stipulated in CP049 the practice since then has been that as a lease for a sporting facility expires the conditions of CP049 are applied in developing a new lease. The Geraldton Tennis Club's lease expired in June 2015 and in negotiating a new lease, the Geraldton

Tennis Club is seeking a continuation of the ground maintenance grant (\$41,345 in 2016/17). Provision of funding or support to clubs with leased facilities is inconsistent to the conditions stipulated in CP049, therefore the Executive was not able to support this request and the Geraldton Tennis Club raised their concerns directly with Council.

In response to these various concerns and issues, Council requested a holistic review of support provided to sporting groups for the operation and maintenance of sporting facilities. The Sporting Facilities Support Review - report is in response to Council's request. The report articulates the purpose, outlines the process and makes a series of recommendations for Council consideration.

NB - Inconsistency in support provided by the City for arena floodlight maintenance arrangements emerged as an issue during this review and is addressed as a separate issue within the report.

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

### **Economic:**

The tiered system shall provide better transparency and equitability to Ground Management Committees thus contributing to a focus on shared practices and priorities.

The proposal can impact sporting facilities economically in so sporting groups will need to be creative and innovative in becoming more robust and self-sufficient in the manner in which each sporting facility functions/operates.

Ground Management Committees can apply for once-off funding via Community Grants to increase the capacity of their ground to host one-off events, noting that the ground would revert to its substantive tier and receive the level of service commensurate with that tier after the event.

Some leased facilities will also be required to become self-sufficient and non-reliant of City funding for maintenance and/or operations of their sporting facilities in compliance with CP049.

### **Social:**

The Geraldton community prides itself on the range, diversity and quality of its sporting facilities. These sporting facilities are valued and appreciated by the community and the City and add significantly to the social fabric of Geraldton.

The City has limited funding available to it. The City needs to ensure that these funds are distributed to deliver social equity and funding equity to the sporting community at large.

### **Environmental:**

All proposed maintenance activities will need to be undertaken with care for the environment in mind.

**Cultural & Heritage:**

There are no cultural or heritage impacts.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

The Mid West Sports Federation was the key avenue for ensuring the interests of the sporting community were represented through this process.

In addition, criteria developed for assessing grounds/facilities to determine the tier for each ground were sent in draft to all sporting groups/clubs and associations as well as communicated at the City's Civic Centre Office during the club development workshop held in August 2015. The working group felt that the set of criteria was the foundation upon which the review was based and an essential component to source their feedback.

See Attachment H for the feedback received on the criteria.

The working group also felt it was essential to engage Council at this stage of the review, before further stakeholder engagement, to gauge Council's support for the proposed direction and recommendations which was held in January 2016 council workshops.

The City in partnership with the MWSF consulted with all GMC's and external stakeholders provided a review of all documentation assisting with this report and allocated 22 – 36 days' dependant on each scheduled meeting to provide feedback relating to the draft Sporting Facilities Support Review report and all its supporting documentation. In addition, the City placed all documentation on its website under City community consultation page which was advertised from 1 March 2016 - 31 March 2016.

See Attachment J for the Stakeholder communication strategy

After the community consultative process was completed the working group collated all the feedback from the sporting groups, reviewed comments and collectively reviewed the scoring and tiering of each sporting ground. This review whilst altering a number of scores highlighted two changes in the tiering system which identified the Greenough Oval being elevated into a tier (2) and lowering Utakarra Ball Park into a tier (2).

These were considered on the following points:

Greenough Oval's community demand, profile, community expectation, capacity, diversity and strategic alignment criteria scores were elevated due to additional users being identified, supporting documentation of strategic intent, recent capital upgrades to the main hall and infrastructure by the GMC to increase its capacity and actively providing diverse range of programs to the

community such as cooking and kitchen facility usage special event nights and more.

The Utakarra Ball Park community expectation and strategic alignment whilst still considered high thus reflected in the scoring criteria, it was considered that due to the Utakarra Road Network Upgrade Plan (URNUP) supported a reduction on strategic alignment as this is yet to be implemented. With relations to other grounds such as the Recreation Ground, Greenough Oval and Mullewa Recreation Ground these were considered as having a similar expectation within the community and so the score was reflective to these conditions.

There was particular focus on re-engaging with Ground Management Committees to encourage a greater sense of shared responsibility for the management, upkeep and funding of sporting grounds.

Ground Management Committees will be constituted to ensure all ground user groups have equal representation on the Committee. The City's Club Development Officer and the Mid-West Sports Federation shall provide oversight to ensure the GMCs are open and transparent in the Management of the grounds.

The City's Club Development Officer will ensure the implementation, monitoring and updating of the recommendations in this report and will ensure this is carried out in partnership with the Mid West Sport Federation.

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

*City of Greater Geraldton Public Open Space Strategy, 2015*

The Strategy seeks to develop and manage the City's extensive public open space network in an efficient and equitable manner so that all residents may enjoy its many benefits, whilst not placing an unsustainable burden on the City's public resources. The Strategy aims to provide a clear direction on the level of open space provision currently experienced in the urban areas of the City and also to provide minimum standards for the development of public open space. The Strategy adopted a 5 tiered hierarchy system for open space and this hierarchy was one component of the criteria used to rank each sporting ground.

*CP049 – Community Group Land Lease / License Policy, 2014*

This Policy maintains sound governance and direction on City Land and Leasing matters. The report seeks to alter clause 4.1 whereby placing the responsibility of building insurances with the Lessee.

*CP050 Ground Management Policy, 2013*

The Ground Management Policy has been endorsed by the council this will only re-affirm its intentions that GMC's are considered important part of the process in implementing facility decisions as a shared responsibility. The new tiering system will only aid in complimenting this policy and administering its functions.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

The estimated investment into these fourteen GMC managed sporting grounds in 2014/15 was \$953,159. It is worth noting that these costs are thought to be under-estimated. The true costs are presumed to have been higher as some services that were provided were likely to have been absorbed in general grounds maintenance budgets. However, based on budgeted expenditure, the proposed service levels would increase expenditure by \$214,040. See table below for cost comparisons.

Tier	2014/15 costs	Proposed service level costs	Difference
Tier 1	\$270,655	\$377,397	\$106,742
Tier 2	\$466,630	\$555,344	\$88,714
Tier 3	\$215,874	\$234,458	\$18,584
<b>TOTAL</b>	<b>\$953,159</b>	<b>\$1,167,199</b>	<b>\$214,040</b>

The levels of support provided by the local government were made by three separate local governments prior to the two amalgamations; the review seeks to align support with current CP049 which will impact those clubs currently not funding portions of the lessee responsibilities which include maintenance, operational and day to day running cost of the facility.

**INTEGRATED PLANNING LINKS:**

Title: Environment	Revegetation-Rehabilitation-Preservation
Strategy 2.1.2	Sustainably maintaining public open spaces and recreational areas
Title: Social	Recreation and Sport
Strategy 3.1.1	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle.
Title: Governance	Planning and Policy
Strategy 5.2.6	Supporting decisions to create a long term sustainable city

**REGIONAL OUTCOMES:**

There are no impacts to regional outcomes.

**RISK MANAGEMENT**

Sporting facilities that are tiered below their desired tier are not locked in to said tier and may create ways to elevate themselves into a higher tier group.

The City's Club Development Officer will provide advice and assist the GMCs to apply for one-off funding via Community Grants to increase the capacity of their ground to host one-off events, noting that the ground would revert to its substantive tier and receive the level of service commensurate with that tier after the event.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

The Council can reject all of the recommendations from the working group and request that current maintenance practices are continued.

The Council can reject all of the recommendations from the working group and request a new review of the City's sporting facilities.

The Council can accept an amended list of recommendations.

The Council can adopt the sporting facilities support review as recommended.

**IS119 RFT 15 1516 - ROADS FLOOD DAMAGE REPAIR**

<b>AGENDA REFERENCE:</b>	<b>D-16-25364</b>
<b>AUTHOR:</b>	<b>G Sherlock, Project Manager</b>
<b>EXECUTIVE:</b>	<b>R McKim, Director Infrastructure Services</b>
<b>DATE OF REPORT:</b>	<b>04 April 2016</b>
<b>FILE REFERENCE:</b>	<b>PM/4/0079</b>
<b>APPLICANT / PROPONENT:</b>	<b>The City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3 Confidential)</b>

**EXECUTIVE SUMMARY:**

The City of Greater Geraldton has the opportunity to invest millions of dollars of external funds into its rural road network and the local economy through the Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA) program. Through this 100% funded program, the City has twenty-four (24) rural roads approved for repair and upgrade. Injected these external funds into the City's rural roads will create a significant economic boost to the region through reducing transportation costs to road users and through injecting millions of dollars into the local community.

The road works are spread over an extensive area and the total value of all works covered by this tender is expected to be approximately \$3.2M (a significant amount of money). The project complexity arises from the very detailed grant requirements to prove and demonstrate what road work activity was undertaken in which specific location along the road length. The grant is also very specific concerning the road activities that have been approved in each location. Failure to demonstrate these requirements would result in the City's funding claims not being approved, which would result in the City covering the cost.

The purpose of this report is to seek Council approval to award RFT 15 1516 – City of Greater Geraldton Roads Flood Damage Repairs 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 15 1516 - The City of Greater Geraldton Roads Flood Damage Repairs to the preferred tenderer; and
2. RECORD the tender amount for RFT 15 1516 - The City of Greater Geraldton Roads Flood Damage Repairs.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City of Greater Geraldton secured \$3,722,000 funding from the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA)

on 9 June 2015 to repair twenty-four (24) roads damaged by flooding events between 28 February and 8 March 2015 (please refer to attached list of roads and map). The funding conditions include that the work is issued through open tender and not undertaken by internal council resources. In accordance with these conditions, a Request for Tender (RFT) was prepared and called.

The scope of the works specified in the tender is to undertake road and drainage restoration/repairs resulting from the flood event. The majority of the repairs will be undertaken on unsealed roads. These unsealed roads will have some gravel added and then will be reconstructed to achieve standard cross falls and dimensions. Table drains will also be restored.

As detailed above, the successful tenderer must have highly developed financial and administrative skills as well as technical skills to ensure detailed funding claims can be submitted in accordance with the WANDRRA requirements. The successful contractor must be able to work with City officers and their representatives to patiently work through these funding requirements.

The Tender Process and Assessment was completed in accordance with Council's Procurement of Goods and Services Policy (CP010). The RFT was advertised in the Western Australian on Saturday 13 February 2016 and advertised through the City's TenderLink e-Tendering Portal. The RFT closed on 29 February 2016. As required, the tender assessment criteria were included in the documentation provided to potential contractors. Officers determined that it was appropriate to weight the qualitative (non-price) and quantitative (price) criteria equally (50% qualitative, 50% quantitative).

If a project is very simple and straight forward, officers will place a high weighting on price (60%, 70%). If the project is very technical and complex, officers will reduce the weighting on price to as low as 30% to ensure the successful contractor has the required expertise to undertake the project. While the physical works involved in the project are relatively straight forward, the quality of these works can vary significantly. A contractor who has submitted a very lean price will endeavour to do the minimum amount of work required to meet the specification. This may result in disputes between the City and the Contractor and delays to the project. Whereas a contractor who has priced appropriately will undertake the required work to a higher standard. As this is a multi-million dollar spread over a large area with complex grant requirements involved, officers determine that this project was best weighted equally for qualitative and non-qualitative requirements.

Officers also determined that these rural works were an opportunity support the local community by including a preference for contractors who had a detailed and demonstrated commitment to Indigenous employment and training. As such, one of the qualitative criteria considered the contractor's capacity to deliver these benefits to the local community.



The non-price (qualitative) assessment criteria represented a total of 50% of the overall score and was based on the following criteria:

- (a) Relevant Experience (10%);
- (b) Key Personnel Skills and Experience (10%)
- (c) Tenderer's Resources (10%)
- (d) Occupational Health and Safety (10%); and
- (d) Training and Indigenous Employment Program (10%).

Forty-Eight (48) suppliers registered to receive a copy of the RFT. Eight (8) submissions were received. Of these, three (3) were deemed non-compliant by the City's Governance team for reasons detailed in the attached tender evaluation.

The tender assessment was undertaken by a panel of five (5). Four (4) City officers (3 voting and one non-voting) and a non-voting Technical Advisor. The Technical Advisor and his firm specialise in undertaking WANDRRA projects for many local authorities in Western Australia. As such, he was included on the panel to ensure an optimum decision was reached.

In accordance with City Policy CP010, the maximum allowance for local content was applied to the tendered prices.

The contract period is for six (6) months, with a further six (6) month extension exercisable at the absolute discretion of the Principal.

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

### **Economic:**

The City of Greater Geraldton has the opportunity to invest millions of dollars of external funds into its rural road network and the local economy through the Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA) program. Through this 100% funded program, the City has twenty-four (24) rural roads approved for repair and upgrade. Injected these external funds into the City's rural roads will create a significant economic boost to the region through reducing transportation costs to road users and through injecting millions of dollars into the local community.

### **Social:**

Improvement to the condition of rural roads is key to most aspects of life in rural Australia. A well maintained rural road network allows produce to be transported and for locals to stay connected to one another.

### **Environmental:**

The roadworks will be undertaken in an environmentally aware manner.

### **Cultural & Heritage:**

As well as investing millions of dollars of external funds into its rural road network and local economy, The City of Greater Geraldton has the

opportunity to demonstrate its social conscience and its regional leadership position by approving a contractor that has a highly developed relationship with the local aboriginal community and is committed to indigenous training and employment.

#### **RELEVANT PRECEDENTS:**

The City of Greater Geraldton has previously undertaken Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) projects.

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

There has been no community or Councillor consultation.

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

The strict funding conditions need to be adhered to ensure work payments (claims) are approved.

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

The available project budget is \$3,722,134.15 which is solely funded by the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA). Provided the City's claims are undertaken in accordance with funding agreements, no City funds are involved in this project.

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

Title: Environment	Sustainability
Strategy 2.3.2	Delivering projects utilising best practice to ensure timely, cost effective, and quality outcomes.
Title: Economy	Employment
Strategy 4.3.2	Encouraging the development of a variety of industries that will offer diverse employment opportunities.

#### **REGIONAL OUTCOMES:**

The completion of the project will see a positive impact on safety for regional road users.

#### **RISK MANAGEMENT**

There are a number of significant risks with this program of works. There are the usual Occupational Health and Safety (OHS) risks associated with work on roads which will be managed through contractual requirements and high quality site supervision. An additional OHS risk associated with this project is worker fatigue. As most of the damage is in the Mullewa area, operators will have to travel up to 1.5 hours to and from site. The RFT has addressed this issue by including regional accommodation and camping facilities into the scope of works. During the construction phase, this issue will be monitored closely by the City's site supervisor to ensure the fatigue has been managed, and to comply with all safety procedures.

There is also a financial risk associated with this project. The WANDRRA program required very detailed records kept and catalogued for submission

with the funding claim. If these details are not well managed, the claim is at risk of being rejected.

There is also a risk of becoming involved in a contractual dispute with the successful contractor. This could occur for a number of reasons including the work not being undertaken to the high standard required, invoices and job records not being sufficiently detailed or inaccurate.

There is a risk on causing disruption to the local community if the successful tenderer is not of sufficient character to be flexible in work programming to make allowance for any local requirements that come to light during the project.

There is also a risk that it will rain while these works are being undertaken and additional damage occurs prior to or during the proposed renewal works. Again, if this was to occur, the successful tenderer will need to be of sufficient character to allow for work variations and delays while new funding agreements / variations are put in place with the WANDRRA representatives.

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

A condition of the funding is that the approved works are issued to the construction industry through tender. This limited options associated with the delivery framework.

Officers could have recommended an alternative tenderer to Council. The reasons for their recommendation are provided in the attached confidential evaluation report.

## 14 REPORTS OF OFFICE OF THE CEO

CEO041 WALGA STATE COUNCIL AGENDA
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<b>AGENDA REFERENCE:</b>	<b>D-16-25492</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>22 April 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0019</b>
<b>APPLICANT / PROPONENT:</b>	<b>WALGA</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

### EXECUTIVE SUMMARY:

For Council to review the WALGA State Council matters for decision and review the voting options for the meeting being held on 5 May 2016.

### EXECUTIVE RECOMMENDATION:

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

- Part A**    **Not support** WALGA recommendation 5.1 - Local Government Gift Provisions (05-034-001-0001 TB);
- Part B**    **Support** WALGA recommendation 5.2 Section 76 Ministerial Orders under the Planning and Development Act 2005 (05-047-0014 GC);
- Part C**    **Support** WALGA recommendation 5.3 Outcome of Minister's Building Summit – Proposed Local Government Actions (05-015-01-0003 VJ);
- Part D**    **Support** WALGA recommendation 5.4 Discussion Paper "Licensing Cyclists and Registering Bicycles" (05-005-03-0006 MS);
- Part E**    **Support** WALGA recommendation 5.5 ALGA Federal Election Platform (04-001-02-0004 WFS);
- Part F**    **Support** WALGA recommendation 5.6 WALGA Submission – Public Inquiry into the January 2016 Waroona Fire (05-024-03-0035 MP);
- Part G**    **Support** WALGA recommendation 6.1 Report Municipal Waste Advisory Council (MWAC) (01-006-030-008 RNB); and
- Part H**    **Support** WALGA recommendation 1.1 Working Groups / Committee Reports.

**PROPONENT:**

The proponent is WALGA.

**BACKGROUND:**

The following agenda items are listed in the May 2016 WALGA State Council Agenda, as per CEO041 - Attachment A:

- 5.1 Local Government Gift Provisions (05-034-001-0001 TB)
- 5.2 Section 76 Ministerial Orders under the Planning and Development Act 2005 (05-047-0014 GC)
- 5.3 Outcome of Minister's Building Summit – Proposed Local Government Actions (05-015-01-0003 VJ)
- 5.4 Discussion Paper "Licensing Cyclists and Registering Bicycles" (05-005-03-0006 MS)
- 5.5 ALGA Federal Election Platform (04-001-02-0004 WFS)
- 5.6 WALGA Submission – Public Inquiry into the January 2016 Waroona Fire (05-024-03-0035 MP)
- 6.1 Report Municipal Waste Advisory Council (MWAC) (01-006-030-008 RNB)
- 1.1 Working Groups/Committee Reports

Council have been asked to review each option to either

- 1. Support WALGA recommendation
- 2. Not support WALGA recommendation
- 3. Alternative recommendation

In the case of the alternative recommendation, Council are asked to state their alternative.

WALGA's reasoning for their recommendation can be found in Attachment A and the State Council Agenda.

In the interests of full disclosure and transparency, WALGA's recommendation in relation to item 5.1 Local Government Gift Provisions is not supported.

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

Where relevant, the impacts of the recommendations are provided in Attachment A and the State Council Agenda.

**Social:**

Where relevant, the impacts of the recommendations are provided in Attachment A and the State Council Agenda.

**Environmental:**

Where relevant, the impacts of the recommendations are provided in Attachment A and the State Council Agenda.

**Cultural & Heritage:**

Where relevant, the impacts of the recommendations are provided in Attachment A and the State Council Agenda.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**COMMUNITY/COUNCILLOR CONSULTATION:**

There has been no community/councillor consultation.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Where relevant, the legislative and policy implications of the recommendations are provided in Attachment A and the State Council Agenda.

**FINANCIAL AND RESOURCE IMPLICATIONS:**

There are no financial or resource implications.

**INTEGRATED PLANNING LINKS:**

Title: Governance	Inclusive civic and community engagement and leadership
Strategy 5.3	Active participation in regional, state and national alliances

**REGIONAL OUTCOMES:**

The City of Greater Geraldton is represented at the WALGA Northern Country Zone this is a good opportunity to represent the Greater Geraldton area and actively participate in state matters.

**RISK MANAGEMENT**

Where relevant, the risks of the recommendations are provided in Attachment A and the State Council Agenda.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS**

No alternative options were considered by City Officers.

**15 REPORTS TO BE RECEIVED****REPORTS TO BE RECEIVED**

<b>AGENDA REFERENCE:</b>	<b>D-16-23158</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>11 April 2016</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-04</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**EXECUTIVE SUMMARY:**

To receive the Reports of the City of Greater Geraldton.

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

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

1. RECEIVE the following appended reports:
  - a. Reports – Development & Community Services:
    - i. DCS263 - Mullewa Bush Fire Advisory Committee Meeting Minutes – 2 March 2016
    - ii. DCS264 - Geraldton Regional Art Gallery Management Committee Meeting Minutes – 16 March 2016
    - iii. DCS265 Queen Elizabeth II Senior Advisory Committee Meeting Minutes – 16 March 2016
    - iv. DCSDD109 – 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. CCS176 Confidential List of Accounts Paid Under Delegation – March 2016

**PROponent:**

The proponent is the City of Greater Geraldton

**BACKGROUND:**

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including

Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

**COMMUNITY/COUNCILLOR CONSULTATION:**

Not applicable.

**LEGISLATIVE/POLICY IMPLICATIONS:**

Not applicable.



**16 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**Question from Mayor Shane Van Styn

Is the Chief Executive officer aware of any approaches by our Local Members to the relevant ministers, relating to the future of Durack here in Geraldton

Response by Ken Diehm

I understand that the Member for Geraldton Ian Blayney MLA has written to and publicly called on, the Deputy Premier and Training and Workforce Development Minister the Hon Liza Harvey MLA to ensure Geraldton becomes the headquarters of the proposed Central TAFE.

*Reference: Geraldton Guardian – 1 April 2016 as attached*

I can also confirm Mr Blayney has spoken with me about his support for the proposed Central TAFE be located in Geraldton

**17 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING****18 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/>