



ORDINARY MEETING OF COUNCIL  
MINUTES

26 MARCH 2013

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**CITY OF GREATER GERALDTON**  
**ORDINARY MEETING OF COUNCIL**  
**HELD ON TUESDAY, 26 MARCH 2013 AT 1.30PM**  
**MULLEWA DISTRICT OFFICE**

**MINUTES**

**DISCLAIMER:**

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

**1 ACKNOWLEDGEMENT OF COUNTRY**

I would like to acknowledge the traditional owners of the land on which we meet, and pay respect to the Elders and to knowledge embedded forever within the Aboriginal Custodianship of Country.

**2 DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 1.35pm.

**3 ATTENDANCE**

Present:

Mayor I Carpenter  
Cr R Ashplant  
Cr N Bennett  
Cr D Brick  
Cr C Gabelish  
Cr J Clune  
Cr P Fiorenza  
Cr R D Hall  
Cr N McIlwaine  
Cr N Messina  
Cr R Ramage  
Cr R deTrafford  
Cr T Thomas  
Cr S Van Styn

Officers:

A Brun, Chief Executive Officer  
P Melling, Director of Sustainable Communities  
C Wood, Director of Organisational Performance  
B Davis, Director of Treasury & Finance  
A Selvey, Director of Creative Communities  
N Arbuthnot, Director of Community Infrastructure  
S Moulds, PA to the Chief Executive Officer  
B Wilson, Manager Mullewa District Office  
M Chadwick, Manager Environment Health & Sustainability  
P Radalj, Coordinator Strategic Business Planning

Others:

Members of Public: 5  
Members of Press: 1

Apologies:

Cr I Middleton

Leave of Absence:

Nil.

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

*Questions were received at the Ordinary Meeting of Council held on the 26 February 2013. Responses below have been provided to Mr Outhwaite as follows:*

##### **Mr Andrew Outhwaite, 5 Onslow Street**

Question

Regarding Civic Evolution. Civic evolution is, in principle, a brilliant, forward-thinking idea by council. It embodies council acting as an enabler, creates a 'platform' for collaboration, offers an alternative pathway to progress projects rather than formal grants and was used a sophisticated and evolving online platform. However, the actual user experience has been awkward and patchy and the pathway and destination for the projects proposed is unclear. Three examples of this: 1) Pollinators has progressed projects that were proposed via Civic evolution, yet council has not celebrated or made that link or connections

Response

CivicEvolution is designed to provide the community with a platform to share their ideas, gather support, take ownership of their idea and to submit a proposal to be considered by reviewed by the 2029 and Beyond Reference Group. Unless the group who is acting on an idea relates this information on the CivicEvolution site, there is limited means for the City to see what the community is doing. The City is pleased to hear that members of the community are acting on their ideas and if

CivicEvolution has provided them with the means to do so then it is achieving what it was designed to do. Although members of the community are not requested to tell the City what they are doing, it would be helpful if we knew so that we could promote it accordingly.

#### Question

There is no clear, consistent communication about how things work, or what happens when projects go through the process – is their funding? Does it go before council?

#### Response

The site does clearly state: *'The 2029 and Beyond Reference Group promises to review and respond to all actionable proposals that meet their guidelines for relevance, completeness, evidence, and community support.'*

Eligibility for funding depends greatly on the proposal that is submitted. Each proposal will need to be evaluated as funding opportunities are quite varied and diverse. Proposals that align with the CGG Community Grant funding would be encouraged to apply for such funding. Others may be appropriate to be funded by an agency working within the specific sector. Others may be appropriate to direct to funding agencies such as Lotterywest.

#### Question

One of our members submitted a project that was very aligned with 2029 and Beyond and various City strategies and he wanted to use Civic Evolution as a platform to bounce the idea around the wider group of people. Our understanding is that he was told to speak directly with a council staff member rather than put the project through Civic Evolution, which suggests CE's purpose and scope is limited and specific, rather than open.

Is there a document or page on the website that clearly communicates the pathway for processing projects from Civic Evolution to Council, Governance Alliance or other funders/agencies?

#### Response

In September 2011 the Governance Alliance Group disbanded. Since then, the 2029 and Beyond Reference Group has formed to guide the project and provide support to the community in regard to CivicEvolution proposals. The site clearly states:

*'The 2029 and Beyond Reference Group promises to review and respond to all actionable proposals that meet their guidelines for relevance, completeness, evidence, and community support.'*

It also states:

*'Anyone can suggest an idea, but the 2029 and Beyond Reference Group will only review ideas that have been developed into a proposal for action'.*

At the moment the site does not outline the process for proposals that do not fall within CGG core business or align with CGG grant funding opportunities. However, when such a proposal should come through the Reference group would inform the group who made the proposal of funding options available to them and of the organisations best positioned to assist them in realising their proposal.

#### Question

Is there a document or pages on the website that clearly communicates what the scope and purpose of the Civic Evolution is, and how it complements other processes / pathways for citizens to engage with council?

#### Response

CivicEvolution provides the community with an alternative way for them to engage with decision makers in the region. At the very top of the home page the site asks for members of the community to post their ideas on making their community a better place to live and that by utilising the site they can make their idea happen. Although this could be worded better, the site has been designed as a platform for the community to grow their ideas, gather support, take ownership and eventually act on them. Sometimes ideas can be developed and acted on without it coming through as a proposal and that is what the platform is for – to enable the community to act on their own and in their own behalf. Not about presenting ideas solely for others to act on. Therefore, CivicEvolution isn't about limiting people to engage solely with Council. In fact, the role of the Alliance Governance Group was to review each proposal and determine which organisation was best positioned to work with the community to implement the idea, the 2029 and Beyond Reference Group still has this role. However, if a proposal is submitted that the City can act upon it will be considered.

#### Question

Are there any projects that have progressed on this pathway since the launch of Civic Evolution?

#### Response

Although City staff have been interacting with individual groups on the site, adding value to their conversations and informing them of what the City is doing or planning for the future, to date, no formal proposals have been submitted for review. However seven projects that were identified as World Café Priorities were consistent with concepts being discussed on CivicEvolution. The World Café Priorities are being progressed by the City and City officers have advised and worked with CivicEvolution participants wherever possible.

Question

Regarding C1020 “Cyclist Enabling Facilities”. This project to provide cycling facilities in front of the Provincial, and the previously-endorsed facility for Salt Dish, seems to have been in “detailed design” phase for more than 12 months. Given the priority Council has put on becoming a “cycling Capital”, these would seem important, iconic projects.

When will they be completed?

Response

The City agrees that the two Cyclist Enabling Facility projects are important, which is why it invested so much time into the associated community consultation and seeking of Council support for the projects. Prior to the projects being adopted in the 2012/13 budget, only conceptual designs had been prepared. The City is pleased to advise the detailed design of both projects is now 90% complete and they are both now in a final internal review and QA stage. At this stage, it is anticipated the designs will be issued for construction scheduling prior to the end of March. Construction will commence prior to the end of financial year. Unfortunately, the detailed design of these two projects has had to be prioritised amongst a substantial competing list of capital works projects.

Question

Regarding “Waste”. Based on recent communication with Council staff it seems that in April 2011 Council adopted a “towards Zero Waste” strategy (Item CE142 – found on Geraldton-Greenough archive website). It is an excellent strategy, with some quick wins and a well thought out and practical approach to enabling a ‘zero waste to landfill’ community. Given the huge interest and ongoing discussion about waste (usually ‘recycling’) this would seem an important strategy of Council. And given 2 years have passed; it seems likely significant action would have taken place. We haven’t heard of much happening.

Why is the strategy not available anywhere on the current website, nor referred to anywhere? (I tried searching ‘waste’ ‘zero waste’ etc. and there is nothing listed under ‘waste services’)?

Response

This is a reasonable request – the City will look at revitalising the “Waste Services” section of the website with more up to date information, the Strategic Waste Options Report can be made available.

Question

Can Council provide citizens with a summary of the actions completed from the recommendations of the strategy, and publish this in a logical place on the Council’s website (e.g., under ‘Waste Services’)?



Response

The Council is working through recommendations of the Strategic Waste Options Report's first cluster (e.g. development of infrastructure including education centre, CRRC (Community Reuse & Recycling Centre), materials processing area etc.). The Council will be aiming to reduce waste to landfill by 50% by 2016 given appropriate economic opportunities, economies of scale & maturing technologies.

Question

Regarding Water Sensitive City. We believe that sometime in 2010 Council may have produced or advertised a 'Towards a Water Sensitive City' strategy. This was cited and claims made about its value and implementation in the City's application to the LivCom awards. It seems that the Stormwater Harvesting project announced in December 2011 was related to that strategy.

Has the strategy been finalised and adopted by Council?

What progress has been made to implement the recommendation of the strategy?

Response

The stormwater harvesting project is certainly linked to the Water Strategy; the strategy is at present still in draft form.

It is the intention is to formally submit the strategy to Council within the next couple of months as there is a desire to also link the strategy with the work that is proposed via the Cooperative Research Centre for Water Sensitive Cities (the City being a participant in that project).

Question

Regarding Chapman River Wildlife Corridor. Given the high priority given to natural areas in 2029 Deliberative Survey results, 'Directions' the statistics and recommendations of the Local Biodiversity Strategy and that Chapman River Wildlife Corridor is the largest, most biodiverse and central natural area, it seems quite important that progress is made in engaging users, volunteers, business and government in its sustainable use and conservation.

Based on a recent conversation with a Councillor it is understood that in 2011 (?) Cr Des Brick requested an updated and compiled management plan or report on the Corridor. It is understood that was to address the fact that there were many earlier, valid but separate reports and recommendations on the area.

Has the report been produced and received by Council?

Council announced \$48,700 funding had been received for work in the Corridor in December 2011. Is there a public report on the outcomes

achieved with that money? If there is a report, is that something Council is reviewing?

Response

Due lack of resources this report hasn't been completed. All the separate reports are being used currently to coordinate applying for funding from the Biodiversity Fund and Caring for our Country grant rounds that are open. It will be possible from this process to collate required actions.

As per the grant funding requirements reports have been completed for the State NRM office and the site was audited in 2012. The reports and site visits have resulted from glowing comments from the State NRM office for the City of Greater Geraldton for their inclusive nature of the community consultation and continued support from community.

The Geraldton Bike Users group are putting up signs to indicate no unauthorised access for conservation areas, signs are being developed following stakeholder engagement, the Chapman River Friends group was formed and this group have been in close contact with The Senior Environmental and Sustainability Officer with providing input into management decisions, Department of Water have assisted with the treatment of Box thorn in conjunction with CGG parks staff, DOW have provided technical advice with regards to rehabilitating erosion areas in the park, Leaning tree school have assisted with tagging of box thorn and increasing awareness of the biodiversity conservation, Waggrakine Primary School will be involved with Clean up Australia Day this year.

Work for the Dole team are assisting with propagating seedlings in the community nursery and have a works program to undertake conservation works over winter, there will be 11 000 seedlings planted into the park during 2013 – 5000 of these seedlings will be planted with the Midwest Community Living as a pilot social enterprise project.

**5 PUBLIC QUESTION TIME**

*Questions provided in writing prior to the meeting or at the meeting will receive a formal response.*

Nil.

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

**Existing Approved Leave**

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>
Cr C Gabelish	27 March 2013	15 April 2013

**COUNCIL DECISION**

**MOVED CR GABELISH, SECONDED CR HALL**

**Mayor I Carpenter request for leave of absence for the period 27 March to 6 April 2013 be approved.**

**Cr N Bennett request for leave of absence for the period 27 June to 22 July 2013 be approved.**

**Cr McIlwaine request for leave of absence for the period 12 April to 23 April 2013 be approved.**

**CARRIED 14/0**

## 7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

OP0037 PETITION: WUBIN - MULLEWA ROAD			
<b>AGENDA REFERENCE:</b>	D-13-19828		
<b>AUTHOR:</b>	C Wood,	Director	Organisational Performance
<b>EXECUTIVE:</b>	C Wood,	Director	Organisational Performance
<b>DATE OF REPORT:</b>	21 March 2013		
<b>FILE REFERENCE:</b>	GO/6/0003		
<b>APPLICANT / PROPONENT:</b>	City of Greater Geraldton		
<b>ATTACHMENTS:</b>	Yes		

### SUMMARY:

The purpose of this report is to advise Council of the receipt of a petition regarding the urgent upgrade to the Wubin – Mullewa Road.

### PROponent:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

A petition has been presented to the Mayor on the urgent upgrade to the Wubin – Mullewa Road. The petitioners are seeking Council's support to lobby the Legislative Assembly and reads:

*"We the electors request The City of Greater Geraldton to lobby the Legislative Assembly to:*

- 1) *Commit to ongoing yearly funding for the upgrade of Wubin-Mullewa Road, between Morawa and Mullewa until completion;*
- 2) *Widen the Wubin-Mullewa Road with a bitumen surface to eight meters wide and upgrade any dangerous areas; and*
- 3) *Ensure funds given to upgrade the Wubin-Mullewa Road be allocated equally between the Shires of Morawa and The City of Greater Geraldton."*

The reasons for the petition are as follows:

1. The road usage increased dramatically during the period Brookfield Rail commenced works to create a new railway line. The increase of road users was over 400% and during this period irreversible damage has been done.
2. The road is of a substandard condition with shoulders barely existent to create a safe passing method for more than one vehicle.

3. Majority of the edges and shoulders are depleted to a drop off depth of approximately four and a half to 5 inches, as proven by the submission of photos.
4. Visual safety is restricted to the detriment of passing vehicles due to heavy dust from non-existent shoulders and dangerous corners.
5. The initial construction of the road was not built or designed to carry the pressure from today's heavy haulage. It is in constant use for the cartage of grain, fertiliser, freight, lime and general traffic between Mullewa and Morawa.
6. The Wubin Mullewa Road has become a popular route for tourists towing caravans increasing the risk of danger for passing on the roads due to the unsafe shoulders.

#### Additional information

Wubin-Mullewa Road is the main road between Mullewa, Morawa, Perenjori and Wubin. It is narrow single lane bitumen road which is very dangerous for traffic passing one another, with vehicles having to move off onto the gravel shoulder to pass an oncoming vehicle. Light vehicles have had to move off the road completely and come to a stop for all oncoming heavy vehicles.

The road usage over the past 7 years has increase dramatically with main roads commenting in 2011 traffic had increased 400% during construction of the Brookfield railway line. The Wubin-Mullewa Road was not build or designed for the additional pressure from light and heavy vehicle usage that was needed for the construction and maintenance of the 138 kilometres of railway line and it has now been left in a poorer state than when Brookfield began. Brookfield railway line is now complete but there is still an increase of traffic from their ongoing maintenance on the line.

Other uses of the Wubin-Mullewa Road are general day-to-day traffic, Brookfield rail, freight, trucks and tourist in wildflower season. Wubin-Mullewa Road has become a popular route in wildflower season for caravans and tourism due to the opening of the northern trails. Caravan drivers don't want to drop off onto the gravel shoulders for oncoming traffic as sometimes the drop is over 15cm deep and they fear damaging their car or caravan. This makes it dangerous for cars and trucks as at times it become a game of "Chicken" on the road.

The State government has recognised the poor state of the Wubin-Mullewa Road and funds have been spent upgrade the road between Perenjori and Morawa. Residents are concerned that finances will not be provided for the road between Mullewa and Morawa and would like State Government to commit finances for this section of road.

This petition with over 650 signatures was given to Grant Woodhams in February 2012 and Grant Woodhams handed to the Legislative Assembly. A

letter from the State Government was sent from state that they have received the petition but nothing more has been done.

**COMMUNITY CONSULTATION:**

The petition has been signed by 650 people.

**COUNCILLOR CONSULTATION:**

The petition was presented to the Mayor. Attached for Councillor's information are photographs of the road and a copy of the first page of the petition. The full petition is available for councillors to view.

**STATUTORY IMPLICATIONS:**

The petition complies with the majority of the requirements under Section 5.10 of Councillors Meeting Procedures Local Law. The area where compliance has not been met is in relation to the date the signatures were made.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 5:	Leading the Opportunities
Outcome 5.2:	Citizen and stakeholder focused services
Strategy 5.2.2:	Maintain meaningful engagement, consultation and deliberative processes with the community

**Regional Outcomes:**

There are no regional outcomes from the consideration of this matter.

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

**Economic:**

There are no economic impacts associated with this matter.

**Social:**

There are no social impacts associated with this matter.

**Environmental:**

There are no environmental impacts associated with this matter.

**Cultural & Heritage:**

There are no cultural or heritage impacts associated with this matter.

**RELEVANT PRECEDENTS:**

There are no relevant precedents associated with this matter.

**DELEGATED AUTHORITY:**

There is no delegated authority associated with this matter.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. REJECT the petition submitted; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The petition relates to the urgent upgrade to the Wubin – Mullewa Road.

**EXECUTIVE RECOMMENDATION:**

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

1. RECEIVE the petition in relation to the urgent upgrade to the Wubin - Mullewa; and
2. CALL on the Legislative Assembly and the Minister of Transport to investigate the matter and address the serious concerns raised by the petitioners.

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

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

1. RECEIVE the petition in relation to the urgent upgrade and ongoing funding for maintenance to the Mullewa to Wubin Road (Mullewa to Morawa section); and
2. CALL on the Legislative Assembly and the Minister of Transport to investigate the matter and address the serious concerns raised by the petitioners.

**CARRIED 14/1**

**Presentation of Award**

Mayor I Carpenter acknowledged the Award presented to The City of Greater Geraldton by the Governor of Western Australia, His Excellency Malcolm McCusker AC CVO QC, from Foodbank WA to the City of Greater Geraldton for the City's generous support to feed Western Australian's in need. The Mayor presented the Award to Mr M Chadwick and thanked him and City staff for their contribution in achieving this award.

**8 DECLARATIONS OF CONFLICTS OF INTEREST**

Cr R deTrafford declared a direct financial interest in Item SC091 Geraldton Health, Education & Training Precinct Master Plan as he is employed by Combined Universities Centre for Rural Health (CUCRH).

P Melling declared an indirect financial interest in Item TF048 Lease Portion of Reserve 17001 to the Batavia Miniature Railway Society as he is a member of the club.

Mayor I Carpenter declared an indirect financial interest in Item CC106 Retail Trading Hours, as has a long commercial relationship with IGA and his son works at Queens IGA.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council of the City of Greater Geraldton held on the 26 February 2013 as previously circulated, be adopted as a true and correct record of proceedings.

**COUNCIL DECISION**

**MOVED CR ASHPLANT, SECONDED CR MESSINA**

**RECOMMENDED that the minutes of the Ordinary Meeting of Council of the City of Greater Geraldton held on the 26 February 2013 as previously circulated, be adopted as a true and correct record of proceedings.**

**CARRIED 14/0**



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

<b>DATE</b>	<b>FUNCTION</b>	<b>REPRESENTATIVE</b>
27/02/2013	LEMC Meeting	Mayor Ian Carpenter
27/02/2013	Regional IT Hub Strategy - Department of Local Government, Alex Evans, Mark Glasson	Mayor Ian Carpenter
28/02/2013	ABC Radio interview - G Barndon	Mayor Ian Carpenter
28/02/2013	Meeting with Regional Director of the Department of State Development	Mayor Ian Carpenter
1/03/2013	Thank you Australia Day	Mayor Ian Carpenter All Councillors
5/03/2013	Regular Meeting - Michelle McGinity, Manager – Communications, Marketing and Tourism	Mayor Ian Carpenter
5/03/2013	Way Forward for MW Iron Ore Industry - R Jefferies	Mayor Ian Carpenter
5/03/2013	Concept Forum	Mayor Ian Carpenter All Councillors
6/03/2013	Learning Engagement And Participation program - students and local government	Mayor Ian Carpenter
6/03/2013	ABC News radio Interview	Mayor Ian Carpenter
7/03/2013	Geraldton: Leaders' Edge Lunch with Steve Harris MAICD, President, Fremantle Dockers	Mayor Ian Carpenter
8/03/2013	Better Beginnings Presentation	Mayor Ian Carpenter
8/03/2013	Audit Committee meeting	Mayor Ian Carpenter
9/03/2013	Northampton Friends of the Railway Inc . Centenary Celebrations	Mayor Ian Carpenter
12/03/2013	Regular Meeting - Michelle McGinity, Manager – Communications, Marketing and Tourism	Mayor Ian Carpenter
12/03/2013	Workshop - Sporting Futures Report	Mayor Ian Carpenter
13/03/2013	Presentation by Darren Lee - Basketball Board	All Councillors
13/03/13 15/03/2013	- Local Government Grants Commission	Mayor Ian Carpenter
18/03/2013	Meeting Bishop Justin - Departure of St John of God Sisters	Mayor Ian Carpenter
18/03/2013	Citizenship Ceremony	Mayor Ian Carpenter
19/03/2013	Regular Meeting - Michelle McGinity, Manager – Communications, Marketing and Tourism	Mayor Ian Carpenter
19/03/2013	Regular Meeting - Mayor, Deputy Mayor and CEO to review Agenda for Council meeting	Mayor Ian Carpenter
19/03/2013	Presentation to Council - AWE Petroleum	Mayor Ian Carpenter
19/03/2013	Agenda Forum	Mayor Ian Carpenter All Councillors
20/03/2013	Regional Capitals Australia Board Meeting	Mayor Ian Carpenter
20/03/2013	Northern Beaches Technical Workshop	Mayor Ian Carpenter Cr Chris Gabelish

20/03/2013	City of Greater Geraldton / Geraldton Port Authority Liaison Committee - pre meeting	Mayor Ian Carpenter
20/03/2013	Beresford Foreshore Coastal Protection & Enhancement Working Group	Mayor Ian Carpenter
21/03/2013	WA Local Government Grants Committee meeting	Mayor Ian Carpenter
22/03/2013	Bush Fire Advisory Committee Meeting	Mayor Ian Carpenter
	Japan Sister City Forum, Consul-General's residence, Perth	Cr C Gabelish <i>on behalf of Mayor Ian Carpenter</i>
23/03/2013	Harmony Celebrations - The Harmony Dinner	Mayor Ian Carpenter
25/03/2013	Special Meeting of Council - Sporting Futures Report	Mayor Ian Carpenter
26/03/2013	Visit to Kardaloo Community	Mayor Ian Carpenter All Councillors
26/06/2013	Ordinary Meeting of Council	Mayor Ian Carpenter All Councillors
26/03/2013	Trip to China	Mayor Ian Carpenter Cr Chris Gabelish

## 12 SIGNIFICANT STRATEGIC MATTERS

SC091	GERALDTON HEALTH, EDUCATION & TRAINING PRECINCT MASTER PLAN
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<b>AGENDA REFERENCE:</b>	<b>D-13-15532</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>6 March 2013</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0034</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

### SUMMARY:

The City (with assistance from Hassell) has prepared a draft Master Plan for the Geraldton Health, Education and Training precinct. This report recommends the adoption of the Master Plan as a draft for the purpose of public advertising.

### PROPONENT:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

Health, education and training precincts throughout Australia are emerging as important centres for employment and services. Through their functions, these precincts can generate significant growth for local economies. There are synergies that can be borne of these centres through an improved urban design framework such that services are better provided, economic generation is greater and the urban realm is of a higher quality.

The purpose of the Master Plan is to create a vision for the Geraldton Health, Education and Training Precinct (HETP) and define the urban framework that will generate future growth potential. This will facilitate the co-ordinated planning and development of the precinct into the future.

The Master Plan document is provided as a high level, conceptual framework within which future planning and design decisions can be made. The document will assist the City of Greater Geraldton and other agencies in terms of the spatial arrangement of the HETP. It is not intended to be an exhaustive planning exercise resolving all potential stakeholder matters.

Geraldton's HETP is located to the south of the CBD. It is easily accessible being located near to Cathedral Avenue – a key artery leading to the CBD, and the bypass road which provides access to the port and to the eastern parts of Geraldton.

The project area is large, being 5.75 hectares in area. There is sufficient land to provide for ongoing growth needs of the existing functions, though this will

require some rearrangement of internal functions within each of the institutions.

The Geraldton HETP comprises many institutional functions, including the Geraldton Health Campus (GHC) which consists of the Geraldton Regional Hospital (GRH), population health, aged and community care and mental health, the Durack Institute of Technology (Durack), the Geraldton University Centre (GUC), St John of God Hospital (SJOG) and Combined Universities Centre for Rural Health (CUCRH).

Also located within the precinct are; aged care centre (Hillcrest Lodge), a lawn bowls club and low density residential areas that frame the precinct. Adjacent to the precinct is the Geraldton Residential College (providing student accommodation), the Geraldton Senior High School, Nagle Catholic College from K-12 and the Batavia Coast Maritime Institute.

Relevant extracts from the Master Plan are included as Attachment No. SC091 and a full copy of the Master Plan is available to Councillors upon request.

#### **COMMUNITY CONSULTATION:**

Hassell held preliminary one-on-one-meetings with representatives from GHC, GUC, Durack and CUCRH on 8 December 2012.

Two workshops were held by Hassell with various stakeholder representatives attending. The first workshop was held on 9 and 10 December 2010 at the GUC. The workshop included stakeholder presentations and opportunities, challenges and synergies brainstorming. Workshop 2 was held on 11 March 2011 and involved focussed discussion on the implementation of the HETP Master Plan and revision of the plan options.

The main stakeholders involved within the workshopping and collaboration as part of the creation of the master plan are as follows:

- Geraldton Health Campus (GHC);
- Durack Institute of Technology (Durack);
- Geraldton Universities Centre (GUC);
- Combined Universities Centre for Rural Health (CUCRH); and
- St John of God Hospital Geraldton (SJOGG).

Other stakeholders have been identified as part of the master planning process and played a smaller role in collaborating with the City being:

- Department of Planning;
- Department of Education;
- Mid West Development Commission;
- CSIRO;
- Fusion Australia;
- Geraldton Senior College;

- Geraldton Residential College;
- Mid West GP Network; and
- Rural Clinical School of WA.

Policies are required to be advertised for a period of 21 days with a notice in a newspaper for two consecutive weeks.

**COUNCILLOR CONSULTATION:**

An update on the Master Plan was provided to Councillors at the Concept Forum meeting held on 5 March 2013.

**STATUTORY IMPLICATIONS:**

The majority site is zoned 'Central Geraldton' under Town Planning Scheme No. 3 (Geraldton) and the zone objective is to protect and enhance the urban character of the area as the setting for major community use buildings and places, and the streetscape of Cathedral Avenue as the City's principal access thoroughfare.

The Master Plan will be adopted as a local planning policy pursuant to clause 2.2 of the Scheme.

**POLICY IMPLICATIONS:**

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

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.3: Lead and facilitate innovative urban design that provides for diverse built form that meets the needs of our existing and future communities.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

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

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

is identified as 'central Geraldton' on the structure plan. A principal objective of the Structure Plan is to facilitate provision of community services to accommodate population growth. The term "community services" covers a range of services including health and education services.

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

#### **Economic:**

The HETP and the functions within it are existent to serve the population of Geraldton and the wider region. These functions are able to deliver important health, education and training services, but they can also act as anchors to attract new employment opportunities. Health, education and training precincts help to create economic growth by providing for strategic employment (through creative and higher order industries). This requires high quality education (in particular, universities), ready access to services and a high quality environment where exchange between businesses and people occurs frequently and readily.

#### **Social:**

There is significant opportunity to forge new links through the precinct, for vehicles, pedestrians and cyclists. These movement links will form one arm of the urban framework and help to create a more legible and identifiable precinct.

#### **Environmental:**

Bush parkland systems can be used to provide a distinct character and amenity within the precinct, improved avenues and boulevards can forge links to the CBD and create improved thresholds, whilst water sensitive urban design principles can be employed to maximise sustainability credentials. Not all of the vacant land is appropriate for development, given topographical and accessibility constraints. In this regard, some of this land can be used to create internal amenity through provision of parkland and an improved bush setting.

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

There are no cultural and heritage issues.

#### **RELEVANT PRECEDENTS:**

The author is not aware of any relevant precedent set by previous Council or Executive, however it should not be construed that there are no relevant precedents.

#### **DELEGATED AUTHORITY:**

There is no delegated authority.

#### **VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. REFUSE to adopt the 'Geraldton Health, Education & Training Precinct Master Plan'; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Councillors.

**Option 3:**

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

1. DEFER the adoption of the 'Geraldton Health, Education & Training Precinct Master Plan'; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The purpose of the Master Plan is to create a vision for the Geraldton Health, Education and Training Precinct (HETP) and define the urban framework that will generate future growth potential. This will facilitate the co-ordinated planning and development of the precinct into the future.

Option 2 is not supported as the Master Plan document is provided as a high level, conceptual framework within which future planning and design decisions can be made. The document will assist the City of Greater Geraldton and other agencies in terms of the spatial arrangement of the HETP.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the matter.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority, pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. ADOPT the 'Geraldton Health, Education & Training Precinct Master Plan' as a draft and advertise it for a period of 21 days;
2. ADOPT for final approval the Master Plan 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.

*Cr R deTrafford declared a direct financial interest in Item SC091 Geraldton Health, Education & Training Precinct Master Plan as he is employed by Combined Universities Centre for Rural Health (CUCRH) and left Chambers at 1.58pm.*

**SC091****COUNCIL DECISION****MOVED CR HALL, SECONDED CR MCILWAINE**

**That Council by Simple Majority, pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:**

- 1. ADOPT the 'Geraldton Health, Education & Training Precinct Master Plan' as a draft and advertise it for a period of 21 days;**
- 2. ADOPT for final approval the Master Plan should no objections be received during the advertising period; and**
- 3. REQUIRE a further report to Council should there be any objections received during the advertising period.**

**CARRIED 13/0**

*Cr deTrafford returned to Chambers at 2pm*



SC094	FINAL ADOPTION OF THE SOUTH GREENOUGH TO CAPE BURNEY COASTAL PLANNING STRATEGY
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<b>AGENDA REFERENCE:</b>	<b>D-13-16535</b>
<b>AUTHOR:</b>	<b>M Connell, Manager Urban &amp; Regional Development</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>11 March 2013</b>
<b>FILE REFERENCE:</b>	<b>LP/9/0090</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**SUMMARY:**

The advertising period has concluded for the “South Greenough to Cape Burney Coastal Planning Strategy” (the Strategy).

This report recommends final approval of the Strategy (subject to minor modifications) and that it be forwarded to the WA Planning Commission for final endorsement.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The 2010 Status of Coastal Planning in Western Australia Report recommended the development of a planning strategy for the coastline between Greenough River mouth and Dongara to address increasing development and recreational pressures. The need for a more detailed planning and management strategy for this area was also identified in the Batavia Coast Strategy.

In 2008, the Department of Planning, in conjunction with the (then) City of Geraldton-Greenough and the Shire of Irwin, re-commenced the planning for the Dongara to Cape Burney coast. It was initially envisaged that a strategy would be necessary to plan for this part of the coast. In 2009 the Department of Planning formed a Steering Committee and began a process to develop the Dongara to Cape Burney Coastal Strategy. Unfortunately in 2011 the WA Planning Commission resolved to not proceed with the Dongara to Cape Burney Coastal Strategy, however the outcomes of that process are being integrated into local planning processes and have been used in the development of this Strategy.

The Strategy aims to provide guidance for the City of Greater Geraldton, the community, businesses and other government agencies on land use planning and development decisions in the study area.

The Strategy encompasses the coastal area west of the Brand Highway and Company Road from the Greenough River mouth at Cape Burney to the southern boundary of the City of Greater Geraldton, south of Headbutts

beach. The study area has been divided into two sections based on the two dominant landscape features: the Dune System and the Coastal Plain.

The Strategy provides strategic planning guidance for future land use, development and subdivision that is consistent with local and State Government policy and sustainable development principles. It also provides management recommendations by taking into account the environmental, cultural and social values of the coastal systems.

During 2009 and 2010 (as part of the Dongara to Cape Burney Coastal Strategy project) the preparation and collation of important background information, including technical reports, was undertaken. These studies, undertaken by external consultants, included a Coastal Geomorphology report a Visual Landscape Assessment and a Vegetation Survey.

The Strategy recommends that all large scale, high impact, residential and tourist resort type development be located within the existing urban settlement of Geraldton. Coastal nodes (major and minor day use) within the study area are identified. Major nodes should continue to be managed and upgraded to ensure a high level of facilities. Overnight accommodation of a low to medium scale could potentially be developed in the immediate Flat Rocks vicinity. Minor day use nodes should provide for a lower level of facilities.

Provision of formal access to the coast will assist in reducing indiscriminate, illegal access and associated environmental degradation and management implications. It is envisaged that additional coastal access locations may be appropriate as part of low impact rural tourism proposals in appropriately located sites.

Land use, development and subdivision proposals will only be supported if proven to be in accordance with the relevant criteria for either the Dune System or the Coastal Plain. Proposals should also align with the key objectives and the local vision of the Strategy.

A copy of the Strategy is included as Attachment No. SC094A and a copy of the appendices are available to Council upon request.

Council at its meeting held on 26 September 2012 resolved to:

1. *ADOPT the draft "South Greenough to Cape Burney Coastal Planning Strategy" for the purpose of seeking public comment;*
2. *SEEK consent to advertise the draft Strategy from the WA Planning Commission;*
3. *ADVERTISE the draft Interim Strategy for a period of 42 days, once the WA Planning Commission has given consent to advertise;*
4. *Adopt for final approval the "South Greenough to Cape Burney Coastal Planning Strategy" should no objections be received during the advertising period; and*
5. *REQUIRE a further report to Council should there be any objections received*

The WA Planning Commission resolved to certify for advertising the draft Strategy on 2 January 2013.

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Objections have been raised with the draft Strategy and thus this report is presented to Council.

**COMMUNITY CONSULTATION:**

In 2009 the Department of Planning formed a Steering Committee and began a process to develop the Dongara to Cape Burney Coastal Strategy. Membership of the steering committee included representatives from the following organisations:

- Department of Planning (DoP);
- Department of Environment and Conservation (DEC);
- Northern Agricultural Catchments Council (NACC);
- City of Geraldton-Greenough;
- Shire of Irwin;
- Tourism WA;
- Department of Agriculture and Food WA (DAFWA); and
- Community representatives (Irwin and Geraldton).

The Yamaji Land and Sea Council were also invited to have membership on the Steering Committee.

Extensive consultation was undertaken as part of the Dongara to Cape Burney Coastal Strategy, which included substantial community and stakeholder engagement through varied consultation methods such as public information displays, online surveys and community workshops.

A website was used as an evolving tool to relay up-to-date information on development of the Dongara to Cape Burney Coastal Strategy to the community. The website allowed the community to download documents such as the project scope, the communications plan, workshop locations and times, and take part in the on-line survey.

Between August 2009 and January 2010 an online survey was conducted to determine the community's level, and area, of interest in being involved in the preparation of the Dongara to Cape Burney Coastal Strategy. The survey also allowed the community to provide their opinions on the future of the area by providing their feedback on issues such as access, future development and coastal management.

Two community workshops were held to consult with the communities and other interested groups and individuals.

The Department of Planning has advised that the City will need to undertake a consultation process in accordance with that required for a local planning strategy as outlined in the Town Planning Regulations 1967.

The advertising period was for 44 days (commencing on 17 January 2013 and concluding on 1 March 2013) and involved the following:

1. All landowners within the study area were written to and provided with a copy of the Executive Summary and mapping from the Strategy;
2. A notice appeared in the Geraldton Guardian on 18 January 2013 and 24 January 2013.
3. A media release was undertaken on 08 November 2010;
4. The Strategy was available on the City's website;
5. The Strategy was on 'Your View';
6. The Strategy was publicly displayed at the Civic Centre; and
7. The Interim Strategy was referred to the following:
  - Department of Agriculture and Food;
  - Department of Environment and Conservation;
  - Department of Indigenous Affairs;
  - Department of Water;
  - FESA;
  - Heritage Council of WA;
  - Main Roads WA;
  - Mid West Chamber of Commerce and Industry;
  - Mid West Development Commission;
  - NACC;
  - State Lands Services;
  - Department of Planning (Tourism);
  - Water Corporation;
  - Western Power;
  - Shire of Irwin; and
  - Yamaji Land and Sea Council.

**Submissions:**

As a result of the advertising, a total of 14 submissions were received (only 1 had any specific objection). Listed below is a summation of the comments/concerns raised from the public comment period:

- Concept plan submitted for Flat Rocks;
- Existing aquaculture licence offers potential for related tourism opportunities;
- Aquaculture opportunities;
- Proponents, landowners and other stakeholders should be encouraged to improve the overall flood risk and water management in the area;
- Existing accesses into and throughout the area should be utilised.
- Document should make reference to State Planning Policy 3.5 Historic Heritage Conservation;
- Strategy misses vital step of agreement on a broad character policy;
- Access should be direct as possible and access through the dunes should be restricted;
- Positive impact of existing development;
- How will access to remote areas be overcome;

- 4ha farmlets would be detrimental to the overall character of the area;
- Caravan park in close proximity to Flat Rocks;
- Advise against specific rules that could tie the hands of town planners responsible for implementation;
- Height restrictions too rigid. Better to simply state that development should not break the skyline;
- Subdivision size should not be a 'one size fits all' approach;
- Strategy should address the issue of firebreaks;
- Strategy does not provide any guidance or concept plans for the Minor Nodes;
- Suggested changes in the 'Agriculture' and 'Horticulture' sections to improve the clarity of the text;
- Flood mitigation structures should receive ongoing maintenance;
- The fragmented nature of land ownership and patchy areas proposed for development in the strategy are likely to impact on the viability of extending water services;
- The Water Corporation is now not the exclusive water service provider. They are now required to act in accordance with prudent commercial principles and any agreement to be the service provider must be done so on commercial terms;
- The City has failed in its obligations to manage the coast;
- The coastal strip north and south resembles a giant off road racetrack;
- No funds being set aside to address on-ground management but always money to undertake strategies;
- Unacceptable that public environmental expectation has the capacity to limit opportunity of freehold landowners without compensation;
- Appears freehold land can be resumed without compensation;
- What is it that private enterprise might do that would be worse than what is already happening?;
- Hydrology section be revised and include specific provisions relating to groundwater;
- Need to actually address State Coastal Planning Policy, inundation levels and floodplain management;
- Flood risks;
- Changes regarding water and wastewater management;
- Inform local residents about ORV use and laws;
- Questioning appropriateness of various developments in the Westbank Estate;
- Native screening be utilised;
- Area to north of Lucy's be identified as a tourism node to support specific development proposal given previous decision of Council.
- The minutes from the previous Council meeting are included as Attachment No. SC094B;
- Eco Tourism Village at Flat Rocks;
- Landscape and firebreak vegetation clearing;

- Revision of current “Low Impact Rural Tourism” policy;
- 4ha lot sizes inappropriate;
- Self-sufficient infrastructure at Flat Rocks;
- Cluster, strata titled development at Flat Rocks;
- Need to provide for boat launching at Flat Rocks;
- Current surfing and recreational fishing should not dictate vision for Flat Rocks;
- “Surf slum” development not encouraged but rather high quality such as Margaret River / Yallingup; and
- Need to protect the continued operations of the Rifle Club at Lucy’s.

In addition to the above a correction was made in the mapping to the location of ‘Headbutts’.

A ‘Schedule of Submissions’ is included as Attachment No. SC094C and copies of the actual submissions are available to Council upon request.

**COUNCILLOR CONSULTATION:**

Previously, Councillors Gary Martin and John Sewell were on the Dongara to Cape Burney Coastal Strategy Steering Committee. This Steering Committee was formally discharged by the WA Planning Commission in July 2011 and there has been no further Councillor consultation.

**STATUTORY IMPLICATIONS:**

The Strategy has been prepared and adopted as a Local Planning Strategy pursuant to Regulations 12A and 12B of the Town Planning Regulations 1967.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The implementation of the Strategy may involve financial implications and these will be considered separately in future budget deliberations.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.1: Lead the development of innovative, strategic and sustainable urban, rural and regional planning.

Strategy 4.1.2: Protect and enhance the development of strategic high value agricultural lands as an essential source of local food security.

Strategy 4.1.2: Develop, apply and regulate effective planning schemes, building regulations and policies.

Outcome 4.3: Environmental sustainability.

Strategy 4.3.3: Protect biodiversity and provide landscape management through effective conservation and rehabilitation.

### **Regional Outcomes:**

#### **State Planning Policy No. 2.6 State Coastal Planning Policy:**

SPP2.6 was gazetted in June 2003 and is the principal State government policy for coastal planning guidance in Western Australia. SPP2.6 provides appropriate measures for preparing local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivisions and development applications. It also provides guidance for decisions and instruments relating to planning along the coast, and identifies the processes involved in the preparation of a coastal planning strategy and/or foreshore management plan. This Strategy has been prepared in accordance with SPP 2.6.

#### **State Planning Policy No. 2.5 Agricultural and Rural Land Use Planning:**

The aim of the SPP 2.5 is to ensure that: the State's priority agricultural land resource is protected; rural settlement opportunities are assessed and managed sustainably; land use conflicts are minimised; and the State's natural resources are adequately managed. The Strategy aims to protect the high quality agricultural land of the 'Greenough Flats'.

#### **Batavia Coast Strategy:**

The Batavia Coast Strategy provides a framework for coastal planning and management at a regional and local level for the area of coast between Kalbarri and Dongara in the Midwest region. The sectors identified in the Batavia Coast Strategy relevant to this Strategy are Greenough (sector C) and Cape Burney (sector D – The Greenough River mouth). The Batavia Coast Strategy identifies both Major Day Use and Minor Day Use Sites in the study area.

#### **Local Planning Strategy (Greenough):**

The purpose of this document is to provide a strategic direction for the former Shire of Greenough area in terms of land use planning and development to ensure the coordination of infrastructure and urban growth. It identifies the likely land uses that will be established and indicates the preferred location for these land uses over the next 15 years.

The coastal dunes are identified as having 'Environmental Value' and the soils of the Greenough Flats are identified as being highly productive for agricultural pursuits and is subject to encroachment from the growth of Geraldton, thus further subdivision needs to be avoided.

The Local Planning Strategy highlights that that there are two areas that are more stable than the majority of the dunes and may be capable of

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development for uses other than rural. These areas are at Westbank and in the vicinity of Flat Rocks.

The Flat Rocks area is described in the Local Planning Strategy as one of the best surfing spots in Western Australia and also has good fishing and other coastal attractions. The area is presently undeveloped and there may be an opportunity for a tourist development at this location if compatible with strategic planning for the coastline.

Local Rural Strategy (Greenough):

This Rural Strategy guides future land use and subdivision decisions for rural areas. In general the coastal dunes are located in the 'Quindalup Dunes' precinct. The precinct has little potential for agriculture and parts of the precinct (particularly in the southern section) have conservation values. Potential land uses include conservation, recreation and tourism at Flat Rocks.

The coastal plain (containing the Front Flats) is located in the 'Greenough Plains' precinct. This precinct is characterised by broadacre grazing and cropping with some intensive agricultural activities. Potential land uses include intensive and extensive agriculture, recreation and tourism.

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

The Strategy has a set of guiding principles which are intended to guide future decisions on planning and management in the study area as follows:

*Environment principle:*

- To conserve and enhance the natural environment, biological diversity and distinctive landscape of the coast.

*Community development principles:*

- To enhance the area as a place to live and visit, promote low key and low-scale development that complements the landscape of the area, and encourage a range of tourism accommodation options.
- To provide appropriate access to the coast that reduces human impact to the fragile coastal environment.

*Economic development principle:*

- To enable the economic potential of appropriate tourism and agriculture production of the coast through future planned land use change.

**Economic:**

People value the ecology of an area in different ways. Some people value conservation and recreational activities, others value the economic benefits of tourism or agricultural use. Appropriate foreshore and land management is one of the most important ways of ensuring maintenance, protection and enhancement of ecological values for future sustainable use.

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**Social:**

A Visual Landscape Assessment was undertaken and describes landscape character and viewing experiences, and proposes a series of strategies for managing landscape character and views. The Assessment reveals that several of the study area's landscape and viewing experiences are significant at a regional and/or state level, as they are uncommon or have unique aspects.

Recreation and tourism is a key land use in the study area. It will play a critical role in determining how the area develops in the future in terms of access and land use change

**Environmental:**

A vegetation survey was conducted to gain a better understanding of the vegetation associations and vegetation conditions along the Dongara to Cape Burney coastline. The report of the survey also identifies areas of conservation significance and provides a regional context for decision-making in relation to development proposals that may impact on existing native vegetation.

**Cultural & Heritage:**

The Greenough flats are zoned in Local Planning Scheme No. 5 as a Special Control Area for its distinct heritage character and value. Although many of the heritage listed sites are east of the study area, these sites still need to be taken into consideration when planning for development.

The study area contains 19 sites listed on the Department of Indigenous Affairs Aboriginal Heritage Enquiry System.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 8 July 2008 resolved to appoint 1 Councillor and 2 staff members to the Steering Committee of the Dongara to Cape Burney Coastal Strategy.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority pursuant to regulation 12A of the Town Planning Regulations 1967 RESOLVES to:

1. REFUSE to adopt for final approval the 'South Greenough to Cape Burney Coastal Planning Strategy'; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER the final approval the 'South Greenough to Cape Burney Coastal Planning Strategy'; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The 2010 Status of Coastal Planning in Western Australia Report recommended the development of a planning strategy for the coastline between Greenough River mouth and Dongara to address increasing development and recreational pressures. The need for a more detailed planning and management strategy for this area was also identified in the Batavia Coast Strategy. The South Greenough to Cape Burney Coastal Planning Strategy is a document developed in response to these pressures and needs.

Option 2 is not supported as the Strategy provides strategic planning guidance for future land use, development and subdivision that is consistent with local and State Government policy and sustainable development principles. It also provides management recommendations by taking into account the environmental, cultural and social values of the coastal systems.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the matter.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority pursuant to regulations 12A and 12B of the Town Planning Regulations 1967 RESOLVES to:

1. DETERMINE the submissions outlined in the 'Schedule of Submissions';
2. ADOPT for final approval the 'South Greenough to Cape Burney Coastal Planning Strategy', subject to the modifications outlined in the 'Schedule of Submissions'; and
3. FORWARD the Strategy to the WA Planning Commission for its endorsement.

**COUNCIL DECISION****MOVED CR CLUNE, SECONDED CR BENNETT**

**That Council by Simple Majority pursuant to regulations 12A and 12B of the Town Planning Regulations 1967 RESOLVES to:**

- 1. DETERMINE** the submissions outlined in the 'Schedule of Submissions';
- 2. ADOPT** for final approval the 'South Greenough to Cape Burney Coastal Planning Strategy', subject to the modifications outlined in the 'Schedule of Submissions'; and
- 3. FORWARD** the Strategy to the WA Planning Commission for its endorsement.

**CARRIED 14/0**

**13 AUDIT AND RISK MANAGEMENT**  
Nil.

## 14 STRATEGIC & POLICY MATTERS

OP0032 GREATER GERALDTON FUTURES GOVERNANCE ALLIANCE COMMITTEE
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<b>AGENDA REFERENCE:</b>	<b>D-13-16585</b>
<b>AUTHOR:</b>	<b>R Smallwood, Manager Economy, Innovation &amp; Technology</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>IT/9/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (5) Confidential</b>

### SUMMARY:

The purpose of this item is to seek Council's adoption of the Greater Geraldton Futures Governance Alliance as a committee of Council and to endorse the membership of the Committee.

### PROPONENT:

The proponent is the City of Greater Geraldton (CGG).

### BACKGROUND:

At the Ordinary Meeting of Council on 18 December 2012, Council resolved the following motion:

*MOVED CR GABELISH, SECONDED CR HALL*

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

1. *GIVE notice of its intent to form the Greater Geraldton Futures Governance Alliance as a formal Committee of Council.*
2. *SET the Terms of Reference as;*
  - i. strategic approach to the economic development of Greater Geraldton;*
  - ii. review, facilitate and implement the recommendations of the Geraldton Digital Strategy, Geraldton City Centre Vibrancy Strategy, IBM Smarter Cities Report 2012;*
  - iii. promote Geraldton as the regional centre and their leadership role in development of the area;*
  - iv. review, facilitate and implement a coordinated marketing and promotion of Geraldton, focusing on economic development, tourism and recruitment to the region;*
  - v. review and facilitate an integrated approach to tourism;*
  - vi. review and facilitate the integration of economic development information; and*
  - vii. to review, investigate and recommend to Council options to include transitioning the Alliance into a separate incorporated body. Examples include Townsville Enterprise, Geelong G21, Greater Bunbury Economic Alliance, and Wellington Economic Alliance.*
3. *SET the Membership of the Committee:*
  - i. Deputy Mayor (or proxy);*
  - ii. Deputy Chair RDA (or proxy);*
  - iii. Deputy Chair MWCCI (or proxy);*
  - iv. Deputy Chair MWDC (or proxy);*
  - v. Deputy Chair Durack Institute of Technology (or proxy);*

- vi. *Deputy Chair GPA (or proxy);*
- vii. *3 x community members;*
- viii. *Chair to be selected from the Community membership on the recommendation of the Committee;*
- ix. *call expressions of interest from members of the community and request the five deputy chairs of the participating organisations to review all nominations and make recommendations to Council; and*
- x. *refer the item back to Council for final endorsement of the membership.*

CARRIED 15/0

## **Membership**

On 10 January 2013, the City sent correspondence to invite the five key agencies namely:

- i. Mid West Development Commission (MWDC);
- ii. Geraldton Port Authority (GPA);
- iii. Mid West Chamber of Commerce & Industry (MWCCI);
- iv. Regional Development Australia Mid West Gascoyne (RDAMWG), and;
- v. Durack Institute of Technology (DURACK);

to be members of the Greater Geraldton Futures Governance Alliance. The responses received are as follows:

### Regional Development Australia Mid West Gascoyne (RDAMWG)

The RDA MWG has confirmed their membership to the Alliance, with the following nomination:

- Leonie Noble (Deputy Chair)
- Alan Bradley (as proxy)

### Durack Institute of Technology (DURACK):

DURACK has confirmed their membership to the Alliance, with the following nomination:

- Leanne Sice (Deputy Chair)
- Bert Beevers (as proxy)

Mid West Development Commission (MWDC): The MWDC has confirmed their membership to the Alliance, with the following nomination:

- Andrew Pitcher (Deputy Chair)
- Gavin Treasure (as proxy)

### Mid West Chamber of Commerce and Industry (MWCCI):

The MWCCI is intending to provide a representative to the committee, however at this time the representative is yet to be identified and MWCCI will await appointment of the new CEO prior to putting forth a nomination. It is recommended that its membership be kept open until a decision is made by the Board.

**Geraldton Port Authority (GPA):**

The GPA has declined to participate at this stage; however, the CEO has indicated that GPA would be pleased to provide input on development initiatives where relevant. It is recommended that GPA's nomination of membership to the Alliance be kept open.

**Community Membership**

In accordance with Council's resolution, a public expression of interest to participate in the Geraldton Futures Governance Alliance was advertised by the City in the Midwest Times and the Geraldton Guardian newspaper on the following dates:

- 10 January 2013;
- 11 January 2013; and
- 14 January 2013.

This notice was also posted at the CGG Civic Centre, Mullewa Office, Geraldton Library and the Queen Elizabeth II (QE II) Community Centre as well as on the City's website (<http://cgg.wa.gov.au/your-council/consultations>).

Five expressions of interest were received prior to the submission deadline on 28 February 2013. These submissions are as follows:

- i. Jason Smith (of "Everything Geraldton");
- ii. June Saint (of "Small Business Centre, Geraldton");
- iii. Darren Lee (of "Market Creations");
- iv. Victor Broido (of "DigiDNA Australia"); and
- v. Andrew Outhwaite (of "Pollinators").

Further particulars of these expressions of interest are included as a confidential attachment for councillors' information.

**Submissions**

Council has received one submission regarding the establishment of the Committee from *Pollinators* which suggested that the composition of community representatives in the Alliance should be raised to "at least 5 members".

**COMMUNITY CONSULTATION:**

A briefing was provided to the Economic Alliance on Wednesday, 31 October 2012 and a subsequent briefing to the Mid-West Development Commission on Wednesday, 14 November 2012.

Public submissions and expressions of interest were sought in the Mid-West Times and the Geraldton Guardian and in various sites around Geraldton and Mullewa.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

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**STATUTORY IMPLICATIONS:**

Section 5.8 of the Local Government Act allows Council to establish committees of three or more person to assist Council.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial or budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- Goal 2: Opportunities for Prosperity.
- Outcome 2.2: Greater Geraldton as a major regional centre.
- Strategy 2.2.4: Partner with local key stakeholders and alike regional cities to position Geraldton as a major Western Australian and Australian regional city centre of influence.
- Goal 5: Leading the Opportunities.
- Outcome 5.2: Citizen and stakeholder focused services.
- Strategy 5.2.3: Actively utilise technology to support engagement and reporting of processes.

**Regional Outcomes:**

Members of the Committee are committed to proactively providing leadership, promotion and advocacy of the importance of adopting clear economic and digital future strategies, with effective implementation management and digital project management that contributes to the City's future legacy and empowers the region as a leader in the global knowledge economy.

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

The Committee supports the broadening of the City and the Region's economic and employment base, by providing effective leadership and actions that encourage collaborative work on all related projects and disciplines. The Committee also promotes and encourages local businesses and individuals to become part of the digital economy and raises awareness of the benefits of incorporating new digital technology and broadband connectivity to transform business practices and lifestyle.



**Social:**

The Committee is to provide strategic consultation and insight into a range of digital community related programs, e.g., Digital Hubs and free public Wi-Fi in order to help the local community expedite their pathways to an improved digital future.

**Environmental:**

The Committee supports the City's vision of becoming an environmentally sustainable, carbon-neutral region through deployment of new digital technology and smart energy network infrastructure.

**Cultural & Heritage:**

The Committee encourages greater collaboration and utilisation of digital media channels to further promote the development of the local cultural, arts and tourism industries, both locally and internationally.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT ESTABLISH the Greater Geraldton Futures Governance Alliance as a Committee of Council; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER the adoption of the Greater Geraldton Futures Governance Alliance as a Committee of Council; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Council.

**Option 4:**

That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ESTABLISH The Greater Geraldton Futures Governance Alliance as a Committee of Council;
2. SET the Terms of Reference for the Committee as;
  - i. strategic approach to the economic development of Greater Geraldton;
  - ii. review, facilitate and implement the recommendations of the Geraldton Digital Strategy, Geraldton City Centre Vibrancy Strategy, IBM Smarter Cities Report 2012;
  - iii. promote Geraldton as the regional centre and their leadership role in development of the area;
  - iv. review, facilitate and implement a coordinated marketing and promotion of Geraldton, focusing on economic development, tourism and recruitment to the region;
  - v. review and facilitate an integrated approach to tourism;
  - vi. review and facilitate the integration of economic development information; and
  - vii. to review, investigate and recommend to Council options to include transitioning the Alliance into a separate incorporated body. Examples include Townsville Enterprise, Geelong G21, Greater Bunbury Economic Alliance, and Wellington Economic Alliance;
3. APPOINT the following as stakeholder membership of the Committee:
  - i. Cr Neil McIlwaine, Deputy Mayor City of Geraldton with Cr .....as a proxy;
  - ii. Leonie Noble, Deputy Chair Regional Development Australia Mid West Gascoyne with Alan Bradley as proxy;
  - iii. Deputy Chair, Mid West Chamber of Commerce and Industry and proxy – to be confirmed;
  - iv. Leanne Sice, Deputy Chair Durack Institute of Technology and Bert Beevers as proxy;
  - v. Andrew Pitcher Deputy Chair Mid West Development Commission with Gavin Treasure as proxy;
  - vi. Deputy Chair, Geraldton Port Authority and proxy;
4. INCREASE the number of community membership positions in the Committee from 3 to 5 members;
5. APPOINT the following as community membership of the Committee:
  - i. ....
  - ii. ....
  - iii. ....
  - iv. ....
  - v. ....
6. AFFIRM the Chair is to be selected from the Community membership, based on the recommendation of the Committee.

**CONCLUSION:**

The formation of the Greater Geraldton Futures Governance Alliance Committee will enable the City to actively monitor progress in moving toward the implementation of the Digital Strategy, the City Vibrancy Strategy and the IBM Smarter Cities report.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ESTABLISH The Greater Geraldton Futures Governance Alliance as a Committee of Council;
2. SET the Terms of Reference for the Committee as;
  - i. strategic approach to the economic development of Greater Geraldton;
  - ii. review, facilitate and implement the recommendations of the Geraldton Digital Strategy, Geraldton City Centre Vibrancy Strategy, IBM Smarter Cities Report 2012;
  - iii. promote Geraldton as the regional centre and their leadership role in development of the area;
  - iv. review, facilitate and implement a coordinated marketing and promotion of Geraldton, focusing on economic development, tourism and recruitment to the region;
  - v. review and facilitate an integrated approach to tourism;
  - vi. review and facilitate the integration of economic development information;
  - vii. to review, investigate and recommend to Council options to include transitioning the Alliance into a separate incorporated body. Examples include Townsville Enterprise, Geelong G21, Greater Bunbury Economic Alliance, and Wellington Economic Alliance;
3. APPOINT the following as stakeholder membership of the Committee :
  - i. Cr Neil McIlwaine, Deputy Mayor City of Geraldton with Cr .....as a proxy;
  - ii. Leonie Noble, Deputy Chair Regional Development Australia Mid West Gascoyne with Alan Bradley as proxy;
  - iii. Deputy Chair, Mid West Chamber of Commerce and Industry and proxy – to be confirmed;
  - iv. Leanne Sice, Deputy Chair Durack Institute of Technology and Bert Beevers as proxy;
  - v. Andrew Pitcher Deputy Chair Mid West Development Commission with Gavin Treasure as proxy;
  - vi. Deputy Chair, Geraldton Port Authority and proxy;
4. APPOINT the following as community membership of the Committee:
  - i.....;
  - ii.....;
  - iii.....; and
5. AFFIRM the Chair is to be selected from the Community membership, based on the recommendation of the Committee.

*Cr Gabelish nominated Cr R Ashplant as the proxy and no other nominations were received.*

*Cr Ashplant nominated the following community members:*

- i. Darren Lee;
- ii. June Saint; and
- iii. Victor Broido.

*Cr deTrafford nominated the following community members*

- i. Darren Lee;
- ii. Andrew Outhwaite; and
- iii. Jason Smith.

*Being there were more nominations than vacancies, a secret ballot was held. C Wood and B Davis were the Returning Officers.*

### **COUNCIL DECISION**

#### **MOVED CR MCILWAINE, SECONDED CR VAN STYN**

**That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:**

- 1. ESTABLISH The Greater Geraldton Futures Governance Alliance as a Committee of Council;**
- 2. SET the Terms of Reference for the Committee as;**
  - i. strategic approach to the economic development of Greater Geraldton;**
  - ii. review, facilitate and implement the recommendations of the Geraldton Digital Strategy, Geraldton City Centre Vibrancy Strategy, IBM Smarter Cities Report 2012;**
  - iii. promote Geraldton as the regional centre and their leadership role in development of the area;**
  - iv. review, facilitate and implement a coordinated marketing and promotion of Geraldton, focusing on economic development, tourism and recruitment to the region;**
  - v. review and facilitate an integrated approach to tourism;**
  - vi. review and facilitate the integration of economic development information;**
  - vii. to review, investigate and recommend to Council options to include transitioning the Alliance into a separate incorporated body. Examples include Townsville Enterprise, Geelong G21, Greater Bunbury Economic Alliance, and Wellington Economic Alliance;**
- 3. APPOINT the following as stakeholder membership of the Committee :**
  - i. Cr Neil McIlwaine, Deputy Mayor City of Geraldton with Cr Ron Ashplant as a proxy;**
  - ii. Leonie Noble, Deputy Chair Regional Development Australia Mid West Gascoyne with Alan Bradley as proxy;**

- iii. Deputy Chair, Mid West Chamber of Commerce and Industry and proxy – to be confirmed;
- iv. Leanne Sice, Deputy Chair Durack Institute of Technology and Bert Beevers as proxy;
- v. Andrew Pitcher Deputy Chair Mid West Development Commission with Gavin Treasure as proxy;
- vi. Deputy Chair, Geraldton Port Authority and proxy;
4. APPOINT the following as community membership of the Committee:
  - i. Darren Lee;
  - ii. Andrew Outhwaite;
  - iii. Jason Smith; and
5. AFFIRM the Chair is to be selected from the Community membership, based on the recommendation of the Committee.

**CARRIED BY ABSOLUTE MAJORITY 14/0**

OP0033 AMENDMENTS TO CP015 CODE OF CONDUCT FOR ELECTED MEMBERS
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<b>AGENDA REFERENCE:</b>	<b>D-13-16498</b>
<b>AUTHOR:</b>	<b>D Granville, Manager Organisational Development</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>1 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/14/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council's approval of the amended Council Policy CP015 Code of Conduct for Elected Members.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Code of Conduct for Elected Members provides guidance on the conduct to be observed by elected members. The Code of Conduct for Elected Members was endorsed by Council at the August 2012 Council Meeting, however the City has reviewed the Code and amended it to ensure compliance with the Local Government (Administration) Regulations 1996.

There are three important changes required to the Code of Conduct for Elected Members. These include:

1. Under section 7.2 (i) and (ii), the term "an activity involving local government discretion" has been added to ensure consistency with section 34B *Local Government (Administration) Regulations 1996*.
2. A definition for "**Activity involving local government discretion**" has been added to the definitions section; and
3. The Code of Conduct must state that the CEO maintains a register of notifiable gifts.

**COMMUNITY CONSULTATION:**

There has been no community consultation on this matter.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation on this matter.

**STATUTORY IMPLICATIONS:**

The Local Government Act 1995 section 5.103 states that every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

**POLICY IMPLICATIONS:**

This policy has been reviewed and amended.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 5: Leading the Opportunities.

Outcome 5.1: Leadership and Good Governance

Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks.

**Regional Outcomes:**

There are no regional outcomes from the consideration of this matter.

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

There are no economic impacts associated with this matter.

**Social:**

There are no economic impacts associated with this matter.

**Environmental:**

There are no economic impacts associated with this matter.

**Cultural & Heritage:**

There are no economic impacts associated with this matter.

**RELEVANT PRECEDENTS:**

There are no relevant precedents associated with this matter.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT ENDORSE the amendments to CP015 Code of Conduct for Elected Members; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority under section 5.20 of the Local Government Act RESOLVES to:

1. ENDORSE the amendments to CP015 Code of Conduct for Elected Members with the following changes:
  - a. To be determined by Council;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

This policy reflects the City's commitment to ensuring best practice governance principles are applied and that councillors observe a high level of conduct as elected members.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT the amended CP015 Code of Conduct for Elected Members.

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

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

1. ADOPT the amended CP015 Code of Conduct for Elected Members.

**CARRIED 14/0**



OP0034 CP057 SMARTER CITY POLICY & IBM SMARTER CITIES REPORT 2012
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<b>AGENDA REFERENCE:</b>	<b>D-13-16564</b>
<b>AUTHOR:</b>	<b>R Smallwood, Manager Economy, Innovation and Technology</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>IT/9/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (1) Confidential</b>

**SUMMARY:**

This report recommends the adoption of the Smarter Cities Policy for final approval.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

At the Ordinary Meeting of Council on 18 December 2012, Council resolved the following motion:

*MOVED CR ASHPLANT, SECONDED CR MIDDLETON*

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

- 1. ADOPT the CP057 Smarter Cities Policy and advertise it for a period of 42 days;*
- 2. ADOPT for final approval the Policy & Report should no objections be received during the advertising period; and*
- 3. REQUIRE a further report to be presented to Council should there be any objections received during the advertising period.*

*CARRIED 15/0*

These submissions are made in support and to complement the Greater Geraldton Smarter City Policy and IBM Smarter Cities Report presented to Council on 18 December 2012. It is recommended therefore these suggestions should be taken into consideration when implementing the strategy.

**COMMUNITY CONSULTATION:**

Public comment on the draft Smarter City Policy and IBM Smarter Cities Report was advertised by the City in the Midwest Times and the Geraldton Guardian newspapers on the following dates:

- 10 January 2013;
- 11 January 2013;
- 7 February 2013, and;
- 8 February 2013.

This notice was also posted at the CGG Civic Centre, Mullewa Office, Geraldton Library, the Queen Elizabeth II (QE II) Community Centre, as well as on the City's website (<http://cgg.wa.gov.au/your-council/consultations>). The submission period closed on 20 February 2013.

No objection but one positive response was received during the 42 days of advertising period. This response is summarised below.

Pollinators:

Pollinators supports the recommendations made in the Smarter City Policy and IBM Smarter Cities Report and suggested additional components for further consideration. These include:

- Invest in support and infrastructure for local creators of content, applications and hardware. The findings of much of the research and of practical experience is that these industries require support (mentoring, networks) and investment (seed funding, pilot funding, commercialisation support) and that this is critical to the success of growing digital economies;
- Support the development of a digital industries cluster. Clusters of similar organisations have proven to be effective in accelerating the development of individual businesses and whole industries;
- Host major national or international events such as *OzApps* awards, *Startup Weekend*, or *Creative Emergence Festival* that invite competition and celebration around development of Digital Technology;
- Identify and recruit technology companies to establish a presence in the Midwest and provide incentives for their employees to locate here. Pollinators have members; City Hive has tenants and people in global networks that have or will choose to move their technology businesses to Geraldton because of the unique lifestyle and high-speed connectivity.

The submission from Pollinators is attached for councillors' information.

Public submission was sought in the Geraldton Guardian and Mid West Times and various locations in Geraldton and Mullewa.

**COUNCILLOR CONSULTATION:**

There has been no councillor consultation on this item.

**STATUTORY IMPLICATIONS:**

There are no statutory Implications.

**POLICY IMPLICATIONS:**

This is a new policy.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Relevant actions and priorities will be considered for funding during the budget process. Inclusion in the policy does not assure or commit the funding.

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## **STRATEGIC & REGIONAL OUTCOMES:**

### **Strategic Community Plan Outcomes:**

Goal 2:	Opportunities for Prosperity
Outcome 2.1:	A diverse sustainable, economic and employment base.
Strategy 2.2.4:	Encourage youth and indigenous economic and employment opportunities.
Outcome 2.2:	Greater Geraldton as a major regional centre.
Strategy 2.2.4:	Partner with local key stakeholders and alike regional cities to position Geraldton as a major Western Australian and Australian regional city centre of influence.
Goal 3:	Opportunities for Creativity
Outcome 3.2:	A community that attracts creative people through nurturing creative industries.
Strategy 3.2.1	Leverage the National Broadband Network (NBN) to enable and elevate creative industries.
Goal 5:	Leading the Opportunities
Outcome 5.2:	Citizen and stakeholder focused services
Strategy 5.2.3:	Actively utilise technology to support engagement and reporting of processes.

### **Regional Outcomes:**

This report sets out a roadmap for the City of Greater Geraldton to achieve its City-Region Vision of becoming “a creative city-region which has a prosperous, diverse and sustainable community within an attractive Western Australian setting”.

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

### **Economic:**

There are positive economic outcomes to be derived with the implementation of the report’s recommendation. These outcomes include:

- Sustainable growth by capitalising on city’s abundant renewable energy sources and economic opportunities;
- Encourage innovative short and medium term initiatives using digital resources to enhance way of life;
- Leverage digital technology to boost the local arts and tourism industry; and

- Open to innovative strategies to support the vision of a carbon-neutral region.

**Social:**

There is a possibility of significant social outcomes with the implementation of the report's recommendations. These recommendations include:

- Create the foundation for a "Digital Geraldton" – of which include the provision of free public WIFI network access at main Central Business District (CBD) area in Geraldton and Mullewa; and
- Create smart digital services, community hub and digital youth hub to enable the diverse community groupings to adapt and take advantage of the digital future and to improve quality of life through digital services.

**Environmental:**

The report also aspires for Geraldton to be a carbon-neutral region. The report recommends the setting up of Smart Energy Hub and virtual power plant which focus on providing integrated and intelligent technologies for better management of energy, water and waste. This would also allow the City of Greater Geraldton to become more energy efficient, affordable and sustainable economically and environmentally.

**Cultural & Heritage:**

The City could leverage off smart digital channels to promote and enhance tourism experience, arts, culture and heritage understanding of Greater Geraldton.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT ADOPT the CP057 Smarter Cities Policy and the IBM Smarter Cities Strategy Report; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Councillors.

**Option 3:**

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

1. DEFER the adoption of CP057 Smarter Cities Policy and the IBM Smarter Cities Strategy Report; and
2. MAKES the determination on the grounds that:
  - a. To be determined by Councillors.

**CONCLUSION:**

In line with the vision of the IBM Smarter Cities Challenge initiative, the City of Greater Geraldton Policy for a Smarter City presents key principles to facilitate the development and sustainability of a Smart City initiative for the benefit of its population and economy through smart application of information technologies and digital media.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT for final approval the CP057 Smarter Cities Policy and the IBM Smarter Cities Strategy Report.

**COUNCIL DECISION****MOVED CR VAN STYN, SECONDED CR BRICK**

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

1. ADOPT for final approval the CP057 Smarter Cities Policy and the IBM Smarter Cities Strategy Report.

**CARRIED 14/0**

OP0035 CP056 GREATER GERALDTON DIGITAL FIRST POLICY & STRATEGY
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<b>AGENDA REFERENCE:</b>	<b>D-13-16574</b>
<b>AUTHOR:</b>	<b>R Smallwood, Manager Economy, Innovation and Technology</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>IT/9/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (2) Confidential</b>

**SUMMARY:**

This report recommends the adoption for final approval of the Greater Geraldton Digital First Policy and Strategy.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

At the Ordinary Meeting of Council on 18 December 2012, Council resolved the following motion:

*MOVED CR GABELISH, SECONDED CR MIDDLETON  
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:*

1. *ADOPT CP056 Digital First Policy and Strategy for the City of Greater Geraldton and the Mid West Region Report as a draft and advertise it for a period of 42 days;*
2. *ADOPT for final approval the Policy and Report should no objections be received during the advertising period; and*
3. *REQUIRE a further report to be presented to Council should there be any objections received during the advertising period.*

CARRIED 14/1

**COMMUNITY CONSULTATION:**

Public submission was sought in the Geraldton Guardian and Mid West Times and various locations in Geraldton and Mullewa.

Public comment on the draft Digital First Policy and Strategy Report was advertised by the City in the Midwest Time and the Geraldton Guardian newspaper on the following dates:

- 10 January 2013;
- 11 January 2013;
- 31 January 2013, and;
- 1 February 2013.

This notice was also posted at the CGG Civic Centre, Mullewa District Office, Geraldton Library, the Queen Elizabeth II (QE II) Community Centre, as well as on the City's website (<http://cgg.wa.gov.au/your-council/consultations>). The submission period closed on 20 February 2013.

No objections and two positive responses were received during the 42 days of the advertising period. These responses are summarised below.

Pollinators

*Pollinators* support the recommendations made in the Greater Geraldton Digital First Policy and Strategy and suggested additional components for further consideration. These include:

- Council to work in partnership with other local governments around Australia and overseas who are adopting similar strategies or can share lessons learned;
- Council to work closely with existing content and platform developers such as *GDTV* and *EverythingGeraldton.com* rather than create its own, separate "*Geraldton App*";
- *Pollinators* has proposed a pilot use of City Hive after hours as a Youth Space and Council should support extension of this concept into a Digital Youth Hub and allocate funding to the initiative beyond the initial pilot;
- Council to promote the use of technology to solve pressing economic, social, cultural and environmental challenges.

The submission from "*Pollinators*" is attached for councillors' information.

Everything Geraldton

*Everything Geraldton's* additional comments and thoughts on the Greater Geraldton Digital First Policy and Strategy include:

- Create "MyGeraldton" digital services – suggestion to have continuing discussions and explore ways to assist the City with its goals of connecting with the people of Geraldton;
- Create a Smart Energy Hub – suggestion to increase the uptake of kerbside recycling, which is necessary to set the cultural foundation of recycling and energy reduction importance;
- Develop innovative opportunities – suggestion to leverage on *Everything Geraldton* website and mobile applications to showcase Geraldton's local retail services, local events, local content creations and local tourism industry internationally.

The submission from "*Everything Geraldton*" is attached for councillors' information.

These submissions are made in support and to complement the Greater Geraldton Digital First Policy and Strategy Report presented to Council on 18 December 2012. It is recommended therefore these suggestions should be taken into consideration when implementing the strategy.

**COUNCILLOR CONSULTATION:**

There has been no Councillor consultation on this item.

**STATUTORY IMPLICATIONS:**

There are no statutory Implications.

**POLICY IMPLICATIONS:**

This is a new policy.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Relevant actions and priorities will be considered for funding during the budget process. Inclusion in the policy does not ensure or commit the funding.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 2:	Opportunities for Prosperity.
Outcome 2.2:	Greater Geraldton as a major regional centre.
Strategy 2.2.4:	Partner with local key stakeholders and alike regional cities to position Geraldton as a major Western Australian and Australian regional city centre of influence.
Goal 3:	Opportunities for Creativity.
Outcome 3.2:	A community that attracts creative people through nurturing creative industries.
Strategy 3.2.1:	Leverage the National Broadband Network (NBN) to enable and elevate creative industries.
Goal 5:	Leading the Opportunities.
Outcome 5.2:	Citizen and stakeholder focused services.
Strategy 5.2.3:	Actively utilise technology to support engagement and reporting of processes.

**Regional Outcomes:**

Complementing the “*IBM Smarter Cities Challenge – City of Greater Geraldton Report*”, this Digital Strategy also recommends strategies that propel the City and the Mid West Region towards becoming a vibrant, prosperous and sustainable city where people and businesses confidently use digital technology to enrich the way they live, work, learn, create and connect. The report also positions Geraldton on the global stage to be recognised as an exemplar for small, regional cities around the world.



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

This digital strategy outlines goals and initiatives to encourage Geraldton and the Mid West's existing businesses to embrace digital technologies to grow their market share and to improve their productivity.

**Social:**

The way the City engages, communicates and interacts with local businesses and the community will be transformed by the ubiquity of digital communication tools, e.g., social networks.

**Environmental:**

The report supports recommendations made in the *"IBM Smarter Cities Challenge – City of Greater Geraldton Report"* to enable Geraldton becoming an environmentally- sustainable, carbon-neutral region.

**Cultural & Heritage:**

The digital strategy sets out to transform Geraldton and the Mid West to become a more vibrant place, with the innovative but sensitive use of technology to enhance the experience of being in the city and surrounding regional towns.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT ADOPT the CP056 Digital First Policy and Strategy for the City of Greater Geraldton and the Mid West Region as policy and strategy; and
2. MAKES the determination on the following grounds:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER the adoption of CP056 Digital First Policy and Strategy for the City of Greater Geraldton and the Mid West Region as policy and strategy; and
2. MAKES the determination on the following grounds:
  - a. To be determined by Council.

**CONCLUSION:**

The City has been active in the development and execution of plans to improve economic and social outcomes for the community. The Digital First Policy and the Digital Strategy are not to be considered in isolation from those plans and actions. They are a synthesis of other inputs and will become a key component of and input to future plans and actions undertaken to advance the City and Region.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT for final approval the CP056 Digital First Policy and Digital Strategy for the City of Greater Geraldton and the Mid West Region.

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

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

1. ADOPT for final approval the CP056 Digital First Policy and Digital Strategy for the City of Greater Geraldton and the Mid West Region.

**CARRIED 14/0**

**TF047 SELF-SUPPORTING LOAN POLICY**

<b>AGENDA REFERENCE:</b>	<b>D-13-09289</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager Strategic Business Planning</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Treasury &amp; Finance</b>
<b>DATE OF REPORT:</b>	<b>2013</b>
<b>FILE REFERENCE:</b>	<b>FM/13/0007</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council approval for a new policy CP059 Self-Supporting Loans to Community/Sporting Groups.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The City receives request from community/sporting clubs to provide Self-Supporting Loan Facilities for various purposes. Generally, these purposes are in the nature of a capital outlay.

With the introduction of new financing standards and regulated borrowing limits, Councils as part of their Long Term Financial Planning must be mindful of the impacts of providing Self-Supporting Loan Facilities in relation to their own debt financing structure and borrowing capacity.

This policy seeks to ensure that the City achieves and maintain the standards and indicators as set by the Department of Local Government and those contained within the City's Financial Sustainability Policy.

**COMMUNITY CONSULTATION:**

There has been no community consultation on this matter.

**COUNCILLOR CONSULTATION:**

There has been no councillor consultation on this matter.

**STATUTORY IMPLICATIONS:**

Section 3.18 of the Local Government Act 1995 relating to the adoption of policies by Council.

Section 6.20 of the Local Government Act 1995 relating to the borrowing of monies.

**POLICY IMPLICATIONS:**

This agenda item is proposing a new Council Policy.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The following are the City's current debt measuring indicators and associated standards that are applied.

***Debt Service Coverage Ratio:***

Current CGG 2012-13 = 3.4

Department of Local Government Standards – Less than 2 standard not met

- Base standard between 2 & 5
- Advanced standard greater than 5.

***Debt Service Ratio:***

Current CGG 2012-13 = 6.83%

City's Financial Sustainability Policy Standard – no greater than 10%.

***Indebtedness Ratio:***

Current CGG 2012-13 = 0.34%

City's Financial Sustainability Policy Standard – no greater than 0.4%

Currently, the principal outstanding on existing Self-Supporting Loans (SSL) totals \$664,144. This equates to 3.53% of the total principal outstanding on all loans. The 2012-13 SSL debt service costs are budgeted to be \$124,121 and this represents in percentage terms 0.33 of rates revenue.

While currently the above debt measuring indicators for the City sit well within acceptable target levels, the requirement on the City to finance major infrastructure projects (Karoo-Wandina BBRC & West End Revitalisation) and land developments (Olive St & Airport Technology Park) over the next two years will see these indicators shift closer to less tolerable target levels.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- |                 |   |
|-----------------|---|
| Goal 5:         | Leading the Opportunities                       |
| Outcome 5.4:    | Efficient and Effective business systems        |
| Strategy 5.4.4: | Continuous improvement of policy and procedures |

**Regional Outcomes:**

There are no regional outcomes related to this proposal.

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

There are no economic impacts with this proposal.

**Social:**

There are no social impacts with this proposal.

**Environmental:**

There are no environmental impacts with this proposal.

**Cultural & Heritage:**

There are no cultural and heritage impacts with this proposal.

**RELEVANT PRECEDENTS:**

Previously, Council would make determination on individual applications based on Officer's assessments and recommendations and/or via annual budget deliberations.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DECLINE to adopt CP059 Self-Supporting Loans to Community/Sporting Groups Policy; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

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

1. DEFER the adoption of CP059 Self-Supporting Loans to Community/Sporting Groups Policy; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

This policy establishes a framework aligned to financial standards and indicators in the determination of the City's capacity to provide financial assistance to community and sporting groups by way of self-supporting loan facilities. The policy also provides criteria and guidelines for eligibility and assessment of individual applications.

**EXECUTIVE RECOMMENDATION:**

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

1. ADOPT Council Policy Number 059 Self-Supporting Loans to Community/Sporting Groups.

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

That council by Simple Majority, in accordance with section 3.18 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the Council Policy Number CP 059 Self Supporting Loans to Community/Sporting Groups as a draft and advertise it for a period of 30 days;
2. ADOPT for final approval the Policy should no objections be received during the advertising period; and
3. REQUIRE a further report to be presented to council should there be any objections received during the advertising period.

**CARRIED 14/0**

SC090	PROPOSED MODEL FOR MUNICIPAL SERVICES TO KARDALOO COMMUNITY
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<b>AGENDA REFERENCE:</b>	<b>D-13-14924</b>
<b>AUTHOR:</b>	<b>G W M Chadwick, Manager Environmental Health and Sustainability</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>29 November 2012</b>
<b>FILE REFERENCE:</b>	<b>PH/10/0008</b>
<b>APPLICANT / PROPONENT:</b>	<b>City Of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

Council at its meeting dated 18 December 2012 made the following decision:

1. *DEFER making any in principle commitment to the proposed service delivery model outlined in the case study.*
2. *MAKES the determination based on the following reason:*
  - a. *To engage broader consultation with MEEDAC corporation on its sustainability, viability and if it will have an impact on them.*

The City consulted directly with MEEDAC's CEO, Adrian Donovan regarding the above determination and has incorporated the outcome of that consultation in this report under the section community consultation.

This report seeks Council's in principle endorsement of the proposed service delivery model and commitment to include the Kardaloo community in its Community Strategic Plan.

**PROponents:**

The City's Manager Environmental Health and Sustainability has been liaising with Ms Kelly McIntyre, Indigenous Communities Development Officer of DLG and Ms Erin Fuery, Senior Community Policy Adviser of WALGA.

The City wrote to the Kardaloo Aboriginal Corporation and the Aboriginal Lands Trust in December 2012 and has again written to the Kardaloo Aboriginal Corporation seeking an invitation to visit the Community on 26 March 2013. The Manager Environmental Health and Sustainability has spoken over the phone with the current chair Mr Robert Lockyer regarding the scheduled visit to obtain residents permission for a tour of the land by Councillors and City staff.

**BACKGROUND:**

On the 24 May 2012 the City accepted an invitation from the Department of Local Government (DLG) to participate in a case study of their municipal service delivery planning for LGA's and Aboriginal communities.

The Scope of the study aims to:

1. Support the State commitments made in the National Partnership Agreement on Remote Indigenous Housing (NPARIH) to develop a proposal to define the roles, responsibility and funding of municipal

service delivery to Aboriginal communities by the local government sector; and the timeframes required if responsibility was transferred.

2. Resolve the issues identified by the Local government sector in the 8 March 2012 Communique to the Western Australian State Government on the Future Local Government Service Delivery to Aboriginal Communities.

A briefing note with several attachments was presented to the Councillors Concept Forum held on 6 November 2012 explaining the case study and verbal answers provided to some Councillor queries.

**COMMUNITY CONSULTATION:**

The following comments were received on 18 February 2013 through consultation with the CEO of MEEDAC Inc.

- MEEDAC Inc. administers MUNS in six sites in WA including Midwest and Goldfields areas.
- If the City were to administer one of these sites i.e. at Kardaloo it would have little impact on the viability of administering the others. If it were to lose more sites it could have an impact.
- It is suggested that if the City is responsible for MUNS it should not subcontract this responsibility.
- Local Governments would ordinarily be more prepared to carry out municipal services as they have access to required equipment such as road graders, rubbish trucks, landfill facilities, emergency service arrangements etc. In addition to other services such as Rangers, Environmental Health and others.

A copy of correspondence from MEEDAC Inc received on 20 March 2013, is attached as Attachment No. SC090C to this agenda report advising the City of its support for the service delivery model as a trial with the Kardaloo Community.

**COUNCILLOR CONSULTATION:**

Following the concept forum meeting of 6 November 2012 the Manager Environmental Health and Sustainability, Director Sustainable Communities and the Mullewa District Office Manager met with Councillors Nino Messina and Tarleah Thomas in Mullewa to discuss the draft service delivery proposal. In principal the meeting outcome was supportive of the service delivery proposal.

A visit to the community occurred with Cr Tarleah Thomas being introduced to Mr Bill Pearce and a further visit is scheduled ahead of the Council meeting on 26 March 2013.

**STATUTORY IMPLICATIONS:**

The Local Government Act 1995 requires that the City is responsible for providing services to all its residents within its municipality and considers the needs of all its citizens in its community strategic plan.



The Kardaloo community is situated within the City municipal boundary, on land owned by the Aboriginal Lands Trust and is leased to the Kardaloo Aboriginal Corporation. The community currently receives potable water and power services under the Remote Area Essential Services Program (RAESP) funded by the Commonwealth and maintained by Pilbara Meta Maya based in Port Hedland. Housing provision and maintenance is managed by Department of Housing, whilst municipal services (to the extent of rubbish collection, environmental health, and emergency services) are funded by the Commonwealth (through FaHCSIA Municipal Services (MUNS) program) and WA Department of Health through a fixed term grant agreement with the City.

Legislation potentially impacting on the provision of municipal services includes the Health Act 1911, Dog Act 1976, Bush Fire Act, Cat Act 2011, Litter Act, and Emergency Management Act 2005.

The City is responsible for emergency management arrangements to include Kardaloo. This issue was raised at the Local Emergency Management Meeting in November and again on 27<sup>th</sup> December 2013 and agreement that Kardaloo be included in the arrangements for the Mullewa district within the City of Greater Geraldton arrangements.

Regional Plans relating to the Kardaloo community include: State Planning Strategy, Statement of Planning Policy No. 13 and Guidelines for the Preparation of Community Layout Plans for WA Aboriginal Communities.

The Shire of Mullewa Local Planning Strategy (draft) contains direct reference to Kardaloo regarding the requirement to carry out appropriate future land use and development appraisals.

**POLICY IMPLICATIONS:**

The City's Towards Sustainability Policy Framework and Interim Community Strategic Plan are relevant as they include issues that impact on the Kardaloo community.

The previous Shire of Mullewa resolved at its Council meeting on April 2007 in relation to the Draft Wandanooka (Kardaloo) Community Layout Plan that:

*"Land tenure relationships require to be formalised and responsibilities under the lease addressed.*

*"The progress towards meeting the objectives by the incorporated body needs to be established prior to any further development of the site.*

*"Although the draft shire of Mullewa local planning strategy recognises the Wandanooka aboriginal community there needs to be some requirement to ensure that the current developments be brought up to an acceptable standard regarding housing, waste disposal, environmental health and adherence to existing maintenance and service agreements.*

*“Prior to suggesting local government support for services, it needs to be recognised that the draft shire of Mullewa local planning strategy discourages growth of towns other than Mullewa to ensure efficient and effective use of council resources*

The updated Municipal Service Delivery Case Study has addressed these issues raised by the previous Shire of Mullewa, providing information about the land tenure, incorporation of Kardaloo into local planning strategies and emphasising that service delivery agreement is reliant upon no growth occurring in the community. Refer to Attachment No. SC090A for more information. The objectives of the incorporation are included in attachment A, that was previously circulated in the briefing note in December 2012 and again in the subsequent briefing note following the Council Agenda Forum on 19 March 2013.

The case study will also assist to inform Commonwealth policy and a State strategy regarding future municipal services arrangements and infrastructure investment for remote communities in Australia.

#### **FINANCIAL AND BUDGET IMPLICATIONS:**

The case study has allowed the City to identify operating and capital costs for the delivery of municipal services to Kardaloo community. The potential costs for these services are included in Attachment No. SC090B.

The City would prefer any capital item funding be provided and infrastructure developed prior to the City assuming service delivery responsibility. In addition, the provision of operational funding would be through service level agreements with relevant external funding providers or users and provided on a permanent recurrent funding basis. Currently the owner, ALT is categorised by the City as Exempt from paying rates and ESL. This is based on legal advice obtained by the City in 2005, however this advice is to be reviewed by DLG based on new information it identified on the ALT website regarding rates, fees and charges on ALT owned land.

#### **STRATEGIC & REGIONAL OUTCOMES:**

##### **Strategic Community Plan Outcomes:**

- |                 |  |
|-----------------|--|
| Goal 5:         | Leading the Opportunities.                                       |
| Outcome 5.2:    | Citizen and stakeholder focussed services.                       |
| Strategy 5.2.1: | Ensure economical, efficient and effective delivery of services. |

**Regional Outcomes:**

This item has potential to contribute towards regional, state and federal outcomes. In particular, the case study demonstrates leadership in the region for those LGA's determined to provide equitable service delivery for all its citizens. Should municipal services become a responsibility of the City it will likely lead to stronger association with state and federal agencies addressing issues affecting indigenous affairs in remote communities and future funding opportunities needed to address them and associated benefits to the wider community.

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

There are economic impacts associated with this item where it concerns the viability of the Kardaloo community to sustain itself from its small scale gardening enterprises, having an economic input into the town of Mullewa and opportunities to be economically sustainable. The community has in the past successfully grown commercial quantities of melons.

**Social:**

There are social impacts relating to this item in that the proposed municipal service delivery will influence positively on the social needs of the community.

**Environmental:**

There are environmental impacts to this item in that the maintaining of the community environment especially for emergency services can have a positive effect on preserving the natural and built environment and capacity for environmental related economic opportunities such as from the low carbon farming initiative.

**Cultural & Heritage:**

Cultural and heritage impacts on the provision of services is that the community has an aboriginal cultural connection to the land and historical significance as a small scale farm.

**RELEVANT PRECEDENTS:**

The City through state government funding and in kind contribution currently provides municipal services to the community through road grading, environmental health, dog health programs, community rubbish clean ups, environmental health training and fire emergency services.

**DELEGATED AUTHORITY:**

There is no delegated authority relevant to participating in the case study, the DLG offered to undertake this work for the City, with a level of in kind assistance from the appropriate business area of the City.

In the event future funding agreements are connected with the delivery of the proposed municipal services, the City's CEO will exercise delegated authority as per the delegations register.

**VOTING REQUIREMENTS:**

Simple Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority under section 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER making any commitment towards the case study to provide municipal services to the Kardaloo community;
2. MAKES the determination based on the following reasons:
  - a. Council considers Kardaloo already has adequate municipal services in place that may continue to be managed by the Commonwealth or Western Australian Governments under existing funding arrangements; and
  - b. The concerns that were raised in April 2007 by the then Mullewa Shire Council, appear not to have been addressed nor likely to be resolved in the proposed municipal services at this time; and
3. MAKES the determination based on the reasons that the success of any proposed service delivery model the following matters should be addressed prior to the City undertaking any municipal service delivery responsibility:
  - a. Formalised land tenure;
  - b. Progress towards meeting the objectives by the incorporated body is established;
  - c. Reported capital improvements are made prior to transferring responsibility to the City; and
  - d. Future potential community population growth to be directed to the Mullewa township.
    - i. Redevelopment of Mullewa housing and community services for the future population needs of the district is a priority action of the existing Community Strategic Plan.

**Option 3:**

That Council by Simple Majority under section 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER making any in principle commitment to the proposed service delivery model outlined in the case study; and
2. MAKE the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

Municipal services are currently being provided to the Kardaloo community partially funded by Commonwealth and State Governments. The City receives a three year cycle grant funding for providing environmental health services to the community (agreement expires 1 July 2013). The City Bush Fire Brigade responds to fires and is considering including Kardaloo in its emergency management arrangements as discussed at the November 2012 LEMC meeting. The City provides road maintenance at no cost to the community.

A case study to develop a proposed service delivery model for municipal services provided by the City has been undertaken, exploring the services to be delivered, business practices to incorporate delivery and the operating and capital costs the City would require to deliver.

The executive recommendation seeks Council's in principle support for the proposed municipal service delivery model for Kardaloo community; and for the proposed model and costings is provided to DLG for incorporation in their bilateral negotiations.

**EXECUTIVE RECOMMENDATION:**

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

1. SUPPORT in principle the proposed municipal service delivery model for the Kardaloo community; and
2. COMMITS to participating in implementing the proposed municipal service delivery model for the Kardaloo community as a trial for two years with no obligation to continue after this period unless agreement is reached between the Council (by Resolution), the landowner and the community corporation to do so.

**COUNCIL DECISION****MOVED CR GABELISH, SECONDED CR ASHPLANT**

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

1. **SUPPORT** in principle the proposed municipal service delivery model for the Kardaloo community; and
2. **COMMITS** to participating in implementing the proposed municipal service delivery model for the Kardaloo community as a trial for two years with no obligation to continue after this period unless agreement is reached between the Council (by Resolution), the landowner and the community corporation to do so.

**CARRIED 12/2**

SC095	MGM PIPELINES PTY LTD (ASIA IRON) EARLY WORKS CONTRIBUTION
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<b>AGENDA REFERENCE:</b>	<b>D-13-19556</b>
<b>AUTHOR:</b>	<b>P Melling, Director of Sustainable Communities / City Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director of Sustainable Communities / City Planner</b>
<b>DATE OF REPORT:</b>	<b>21 March 2013</b>
<b>FILE REFERENCE:</b>	<b>LP/17/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes 2 (1x Confidential)</b>

**SUMMARY:**

An update and possible alternate delivery method for early works within the Verita Road alignment in conjunction with MGM Pipelines PTY Ltd for the Karloo- Wandina Project.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Council at its meeting on 26 February 2013 (Item SC089 refers & attached as Attachment No. SC095A) considered a draft agreement between MGM Pipelines Pty Ltd and the City of Greater Geraldton. Council resolved as follows:

*COUNCIL DECISION*

*MOVED CR RAMAGE, SECONDED CR GABELISH*

PART A:

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

- 1. ENDORSES the draft legal agreement between the City and Housing Authority (including the proposed land exchange); and*
- 2. GIVES notice of its intent pursuant to Section 3.58 of the Local Government Act 1995 to facilitate a land exchange with the Housing Authority in accordance with the attached plan (Plan No. LP/17/0001: Map 1) that is a portion of Lot 318 Scott Road and portion of Lot 9 Verita Road.*

PART B

*That Council by Absolute Majority pursuant to Section 5:42 of the Local Government Act 1995 RESOLVES to:*

- 1. DELEGATE authority to the Chief Executive Officer to finalise and execute the legal agreement between the City of Greater Geraldton and the Housing Authority.*

PART C:

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

*ENDORSE the draft legal agreement between the City and MGM Pipelines Pty Ltd for the slurry pipeline and return water pipe from the City's boundary through to Geraldton Port including pre- construction activities for Verita Road/Ackland Street extension. The agreement to include a community communication plan for the actual pipeline construction works (when they occur in the future) that involves community liaison and contact points for addressing any community concerns associated with the pipeline construction activity.*

PART D

*That Council by Simple Majority pursuant to Section 5:42 of the Local Government Act 1995 RESOLVES to:*

- 1. DELEGATE authority to the Chief Executive Officer to finalise and execute the legal agreement between the City of Greater Geraldton and MGM Pipelines Pty Ltd.*

CARRIED BY ABSOLUTE MAJORITY 14/0

Work is continuing on the final agreement, however at the same time City Officers and representatives of Asia Iron have been involved in extensive discussions on the extent/scope of early works in relation to the contribution by MGM Pipelines Pty Ltd of early forward works within the Verita Road alignment.

It had become evident in the last few days that the early works component would be a far simpler delivery model if the City undertook the works as part of its overall Karloo-Wandina project. The company had been assessing the scope of works and liaising with contractors. The attached schedule has been developed to cover the scope of the works and is included as confidential Attachment No. SC095B.

An alternate proposal was therefore presented to Asia Iron that sought a contribution to the value of the scope of the proposed works by the City in lieu of MGM Pipelines Pty Ltd undertaking the works. The Company supported this methodology.

There is still a need to progress with the agreement with MGM Pipelines as the agreement covers other sections of the pipeline route through the City of Greater Geraldton. There are also replacement conditions required detailing the revised arrangement that would also need to be included.

The confidential Commercial in Confidence Schedule attached as Attachment No. SC095C details the costing's to support the specified amount.

**COMMUNITY CONSULTATION:**

There have been a number of previous planning studies/plans and advertising thereto for the Verita Road alignment and connections thereto. In addition a Community Information evening was held on 04 October 2011 that included plans for Verita Road. There have also been a number of media stories relating to Verita Road, its alignment and ultimate construction and the MGM Pipeline contribution.

It is also intended that there will be further community liaison as the construction components of the project are initiated including the pre-construction works now proposed to be undertaken by the City.

**COUNCILLOR CONSULTATION:**

Briefings to Councillors have taken place on the overall Karloo-Wandina project and the various sub components. These have occurred during the grant application and approval phases. The intended construction of Verita Road has been the subject of discussions and a policy developed and adopted for Verita Road construction contributions. The City also funded a preliminary design exercise for Verita Road to assist in developing the contributions policy/future budget consideration.

**STATUTORY IMPLICATIONS:**

Construction of Verita Road and associated link roads/infrastructure will be undertaken in compliance with Commonwealth, State and Local Laws, policies and approvals. A number of approvals have been sought and will be finalised prior to construction occurring.

**POLICY IMPLICATIONS:**

A number of plans/policies relate to the Verita Road project including:

- Verita Road is identified on the W.A. Planning Commission's Greater Geraldton Structure Plan 2011;
- Portion of the Verita Road Reserve is depicted on the City's Local Planning Scheme No.5;
- Council also adopted the Verita Road Contributions Policy at its meeting in June 2011 to assist in determining contributions from abutting land developers towards the roads construction; and
- The Mid West Investment Plan identifies the Karloo-Wandina Project as a flagship project for the City/ Region.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The City has received approval for two significant grants for the Karloo-Wandina Project:

- \$14 million from the Mid West Investment Plan (Royalties for Regions);
- \$9 million from Building Better Regional Cities (BBRC); and
- City contribution of \$5 million.

In addition, the Department of Housing is intending to progress the subdivision of at least 400 affordable housing lots that will have rebate incentives to reduce the cost of the lot to lower income households.

The project has the potential to ultimately deliver savings for not only for the broader community via the Department of Housing land holdings but also for other developers in the area. This infrastructure project delivers a new road network and infrastructure provision for the area assisting in maintaining affordability over a sustained period. The broader community will also benefit from better accessibility and connectivity between residential areas and workplaces/business.



The City has developed a project budget and the project is identified in the current budget. As detailed design/ tenders progress, it is expected that there will be refinements made to budget expenditure and the contribution from MGM Pipelines will significantly assist the project in meeting its expenditure targets.

## **STRATEGIC & REGIONAL OUTCOMES:**

### **Strategic Community Plan Outcomes:**

Goal 1:	Opportunities for Lifestyle
Outcome 1.3:	Outcome 1.3: A safe, secure and supportive community.
Strategy 1.3.4:	Advocate improvements in housing affordability and access to appropriate housing
Goal 4:	Opportunities for Sustainability
Outcome: 4.2	Improved transport and accessibility
Strategy 4.2.2	Improve our network of urban, rural and regional roads, cycleways, trails and paths

### **Regional Outcomes:**

A project that will provide a significant transformation in the development of Geraldton through the provision of substantially improved road networks and connectivity linking the City's largest suburban areas (Tarcoola, Mount Tarcoola and Wandina) directly to the principal employment centre of the Webberton Light Industrial Area, key community facilities, links to the Geraldton Airport and City Centre and, into the future, directly linking with the expanding Narngulu Industrial and Logistics Area. The development of Verita Road and the connecting roads will also substantially improve road safety and traffic efficiency in the southern suburbs of Geraldton by removing substantial through traffic from existing residential areas and reduce existing and potential intersection conflicts on the Brand Highway as traffic levels continue to increase.

The flow on benefits to the local community in terms of the benefits to the local community in terms of jobs created both in the development and associated housing industry brings in further investment for 10+ years. Each new dwelling brings with it the need for a whole series of trades and services that flow into the broader community. Hundreds of both construction and ongoing jobs will be created, through the development phases of the project to servicing the ongoing needs of the community that ultimately lives in the area.

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

**Economic:**

The flow on benefits to the local community in terms of jobs created both in the development and housing industry brings in further investment for 10+ years. Each new dwelling brings with it the need for a whole series of trades and services that flow in to the broader community. With the stage 1 project alone 400 homes would be accommodated, at an average cost of \$200,000 means a private sector investment of a minimum of \$80 million. By the time the ultimate 1200 lots are developed over \$240 million of investment would have been expended just building homes alone.

**Social:**

With the provision of the proposed road connections and a crossing of the transport corridor the development opportunities for this landholding will be greatly enhanced, enabling staging to be considered at alternative locations, a greater level of amenity for the home buyer and future residents in terms of better access to work, recreation and shopping along with the opportunity for improved public transport links across the suburbs and to the Geraldton City Centre and recreation facilities.

**Environmental:**

There will need to be clearance of vegetation along some sections of the proposed roads and these will be the subject to the Department of Environments clearing requirements. As an offset the City has identified approximately 30ha of land within in Lot 9 that will be protected and rehabilitated for the community.

**Cultural & Heritage:**

There are no known heritage or indigenous impacts identified as part of the research undertaken to date, there is a no indigenous heritage site to the west of the proposed overbridge but this located within the Housing Authority's Structure Plan area and will be protected accordingly.

**RELEVANT PRECEDENTS:**

Council at its meeting on 26 February 2013 adopted the guiding framework that assisted in the negotiation process for the outcome contained in this report.

**DELEGATED AUTHORITY:**

There is no delegated authority relating to this resolution.

**VOTING REQUIREMENTS:**

An Absolute Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority Pursuant to Section 318 of the Local Government Act 1995 RESOLVES to:

1. DECLINE the direct financial contribution option from MGM Pipelines PTY Ltd and continues with the forward works arrangement.
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

Pursuant to Section 318 of the Local Government Act 1995 that Council by Simple Majority RESOLVES to:

1. DEFER consideration of the direct financial contribution offer from MGM Pipelines PTY Ltd.
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The payment by MGM Pipelines for the early works component in the Verita Road alignment potentially reduces several areas that could have posed a risk to the City including potential time delays, contractual obligations of the company's contractors and those of the City contractors relating to finished works/ coordinating staged handover of works etc.

The funding will allow the City to progress the works in a sequential manner, to the required specifications and timelines.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority Pursuant to section 5:42 of the Local Government Act 1995 RESOLVES to:

1. DELEGATE authority to the Chief Executive Officer to negotiate a payment for the cost to undertake the early forward works component of the earthworks within the Verita Road alignment by the City of Greater Geraldton in lieu of MGM Pipelines Pty Ltd undertaking those works for the amount contained in the confidential attachment; and
2. RESOLVES that the revised arrangement in (1) above to be reflected in the legal agreement with MGM Pipelines Pty Ltd (Asia Iron) (and the obligations thereto of the parties), with payment in full to be made by 30 June 2013.

**COUNCIL DECISION****MOVED CR RAMAGE, SECONDED CR MESSINA**

**That Council by Absolute Majority Pursuant to section 5:42 of the Local Government Act 1995 RESOLVES to:**

- 1. DELEGATE authority to the Chief Executive Officer to negotiate a payment for the cost to undertake the early forward works component of the earthworks within the Verita Road alignment by the City of Greater Geraldton in lieu of MGM Pipelines Pty Ltd undertaking those works for the amount contained in the confidential attachment; and**
- 2. RESOLVES that the revised arrangement in (1) above to be reflected in the legal agreement with MGM Pipelines Pty Ltd (Asia Iron) (and the obligations thereto of the parties), with payment in full to be made by 30 June 2013.**

**CARRIED BY ABSOLUTE MAJORITY 14/0**

## 15 OPERATIONAL MATTERS

OP0030 APPOINTMENT OF AUDITORS	
<b>AGENDA REFERENCE:</b>	<b>D-13-15903</b>
<b>AUTHOR:</b>	<b>C Wood, Director of Organisational Performance</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director of Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/11/0004</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

### SUMMARY:

The purpose of this report is to seek Council's endorsement of the appointment of Grant Thornton Audit Pty Ltd as the City's auditors to 30 June 2015.

### PROponent:

The proponent is the City of Greater Geraldton.

### BACKGROUND:

In April 2011 the City of Geraldton-Greenough awarded a three year contract to Grant Thornton Audit Pty Ltd for the audit of the City's financial statements and other audit services. This contract, although awarded prior to the amalgamation, carried over into the City of Greater Geraldton by virtue of Regulation 6(4)(i) of the Local Government (Constitution) Regulations 1998 where a reference in a contract made before 1 July 2011 to the City of Geraldton-Greenough shall be construed as a reference to the "City of Greater Geraldton".

The Department of Local Government has queried the appointment of the auditors as the names of the auditors were not included in the resolution of Council.

Section 7.3 of the Local Government Act requires a local government to "appoint a person, on the recommendation of the audit committee, to be its auditor"

Generally, in legislation, a "person" is construed to mean a natural person or a company (under Section 5 of the Interpretation Act 1984). However, under Section 7.3(3) a local government's auditor must be a person who is

- (a) A registered company auditor; or
- (b) An approved auditor (i.e. a person who is approved by the Minister under Section 7.5).

However, a registered company auditor is a person who is registered as an auditor or taken to be registered as an auditor under Part 9.2 of the Corporations Act. Part 9.2 of the Corporations Act 2001 deals with the

registration as an auditor being a “natural person”. Therefore, for the purposes of Section 7.3 of the Local Government Act, a person appointed by the City to be its auditor must be a natural person.

However, this does not mean that the contract entered into with Grant Thornton Audit Pty Ltd is not valid. It could be argued that the City, in its intention with entering into the contract with Grant Thornton, consistent with the provisions of Section 7.3, was to appoint each of the audit partners with the company to be its auditor. All of the Grant Thornton partners are registered company auditors and therefore each qualifies as a “registered company auditor” for the purposes of Section 7.1 of the Local Government Act.

However, to avoid confusion it would be prudent for the City to clarify its position by resolving that the reference in the Council’s resolution on 5 April 2011 to Grant Thornton is to be taken to be a reference to each of the audit partners of Grant Thornton Audit Pty Ltd.

The Department of Local Government has been advised of the proposed action and, although they would prefer all of the partners’ names and auditor numbers to be listed, the City has been advised that this is not legally required.

**COMMUNITY CONSULTATION:**

There has been no community consultation undertaken for this item however the City’s auditors have been consulted.

**COUNCILLOR CONSULTATION:**

This matter was referred to the Audit Committee meeting of 8 March 2013 and the Committee has endorsed the executive recommendation. Minutes of the Audit Committee meeting are included in the reports to be received.

**STATUTORY IMPLICATIONS:**

Section 7.1 and 7.3 of the Local Government Act state the requirements for appointing the City’s auditor.

**POLICY IMPLICATIONS:**

There are no policy implications associated with this item.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial implications associated with this item.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 5:	Leading the opportunities
Outcome 5.1:	Leadership and good governance
Strategy 5.1.3:	Implement business, governance, legislative and compliance frameworks

**Regional Outcomes:**

There are no regional outcomes from this item.

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

There are no economic issues associated with this item.

**Social:**

There are no social issues associated with this item.

**Environmental:**

There are no environmental issues associated with this item.

**Cultural & Heritage:**

There are no cultural and heritage issues associated with this item.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority

**OPTIONS:****Option 1:**

As per the Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority in accordance with Section 7.3 of the Local Government Act 1995 RESOLVES to:

1. NOT APPOINT each of the audit partners of Grant Thornton Audit Pty Ltd to be an auditor for the City of Greater Geraldton for the term of the contract entered into on 11 April 2011 between Grant Thornton Audit Pty Ltd and the City of Greater Geraldton; and

2. **MAKES** the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

This item is to provide clarification on the appointment of the partners of Grant Thornton Pty Ltd as the City's auditors for the duration of the contract entered into in April 2011.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority in accordance with Section 7.3 of the Local Government Act 1995 **RESOLVES** to:

1. **APPOINT** each of the audit partners of Grant Thornton Audit Pty Ltd to be an auditor for the City of Greater Geraldton for the term of the contract entered into on 11 April 2011 between Grant Thornton Audit Pty Ltd and the City of Greater Geraldton.

**COUNCIL DECISION**

**MOVED CR HALL, SECONDED CR THOMAS**

That Council by Absolute Majority in accordance with Section 7.3 of the Local Government Act 1995 **RESOLVES** to:

1. **APPOINT** each of the audit partners of Grant Thornton Audit Pty Ltd to be an auditor for the City of Greater Geraldton for the term of the contract entered into on 11 April 2011 between Grant Thornton Audit Pty Ltd and the City of Greater Geraldton.

**CARRIED BY ABSOLUTE MAJORITY 14/0**



**OP0031 COMPLIANCE AUDIT RETURN 2012**

<b>AGENDA REFERENCE:</b>	<b>D-13- 16656</b>
<b>AUTHOR:</b>	<b>C Spiker Manager Governance &amp; Risk</b>
<b>EXECUTIVE:</b>	<b>C Wood, Director of Organisational Performance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>RM/6/0020</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council's adoption of the Compliance Audit Return 2012 (CAR) as required under the Local Government Act 1995 (LGA).

**PROPONENT:**

The City of Greater Geraldton.

**BACKGROUND:**

In accordance with section 7.13(1)(i) of the LGA and regulation 13 of the Local Government (Audit) Regulations 1996 (Regulations), Council is required to carry out, in a prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are of a financial nature or not; or under the LGA or another written law. The CAR applies to the period 1 January 2012 to 31 December 2012.

The scope of the 2012 CAR as determined by the Minister was provided to the City for completion by the Department of Local Government.

The 2012 CAR is now complete (as attached) and is submitted to Council for adoption.

The outcome of the 2012 audit has revealed a number of issues that require explanation to the Department:

1. Item 12: Delegation of Power/Duty
- Q. Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year?

Response:

No.

The City operates with two tiers for delegations. First the annual delegations which are regularly approved for the purpose of ongoing orderly administration of the City; and secondly those applying to one off issues.

The first tier of delegations are structured in an orderly manner and are reviewed annually in accordance with the LGA provisions.

In respect of the second tier of delegations, the City has taken the approach over recent years of conferring delegated authority to the CEO within Council resolutions. These occurrences were at the time intended for short term application or single event decisions. These have not been reviewed.

A review of the City's approach to conferring delegated authority will be reviewed prior to June 2013 to ensure delegation is effected only through instruments of delegation included in the City's delegation register.

2. Item 8: Finance-

Q. Where the local government determined that matters raised in the auditor's report (prepared under s.7.9(1) of the Act) required action to be taken by the local government, was that action undertaken?

Response:

No.

The 2011 actions from the 2010/11 have been actioned however this item refers to actions from the 2011/12 audit. These actions will be undertaken over the next 6 months.

The recommendations of the auditor arrived late in 2012 and did not provide time within 2012 to carry-out their recommendations. A commitment is in place to fully address those particular matters raised by the Auditors.

3. Item 2: Tenders for Providing Goods and Services

Q. Did the local government comply with F&G Reg. 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract?

Response:

No.

Eastward road depot site clearing was undertaken through a number of arrangements. These were based on a misunderstanding of the preferred tender application and the separating of different phases of a project when a single tender would suffice. The actions taken were not intentional and were as a result of a lack of knowledge of the City's processes.

The City has received specific advice from its solicitors in respect of regulation 12. This advice has provided the basis for developing new guidelines that when followed will ensure that the City will not enter into multiple contracts to avoid advertising for tenders for a single contractor.

Additionally, a range of training initiatives and written guidelines have been provided to generally improve the standard of the City's tendering procedures.

4. Item 8: Tenders for Providing Goods and Services

Q. Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17?

Response: No. A review of the electronic tender register in November 2012 brought about changes from that time on to bring the Register into compliance with the Regulations.

The 2012 CAR is now complete (as attached) and is submitted to Council for adoption.

**COMMUNITY CONSULTATION:**

There is no requirement for community consultation on this matter.

**COUNCILLOR/OFFICER CONSULTATION:**

The CAR was submitted to the Audit Committee to review and the Committee, at its meeting on 8 March 2013, endorsed the Local Government Compliance Audit Return for the period 1 January 2012 to 31 December 2012.

**STATUTORY IMPLICATIONS:**

Section 7.13(1)(i) of the LGA and regulation 13 of the Regulations applies.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial or budget implications

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic & Plan for the Future Outcomes:**

Goal 5: Leading the Opportunities.

Outcome 5.1: Leadership and good governance.

Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks.

**Regional Outcomes:**

There are no regional outcomes from the consideration of this matter.

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

There are no economic impacts associated with this matter.

**Social:**

There are no social impacts associated with this matter.

**Environmental:**

There are no environmental impacts associated with this matter.

**Cultural & Heritage:**

There are no cultural or heritage impacts associated with this matter.

**RELEVANT PRECEDENTS:**

There are no relevant precedents associated with this matter.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**CONCLUSION:**

The Compliance Audit Return 2012 (CAR) is a statutory compliance requirement for Local Governments and is subject to a review first by the Audit Committee and then as a report to Council for adoption before being submitted to the Department of Local Government. The City is required to provide this to the Department no later than 31 March 2013. The City does not have the option to not adopt the Return as it would therefore be non-compliant with the provisions of the LGA.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority and in accordance with Section 7.13(1) of the Local Government Act 1995 and regulation 13 of the Local Government (Audit) Regulations RESOLVES to ADOPT the 2012 Compliance Audit Return.

**COUNCIL DECISION****MOVED CR VAN STYN, SECONDED CR MCILWAINE**

**That Council by Absolute Majority and in accordance with Section 7.13(1) of the Local Government Act 1995 and regulation 13 of the Local Government (Audit) Regulations RESOLVES to ADOPT the 2012 Compliance Audit Return.**

**CARRIED BY ABSOLUTE MAJORITY 14/0**

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TF048	LEASE PORTION OF RESERVE 17001 TO THE BATAVIA MINIATURE RAILWAY SOCIETY
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<b>AGENDA REFERENCE:</b>	<b>D-13-16315</b>
<b>AUTHOR:</b>	<b>J Dowling, Land and Leasing Officer</b>
<b>EXECUTIVE:</b>	<b>Bob Davis, Director Treasury and Finance</b>
<b>DATE OF REPORT:</b>	<b>6 March 2013</b>
<b>FILE REFERENCE:</b>	<b>R17001</b>
<b>APPLICANT / PROPONENT:</b>	<b>Batavia Miniature Railway Society Inc.</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Councils approval to agree to the surrender of the current lease between the City and the Batavia Miniature Railway and enter into a new lease agreement with an extension to the current lease area of approximately 5300m<sup>2</sup> on Reserve 17001 known as Spalding Park.

**PROPONENT:**

The proponent is the Batavia Miniature Railway Society Inc.

**BACKGROUND:**

The Batavia Miniature Railway Society Inc was formed in 2003 to establish a miniature railway in the Geraldton region. The society was leased a portion of Reserve 17001 by the former City of Geraldton. Since then the Society has sought and received funding from the Geraldton Business Community, Midwest Development Commission, Lotterywest and Variety WA. The first open day was held on 5 March 2006 and is now held on the first Sunday of every month.

The current track is approximately 600 metres long and with the proposed extension of 5300 metres the track will follow a scenic view of the Chapman River. Correspondence has been received from the Department Regional Development and Lands regarding the extension of the leased area and the department stated that they had no objection to the proposal pending Councils decision. They did however, request that the current lease be surrendered and a new lease drafted to include the extended area. The current lease has twelve (12) years remaining.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no prior consultation with elected members on this matter.

**STATUTORY IMPLICATIONS:**

Section 3.58(1) of the Local Government Act 1995 (as amended):

(1) In this section –

**“dispose”** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**“property”** includes the whole or any part of the interest of a local government in property, but does not include money.

Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 gives exemption to dispositions of property to which Section 3.58 of the Local Government Act 1995 (as amended) does not apply. In this regulation a disposition of land is an exempt disposition if:

- (b) *The land is disposed of to a body, whether incorporated or not*
  - i. *the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
  - ii. *the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions.*

**POLICY IMPLICATIONS:**

There are no policy implications as this relates to a Crown Reserve.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Pursuant to the City of Greater Geraldton Schedule of Fees and Charges for Sporting and Community Groups a commencement annual lease fee of \$328 plus GST will be payable.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

Goal 12.1:	Opportunities for Lifestyle
Outcome 1.2:	A healthy community through sport, recreation and leisure opportunities
Strategy 1.2.3	Support sustainable sport, recreation and leisure facilities.

**Regional Outcomes:**

There are no regional outcomes with this proposal.

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

**Economic:**

There are no economic impacts with this proposal.

**Social:**

There are no social impacts with this proposal.

**Environmental:**

There are no environmental impacts with this proposal

**Cultural & Heritage:**

There are no Cultural or Heritage impacts with this proposal.

**RELEVANT PRECEDENTS:**

The City has current precedents of leasing Crown reserves if the Management Order allows for designated purposes.

**DELEGATED AUTHORITY:**

There is no delegated authority existing related to this proposal as it relates to a Crown Reserve

**VOTING REQUIREMENTS:**

Simple Majority required

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER the proposal to increase the lease area to the Batavia Miniature Railway Society Inc;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

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

1. REJECT the proposal to increase the eased area to the Batavia Miniature Railway Society Inc;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 4:**

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

1. SURRENDER the current lease agreement between the Batavia Miniature Railway Society Inc;
2. APPROVE a new lease agreement with Batavia Miniature Railway Society for a portion of Reserve 17001;
3. SET the proposed conditions as:
  - a. enter into a twelve (12) year lease being the balance of the current lease, subject to Ministerial consent;



- b. set the Lease fee in accordance with the City of Greater Geraldton adopted Schedule of Fees and Charges for Sporting and Community Groups and reviewed annually;
- c. any works being subject to and compliant to all necessary town planning, building and other relevant statutory approvals; and
- d. the lessee being responsible for separately paying;
  - i. all legal expenses associated with the preparation, execution and registration of the lease; and
  - ii. the lessee being responsible for separately paying all applicable rates, taxes and other utilities.

**CONCLUSION:**

Batavia Miniature Railway Society has been operating since 2003 and currently has 22 members and a number of junior members. The miniature railway provides Geraldton with an interactive attraction for tourists and the local community and adds further appeal to Spalding Park by providing an activity for members of the community interested in miniature railway and model engineering.

Support for the executive recommendation will assist the society to gain future funding by having long term tenure of twenty one (21) years.

**EXECUTIVE RECOMMENDATION:**

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

1. SURRENDER the current lease agreement between the Batavia Miniature Railway Society Inc;
2. APPROVE a new lease agreement with Batavia Miniature Railway Society for a portion of Reserve 17001;
3. SET the proposed conditions as
  - a. enter into a twenty one (21) year lease, subject to Ministerial consent;
  - b. set the Lease fee in accordance with the City of Greater Geraldton adopted Schedule of Fees and Charges for Sporting and Community Groups and reviewed annually;
  - c. any works being subject to and compliant to all necessary town planning, building and other relevant statutory approvals;
  - d. the lessee being responsible for separately paying;
    - i. all legal expenses associated with the preparation, execution and registration of the lease; and
    - ii. the lessee being responsible for separately paying all applicable rates, taxes and other utilities.

*P Melling declared an indirect financial interest in Item TF048 Lease Portion of Reserve 17001 to the Batavia Miniature Railway Society as he is a member of the club and left Chambers at 2.26pm.*

**MOTION****MOVED CR BRICK, SECONDED CR GABELISH**

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

1. DEFER the proposal to increase the lease area to the Batavia Miniature Railway Society Inc;
2. MAKES the determination based on the following reason:
  - a. To include other user groups to provide a 30 day consultation period.

**MOTION WITHDRAWN BY CR BRICK AND CR GABELISH**

**COUNCIL DECISION****MOVED CR MESSINA, SECONDED CR BRICK**

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

1. REQUIRE dialogue between all of the user groups of the park
2. GIVE local public notice of the intent to lease portion of Reserve 17001 to the Batavia Miniature Railway Society Inc. inviting public submissions and refer back to Council if any objecting submissions are received;
3. SUBJECT to compliance with Points 1 and 2, the following will be undertaken;
  - a. SURRENDER the current lease agreement between the City and Batavia Miniature Railway Society Inc;
  - b. APPROVE a new lease agreement with Batavia Miniature Railway Society for a portion of Reserve 17001;
  - c. SET the proposed conditions as:
    - a. enter into a twenty one (21) year lease, subject to Ministerial consent;
    - b. set the Lease fee in accordance with the City of Greater Geraldton adopted Schedule of Fees and Charges for Sporting and Community Groups and reviewed annually;
    - c. any works being subject to and compliant to all necessary town planning, building and other relevant statutory approvals;
    - d. the lessee being responsible for separately paying;
      - i. all legal expenses associated with the preparation, execution and registration of the lease; and
      - ii. the lessee being responsible for separately paying all applicable rates, taxes and other utilities.

**CARRIED 14/0**

*P Melling returned to Chambers at 2.39pm*

TF049	MULLEWA COMMUNITY TRUST – ALLOCATION OF FUNDS 2013
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<b>AGENDA REFERENCE:</b>	<b>D-13-15641</b>
<b>AUTHOR:</b>	<b>P Radalj - Manager Strategic Business Planning</b>
<b>EXECUTIVE:</b>	<b>B Davis - Director of Treasury &amp; Finance</b>
<b>DATE OF REPORT:</b>	<b>06 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GS/1/0035</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is to seek Council's approval of the allocation of funds from the Mullewa Community Reserve.

**PROponent:**

The Proponent is the City of Greater Geraldton

**BACKGROUND:**

The Mullewa Community Trust Committee meets each year to consider the applications received for the annual funding round and makes recommendations to Council based on the Trust guidelines and criteria. The Community Trust Committee met on the 5 March 2013 to consider the funding allocations for 2013. The minutes of the meeting have been included in reports to be received.

Eight submissions were received, totalling \$303,342 in overall project expenditure. Funding requested from the Trust for all submissions received amounted to \$63,750 against a budgeted allocation for this financial year of \$65,000.

The following two submissions were not supported by the Mullewa Community Trust Committee in their request for Trust allocations:

- MEEDAC – School Attendance Assistance Program (\$6,000); and
- Teach, Learn, Grow Inc - The Leap Program (\$10,743).

The recommendation of the Committee is to distribute \$47,007 for this funding round as per the following listed projects:

<b>Applicant</b>	<b>Project</b>	<b>Cost of Project</b>	<b>Funding Allocated</b>
Pinda Progress Association	Fridge / Freezer	\$ 999	\$ 999
Mullewa District Agricultural Society	Associated costs with the 2013 Agricultural Show	\$ 10,756	\$10,756
Mullewa Muster & Rodeo	Associated costs with the 2013 Mullewa Muster & Rodeo	\$ 20,000	\$20,000

<b>Applicant</b>	<b>Project</b>	<b>Cost of Project</b>	<b>Funding Allocated</b>
Mullewa Sports Club	Upgrades of TV and Computer	\$ 4,042	\$ 4,042
Mullewa Tennis Club	Club Maintenance – Honour Board	\$ 1,210	\$ 1,210
Our Lady of Mount Carmel	Veranda Resurface	\$ 10,000	\$10,000
<b>Total</b>		<b>\$ 47,007</b>	<b>\$ 47,007</b>

**COMMUNITY CONSULTATION:**

Applications were advertised in October and closed in December.

**COUNCILLOR CONSULTATION:**

Councillors for the Mullewa Ward are on the Committee

**STATUTORY IMPLICATIONS:**

Local Government Act 1995  
Mullewa Community Trust Criteria  
Mullewa Community Trust Grant Guidelines

**POLICY IMPLICATIONS:**

This item aligns with the City's Community Funding Policy.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Funds are provided from the Structural Adjustment fund contributed by Mt Gibson Mining and set up through the Mullewa Community Reserve.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- Goal 2: Opportunities for Prosperity
- Outcome 2.2: Greater Geraldton as a leading regional and rural destination.
- Strategy 2.2.3: Encourage the development and provision of core business and support services in Mullewa.

**Regional Outcomes:**

There are no regional outcomes with this item.

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

There are no economic issues associated with this item.

**Social:**

The projects allocated funding will have a positive social impact in Mullewa.

**Environmental:**

There are no environmental impacts associated with this item.

**Cultural & Heritage:**

The projects allocated funding will have a positive cultural and heritage impact in Mullewa.

**RELEVANT PRECEDENTS:**

The Mullewa Community Reserve has been established to allocate funds from the agreement entered into between Mount Gibson Mining Ltd and the former Mullewa Shire Council in March 2004.

**DELEGATED AUTHORITY:**

There is no delegated authority related to this proposal.

**VOTING REQUIREMENTS:**

Absolute majority is required.

**OPTIONS:****Option 1:**

As per the Executive Recommendation in this report.

**Option 2:**

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

1. DEFER the allocation of funds from the Mullewa Community Reserve;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

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

1. NOT ENDORSE the recommendation of the Mullewa Community Trust Committee and approve the distribution of funds from the Mullewa Community Reserve
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The funds will be provided to programs, activities, events or facilities in the ongoing development or maintenance of recreational, social or cultural need of members of the Mullewa community.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority virtue of section 6.8 of the *Local Government Act* RESOLVES to:

1. APPROVE the 2013 distribution of funds from the Mullewa Community Reserve as follows:

a. Pindar Progress Association -	\$ 999.00
b. Mullewa District Agricultural Society	\$ 10,756.00
c. Mullewa Muster and Rodeo	\$ 20,000.00
d. Mullewa Sports Club	\$ 4,042.00
e. Mullewa Tennis Club	\$ 1,210.00
f. Our Lady of Mount Carmel	\$ 10,000.00

**COUNCIL DECISION****MOVED CR MESSINA, SECONDED CR BRICK**

That Council by Absolute Majority virtue of section 6.8 of the *Local Government Act* RESOLVES to:

1. APPROVE the 2013 distribution of funds from the Mullewa Community Reserve as follows:

a. Pindar Progress Association -	\$ 999.00
b. Mullewa District Agricultural Society	\$ 10,756.00
c. Mullewa Muster and Rodeo	\$ 20,000.00
d. Mullewa Sports Club	\$ 4,042.00
e. Mullewa Tennis Club	\$ 1,210.00
f. Our Lady of Mount Carmel	\$ 10,000.00

**CARRIED BY ABSOLUTE MAJORITY 14/0**

**COUNCIL DECISION****MOVED CR GABELISH, SECONDED CR MESSINA**

That the community grants policy be brought back to Council for consideration of the delegations applied for the Mullewa Community Trust Component.

**CARRIED 14/0**

TF050	REQUEST BY DRUG ARM (WA) INC FOR RATES EXEMPTION UNDER SECTION 6.26 (2) (g) OF THE LOCAL GOVERNMENT ACT 1995
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<b>AGENDA REFERENCE:</b>	<b>D-13-16320</b>
<b>AUTHOR:</b>	<b>C Cabugas, Revenue &amp; Systems Team Leader</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director of Treasury and Finance</b>
<b>DATE OF REPORT:</b>	<b>7 March 2012</b>
<b>FILE REFERENCE:</b>	<b>RV/4/0003</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

Drug Arm (WA) Inc. has requested that the leased property at 11, Kelly Street, Geraldton currently used for the purpose of drug and alcohol rehabilitation be classed as 'non-rateable' and therefore exempt from rates pursuant under 6.26 (2) (g) of the Local Government Act 1995.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Department of Housing leased the property at pepper corn rent to Drug Arm (WA) Inc., a public benevolent institution, for the purpose of drug and alcohol rehabilitation. Residential treatment services are provided 24 hours a day, 7 days a week on this property, a program funded by Drug & Alcohol Office.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no specific Councillor consultation.

**STATUTORY IMPLICATIONS:**

Section 6.26 of the Local Government Act 1995 outlines what is not rateable land.

*6.26. Rateable land*

- (1) *Except as provided in this section all land within a district is rateable land.*
- (2) *The following land is not rateable land —*
  - (a) *land which is the property of the Crown and —*
    - (i) *is being used or held for a public purpose; or*
    - (ii) *is unoccupied, except —*
      - (I) *where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the*



- 
- area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or*
- (II) *where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;*
- (b) *land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;*
- (c) *land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;*
- (d) *land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;*
- (e) *land used exclusively by a religious body as a school for the religious instruction of children;*
- (f) *land used exclusively as a non-government school within the meaning of the School Education Act 1999;*
- (g) *land used exclusively for charitable purposes;*
- (h) *land vested in trustees for agricultural or horticultural show purposes;*
- (i) *land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;*
- (j) *land which is exempt from rates under any other written law; and*
- (k) *land which is declared by the Minister to be exempt from rates.*
- (3) *If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.*
- (4) *The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.*
- (5) *Notice of any declaration made under subsection (4) is to be published in the Gazette.*
- (6) *Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another*
-

*purpose which is of a charitable, benevolent, religious or public nature.*

*[Section 6.26 amended by No. 36 of 1999 s. 247; No. 77 of 2006 Sch. 1 cl. 102.]*

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

Rate revenue has been budgeted in the 2012/13 Budget and the approval of this request will have a small and negligible impact on the total rate income as the foregone rate is \$1,515.02.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

- Goal 1: Opportunities for Lifestyle
- Outcome 2: A safe, secure and supportive community.
- Strategy 3.1.4: Preserve and activate the heritage of our community.

**Regional Outcomes:**

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

**Economic:**

There are no economic impacts associated with this matter.

**Social:**

There are no social impacts associated with this matter.

**Environmental:**

There are no environmental impacts associated with this matter.

**Cultural & Heritage:**

There are no cultural or heritage impacts associated with this matter.

**RELEVANT PRECEDENTS:**

Drug Arm (WA) Inc. has an existing approved exemption from the City for its two other leased properties at 11 Bayly Street and 76 Eastern Road owned by the State of WA and the Department of Housing, respectively, and used for the same purpose. Requests for exemption are previously decided by the Senior Revenue Finance Supervisor based on the merits of facts as represented by the applicant.

**DELEGATED AUTHORITY:**

There is no delegated authority.

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**VOTING REQUIREMENTS:**

Absolute majority is required

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority in accordance with Section 6.26 (2) (g) of the Local Government Act 1995 RESOLVES to:

1. DEFER the request by Drug Arm WA (Inc.) for the leased property at 11, Kelly Street, Geraldton to be considered as 'non-rateable' and therefore exempt from rates pursuant under s 6.26 (2) (g) of the Local Government Act 1995; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council

**Option 3:**

That Council by Absolute Majority in accordance with Section 6.26 (2) (g) of the Local Government Act 1995 RESOLVES to:

1. REJECT the request by Drug Arm WA (Inc.) for the leased property at 11, Kelly Street, Geraldton to be considered as 'non-rateable' and therefore exempt from rates pursuant under s 6.26 (2) (g) of the Local Government Act 1995; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

There are directly relevant precedents for recognising the particular use of this property as a charitable purpose.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority, in accordance with Section 6.26 (2) (g) of the Local Government Act 1995 RESOLVES to:

1. APPROVE the request by Drug Arm WA (Inc) for the leased property at 11, Kelly Street, Geraldton to be considered as 'non-rateable' and therefore exempt from rates pursuant under s 6.26 (2) (g) of the Local Government Act 1995; and
2. NOTE that the property at 11, Kelly Street, Geraldton is to be exclusively used for charitable purposes for the classification as 'non-rateable' to be applied.

**COUNCIL DECISION****MOVED CR BENNETT, SECONDED CR BRICK**

**That Council by Absolute Majority, in accordance with Section 6.26 (2) (g) of the Local Government Act 1995 RESOLVES to:**

- 1. APPROVE the request by Drug Arm WA (Inc) for the leased property at 11, Kelly Street, Geraldton to be considered as 'non-rateable' and therefore exempt from rates pursuant under s 6.26 (2) (g) of the Local Government Act 1995; and**
- 2. NOTE that the property at 11, Kelly Street, Geraldton is to be exclusively used for charitable purposes for the classification as 'non-rateable' to be applied.**

**CARRIED BY ABSOLUTE MAJORITY 14/0**

TF051	MID YEAR BUDGET REVIEW
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<b>AGENDA REFERENCE:</b>	<b>D-13-16762</b>
<b>AUTHOR:</b>	<b>P Radalj, Manager Strategic Business Planning</b>
<b>EXECUTIVE:</b>	<b>B Davis, Director Treasury &amp; Finance</b>
<b>DATE OF REPORT:</b>	<b>8 March 2013</b>
<b>FILE REFERENCE:</b>	<b>FM/7/0001</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes</b>

**SUMMARY:**

The purpose of this report is for Council to consider variations as per attached financial statements in relation to the mid-year budget review undertaken by each function area and determine whether or not to authorise these proposed variations according to both operating and capital income/expenditure (nature and type).

The original budget presented a brought forward (opening) deficit position of (\$72,701) this has now been amended to a deficit opening position of (\$235,020) to reflect the closing position stated in the audited financial statements of the City of Greater Geraldton as at 30 June 2012.

The proposed variations without taking into account the amendment to the opening position, reflects a positive gain against the original budget of \$102,224.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

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

- a) Provide resources to complete and/or undertake high or newly identified priority projects and activities;
- b) Identify incorrect postings to accounts;
- c) Account for deferred or cancelled budget items; Review allocations against current and projected figures and profiles;
- d) Realign the chart of accounts in accordance with the current organisational structure; and
- e) Review and correct any coding errors for income and expenditure nature & type.

The following details the significant source of any movement against the original budget based on nature and type income/expenditure:

**Variations to Operating Income (nature & type):**

**Rates:** (net decrease in revenue \$45,800 – percentage movement 0.12%)

- Projected \$27,500 decrease in back rates revenue;

- Reclassification of \$105,000 ex gratia payment to Grants & Subsidies, Contribution & Donations (nature & type); and
- Additional general rates revenue of \$85,671.

**Grants & Subsidies, Contributions & Donations:** (net decrease in revenue \$5,069,076 – percentage movement 17.57%)

- \$4m funding payment for Karloo-Wandina Project (BBRC) now shown as a Transfer from Reserve (nature & Type) as this payment was received in 2011-12 and restricted into Cash Reserves;
- Cash inflow negative adjustment of \$2.45m of funding for the Airport Technology Park based on confirmed funding and payment profiles for the funds received thru the Royalties for Regions Mid West Investment Plan;
- Addition of \$1.1m of Country Local Government funds identified in the September 2012 budget amendments presented to Council (Item TF026); and
- \$0.32m of additional RADS funding received by the Airport.

**Fees & Charges:** (net increase in revenue \$1,026,008 – percentage movement 6.51%)

- \$400,000 increase in Meru based fees and charges revenue based on current activity level;
- \$200,000 increase in QPT show based activity income (note: this is offset by show based activity expenditure under Materials & Contractors – nature & type);
- \$50,000 projected increase in income generated from Geraldton Visitor Centre accommodation bookings (note: this is offset by payments made to accommodation providers); and
- \$340,000 reclassification of the rubbish disposal fees paid by the City to Meru Landfill as an internal transfer from Other Income (nature & type).

**Interest Earnings:** (net increase in revenue \$31,906 – percentage movement of 1.57%)

- Minor variance to Self-Supporting Loan interest payments reimbursed that were previously identified in the September 2012 budget amendments presented to Council (Item TF026);

**Other:** (net decrease in revenue \$189,399 – percentage movement 12.28%)

- \$340,000 reclassification to Fees and Charges of the rubbish disposal fees paid by the City to Meru Landfill as an internal transfer; and
- Additional income recognised from QPT show based activity as internal transfers of \$122,000.

***Profit on Disposal of Assets:*** (no movement)

**Total Variation to Operating Income - \$4,246,361 (decrease)**

**Variations to Operating Expenditure (nature & type):**

***Employees Costs:*** (net increase in expenditure \$88,344 – percentage movement 0.33%)

- Additional allocation to recruitments costs based on current year actuals.

***Materials & Contractors:*** (net decrease in expenditure \$3,395,356 – percentage movement 8.55%)

- Deferment and reduction in expenditure associated with major land developments valued at \$3,394,778.

***Utility & Government Charges:*** (net decrease in expenditure \$46,573 - percentage movement 1.57%)

- Based on current actuals projected out until year end, expected \$40,000 savings in telephone utilities.

***Insurance:*** (net increase in expenditure \$226,400 – percentage movement 32.12%)

- Budget re-allocation to this nature & type expenditure item to correct coding error for motor vehicle insurance previously coded under Materials & Contractors (nature & type expense).

***Depreciation:*** (net increase in expenditure \$3,490,399 – percentage movement 23.95%)

- This increase relates to the end of year 2011-12 revaluation of infrastructure assets by an additional \$75.8m.

***Interest/Borrowing Costs:*** (net decrease in expenditure \$308,281)

- “Flow on” effect from a substantial reduction in proposed debt financing.

***Miscellaneous:*** (net increase in expenditure \$14,926 – percentage movement 0.59%)

- No significant movement to report.

**Total Variation to Operating Expenditure - \$4,270,440 (decrease)**

**Variations to Capital Expenditure (nature & type):**

***Purchase Buildings:*** (net increase in expenditure \$3,444,096 – percentage movement 30.7%)

- \$2.16m of carryover projects recognised in September budget amendments (Item TF026);
- \$335,000 new budget item as part of the West End Project preliminary design works funded by the Commonwealth;
- Recognising carryover funds 2011-12 of \$482,339 tied to the new depot design component; and

- \$433,519 allocation to Civic Accommodation Project from furniture and equipment to recognise this nature & type cost that also includes the IT & communications upgrade component of this building project upgrade.

**Purchase of Plant & Equipment:** (net increase in \$1,251,850 – percentage movement 38.7%)

- \$1,178,000 carryover of funds from 2011-12 recognised in September budget amendments (Item TF026); and
- \$46,350 budget allocation to upgrade survey equipment.

**Purchase of Furniture & Equipment:** (net decrease in \$542,614 – percentage movement 47.09%)

- Movement of \$482,339 to Civic Accommodation Project under buildings; and
- \$50,000 reduction to budget allocation for overall replacement.

**Purchase Infrastructure Roads:** (net increase in expenditure \$1,982,996 – percentage movement 8.66%)

- \$4.18m carryover of Flores Rd Intersection Project recognised in September budget amendments (Item TF026);
- Deferment of \$1.85m of Meru infrastructure expenditure for Cell 3; and
- Council determination (Item CI040) to not proceed with \$484,000 expenditure tied to Peter Rd realignment.

**Purchase Infrastructure Parks:** (net increase in expenditure \$1,377,886 – percentage movement 15.72%)

- \$1.17m of Derna Parade Park Development expenditure recognised in September budget amendments (Item TF026);
- \$0.85m of Eadon Clarke Redevelopment expenditure recognised in September budget amendments (Item TF026);
- \$325,000 reduction in budget expenditure for Beresford Foreshore Redevelopment due to reduction in grant funding; and
- \$230,000 deferment in borefield upgrades.

**Self-Supporting/Council Loans:** (net decrease in expenditure \$70,000 – percentage movement 100%)

- \$70,000 self-supporting loan to Geraldton Bowling Club no longer required.

**Repayment of Debentures:** (net decrease in expenditure \$202,742 – percentage movement 6.19%)

- “Flow on” effect from a reduction in proposed debt financing.

**Total Variation to Capital Expenditure - \$7,241,472 (increase)**

**Variations to Capital Revenue (nature & type):**

**Proceeds from Disposal of Assets:** (net decrease in revenue \$415,000 – percentage movement 18.64%)

- Deferment of proposed land sale in relation to SGIO car park.



- \$585,000 carryover 2011-12 of proceeds of sale from plant & equipment recognised in September budget amendments (Item TF026).

**Proceeds from New Debentures:** (net decrease in revenue \$6,535,000 – percentage movement 21.79%)

- \$2.5m deferment in loans for Meru Landfill Cell 3; and
- Balance relates to deferment of land development projects.

**Council Loan Principal Income:** (net increase in revenue \$563,422 – percentage movement 607%)

- Increase relates to Drummond Cove Land Development vendor mortgage repayments.

**Total Variation to Capital Revenue - \$6,408,709 (decrease)**

**Variations to Reserves (nature & type):**

**Transfers to Reserves:** (net increase in expenditure \$250,000 – percentage movement 2.77%)

- Additional transfer to Meru Landfill Reserve based on projected improved operating position.

**Transfers from Reserves:** (net increase in revenue \$14,828,246 – percentage movement 88.93%)

- Basically this increase relates to all unspent grants and CGG contributions restricted to Cash Reserves as part of the 2011-12 End of Year Process that are to be transferred out into 2012-13

**Total Variation to Reserves - \$14,578,246 (increase)**

**Royalties for Regions (Country Local Government Fund):**

The Department of Regional Development & Lands has requested that the City provide Council recognition of CGG contributions to the following CLGF funded projects. There is no impact to the budget as these project contributions formed part of the original budget adopted for 2012-13:

1. Derna Parade Park Redevelopment – \$59,333;
2. Mullewa Pool Upgrade - \$54,000; and
3. Mullewa Town Revitalisation Project - \$108,648.

**COMMUNITY CONSULTATION:**

There has been no community consultation on this matter.

**COUNCILLOR CONSULTATION:**

There has been no councillor consultation on this matter.

**STATUTORY IMPLICATIONS:**

Section 6.8 of the Local Government Act which requires any expenditure not included in the annual budget to be authorised by absolute majority.

Section 6.21 (3) (b) of the Local Government Act – local government may resolve to expend the money or utilize the credit or final accommodation for another purpose if one month’s local public notice is given of the proposed change of purpose.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The following table summarises the movement between the various income and expenditure – nature & type items.

<b>Nature &amp; Type</b>	<b>Original</b>	<b>Revised</b>	<b>Variation</b>
Operating Income	85,201,597	80,955,236	(4,246,361)
Operating Expenditure	(88,305,040)	(88,374,919)	(69,879)
Non-Cash Items	14,607,515	18,097,914	3,490,339
Capital Expenditure	(50,602,949)	(57,844,421)	(7,241,472)
Capital Revenue	32,379,267	25,970,558	(6,408,709)
Reserves	7,634,676	22,212,922	14,578,246
<b>Total Net Position</b>	<b>915,066</b>	<b>1,017,290</b>	<b>102,224</b>
Opening Position Deficit	(72,701)	(235,020)	
Closing Position Surplus	842,365	782,270	

In accounting for all movements and amendment to the opening position, the revised budget surplus closing position would be \$782,270.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

- Goal 5: Leading the Opportunities
- Outcome 5.1: Leadership and good governance
- Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks

**Regional Outcomes:**

There are no regional outcomes related to this proposal.

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

**Economic:**

There are no economic impacts with this proposal.

**Social:**

There are no social impacts with this proposal.

**Environmental:**

There are no environmental impacts with this proposal.

**Cultural & Heritage:**

There are no cultural and heritage impacts with this proposal.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute Majority is required to AMEND budget allocations.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. NOT APPROVE the proposed budget amendments as detailed in the attachments and NOT AUTHORISE any expenditure contained within the proposed amendments except as provided under clause 2;
2. ENDORSE City of Greater Geraldton direct cash contributions to 2011-12 Regional CLGF Projects as follows:
  - i. Derna Parade Park Redevelopment - \$59,333;
  - ii. Mullewa Pool Upgrade - \$54,000; and
  - iii. Mullewa Town Revitalisation Project - \$108,648.

**Option 3:**

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

1. APPROVE the following budget amendments and AUTHORISE any expenditure contained within those amendments:
  - a. To be determined by Council;
2. ENDORSE City of Greater Geraldton direct cash contributions to 2011-12 Regional CLGF Projects as follows:
  - I. Derna Parade Park Redevelopment - \$59,333;
  - II. Mullewa Pool Upgrade - \$54,000; and
  - III. Mullewa Town Revitalisation Project - \$108,648.

**Option 4:**

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

1. DEFER consideration of the proposed budget amendments as detailed in the attachments;
2. MAKES This determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

This budget review is undertaken to review current resource requirements in support program and project activity, account for deferment and/or cancellation of projects and is conducted as part of prudent financial management processes and practices.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority by virtue of Part 6, Division 4, s6.8 and s6.11(2) respectively of the Local Government Act 1995 RESOLVES to:

1. APPROVE the proposed budget amendments as detailed in the attachments;
2. AUTHORISE any unauthorised expenditure contained within the proposed amendments;
3. ENDORSE City of Greater Geraldton direct cash contributions to 2011-12 Regional CLGF Projects as follows:
  - i. Derna Parade Park Redevelopment – \$59,333;
  - ii. Mullewa Pool Upgrade - \$54,000; and
  - iii. Mullewa Town Revitalisation Project - \$108,648.

**COUNCIL DECISION****MOVED CR VAN STYN, SECONDED CR MCILWAINE**

That Council by Absolute Majority by virtue of Part 6, Division 4, s6.8 and s6.11(2) respectively of the Local Government Act 1995 RESOLVES to:

1. APPROVE the proposed budget amendments as detailed in the attachments;
2. AUTHORISE any unauthorised expenditure contained within the proposed amendments;
3. ENDORSE City of Greater Geraldton direct cash contributions to 2011-12 Regional CLGF Projects as follows:
  - i. Derna Parade Park Redevelopment – \$59,333;
  - ii. Mullewa Pool Upgrade - \$54,000; and
  - iii. Mullewa Town Revitalisation Project - \$108,648.

**CARRIED BY ABSOLUTE MAJORITY 14/0**

SC092	FINAL ADOPTION OF TOWN PLANNING SCHEME AMENDMENT – 'RECREATION ACTIVE' ADDITIONAL USE, RANGEWAY
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<b>AGENDA REFERENCE:</b>	<b>D-13-15571</b>
<b>AUTHOR:</b>	<b>M Thomson, Planning Officer</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>26 March 2013</b>
<b>FILE REFERENCE:</b>	<b>LP/7/0035</b>
<b>APPLICANT / PROPONENT:</b>	<b>Landwest Urban and Rural Planning Consultants</b>
<b>ATTACHMENTS:</b>	<b>Yes (x2)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 68 which proposes to amend the current 'Additional Use – A44' zoning of Lots 49 and 50 Rifle Range Road, Rangeway, to replace the additional use 'Recreation – Squash Centre' with 'Recreation – Active'.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Land West Urban and Rural Planning Consultants on behalf of the owner NEDYSA Pty. Ltd. / Scott Davis.

**BACKGROUND:**

The subject land is located approximately 2 kilometres west of the Geraldton City Centre. It is serviced by an existing sealed road network, with access to both Rifle Range Road and Carter Street. Eastward Road to the north of the subject land provides a strategic link between Horwood Road at Utakarra through to North West Coastal Highway and Johnston Street to the west and Pass Street in the north. Rifle Range Road provides a link between the greater Rangeway suburb and other suburbs to the south through to Pass Street which connects to the Wonthella Sporting Precinct. There is a public transport bus stop opposite the subject land on the west side of Rifle Range Road and an existing pedestrian path along the Rifle Range Road frontage of the subject lot.

The subject land contains an existing building which extends over two freehold title lots. The site is located within a street block that contains residential zoned land, and within the immediate vicinity of other land uses, those including a local shop to the north and a primary school opposite. To the north-west of the site is an established light industrial area and to the north is the Wonthella Sporting precinct encompassing many regional facilities. The conversion and reuse of the site for an alternative recreation use, acknowledges the suitability of the existing infrastructure, and the locational attributes use and accessibility of the site.

The amendment seeks to amend the text provisions of Town Planning Scheme No. 3 (Geraldton) contained within Schedule 2 from the additional use of 'Recreation – Squash Centre' to 'Recreation – Active'.

The amendment is intended to facilitate the future commercial development of a 'Dance Studio' on the subject site, subject to a separate application and approval for change of use.

Relevant extracts from the scheme amendment report are included as Attachment No. SC092A.

#### **COMMUNITY CONSULTATION:**

The Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced 18 January 2013 and concluded 1 March 2013 and involved the following:

1. All landowners within a 60m radius were written to and advised of the proposed amendment:
2. A public notice appeared in the Geraldton Guardian on 18 January 2013 and the Midwest Times 31 January 2013;
3. A sign was placed on site;
4. The amendment details were available on the City's website;
5. The amendment was included as an item in YourView:
6. The amendment was referred to the following:
  - Australia Post;
  - ATLO Gas;
  - Environmental Protection Authority;
  - FESA;
  - Health Department of WA;
  - Heritage Council of WA;
  - Indigenous Affairs Department;
  - Main Roads WA;
  - Telstra;
  - Water Corporation; and
  - Western Power.

#### **Submissions**

As a result of the advertising, a total of 4 submissions were received, all with no objections.

A 'Schedule of Submissions' is included as Attachment No. SC092B and copies of the actual submission are available to Council upon request.

#### **COUNCILLOR CONSULTATION:**

There has been no Councillor consultation.

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**STATUTORY IMPLICATIONS:**

The subject land is currently zoned 'Residential' with an Additional Use (A44) under Town Planning Scheme No. 3 (Geraldton) as follows:

No.	SITE	USES
A44	Lots (No. 5) 49 & 50 Rifle Range Road, Rangeway	Recreation – Squash Centre

Additional uses are in addition to the other uses permitted in the zone.

The primary intent behind the amendment is to facilitate the reuse of the old "Orana Squash Centre" for a dance studio. In order to achieve this it is proposed to replace the current additional use with 'Recreation – Active' which is defined in the Scheme as:

**Recreation – Active:** means land and buildings used for recreation which are not normally open to the public without charge and includes such used as public tennis courts, squash courts, indoor cricket pitches, bowling alleys and like uses.

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

- Goal 4: Opportunities for Sustainability.
- Outcome 4.1: Vibrant and sustainable urban and rural development.
- Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

**Regional Outcomes:**

The proposed zoning is consistent with the 'Urban' designation in the Geraldton Region Plan. The site has historically been used for active recreation uses for approximately 40 years. The proposed amendment simply modifies the approved use to a definition which is more appropriate and provides some flexibility with uses undertaken on site.

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

The proposed amendment will help facilitate a vibrant and diverse neighbourhood that meets both local and regional needs. It will also ensure the redevelopment of existing facilities which represents a sustainable use of resources and infrastructure. The occupancy of the building will help reduce crime activity and vandalism of a vacant building.

**Environmental:**

The Environmental Protection Authority considered that the Amendment should not be assessed under Part IV of the Environmental Protection Act.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

The author is not aware of any other relevant precedent set by previous Council or Executive, however it should not be construed that there are no other relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. REFUSE to adopt for final approval Scheme Amendment No. 68 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination on the grounds that:
  - a. To be determined by Councillors.

**Option 3:**

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

1. DEFER the final approval Scheme Amendment No. 68 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKE the determination based on the following reason:
  - b. To be determined by Council.



**CONCLUSION:**

The proposed text amendment to the Scheme will simply facilitate a textural change of the current additional use to enable the reuse of a currently vacant building. The overall intended use of the subject site will not alter from the initial 'recreation' use; however, it will incorporate a greater degree of flexibility with the proposed use of 'Recreation – Active'.

Option 2 is not supported as the development will ensure the sustainable reuse of existing built form and service infrastructure. It will lead to improvement in the physical appearance of the building and its surrounds and the reuse of a building which has been vacant for some time. This will require improvements and maintenance which will improve the aesthetic value of the development. Consistent activity and use may also reduce the opportunity for indiscriminate anti-social behaviour.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 68 to Town Planning Scheme No.3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from Minister for Planning.

**COUNCIL DECISION****MOVED CR ASHPLANT, SECONDED CR CLUNE**

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 68 to Town Planning Scheme No.3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from Minister for Planning.

**CARRIED 14/0**

SC093	FINAL ADOPTION OF TOWN PLANNING SCHEME AMENDMENT – MIXED USE REZONING, GERALDTON
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<b>AGENDA REFERENCE:</b>	<b>D-13-15609</b>
<b>AUTHOR:</b>	<b>N Browne, City Statutory Planner</b>
<b>EXECUTIVE:</b>	<b>P Melling, Director Sustainable Communities</b>
<b>DATE OF REPORT:</b>	<b>28 February 2013</b>
<b>FILE REFERENCE:</b>	<b>LP/7/0033</b>
<b>APPLICANT / PROPONENT:</b>	<b>Landwest Urban and Rural Planning Consultants</b>
<b>ATTACHMENTS:</b>	<b>Yes (x3)</b>

**SUMMARY:**

The advertising period has concluded for Scheme Amendment No. 66 which proposes to rezone Lot 983 Durlacher Street and a portion of Lot 567 Brede Street, Geraldton to 'Mixed Use'.

This report recommends final approval of the Amendment and that it be forwarded to the Minister for Planning for final endorsement.

**PROPONENT:**

The proponent is Landwest Urban and Rural Planning Consultants on behalf of the owner the Yugunga-Nya Peoples Trust.

**BACKGROUND:**

The landholdings were historically unallocated crown land, with the primary interest holder being the State of Western Australia. Lot 567 Brede Street contained Water Corporation infrastructure, comprising potable water supply tank and pond structure. The tank and associated infrastructure were removed from the site in the late 1990's. The landholdings were subsequently considered excess to the State's requirements and they were actively marketed for disposal. The landholdings were acquired by the current landowners in 2011.

**The site:**

The subject land is located on the south-east periphery of the Geraldton City Centre with it being less than 1km from the Marine Terrace Mall and Geraldton foreshore. Lot 983 has frontage to Durlacher Street and Lot 567 runs between and has frontage to both Brede Street and Durlacher Street. Both lots are currently vacant.

Land along Durlacher Street between the subject land and George Road is zoned 'City Centre' and incorporates a variety of retail and office uses. Land immediately north and opposite of the subject land along Brede Street is developed for single residential purposes. Land on the western side of Durlacher Street opposite the subject land is St Francis Xavier Primary School and associated development.

**The proposal:**

The scheme amendment proposes to rezone Lot 983 Durlacher Street and a portion of Lot 567 Brede Street, Geraldton from Residential R30/40 to 'Mixed Use' in order to facilitate significant mixed use development on the landholdings. The retained residential zoning over a portion of the site is proposed to be recoded to R40.

The mixed use development envisioned by the proponents will incorporate grouped dwellings, short stay accommodation units, retail, commercial and office and residential development. Development is intended to incorporate a mix of accommodation types which meander down the hill, connected by open space, pedestrian access, intimate meeting places and viewing platforms for access to views and promote a strong sense of community. The development would be complemented by a range of boutique retail and commercial uses.

An overall concept plan for the anticipated development of the site is included as Attachment No. SC093A.

In summary the concept plan shows:

- Retail/commercial and short stay accommodation buildings fronting Durlacher Street. Multiple dwellings are located behind the buildings fronting Durlacher, separated from those buildings by car parking/vehicle movement areas and green space.
- Grouped and multiple dwellings located on the "uphill" portion of the site, with townhouses along the brow of the hill, laid out in a semi-circular pattern reflecting the contours of the land and maximising the views from the site from individual buildings.
- Vehicular access, car parking, green areas and pedestrian walkways that are important elements of the overall concept.

The amendment will provide for increased flexibility afforded by the rezoning to the 'Mixed Use' zone to accommodate non-residential uses on the periphery of the Geraldton City Centre. It also proposes some minor modification to the existing 'Mixed Use' zone and Urban Precinct E provisions within the scheme to ensure appropriate wording to control development on both the subject land and other land addressed by those provisions.

Extracts from the Amendment document are included as Attachment No. SC093B and a full copy of the amendment document is available to Council upon request.

**COMMUNITY CONSULTATION:**

The Scheme Amendment was publicly advertised in accordance with the provisions of the Planning and Development Act 2005.

The advertising period commenced on 18 January 2013 and concluded on 1 March 2013 and involved the following:

1. Adjoining/nearby landowners were written to and advised of the proposed amendment;
2. A public notice appeared in the Geraldton Guardian on Friday 18 January 2013 and in the Midwest Times on Thursday 31 January 2013;
3. Two signs were placed on-site (one fronting Durlacher Street and one fronting Brede Street);
4. The amendment details were available on the City's website;
5. The amendment details were publicly displayed at the Civic Centre;
6. The amendment was included as an item in YourView; and
7. The amendment was referred to the following:
  - Midwest Development Commission
  - Telstra
  - Department of Planning (Tourism)
  - WA Gas Networks
  - Water Corporation
  - Western Power
  - Department of Environment and Conservation
  - Australia Post
  - Department of Indigenous Affairs

**Submissions:**

As a result of the advertising, a total of 5 submissions were received all with no objections.

A 'Schedule of Submissions' is included as Attachment No. SC093C and copies of the actual submissions are available to Council upon request.

**COUNCILLOR CONSULTATION:**

The amendment was previously considered by Council at the meeting held on 25 September 2012 when the rezoning was initiated.

**STATUTORY IMPLICATIONS:**

The subject land is currently zoned 'Residential R30/40' under Town Planning Scheme No. 3 (Geraldton).

The proposed scheme amendment incorporates changes to the both the scheme maps and the scheme text. The amendment will rezone Lot 983 Durlacher Street in entirety and a portion of Lot 567 Brede Street from Residential R30/40 to 'Mixed Use'. The remaining portion of Lot 567 abutting Brede Street will retain its Residential zoning but will be recoded to R40.

Changes proposed to the scheme text include modification to the 'Mixed Use' zone provisions, specifically clause 4.17, minor changes to the Urban Precinct E provisions within clause 4.15, renumbering of scheme provisions to rectify an existing anomaly where three separate scheme amendments introduced different provisions with the same clause number (i.e. clause 4.17) and include the permissibility of the Home Office use class within the 'Mixed Use' zone on the Zoning Table.

Clause 4.17.2 of Town Planning Scheme No. 3 (Geraldton) requires the preparation and approval of a set of design guidelines to facilitate and guide land use and development within an area zoned 'Mixed Use'.

The design guidelines are required to be prepared and approved prior to any development or subdivision of the land and are required to address criteria such as height, plot ratio, setbacks, car parking, land uses, heritage considerations, pedestrian access, landscaping and streetscape, building materials, public art and desired urban character.

The proponent is aware of the above requirement and has advised that in addition to the above criteria, design guidelines prepared for the site will specifically address risk mitigation recommendations and the management of common property within the development.

Part 5 of the Planning and Development Act 2005 provides for the amendment of a Local Planning Scheme.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

- |                 |  |
|-----------------|--|
| Goal 4:         | Opportunities for Sustainability.  |
| Outcome 4.1:    | Vibrant and sustainable urban and rural development.                                       |
| Strategy 4.1.4: | Develop, apply and regulate effective planning schemes, building regulations and policies. |

**Regional Outcomes:**

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

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

**Geraldton Regional Centre Strategy 2005:**

This Strategy developed a long-term strategic plan to secure the viability and attraction of the Geraldton Regional Centre as the primary commercial, community and tourist focus for the Mid West region. The subject land is located within 'Precinct 6 – Geraldton Heights' which proposes to generally

maintain the low-density residential character of the precinct with increased density adjoining the CBD and busy streets.

The amendment is generally consistent with the Strategy in that it seeks to provide residential development, with increased residential density, adjacent to the CBD. The Amendment also seeks to incorporate mixed use development along Durlacher Street which is considered consistent with the extension of mixed use developments at the outer periphery of the CBD along Chapman Road, George Road and Marine Terrace.

Interim Commercial Activity Centres Strategy 2011:

This Strategy provides an interim broad regional planning framework to coordinate the location and development of shopping and associated commercial activities. The subject land is adjacent to the "Geraldton CBD".

Despite being just outside the formal boundary of the Strategy, the subject land is on the periphery of the Central Business District (CBD) area and the mixed use development facilitated by the amendment is considered consistent with the Strategy objectives.

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

**Economic:**

The amendment will potentially facilitate the development of a range of mixed uses which could include tourist accommodation, offices, consulting rooms, restaurants and small scale shops.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

A review of the Department of Indigenous Affairs Aboriginal Heritage Inquiry System found no recorded sites of Aboriginal heritage significance located within the subject area.

There are no cultural or heritage issues.

**RELEVANT PRECEDENTS:**

Council at its meeting held on 23 December 2008 resolved to give final approval to Scheme Amendment No. 42 which introduced the new 'Mixed Use' zone into Town Planning Scheme No. 3 (Geraldton) and subsequently rezoned a portion of the St Patrick's College site fronting George Road (directly east of Northgate) to the 'Mixed Use' zone. The Minister for Planning granted final approval to Amendment No. 42 on 11 November 2009.

Council at its meeting held on 20 December 2011 resolved to give final approval to Scheme Amendment No. 61 which proposed to rezone Lots 1, 9,

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10, 20, 21, 27, 41, 50, 99, 406, 407 and 3052 Marine Terrace, Lot 32 Burges Street, Lots 8 and 9 Pollard Street and Lot 20 Cunningham Street, Geraldton to the 'Mixed Use' zone. The Minister for Planning granted final approval to Amendment No. 61 on 11 April 2012.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple Majority required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. REFUSE to adopt for final approval Scheme Amendment No. 66 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination on the grounds that:
  - a. To be determined by Council.

**Option 3:**

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

1. DEFER the final approval of Scheme Amendment No. 66 to Town Planning Scheme No. 3 (Geraldton); and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The scheme amendment proposes a significant mixed use development on land immediately adjacent to the Geraldton City Centre. The 'Mixed Use' zone and the indicative development concept proposed constitute an appropriate response to the opportunities and constraints of the landmark site. The development facilitated will contribute to the vitality of the Geraldton City Centre, extend retail and commercial use along Durlacher Street and provide an attractive built form and pedestrian environment along a major entry route into the city centre.

The 'Mixed Use' zoning proposed provides sufficient flexibility to allow a range of residential and non-residential uses capitalising on the site's location on the edge of the Geraldton City Centre. It also ensures development provisions and requirements relate specifically to the characteristics and context of the subject land with detailed, site specific development guidelines to be approved by Council.

The recoding of the residential portion remaining will ensure efficient land and infrastructure use via infill development. It will also maintain an important residential aspect along Brede Street.

Option 2 is not supported as the overall the development will provide an appropriate transition between the more intensive uses in the adjacent city centre and the appropriate interface with the adjacent lower density residential areas. The proposed minor and appropriate changes to existing scheme provisions and the zoning table will also provide clarity, reduce ambiguity and rectify minor anomalies in the scheme text.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

**EXECUTIVE RECOMMENDATION:**

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 66 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

**COUNCIL DECISION**

**MOVED CR GABELISH, SECONDED CR HALL**

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 66 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from the Minister for Planning.

**CARRIED 14/0**



CC098	ADDITION OF COMMUNITY MEMBER POSITIONS TO THE PUBLIC ARTS ADVISORY COMMITTEE
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<b>AGENDA REFERENCE:</b>	<b>D-13-16768</b>
<b>AUTHOR:</b>	<b>C Budhan, Managers Arts, Culture &amp; Events</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>11 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

The purpose of this report is to seek a Council resolution on the addition of two Community Member positions to the Public Arts Advisory Committee.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

The Public Arts Advisory Committee, an advisory committee of Council, was established on 22 November 2011 (CS033). The Committee includes three Councillors (Cr N Bennett, Cr P Fiorenza and Cr T Thomas), one Community Artist position (currently vacant), and representatives of the Arts and Cultural Development Council (ACDC) and the Geraldton Regional Art Gallery. City staff members are ex-officio and attend the meetings as required.

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

*That the Council by Absolute Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:*

1. *RE-ESTABLISH the Public Arts Advisory Committee;*
2. *ADOPT the Terms of Reference of the Committee as denoted in the attachment;*
3. *APPOINT as members of the Committee:*
  - a. *Councillor N Bennett*
  - b. *Councillor P Fiorenza*
  - c. *Councillor T Thomas proxy*
  - d. *Re-appoint External Members which are:*  
*Helen Clarke           Community Artist*  
*James Davies         Regional Art Gallery*  
*Paige Finci   ACDC*

*External Members named will be replaced with a 'Nominee From' should they step down as a Member.*
4. *SET the Terms of Reference of the Public Arts Advisory Committee to be:*
  - b. *the role of the Public Art Advisory Committee includes:*
    - i. *The provision of expert advice to Council; and*
    - ii. *Identification of opportunities for projects within the:*
      - *annual City budget;*
      - *development application to Council;*
      - *through public and community involvement;*
      - *partnerships within the community and other agencies; and*
      - *identification of appropriate grant programs;*
    - iii. *where appropriate, the Committee will make determinations about the style and scope of a project and will provide advice to Council;*

- iv. *the Committee will provide advice regarding the need or otherwise to contract an art consultant to undertake some or all of the work associated with a project and will prepare scoping documents for the art coordination component; and*
- v. *the Committee may sometimes resolve to undertake the coordination of a project from within their ranks. In this case, the committee will be responsible for scoping, budgeting, developing an art work brief, managing the advertising and selection process, and ensuring a quality outcome is achieved on time and on budget.*
5. *DEFINE Council delegations as Nil;*
6. *APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;*
7. *DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and*
8. *HOLD meetings as required.*

CARRIED BY ABSOLUTE MAJORITY 15/0

The Public Arts Advisory Committee's Community Artist position is currently vacant. At the Committee's meeting in January, the Committee decided to recommend to Council that two Community Member positions be added to the Committee (see the attached Minutes of the Public Arts Advisory Committee meeting held on 31 January 2013). This report brings the Committee's recommendation before Council.

The addition of two Community Member positions would allow for greater community representation and a broader range of expertise on the Committee.

**COMMUNITY CONSULTATION:**

The Committee currently includes one Community Artist position. This report seeks Council resolution on the addition of two Community Member positions for a total of three community positions, thereby increasing community representation.

**COUNCILLOR CONSULTATION:**

The Committee includes three Councillors (Cr N Bennett, Cr P Fiorenza and C T Thomas).

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

There are no financial or budgetary implications.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 5:	Leading the Opportunities
Outcome 5.2:	Citizen and stakeholder focused services
Strategy 5.2.2:	Maintain meaningful engagement, consultation and deliberative processes with the community

**Regional Outcomes:**

The Public Arts Advisory Committee may undertake public art projects in regional localities within Greater Geraldton.

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

The two additional Community Member positions will be open to community members in all sectors. This may give rise to cross-industry synergies.

**Social:**

Greater community representation on the Committee may result in greater alignment of public art projects with the community's desired social outcomes.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

Greater community representation on the Committee may result in greater alignment of public art projects with the community's desired arts, creative and cultural outcomes.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Under Section 5.8 of the Local Government Act 1995, a simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Simple Majority, under Section 5.8 of the Local Government Act 1995, RESOLVES to:

1. DECLINE to add two new Community Member positions to the Public Arts Advisory Committee; and
2. MAKES the determination based on the following reason:
  - a. to be determined by Council.

**Option 3:**

That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DEFER consideration of adding two new Community Member positions to the Public Arts Advisory Committee; and
2. MAKES the determination based on the following reason:
  - a. to be determined by Council

**CONCLUSION:**

The Public Arts Advisory Committee is an established Committee of Council. The Committee unanimously supports the addition of two Community Members on the grounds that further community representation and a broader range of expertise is important for the Committee's purposes. The Executive Recommendation reflects the Committee's resolution.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ADD two new Community Member positions to the Public Arts Advisory Committee, resulting in a total of three vacant community positions; and
2. ADVERTISE for expressions of interest from community members for a period of 30 days.

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

That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ADD two new Community Member positions to the Public Arts Advisory Committee, resulting in a total of three vacant community positions;
2. ADVERTISE for expressions of interest from community members for a period of 30 days; and
3. REFER nominations back to Council for consideration.

**CARRIED 14/0**

**CC099 CRAMER SHED PROJECT FUNDING**

<b>AGENDA REFERENCE:</b>	<b>D-13-16771</b>
<b>AUTHOR:</b>	<b>S Smith, Manager Libraries and Heritage</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>4 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>Community Group of Greenough</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**SUMMARY:**

The purpose of this report is to seek a Council decision on a request from the Community Group of Greenough (Inc) for the City of Greater Geraldton to transfer funds returned by the Geraldton-Greenough Historical Society (GGHS) for the construction of the "Cramer Shed" at the Greenough Museum.

**PROPONENT:**

The proponent is the Community Group of Greenough Incorporated (CGOG)  
The President of the Community Group of Greenough (Inc.) is Mr Alex McKinnon.

**BACKGROUND:**

The Cramer Shed was built for the GGHS in 1991/92 at the rear of the Greenough Pioneer Museum to house a camel wagon and other large objects. The shed was open to the east and north and only had a dirt floor.

In November 2009, the then City of Geraldton-Greenough provided a sum of \$50,000 to the GGHS in to help convert the Cramer Shed into a fully enclosed structure which would include display space and an educational/community area.

The project was commenced and \$1500 spent on replacing termite damaged wooden poles with steel uprights. However it was not completed as originally planned and put on hold for approximately two years while the lease and management arrangement for the property were being negotiated.

In August 2012 the lease of the grounds and buildings of the Greenough Pioneer Museum was awarded to the Community Group of Greenough (CGOG).

As a result of the changed lease arrangements the GGHS removed the collection from the Greenough Pioneer Museum, including objects housed in the Cramer Shed.

GGHS has also returned unspent funds, totalling \$48,500 from the project to the City. Subsequently, a request has been received from CGOG for the City to transfer the returned funds to the CGOG to enable them to complete the project. (see attachment 1)

The refurbished shed would be used to:

- House the Royce Dray (a highly significant wooden vehicle that has been displayed outside for the past 40 years,
- Provide storage space for museum objects,

- Provide educational space for school groups, and
- Provide a meeting space for the community and members of CGOG

**COMMUNITY CONSULTATION:**

The request was discussed at the meeting of the City's Heritage Advisory Committee on 19 February 2013, where no objections to the proposal were raised.

**COUNCILLOR CONSULTATION:**

The Mayor and Councillors Bennett and Thomas are members of the Heritage Advisory Committee.

**STATUTORY IMPLICATIONS:**

There are no statutory implications

**POLICY IMPLICATIONS:**

Council Policy 023 Heritage Policy exists to guide Council decision-making on the strategic direction for the identification, development and provision of heritage services and facilities in the City of Greater Geraldton; however there are no direct implications in either progressing or withdrawing from this project.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The sum of \$48,500 has been returned to the City in the 2012/13 financial year and has not been re-allocated to another project.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 1	Culture: vibrant arts, culture and education
Outcome 1.1	Our Heritage
Strategy 1	Recognising, protecting and restoring heritage sites and buildings

**Regional Outcomes:**

There are no regional outcomes related to this proposal.

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

Cultural and Heritage Tourism has a significant economic impact. A dedicated space for conducting workshops and educational programs would increase patronage to the Museum.

**Social:**

Regional Museums are valued for their links back to the community which include opportunities for people to visit, to attend events, and to work in a paid

or unpaid capacity. Museums are being reinvented as physical and virtual spaces in which people engage and learn, interacting with objects and discovering their stories.

A refurbished shed would provide a weather proof space for the Community to meet – in particular the 120 members of the CGOG.

**Environmental:**

There are no environmental impacts with this proposal.

**Cultural & Heritage:**

A refurbished shed would provide protection for historical objects which are currently displayed in the grounds of the Greenough Museum. It would also provide a space for educational programs which promote the importance of the preservation and celebration of Greenough history.

**RELEVANT PRECEDENTS:**

In November, 2009 the former City of Geraldton-Greenough provided the GGHS with the sum of \$50,000 for the redevelopment for the Cramer Shed. Unspent funds totalling \$48,500 have since been returned to the City by GGHS.

**DELEGATED AUTHORITY:**

There is no delegated authority

**VOTING REQUIREMENTS:**

Absolute Majority is required.

**OPTIONS:**

**Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DEFER the decision on the allocation of \$48,500 to the Community Group of Greenough Inc. for the construction of the Cramer Shed at the Greenough Museum;
2. REFER the matter to the Heritage Advisory Committee to assess this project in the context of current and proposed Heritage projects identified within the forthcoming Heritage Strategy;
3. REFER the matter back to Council for final determination; and
4. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

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

1. REFUSE the transfer of \$48,500 to the Community Group of Greenough Inc. for the construction of the Cramer Shed at the Greenough Museum;
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

The City supports and helps promote local Community museums.

The request from the Community Group of Greenough (Inc) for the City of Greater Geraldton to transfer funds returned by the Geraldton-Greenough Historical Society for the construction of the "Cramer Shed" at the Greenough Museum is a valid and worthwhile project. It will increase patronage to the Museum and allow greater flexibility in presenting workshops and educational programs.

**EXECUTIVE RECOMMENDATION:**

That Council by Absolute Majority pursuant to Section 6.8 of The Local Government Act 1995 RESOLVES to:

1. ENDORSE the transfer of \$48,500 to the Community Group of Greenough Inc. for the construction of the Cramer Shed at the Greenough Museum; and
2. ALLOCATE the funds in accordance with the City's Community Grants process for the reporting, acquittal and acknowledgement of funding.

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

That Council by Absolute Majority pursuant to Section 6.8 of The Local Government Act 1995 RESOLVES to:

1. **ENDORSE** the transfer of \$48,500 to the Community Group of Greenough Inc. for the construction of the Cramer Shed at the Greenough Museum; and
2. **ALLOCATE** the funds in accordance with the City's Community Grants process for the reporting, acquittal and acknowledgement of funding.

**CARRIED BY ABSOLUTE MAJORITY 14/0**



CC100	PROPOSED NORTH ROAD STOCK ROUTE DRIVE TRAIL
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<b>AGENDA REFERENCE:</b>	<b>D-13-16773</b>
<b>AUTHOR:</b>	<b>S Smith, Manager Libraries and Heritage</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>28 February 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (x1)</b>

**SUMMARY:**

The objective of this report is to seek a Council decision regarding the future of the North Road Stock Route Trail Drive project and the City's role in the project.

**PROPONENT:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

In 2001 the Neergabby Community Association (NCA) began work on a plan to develop a trail concept for the Old North Road Stock Route which would follow the historic stock route that commenced at North Beach in Perth, traversed the Shires of Gingin, Dandaragan, Coorow, Carnamah, Irwin and Greenough, to finish at Champion Bay.

In May 2003, a forum at Yanchep, convened by the NCA to promote the development of the Trail, inspired representatives from the former Shire of Greenough to become involved in the project.

The Manager Community Development for the former Shire of Greenough formed a Project Steering Group in 2006 with representatives from Shires along the route as well as State Government Departments and the NCA. The Shire commissioned Transplan Pty Ltd to produce the North Road Stock Route Trail Feasibility Study Report

The North Road Stock Route Drive Trail Plan, produced by Transplan Pty Ltd, was presented at the Ordinary Meeting of the former City of Geraldton-Greenough Council on 22 July 2008 where Council resolved the following:

*Council Decision*

*MOVED CR JEFFERIES, Seconded CR MCILWAINE*

*That Council:*

1. *resolve to endorse the North Road Stock Route Trail Development Plan and seek to implement the recommendations contained therein;*
2. *refer a copy of this report to all local governments between Geraldton and Perth (Geraldton-Greenough, Irwin, Carnamah, Coorow, Dandaragan, Gin-Gin, Wanneroo, Joondalup, Stirling and Cambridge) with a request to review the report, and to provide comment on the proposed Drive Trail;*
3. *refer a copy of this report to the following organisations for review and comment:*
  - a. *Department of Environment and Conservation (Geraldton, Moora District and Swan Coastal District officer);*
  - b. *Botanic Gardens and Parks Authority (Bold Park);*

- 
- c. *Tourism WA and the State Tourist Drive Committee, with reference to the need to obtain that Committee's consent for the proposed Drive Trail to be recognised;*
  - d. *Geraldton Museum;*
  - e. *Department for Sport and Recreation (Mid West and Wheatbelt offices);*
  - f. *Yamatji Land and Sea Council;*
  - g. *South West Aboriginal Land and Sea Council;*
  - h. *Yued Natural Resource Management Advisory Group;*
  - i. *Department of Indigenous Affairs;*
  - j. *Wheatbelt Development Commission; and*
  - k. *Australia's Coral Coast.*
4. *refer a copy of this report to Main Roads WA with reference to the proposed directional signage, and seek funding assistance to undertake the necessary directional signposting along the Drive Trail; and*
  5. *take action to form a Trails Association to facilitate the ongoing coordination and action in the development of the proposed Drive Trail, including:*
    - a. *the preparation of Memoranda of Understanding – as recommended in the North Road Stock Route Drive Trail Development Plan;*
    - b. *seek funding to undertake the preparation of the recommended interpretation program;*
    - c. *seek funding to undertake the construction/development at each of the recommended sites; and*
    - d. *seek funding to undertake the preparation of the recommended marketing and promotion program.*

CARRIED 11/0

The report was later approved and accepted by all Councils which were part of the route. Estimated costs of \$680,920 were recorded in the Drive Trail Plan prepared in 2008. The intention of the City was to seek funding required to enable the project to proceed, with the aim of the project being completed to coincide with the opening of the Indian Ocean Drive. However, an application for funding from a Commonwealth TQUAL Tourism Grant in 2009 was unsuccessful. Although support for a funding application to the Royalties for Regions Strategic Projects Scheme was canvassed from stakeholders by the City in early 2010, no further applications for external funding sources were progressed.

Given the lack of funding for this project, which was competing with other funded initiatives for staff resourcing priorities, the project was not progressed. As part of the 2012/13 budget (Councillor request process), \$45,000 for the North Road Stock Route Drive Trail was included in the City's 2012/2013 Capital Expenditure Budget. The intention of this allocation was to employ consultants to liaise with key stakeholders, and prepare funding submissions to both the Midwest Development and Wheatbelt Development Commissions to further the Trail Project.

The Manager Libraries and Heritage convened a meeting at Jurien in November 2012 to which all parties involved in the North Road Stock Route Drive Trail Plan were invited. The object of the meeting was to determine if there was still interest in and support for the project.

A representative from Transplan Pty Ltd stated that there had been many changes since the report for the drive trail had been prepared, which included:

1. The completion of the Indian Ocean Drive;
2. The establishment of the Wildflower Way, a drive trail between Wubin and Mullewa;
3. The Exploring Wildflower Country Midlands Route, which involves Moora, Three Springs, Coorow, Mingenew and the City of Greater Geraldton; and
4. The inclusion of some of the proposed sites for the North Road Stock Route in the wildflower drive trails.

Due to these changes, the original report is no longer accurate and would have to be updated if the project was to proceed. Estimated costs for the preparation of an updated report were \$35,800.

It was decided that each Council involved in the project would need to determine whether interest remained in the project and what level of commitment would be made in the future. The continuation of the project would require one Council to take the lead in coordinating the project.

Since the meeting, responses from the majority of Councils have been received (see attachment 1). Although some have expressed an interest in following the progress of the project, none of them have confirmed or stated that they will definitely support the project in a financial sense. Most have indicated that the project is not a high priority.

The Shire of Irwin no longer wishes to be part of the project. Transplan Pty Ltd, who developed the original Drive Trail Plan, has stated that without the participation of the Shire of Irwin in the project there is some doubt that a viable drive trail could be developed as there are four sites in that Shire.

The Shire of Gingin supports the project "in principle". The Shire of Dandaragan has requested that total indicative costs are determined, along with the assurance that the Department of Environment and Conservation (DEC) is prepared to partner and fund the project before it would be deemed a priority.

The DEC has stated that funding of a project of this nature would not be regarded as a high priority.

**COMMUNITY CONSULTATION:**

The Manager of Libraries and Heritage convened a meeting in November 2012 to which all interested parties in the project were invited.

The matter has been brought before the City's Heritage Advisory Committee.

**COUNCILLOR CONSULTATION:**

The Mayor and Councillors Bennett and Thomas are members of the Heritage Advisory Committee.

**STATUTORY IMPLICATIONS:**

There are no statutory implications with this proposal.

**POLICY IMPLICATIONS:**

Council Policy 023 Heritage Policy exists to guide Council decision-making on the strategic direction for the identification, development and provision of heritage services and facilities in the City of Greater Geraldton. However, there are no direct policy implications in either progressing or withdrawing from this project.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The sum of \$45,000 was allocated to this project in the 2012/13 City Capital Expenditure Budget. Transplan Pty Ltd has indicated that the sum of \$35,800 would be required to produce an updated plan for the drive trail.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 1:	Culture: Vibrant arts, culture and education
Outcome 1.1:	Our Heritage
Strategy 1:	Recognising, protecting and restoring heritage sites and buildings

**Regional Outcomes:**

The proposed North Road Stock Route Trail Drive could result in an increase in visitors to towns along the route.

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

Cultural and Heritage Tourism has a significant economic impact. Only one of the Shires situated along the drive trail has indicated that financial support will be sought for the project.

**Social:**

There are no social issues.

**Environmental:**

Any environmental issues would be managed by DEC. The development and maintenance of facilities as well as the protection of the natural values of the lands managed by DEC are a high priority for this organisation.

**Cultural & Heritage:**

The Old North Road Stock Route was gazetted as "The Road between Perth and Champion Bay" in May 1862. The Stock Route is registered with the Heritage Council of Western Australia and is also registered on the Shire of Gingin's Municipal Inventory. The history of the route is recorded in a publication entitled *The Old North Road* (De Burgh, 1986).

**RELEVANT PRECEDENTS:**

In July 2008 the former City of Greater Geraldton endorsed the North Road Stock Route Trail Feasibility Study Report, which was later approved and accepted by all Councils which were part of the route.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Absolute majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by Absolute Majority under section 6.3 of the Local Government Act 1995 RESOLVES to:

1. PROGRESS the proposed North Road Stock Route Drive Trail and utilise \$35,800 from current funding to update the plan;
2. INFORMS stakeholders in the project that the City will take the lead in the project;
3. ALLOCATES \$35,660 in the 2013/14 Capital Expenditure Budget to engage a consultant to liaise with stakeholders and seek funding for the project; and
4. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**Option 3:**

That Council by Simple Majority under section 3.18 of the Local Government Act 1995 RESOLVES to:

1. DEFER the decision to progress the North Road Stock Route Drive Trail; and
2. MAKES the determination based on the following reason:
  - a. To be determined by Council.

**CONCLUSION:**

Almost five years have passed since the endorsement of the North Road Stock Route Drive Trail Plan by the former City of Geraldton-Greenough.

During this time, there have been many changes which include:

1. Amalgamations;
2. The completion of the Indian Ocean Drive;
3. The completion of other drive trail projects which involve towns which were included in the stock route; and
4. A shift in priorities for other Councils and DEC originally in favour of the project.

Without the financial support of all Councils involved in the project and DEC, the financial impost for the project would be placed on the City.

The Shire of Irwin, which contains 4 important sites of the 33 in the Plan, has declined to participate in the project and advice from Transplan Pty Ltd is that the participation by the Shire of Irwin is critical to the project.

Current projects being undertaken by the Heritage Department, as well as over 25 potential projects identified during community consultation conducted by National Trust Western Australia in preparation for the development of a Heritage Strategy for the City, should be taken into consideration when deciding whether the North Road Stock Route Drive Trail would be considered as a priority for the City. It is anticipated the Heritage Strategy will be completed by May 2013.

**EXECUTIVE RECOMMENDATION:**

That Council by Simple Majority under section 3.18 of the Local Government Act 1995 RESOLVES to:

1. NOTE the advice received from the following stakeholders that they are unable to make a financial commitment to the project and do not regard the project as a priority;
  - Shire of Irwin;
  - Shire of Coorow;
  - Shire of Carnamah;
  - Shire of Dandaragan;
  - Shire of Gingin;
  - City of Wanneroo;
  - City of Stirling;
  - Department of Environment and Conservation Moora;
2. DECLINE to take the lead in progressing the proposed North Road Stock Route Drive Trail;
3. OFFER support as a stakeholder should another Council choose to take the lead in progressing the project; and
4. INFORM key stakeholders of the decision.

**COUNCIL DECISION**

**MOVED CR BENNETT, SECONDED CR CLUNE**

That Council by Absolute Majority under section 6.3 of the Local Government Act 1995 RESOLVES to:

1. **PROGRESS** the proposed North Road Stock Route Drive Trail and utilise \$35,800 from current funding to update the plan;
  2. **INFORMS** stakeholders in the project that the City will take the lead in the project;
  3. **ALLOCATES** \$35,660 in the 2013/14 Capital Expenditure Budget to engage a consultant to liaise with stakeholders and seek funding for the project; and
  4. **MAKES** the determination based on the following reason:
-

- a. To recognise the history of the North Road Stock Route Drive Trail.

**LOST 3/11**

**COUNCIL DECISION**

**MOVED CR MCILWAINE, SECONDED CR RAMAGE**

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

1. **NOTE** the advice received from the following stakeholders that they are unable to make a financial commitment to the project and do not regard the project as a priority;
  - Shire of Irwin;
  - Shire of Coorow;
  - Shire of Carnamah;
  - Shire of Dandaragan;
  - Shire of Gingin;
  - City of Wanneroo;
  - City of Stirling;
  - Department of Environment and Conservation Moora;
2. **DECLINE** to take the lead in progressing the proposed North Road Stock Route Drive Trail;
3. **OFFER** support as a stakeholder should another Council choose to take the lead in progressing the project; and
4. **INFORM** key stakeholders of the decision.

**CARRIED 13/1**

<b>CC106 RETAIL TRADING HOURS</b>	
<b>AGENDA REFERENCE:</b>	<b>D-13-18580</b>
<b>AUTHOR:</b>	<b>R Ellis, Manager Community Development and Empowerment</b>
<b>EXECUTIVE:</b>	<b>A Selvey, Director of Creative Communities</b>
<b>DATE OF REPORT:</b>	<b>18 March 2013</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0015</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>No</b>

**SUMMARY:**

This report seeks to provide Council with an update on the community survey regarding variation of trading hours and seeks a Council resolution to extend the timeframe for the matter to be brought back before Council for final consideration.

**PROPONENT:**

The Proponent is the City of Greater Geraldton.

**BACKGROUND:**

At the Ordinary Meeting of Council on 18 December 2012, Council resolved to seek public comment and survey the community on the matter of varying retail trading hours.

*COUNCIL DECISION*

*MOVED CR ASHPLANT, SECONDED CR HALL*

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

- 1. GIVE notice of its intent to seek Ministerial Consent to vary regulated trading hours within the District of Greater Geraldton such as to fully deregulate the hours of operation and trading for any business;*
- 2. SEEK public comment for a period of no less than 90 days on the recommendations;*
- 3. ADVERTISE no less than four consecutive weeks at the commencement of the public comment period;*
- 4. CONDUCT a survey of all the membership of the Mid West Chamber of Commerce and Industry; and*
- 5. REFER the matter back to Council for final consideration in April 2013.*

*CARRIED 10/4*  
*6:53:59 PM*

*COUNCIL DECISION*

*MOVED, CR GABELISH, SECONDED CR MESSINA*

*That Council invite sporting groups and voluntary organisations to participate in the consultation process.*

*CARRIED 13/1*  
*7:00:26 PM*



*COUNCIL DECISION**MOVED CR VAN STYN, SECONDED CR RAMAGE**That public advertising commence in January 2013 for the Trading Hours.**CARRIED 14/0**7:03:31 PM*

The Council resolution has been progressed as follows;

1. The City has given notice of its intent to seek Ministerial Consent via Public Notice.
2. The City has begun a period seeking public comment for 90 days ending 5 April 2013.
3. The City has undertaken the above through the following mechanisms;
  - Notice in Midwest Times beginning 9 January, finishing 5 April
  - Notice in The Geraldton Guardian beginning 9 January, finishing 5 April
  - Copies of Public notices are displayed at the Civic Centre, Geraldton Regional Library, QEII and Mullewa office.
4. The City has met with the subcommittee of the MWCCI on 23 January 2013 and with the then CEO of MWCCI on 7 February 2013.

In addition there has been ongoing email correspondence between the Mid-West Chamber of Commerce and Industry (MWCCI) and the City.

The City was advised that the MWCCI had developed a survey to distribute amongst their members in relation to the City seeking a variation of Trading Hours. The City asked the MWCCI to have input into the survey design and/or offer the expertise of a neutral social scientist in the design of the survey to ensure that the content would meet the statistical rigour necessary in weighting survey results. The MWCCI did not advise the City of their decision in this regard but subsequently distributed their survey to their members on approximately 21 February.

The City asked the MWCCI that in the event that the MWCCI will neither collaborate with the City or a neutral consultant in the survey design, that the MWCCI would distribute a survey designed by a neutral consultant to its members on the City's behalf. MWCCI has not advised the City on its decision in this regard.

In addition to requirements of the Council resolution any application for a *Non Metropolitan Government Area to Seek Extended Trading Hours* must comply with criterion set by the Western Australian Department of Commerce as follows. The City will ensure the survey will comply with these stipulations.

*Approval of Local Government extended trading hours applications for permanent or long term variations is conditional to assurance that appropriate consultation has occurred with;*

- Local trader organisations;
- Tourism interests; and
- Local members of State Parliament.

*Where significant variations to existing hours are proposed, it is important also for the;*

- local community to be provided with an opportunity to comment on the extended trading proposal

*In demonstrating that the above consultations have been undertaken, the following evidence must be provided to the Department of Commerce;*

- list of organisations, groups and associations consulted must be provided;
- summaries of local surveys undertaken should be provided and;
- in the instance where there will be likely impact upon nearby retailers, the applicant must demonstrate that the views of the organisations representing the traders concerned may be taken into account.

On 10 February the Retail Trading Hours Alliance (the Alliance) wrote to the Councillors expressing concerns about the City's intent to seek a variation to Trading Hours.

The City has considered the concerns raised by The Alliance largely centre on the potential 'ambiguity' of the Council's intent. The City is quite certain that through undertaking the comprehensive and rigorous community consultation, any perception that there could be a lack of clarity in relation to the nature of public sentiment about this issue will be mitigated.

In addition the City believes that the comprehensive, detailed and separate presentation of the results of each aspect of the consultation based upon deliberative, genuine and transparent consultation will provide Council with informed and statistically valid community feedback.

The survey design and distribution will ensure the survey results will have statistical rigour taking into account a broad cross section of views and opinions from a variety of groups and organisations; and a statically and geographically representative sample of the population of the City.

The Council resolution was for the matter to be brought back before Council at the Ordinary Meeting of Council in April. However, the breadth and depth of what is required will not allow for this matter to be before Council in April. It has also been difficult to find a suitably qualified and independent consultant

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willing to quote on this work to meet the timeframes specified by the Council resolution. A suitable and highly experienced consultant has now been appointed and has begun work on the survey. It is anticipated that the results will be available for presentation in the week beginning 13 May 2013 and the matter brought before Council at the Ordinary Meeting of Council on 21 May 2013.

**COMMUNITY CONSULTATION:**

The City has given notice of its intent to seek Ministerial Consent via Public Notice.

The City has begun a period seeking public comment for 90 days ending 5 April 2013.

The City has undertaken the above through the following mechanisms;

- Notice in Midwest Times beginning 9 January, finishing 5 April;
- Notice in The Geraldton Guardian beginning 9 January, finishing 5 April; and
- Copies of Public notices are displayed at the Civic Centre, Geraldton Regional Library, QEII and Mullewa office.

The City has met with the subcommittee of the MWCCI on 23 January 2013 and with the then CEO of MWCCI on 7 February 2013.

In addition there has been ongoing email correspondence between the Mid-West Chamber of Commerce and Industry (MWCCI) and the City.

The City has contracted 'Research Solutions' to undertake the survey work, collation and analysis. It is anticipated the survey the survey will be ready for circulation in the first week of April. The consultant will then survey a geographically and statistically representative sample of 300 residents via telephone. A report will be prepared which analyses and presents the results of the random telephone survey.

The City will publicise the availability of the survey and encourage people to undertake the survey themselves through an online facility at the library or through filling out a hard copy also available at the library and Civic Centre. A report will be prepared which analyses and presents the results of the self-selecting survey.

The City has also asked the consultant to undertake a random survey of at least 100 retail businesses throughout Greater Geraldton. A report will be prepared which analyses and presents the results of the random retail business survey.

It is anticipated that the final results and reports will be available in the week beginning 13 May 2013 and the report brought before Council at the Ordinary Meeting of Council on 28 May 2013.

**COUNCILLOR/OFFICER CONSULTATION:**

A Briefing Note was distributed to Councillors on 8 March 2013. This provided an update on the status of the community consultation.

**STATUTORY IMPLICATIONS:**

There are no statutory implications.

**POLICY IMPLICATIONS:**

There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**

The cost of the survey design, distribution, analysis and reporting and advertising for public submissions is likely to be \$45,000. This amount has been factored into the mid-year Budget Review.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic & Plan for the Future Outcomes:**

- Goal 5: Leading the opportunities.
- Outcome 5.2: Citizen and stakeholder focused services.
- Strategy 5.2.2: Maintain meaningful engagement, consultation and deliberative processes with the community.

**Regional Outcomes:**

The matter of 7 day trading is likely to have regional outcomes. While there is no statistical or quantifiable data to support this, anecdotally it is evident that as the regional centre for retail, many residents from regional communities do visit Geraldton to shop. While the City will not be surveying outside the City of Greater Geraldton boundary, the random selection of survey recipients will ensure representative geographic spread within the City (e.g. Mullewa, Walkaway). Additionally, advertising in the Midwest Times will ensure regional residents outside of Geraldton are aware of this matter and have an opportunity to provide submissions. Submissions from the regional community outside Geraldton will be reported as such to Council.

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

Varying trading hours will have an economic outcome and community opinion differs in terms of the result of that outcome. The survey of the community will take into consideration the economic outcome from a variety of perspectives.

**Social:**

Varying trading hours will have a social outcome and community opinion differs in terms of the result of that outcome. The survey of the community will take into consideration the social outcome from a variety of perspectives.

**Environmental:**

There are no direct environmental outcomes.

**Cultural & Heritage:**

There are no direct cultural and heritage outcomes.

**RELEVANT PRECEDENTS:**

There are no relevant precedents.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

Simple majority required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

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

1. DECLINE to defer consideration on the matter of varying retail trading hours until the Ordinary Meeting on 28 May 2013;
2. CONSIDER the matter of varying retail trading hours at the Ordinary Meeting on 23 April 2013;
3. NOTE that survey results will not be available until 13 May 2013; and
4. MAKES the determination based on the following reason:
  - a. As determined by Council.

**CONCLUSION:**

The matter of varying retail trading hours is one that the community has demonstrated a significant interest in. The City is certain that comprehensive and rigorous community consultation is essential to ensure informed and robust process for community input. In addition, the City believes that the comprehensive, detailed and separate presentation of the results of each aspect of the consultation based upon deliberative, genuine and transparent consultation will provide Council with informed and statistically valid community feedback. The survey design and distribution will ensure the survey results will have statistical rigour taking into account a broad cross section of views and opinions from a variety of groups and organisations; and a statically and geographically representative sample of the population of the City.

The December Council resolution was for the matter to be brought back before Council at the Ordinary Meeting of Council in April. The breadth and depth of what is required would not allow for the results to be available for Council in April; however in recognition of the importance of community

consultation on this subject, it is recommended the matter be deferred for consideration by Council until May.

**EXECUTIVE RECOMMENDATION:**

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

1. DEFER final consideration on the matter of varying retail trading hours until the Ordinary Meeting of Council on 28 May 2013.

*Mayor I Carpenter declared an indirect financial interest in Item CC106 Retail Trading Hours, as has a long commercial relationship with IGA and his son works at Queens IGA and left Chambers at 3.09pm*

*The Deputy Mayor took the chair.*

*Cr Brick left Chambers at 3.16pm*

*Cr Brick returned to Chambers at 3.17pm*

**COUNCIL DECISION**

**MOVED CR DETRAFFORD, SECONDED CR ASHPLANT**

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

1. DEFER final consideration on the matter of varying retail trading hours until the Ordinary Meeting of Council on 28 May 2013; and
2. GIVE public notice of the extended time frame.

**CARRIED 12/1**

*The Mayor returned to Chambers at 3.22pm and resumed the Chair.*

*Cheryl Wood left Chambers at 3.22pm*

<b>CI041 RFT 43/1213 - CHEMICAL WEED SPRAY</b>	
<b>AGENDA REFERENCE:</b>	<b>D-13-16845</b>
<b>AUTHOR:</b>	<b>P Faraone, Principal Works Manager</b>
<b>EXECUTIVE:</b>	<b>N Arbuthnot, Director Community Infrastructure</b>
<b>DATE OF REPORT:</b>	<b>20 February 2013</b>
<b>FILE REFERENCE:</b>	<b>PR/4/0005</b>
<b>APPLICANT / PROPONENT:</b>	<b>City of Greater Geraldton</b>
<b>ATTACHMENTS:</b>	<b>Yes (Confidential)</b>

**SUMMARY:**

The objective of this report is to seek Council approval to award RFT 43 1213 to Midwest Pest Management for the supply of chemical weed spraying services for a period of two years with an option of a further two years exercisable at the absolute discretion of the Principal. The initial contract would be in place from 1 April 2013 to 30 April 2015.

**PROponent:**

The proponent is the City of Greater Geraldton.

**BACKGROUND:**

Over the last 18 months, inspections of the City's footpaths, kerb lines, sumps and rural road shoulders have shown that existing weed control measures are inadequate.

The need for a systematic program of works to address this shortfall is required to maintain an acceptable service level to the community as well as improving the aesthetics of our localities.

This program of works involves weed control measures along kerb lines and median strip islands, sumps (currently being cleared to allow for effective spraying), footpaths and rural road shoulders for all localities in the former City of Geraldton-Greenough. The program as tendered does not include Mullewa and subject to a future needs assessment, will be extended to include Mullewa.

A tender for the supply of chemical weed spraying services for the control of weeds and regrowth on pathways, rural shoulders, stormwater drainage sumps and kerb lines within the City of Greater Geraldton was advertised locally in the Geraldton Guardian on 18 January 2013 and in the West Australian on 19 January 2013. The closing date for tender was 7 February 2013.

There were two tenders received as follows:

- a. Midwest Pest Management; and
- b. Western Mulga Pty Ltd.

**COMMUNITY CONSULTATION:**

There has been no community consultation.

**COUNCILLOR CONSULTATION:**

There has been no Councillor Consultation.

**STATUTORY IMPLICATIONS:**

Tenders were called in accordance with the provisions of the Local Government Act 1995 and with Local Government (Functions and General) Regulations 1996.

**POLICY IMPLICATIONS:**

The City of Greater Geraldton has adopted a purchasing policy which refers to the purchase of all levels of goods and services through either quotations or through tenders. The invitation for the supply of the services complied with the Local Government Act 1995, relevant regulations and the City's policies and procedures.

The policy provides compliance with the requirements of the Local Government Act 1995 and the Local Government Act (Functions and General Regulations 1996). Additional to the policy, procedures have been developed for both purchasing through quotations and tenders to guide staff when purchasing goods and services for the City of Greater Geraldton

**FINANCIAL AND BUDGET IMPLICATIONS:**

Prices tendered are recorded and utilised for future project pricing. The table in the confidential attachment indicates comparative prices of all services and products. This will supplement existing in house services and will be carried out within the budget allocation. As it is an hourly hire rate work will be reviewed as required to provide the level of service budgeted.

Budget allocation is as a service supply and delivery which is within the annual construction (budget projects) and maintenance budget provisions.

**STRATEGIC & REGIONAL OUTCOMES:****Strategic Community Plan Outcomes:**

Goal 4:	Opportunity for Sustainability
Outcome 4.1:	Improved Transport and Accessibility
Strategy 4.2	Improve our network of urban, rural and regional roads, cycle ways, trails and paths.

**Regional Outcomes:**

To develop a functional network of roads, paths and drainage.



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

Two yearly supply tenders allow services to be provided from a proven supplier at known costs.

**Social:**

There are no social issues.

**Environmental:**

There are no environmental issues.

**Cultural & Heritage:**

There are no cultural and heritage issues.

**RELEVANT PRECEDENTS:**

The service has been supplemented in the past using contractors on an adhoc basis. The use of the tender process provides certainty of pricing and delivery of the service.

**DELEGATED AUTHORITY:**

There is no delegated authority.

**VOTING REQUIREMENTS:**

A simple majority is required.

**OPTIONS:****Option 1:**

As per Executive Recommendation in this report.

**Option 2:**

That Council by simple majority pursuant to the Local Government Act 1995 Section 3.57 RESOLVES to:

1. NOT AWARD RFT 43 1213 Chemical Weed Spraying;
2. MAKES this determination based on the following:
  - a. To be determined by Council.

**Option 3:**

That Council by simple majority pursuant to the Local Government Act 1995 Section 3.57 RESOLVES to:

1. RE-TENDER RFT 43 1213 Chemical Weed Spraying;
2. MAKES this determination based on the following:
  - a. To be determined by Council.

**CONCLUSION:**

The City requires effective and efficient supply of goods and services to enable budgetary commitments and program schedules to be. Procuring

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services using multiple year supply of products and services has proven to be efficient and competitive. By carrying out a systematic and targeted approach to weed control within the City we can provide continuous improvement to the City's visual aesthetics.

#### **EXECUTIVE RECOMMENDATION:**

That Council by simple majority pursuant to the Local Government Act 1995 Section 3.57 RESOLVES to:

1. AWARD RFT 43 1213 Chemical Weed Spraying services to Midwest Pest Management for the period, 1 April 2013 to 30 April 2015; and
2. RECORD the tendered rates in the Minutes.

#### **COUNCIL DECISION**

#### **MOVED CR CLUNE, SECONDED CR THOMAS**

That Council by Simple Majority pursuant to the Local Government Act 1995 Section 3.57 RESOLVES to:

1. AWARD RFT 43 1213 Chemical Weed Spraying services to Midwest Pest Management for the period, 1 April 2013 to 30 April 2015; and
2. RECORD the tendered rates in the Minutes as shown in the schedule below:

Midwest Pest Management					
No	Service Description	Tender Unit	Price Tendered (ex GST)	GST	Price Tendered (inc GST)
1	Per kilometre	Km			
2	Per metre (Sumps)	per square meter	0.08	0.01	0.09
3	Per hour	Hour	81.82	8.18	90.00
		Additional personnel		\$50.00 / hr	
		Traffic mgmt 1 person / ute + signage		\$55.00 / hr	
		Traffic mgmt 2 person / ute + signage		\$104.00 / hr	

**CARRIED 14/0**

**16 REPORTS TO BE RECEIVED**

REPORTS TO BE RECEIVED	
<b>AGENDA REFERENCE:</b>	<b>D-13-17669</b>
<b>AUTHOR:</b>	<b>A Brun, Chief Executive Officer</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>No</b>
<b>FILE REFERENCE:</b>	<b>GO/6/0012-2</b>
<b>DATE OF REPORT:</b>	<b>11 March 2013</b>

**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.

**ADMINISTRATIVE COMMENT:**

The following reports are attached in the Appendix to this agenda:

<i>Office of the CEO</i>	
CEO021	Minutes for the WARCA Meeting 8 February 2013
CEO022	Minutes for the WARCA Meeting 2 August 2012
CEO023	Minutes for the WARCA Meeting 19 June 2012
CEO024	Report - Council Resolutions to 26 February 2013
<i>Reports of Organisational Performance</i>	
OP0036	Audit Committee Meeting Minutes 8 March 2013
<i>Reports of Sustainable Communities</i>	
SCDD072	Delegated Determination
<i>Reports of Creative Communities</i>	
CC101	Heritage Advisory Committee Meeting Minutes 12 December 2012
CC102	Heritage Advisory Committee Meeting Minutes 19 February 2013
CC103	HMAS Sydney II Memorial Committee Meeting Minutes 19 February 2013
CC104	Public Arts Advisory Committee Meeting Minutes 30 January 2013
CC105	Reconciliation Committee Meeting Minutes 1 February 2013
<i>Reports of Treasury and Finance</i>	
TF052	Statement of Financial Activity Period Ending 28 February 2013
TF053	Confidential Report – List of Accounts to be Paid Under Delegation

**CONSULTATION:**

Not applicable.

**STATUTORY ENVIRONMENT:**

Not applicable.

**VOTING REQUIREMENTS:**

Simple majority is required.

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

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

1. RECEIVE the following appended reports:
  - a. Reports of the Office of the CEO:
    - i. CEO021 – Minutes for the WA Regional Capitals Alliance Meeting 8 February 2013;
    - ii. CEO022 – Minutes for the WA Regional Capitals Alliance Meeting 2 August 2012;
    - iii. CEO023 – Minutes for the WA Regional Capitals Alliance Meeting 19 June 2012; and
    - iv. CEO024 – Report – Council Resolutions to 26 February 2013
  - b. Reports – Department of Organisational Performance:
    - i. OP0036 - Audit Committee Meeting Minutes 8 March 2013;
  - c. Reports – Department of Creative Communities:
    - i. CC101 – Heritage Advisory Committee Meeting Minutes 12 December 2012;
    - ii. CC102 - Heritage Advisory Committee Meeting Minutes 19 February 2013;
    - iii. CC103 – HMAS Sydney II Memorial Committee Meeting Minutes 19 February 2013;
    - iv. CC104 – Public Arts Advisory Committee Meeting Minutes 30 January 2013; and
    - v. CC105 – Reconciliations Committee Meeting Minutes 1 February 2013.

**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 – Department of Treasury and Finance;
    - i. TF0052 Statement of Financial Activity Period Ending 28 February 2013; and
    - ii. TF053 Accounts to be Paid Under Delegation (Confidential)
  - b. Reports – Department of Sustainable Communities; and
    - i. SCDD072 Delegated Determinations.

**COUNCIL DECISION****MOVED CR MESSINA, SECONDED CR HALL****PART A**

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

1. RECEIVE the following appended reports:
  - a. Reports of the Office of the CEO:
    - i. CEO021 – Minutes for the WA Regional Capitals Alliance Meeting 8 February 2013;
    - ii. CEO022 – Minutes for the WA Regional Capitals Alliance Meeting 2 August 2012;
    - iii. CEO023 – Minutes for the WA Regional Capitals Alliance Meeting 19 June 2012; and
    - iv. CEO024 – Report – Council Resolutions to 26 February 2013
  - b. Reports – Department of Organisational Performance:
    - i. OP0036 - Audit Committee Meeting Minutes 8 March 2013;
  - c. Reports – Department of Creative Communities:
    - i. CC101 – Heritage Advisory Committee Meeting Minutes 12 December 2012;
    - ii. CC102 - Heritage Advisory Committee Meeting Minutes 19 February 2013;
    - iii. CC103 – HMAS Sydney II Memorial Committee Meeting Minutes 19 February 2013;
    - iv. CC104 – Public Arts Advisory Committee Meeting Minutes 30 January 2013; and
    - v. CC105 – Reconciliations Committee Meeting Minutes 1 February 2013.

**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 – Department of Treasury and Finance;
    - i. TF0052 Statement of Financial Activity Period Ending 28 February 2013; and
    - ii. TF053 Accounts to be Paid Under Delegation (Confidential)
  - b. Reports – Department of Sustainable Communities; and
    - i. SCDD072 Delegated Determinations.

**CARRIED 14/0**

**17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**18 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**19 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING**

Mayor I Carpenter acknowledged Tom Hartman's valuable contribution to the City of Greater Geraldton as the Manager of Mullewa District Office. Mr Hartman asked the Mayor to pass on his thanks to all Councillors and in particular the Joint Structural Reform Transitional Committee. Mr Hartman had a very long career in Local Government, nearly 40 years, including Dalwallinu; Roebourne; Meekatharra; Norseman; Mullewa.

The City of Greater Geraldton wishes Tom Hartman all the best for his well-earned retirement.

The Mayor also acknowledged that it was the Tony Brun's last Council meeting. The Mayor thanked him for his outstanding contribution to the City of Greater Geraldton.

Mr Brun thanked the Mayor for his support and for his consistency during his time at the City. He also thanked the Deputy Mayor, Cr N McIlwaine and former Deputy Mayor, Mr John Sewell for their support.

Mr Brun thanked the Councillors for the successful outcomes that have been achieved in Geraldton.

*C Wood returned to Chambers at 3.29pm.*

**20 CLOSURE**

There being no further business the meeting closed at 3.30pm

**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/your-council/meetings>