



ORDINARY MEETING OF COUNCIL

AGENDA

26 NOVEMBER 2013

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 26 NOVEMBER 2013 AT 5.30PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

DISCLAIMER:

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

1 ACKNOWLEDGEMENT OF COUNTRY

I would like to 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

3 ATTENDANCE

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Cr S Douglas

Leave of Absence:

Cr B Hall

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 22 October 2013, the following question was taken on notice. A response is provided below:

Wayne Brown, 9 Starboard Way, Drummond Cove WA 6531

Question

What are the staff and resources required to police the thousands of vacant blocks in the City every year and what is the final financial cost to ratepayers?

Response

\$130,000 is the actual dollar figure associated with fire control activities, however it needs to be advised that a proportion of this amount relates to salaries for the work done in the mitigation of Council Lands and other matters aside from inspections including Hydrants and Bush Fire Brigade support. Additionally there is a budget item of \$101,000 for clearing properties where the owner has not complied, however this figure is substantially offset of course against the fines levied for non-compliance.

The costs of course reduce if higher levels of compliance are achieved.

5 PUBLIC QUESTION TIME

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

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

Mr Max Correy, 51 Bayview Street, Geraldton

Question 1

Mr Davis, Treasury & finance Director, did you on or about the 19 of June write to Council's solicitors (McLeods) instructing them to alter the agreement that was reached between the Ratepayer Group and the CEO Mr Diehm from 2.25% Rate in the Dollar (RID) rate rise in 2013/14 to an aggregate 2.25% across all rating categories thereby changing the residential rate from 2.25% to 2.55%.

Question 2

Why is the City of Greater Geraldton endeavouring to achieve a real operational surplus within 10 years with respect to the Asset Renewal Gap when approximately 90% of Council Assets are long term assets:

- i.e. land - doesn't depreciate
- roads and buildings - 40-70 year replacement time frame

eg - no home owner replaces their house every 8-10 years - they simply do regular maintenance - which doesn't equate to the replacement cost of the house every 8-10 years.

Question 3

What is the current state or progress with respect to the Olive Street subdivision?

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)
Cr Neil McIlwaine	17 October 2013	25 November 2013
Cr Bob Hall	18 November 2013	1 December 2013
Cr Bob Hall	13 December 2013	20 January 2014
Mayor Ian Carpenter	26 December 2013	12 January 2013
Cr Jennifer Critch	10 December 2013	10 December 2013
Cr Simon Keemink	30 November 2013	10 December 2013

Cr S Van Styn request for leave of absence for the period 29 December 2013 to 10 January 2014 be approved.

Cr P Fiorenza request for leave of absence for the period 10 January 2014 to 25 January 2014 be approved.

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr J Clune declared an impartiality interest in Item CC136, Wonthealla Oval Flood Lighting Project, as he is Chair of the committee.

Cr R deTrafford declared a impartiality and proximity interest in Item CCS018 Triennial Recurrent Grants, as his wife works for GRCED and he is a volunteer Ambulance officer with St John's Ambulance.

Cr S Keemink declared an impartiality interest CCS018 Triennial Recurrent Grants as he is closely linked to person via full time work.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Special meeting of Council of the City of Greater Geraldton held on 21 October 2013; the Ordinary Meeting of Council held on 22 October 2013; and Special Meeting of Council held on 4 November 2013 as previously circulated, be adopted as a true and correct record of proceedings.

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

DATE	FUNCTION	REPRESENTATIVE
23/10/2013	Independent Review Committee Meeting	Mayor Ian Carpenter
24/10/2013	Durack Vocational Training Awards Presentation	Mayor Ian Carpenter
24/10/2013 - 25/10/2013	Mid-West Development Commission (MWDC) Board Meeting	Mayor Ian Carpenter
25/10/2013	Geraldton Senior College Leavers Assembly 2013	Cr Bob Hall
25/10/2013	Bluff Point Primary Schools 100 Year Anniversary & Official Opening of the Centennial Garden	Mayor Ian Carpenter
26/10/2013 - 27/10/2013	Relay for Life	Mayor Ian Carpenter
28/10/2013	Radio Mama Interview with Catherine Mc Leron	Mayor Ian Carpenter
28/10/2013	Morning tea to Officially unveil interpretive signage at Ellendale Pool	Mayor Ian Carpenter
28/10/2013	Valedictory Ceremony - Geraldton Senior College	Mayor Ian Carpenter
28/10/2013	Annual Awards Presentation Day - Geraldton Residential College	Cr Bob Hall
31/10/2013	Arafmi Mental Health Services Function	Mayor Ian Carpenter
2/11/2013	Connecting the Dots Conference Opening	Cr Bob Hall
4/11/2013	Special Meeting of Council - Brand Highway Realignment Land Acquisition Concurrence	Mayor Ian Carpenter
4/11/2013	Concept Forum 2013	Mayor Ian Carpenter
6/11/2013	Local Emergency Management Committee(LEMC) Meeting	Mayor Ian Carpenter
6/11/2013	Independent Review Committee Meeting	Mayor Ian Carpenter
8/11/2013	Governance Essential Training for New Councillors	Mayor Ian Carpenter
8/11/2013	New Councillors Welcome Reception	Mayor Ian Carpenter
9/11/2013	McDonalds - McHappy Day Fundraiser	Mayor Ian Carpenter
9/11/2013	#changesCGGcommunity 10 Year Capital Works Plan	Mayor Ian Carpenter
9/11/2013	Governance Essential Training for New Councillors	Mayor Ian Carpenter
10/11/2013	Opening of the Seniors Week Celebrations	Mayor Ian Carpenter
11/11/2013	Mayor's Mystery Bus Tour - 2013	Mayor Ian Carpenter
11/11/2013	Business Leaders Meeting and Sundowner	Mayor Ian Carpenter
12/11/2013	Regular Media Meeting	Mayor Ian Carpenter
12/11/2013	Councillor Induction Meeting	Mayor Ian Carpenter
13/11/2013	One on One with Cr Keemink	Mayor Ian Carpenter
13/11/2013	One on one with Cr Graham	Mayor Ian Carpenter

13/11/2013	Business After Hours - Mid-West Chamber of Commerce	Mayor Ian Carpenter
13/11/2013	Blessing and Opening of the Bishop Justin Bianchini Gymnasium Nagle Catholic Collage	Cr Bob Hall
14/11/2013	Public Transport Authority(PTA) Land Meeting	Mayor Ian Carpenter
14/11/2013	Meeting with Hon Paul Brown	Mayor Ian Carpenter
14/11/2013	One on One with Cr Critch	Mayor Ian Carpenter
14/11/2013	Meeting - Ernest Gutsa - Midwest Multi Cultural Association	Mayor Ian Carpenter
15/11/2013	Regional Capitals Australia Board Meeting Telephone Conference	Mayor Ian Carpenter
15/11/2013	Better Beginnings Presentation	Mayor Ian Carpenter
15/11/2013	One on One Cr with Caudwell	Mayor Ian Carpenter
15/11/2013	One on One Cr with Douglas	Mayor Ian Carpenter
15/11/2013	Luminous Dreams Evening	Mayor Ian Carpenter
17/11/2013	Corvettes Coffee Club Visit 2013	Mayor Ian Carpenter
18/11/2013	Civic Reception for the Formation of the City of Greater Geraldton Sub-section of the Naval Association of Australia	Mayor Ian Carpenter
18/11/2013	42nd Annual Geraldton Guardian Mid-West Sports Award of 2013	Cr Peter Fiorenza
19/11/2013	Mayor/Deputy Mayor and CEO Review of Agenda prior to Agenda Forum	Mayor Ian Carpenter
19/11/2013	HMAS Sydney Memorial Service	Mayor Ian Carpenter
20/11/2013	Presentation to Council - Department of Mines and Petroleum	Mayor Ian Carpenter
20/11/2013	Agenda Forum 2013	Mayor Ian Carpenter
21/11/2013	Sod turning for Karloo-Wandina project	Mayor Ian Carpenter
21/11/2013	Citizenship Ceremony	Mayor Ian Carpenter
22/11/2013	Access Housing Presentation	Mayor Ian Carpenter
22/11/2013	HMAS Toowoomba - Commanding Officer's Luncheon	Mayor Ian Carpenter
22/11/2013	Independent Review Committee	Mayor Ian Carpenter
25/11/2013	Northern Country Zone (NCZ) AGM	Mayor Ian Carpenter
25/11/2013	Mayor & CEO regular Discussion	Mayor Ian Carpenter
25/11/2013	Media Meeting	Mayor Ian Carpenter
26/11/2013	Ordinary Meeting of Council	Mayor Ian Carpenter

11 COMMUNITY INFRASTRUCTURE
Nil.

12 CORPORATE & COMMERCIAL SERVICES

CCS012 MEETING SCHEDULE – JANUARY 2014 TO DECEMBER 2014	
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AGENDA REFERENCE:	D-13-71358
AUTHOR:	T Mbirimi, Manager Governance and Risk
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	4 November 2013
FILE REFERENCE:	GO/6/0012
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	No

SUMMARY:

The purpose of this report is to adopt the Council meeting schedule for the period January 2014 to December 2014.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Section 5.3 of the Local Government Act 1995 allows Council to hold ordinary and special meetings. It further requires ordinary meetings to be held not more than 3 months apart. Section 12 of the Local Government (Administration) Regulations 1996 requires Council to give public notice of the dates, times and location of its ordinary and committee meetings to be held in the next 12 months. Public notice is also required for any changes to these elements.

It is proposed that the following ordinary meetings be held over the next 12 months.

Concept Forum (Closed to Public) to be held on the first Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.

Agenda Forum to be held on the third Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.

Ordinary Meeting to be held on the fourth Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.

March and September Ordinary Meetings to be held in Mullewa.

Dates of the December meetings to be brought forward as follows: Agenda Forum to be held on the second Tuesday of the month and Ordinary meeting on the third Tuesday of the month due to the Christmas holiday period.

	Concept Forum 1st Tuesday	Agenda Forum 3rd Tuesday	Ordinary Meeting 4th Tuesday
January 2014	No Meeting	21 January 2014	28 January 2014
February 2014	4 February 2014	18 February 2014	25 February 2014
March 2014	4 March 2014	18 March 2014	25 March 2014 **MULLEWA**
April 2014	1 April 2014	15 April 2014	22 April 2014
May 2014	6 May 2014	20 May 2014	27 May 2014
June 2014	3 June 2014	17 June 2014	24 June 2014
July 2014	1 July 2014	15 July 2014	22 July 2014
August 2014	4 August 2014 Monday	19 August 2014	26 August 2014
September 2014	2 September 2014	16 September 2014	23 September 2014 **MULLEWA**
October 2014	7 October 2014	21 October 2014	28 October 2014
November 2014	3 November 2014 Monday	18 November 2014	25 November 2014
December 2014	2 December 2014	9 December 2014	16 December 2014

Note: Public Holidays 2014

Wednesday 1 January	Monday 27 January	Monday 3 March	Friday 18 April	Monday 21 April	Friday 25 April	Monday 2 June	Monday 29 September	Thursday 25 December	Friday 26 December
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COMMUNITY CONSULTATION:

There is no requirement for community consultation on this matter.

COUNCILLOR CONSULTATION:

There is no requirement for councillor/officer consultation.

STATUTORY IMPLICATIONS:

Section 12 of the Local Government (Administration) Regulations 1996 requires Council to advertise its ordinary and committee meeting schedule for the ensuing 12 months.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

The cost of advertising the schedule of meetings is contained within the 2013/14 budget.

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

Goal 5: Governance

Outcome 5.1: Community Engagement

Strategy 5.2.1: Promoting community involvement in decision making so it is collaborative and transparent.

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 are no delegated authority issues 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 under Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. NOT ADOPT the schedule of ordinary meetings for 2014 as presented;
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 1995 RESOLVES to:

1. ADOPT the schedule of ordinary meetings for 2014 as presented 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:

Council is required under Section 12 of the Local Government (Administration) Regulations 1996 to give public notice of its schedule of ordinary meetings for the next 12 months.

EXECUTIVE RECOMMENDATION:

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

1. ADOPT the schedule of ordinary meetings for 2014 as follows:

	Concept Forum 1st Tuesday	Agenda Forum 3rd Tuesday	Ordinary Meeting 4th Tuesday
January 2014	No Meeting	21 January 2014	28 January 2014
February 2014	4 February 2014	18 February 2014	25 February 2014
March 2014	4 March 2014	18 March 2014	25 March 2014 **MULLEWA**
April 2014	1 April 2014	15 April 2014	22 April 2014
May 2014	6 May 2014	20 May 2014	27 May 2014
June 2014	3 June 2014	17 June 2014	24 June 2014
July 2014	1 July 2014	15 July 2014	22 July 2014
August 2014	4 August 2014 *Monday*	19 August 2014	26 August 2014
September 2014	2 September 2014	16 September 2014	23 September 2014 **MULLEWA**
October 2014	7 October 2014	21 October 2014	28 October 2014
November 2014	3 November 2014 *Monday*	18 November 2014	25 November 2014
December 2014	2 December 2014	9 December 2014	16 December 2014

CCS013 AMENDMENTS TO CP015 CODE OF CONDUCT FOR ELECTED MEMBERS AND COMMITTEE MEMBERS

AGENDA REFERENCE:	D-13-77794
AUTHOR:	T Mbirimi, Manager Governance & Risk
EXECUTIVE:	B Davis, Director of Corporate & Commercial Services
DATE OF REPORT:	6 November 2013
FILE REFERENCE:	GO/14/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

SUMMARY:

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

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Code of Conduct for Elected Members and Committee Members provides guidance on the conduct to be observed by elected members and committee members. The Code of Conduct for Elected Members was endorsed by Council at the Ordinary Meeting of Council 28 August 2012 and an amended version adopted at the Ordinary Meeting of Council 26 March 2013.

However, a further review of the Code has highlighted the omission of references to Committee Members. Section 5.103 of the Local Government Act 1995 stipulates that every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

A separate Code of Conduct for Employees exists as an Operational Policy (OP 054). Consequently, the Code of Conduct for Elected Members has been re-written to ensure compliance with the Local Government Act 1995 by including Committee Members.

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 5.103 of the Local Government Act 1995 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:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.7:	Ensuring efficient and effective delivery of service

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 and heritage issues associated with this matter.

RELEVANT PRECEDENTS:

There are no relevant precedents associated with this matter.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Special 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 Committee Members;
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 and Committee Members with the following changes;
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 Elected Members and Committee Members observe a high level of conduct in their respective roles.

EXECUTIVE RECOMMENDATION:

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

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

CCS014	2012/2013 ANNUAL FINANCIAL REPORT FOR THE CITY OF GREATER GERALDTON
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AGENDA REFERENCE:	D-13-77858
AUTHOR:	K Chua, Manager Accounting Services
EXECUTIVE:	B Davis, Director of Corporate & Commercial Services
DATE OF REPORT:	8 November 2013
FILE REFERENCE:	FM/3/0003
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The purpose of this report is to seek Council's acceptance of the audited annual financial accounts for the City for the period ending 30 June 2013.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City is required to have its financial affairs audited annually. The final audit process started in the week commencing 1 October 2013.

Following a public tendering process in 2011, Mr Patrick Warr of Grant Thornton was appointment for a three year term as auditor for the City of Greater Geraldton commencing 1 July 2011 until 30 June 2014.

The financial result for the 2012-13 year shows a small surplus of \$118,878, in terms of the cash-based budget Rate Setting Statement.

The Comprehensive Income Statement shows an apparent net surplus result of \$7,115,313 relative to a budgeted deficit of \$3,103,443. This difference reflects the combined effects of:

- \$1.735M increase over budget of revenues from Operating grants, subsidies and contributions;
- \$546,129 increase over budget of revenues from Other Revenue;
- \$384,462 increase over budget for Utilities (electricity, gas, water etc.)
- \$1.08M increase in employee costs over budget, resulting from filling of vacant positions (within the FTE cap) and implementation of pay rises under the negotiated Enterprise Agreement.
- \$19,559,715 under budget expenditure for Materials and Contracts, due to delays in commencement of capital works projects. Note that the large majority of these funds comprise matching funds for grant-funded capital projects, and remain committed, rolled forward into 2013-14. This is reflected in the City's restricted Cash position, with some \$17.481M held in the unexpended capital works and restricted grant reserve account.
- The year-end Unrestricted cash position has improved from \$325,376 in the prior year to \$1,077,317 for the year; and
- Annual depreciation expense increased to \$17.983M (from \$14.774M in 2011-12). The Statement of Financial Position shows an increase in net written down value of Non-Current Assets of \$84.108M (to \$591.314M), of which some \$73.7M derived from fair value revaluations of assets in accordance with Accounting Standards, the balance from the net effect of asset additions and disposals.

COMMUNITY CONSULTATION:

Once the Annual Report including this Annual Financial Report has been accepted by Council, the CEO will give local public notice of its availability to the public, and will subsequently give public notice of an annual electors meeting to be held in February 2014. Annual electors meetings must be held within 56 days of acceptance by Council of the full annual report, which must be accepted by Councils no later than 31 December following the end of a financial year.

COUNCILLOR CONSULTATION:

There has been no councillor consultation on the annual financial statements.

The auditor has provided an *unqualified audit report* on the 2012-13 financial statements.

In the normal course, the Audit Committee (when constituted) will review all Audit observations arising during the course of audits for 2012-13, provided by the auditor in a management letter separate from the audit opinion on the financial statements, and the City's responses, in a meeting to be scheduled for the new Committee in early December 2013.

STATUTORY IMPLICATIONS:

Section 5.53 (f) of the Local Government Act 1995 requires preparation of an annual financial report and details what has to be contained within.

Section 6.4 of the Act requires a local government to prepare an annual financial in the manner and form prescribed (in regulations) and, by 30 September following end of the financial year, submit the financial report to its auditors.

Section 7.2 of the Act requires the accounts and the annual financial report to be audited annually by an auditor appointed by the City. The auditors must examine the accounts and report any findings to the Mayor, CEO and the Minister as per section 7.9 of the Act by 31 December next following the financial year.

The audit must report on whether proper standards and practices have been adhered to in the reporting of financial information, in accordance with Regulation 9 of Local Government (Audit) Regulations 1996.

Regulation 10 of the Audit Regulations requires that, at the conclusion of the audit, the auditor is required to provide an opinion as to the financial affairs of the City and a management report on any significant adverse trends in financial affairs, management practices or non-compliance within 30 days to the Mayor, CEO and the Minister.

POLICY IMPLICATIONS:

Policy CP 009, reviewed in July 2013, on changes to the City's Significant Accounting Policy has been applied in the Financial Report.

FINANCIAL AND BUDGET IMPLICATIONS:

Budget provision of \$45,000 has been provided for the audit in the 2012/13 financial year.

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

Goal 5:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.7:	Ensuring efficient and effective delivery of service

Regional Outcomes:

There are no specific regional outcomes.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are now environmental issues.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

There are no relevant precedents.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Absolute Majority is required.

CONCLUSION:

The Annual Financial Report for 2012/13 has been completed and, as provided in the attachment to this report it includes the required CEO's statement, and the Audit opinion dated 4 November 2013.

The auditor has provided an unqualified opinion on the annual financial report for the 2012-13 financial year.

The audited annual financial report will be included in the Annual Report, which will be submitted for acceptance by Council at its December ordinary meeting. For compliance with section 5.54 of the Act, the full annual report must be accepted no later than 31 December 2013.

The full annual report including the financial statements must be presented to an annual meeting of Electors, to be scheduled in February 2014, consistent with section 5.27(2) of the Local Government Act 1995.

This report to Council deals only with acceptance of the annual financial report and its accompanying audit opinion.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. ACCEPT the Annual Financial Report for the financial period ending 30 June 2013 for the City of Greater Geraldton; and
2. ACCEPT the Auditors unqualified report on the Annual Financial Report for the period ending 30 June 2013

CCS015 TRIENNIAL RECURRENT GRANT ALLOCATIONS

AGENDA REFERENCE:	D-13-77917
AUTHOR:	P Radalj, Manager of Business Planning
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	5 November 2013
FILE REFERENCE:	GS/1/0009
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

Applications for Round 13 of the Community Grants opened in August 2013 and closed in September 2013 with twenty three (23) applications having been received and assessed for the Community Grant Funding and six (6) applications having been received and assessed for Recurrent Community Grant Funding. The total amount of Recurrent Community Grant funding subscribed to was \$79,546 which represented \$378,577 in total project costs.

The Grants Advisory Committee convened on the 10 October to review and assess each of the recurrent projects that had been submitted. The Committee recommended the allocation of \$127,041 in Community Grant Funding for distribution to eighteen (18) projects and the remaining \$30,670 in Recurrent Community Grant Funding for distribution to three (3) projects for the remainder of the triennial period.

PROPONENT:

The Proponent is the City of Greater Geraldton.

BACKGROUND:

Council on 28 February 2012 (Item CS049) endorsed and approved a new Community Funding Policy (see attachments).

As per the adopted Community Funding Policy, the following principles apply to the allocation of recurrent grant funding:

- a) *Recurrent Grants will be offered once every three years with applications opening at the beginning of the calendar year for commitments for the next triennial period.*
- b) *75% of the budget allocation for the first year will be allocated to projects. The remaining 25% budget allocation will be made available for new applications that arise throughout years 2 and 3.*
- c) *Funding for each project will be capped at \$50,000.*
- d) *The City will fund up to 50% of the total project cost with the remaining 50% being made up of the applicant's own sources and other funding including "in kind" labour and materials.*
- e) *For projects with a total value no greater than \$2,000, the City will consider funding 100% of the project cost.*
- i) *The City will fund up to 75% of the project if the organisation can justify the need for additional funds.*

- f) *Recurrent grants will be split into the five categories which align the City's Strategic Community Plan and the 2029 & Beyond Community Values, Visions & Directions.*

These Categories are:

- *Cultural & Heritage*
- *Economic & Tourism*
- *Environmental*
- *Social*
- *Governance*

- g) *The applications for this program will be assessed by the Community Grants Advisory Committee which will make recommendations to Council.*

- h) *Council will consider the recommendations of the Committee at the next available ordinary council meeting after the notification of the Committee's recommendations.*

Council on 26 June 2012 (Item TF001) and on 28 May 2013 (Item TF062) endorsed and approved the Grants Advisory Committee's recommendation for the per annum distribution of Recurrent Grant Funds for the triennial period commencing 2012-13 and ending 2014-15 to the following projects:

	Group	12/13	13/14	14/15	Total
1	Mid West Sports Federation (Mid West Sports Academy)	32,500	32,500	32,500	97,500
2	Mid West Men's Health	5,744	5,744	5,744	17,232
3	Centacare Family Services	500	500	500	1,500
4	Soldiers, Sailors & Airmen's Trust	2,000	2,000	2,000	6,000
5	Arts & Cultural Development Council of Geraldton	40,000	40,000	40,000	120,000
6	Aidan's Place Inc.	6,636	6,636	6,636	19,908
7	Geraldton Surf Life Saving Club Inc.	21,000	21,000	21,000	63,000
8	Batavia Coast Replica Boat Association Inc.	3,150	3,150	3,150	9,450
9	Mid West Disaster Relief Inc.	10,000	10,000	10,000	30,000
10	Pollinators Inc.	20,000	20,000	20,000	60,000
11	St John Ambulance (WA) Inc.	1,000	1,000	1,000	3,000
12	Women's Health Resource Centre	15,000	15,000	15,000	45,000
13	Cancer Council WA	4,190	4,190	4,190	12,570
14	Gay Midwest / Pride Midwest	20,000	20,000	20,000	60,000
15	Chrysalis Support Services	30,000	30,000	30,000	90,000
16	Geraldton Sunshine Festival Inc.	40,000	40,000	40,000	120,000
17	Geraldton Cemetery Board	35,000	35,000	35,000	105,000
18	Geraldton City Band	7,500	7,500	7,500	22,500
<i>TF062 28 May 2013</i>					
19	Mullewa Muster & Rodeo	40,000	40,000	40,000	120,000

20	Bundiyarra Community Corporation	Aboriginal Aboriginal	13,000	13,000	13,000	39,000
21	Midwest Association	Multicultural		20,000	20,000	40,000
			347,220	367,220	367,220	1,081,660

The Committee assessed each project individually and determined an overall rating on a priority basis (high, medium & low) that also included a plus/minor factor and allocated amounts according to their prioritised rating. The projects recommended under the Recurrent Grants in order of rating and in consideration of the available amount of \$30,670 left to distribute per annum for 2013-14 and 2014-15 are detailed below:

1. Geraldton Harriers Club Inc (proposed allocation \$12,670). Assist with the annual Run Fest Geraldton Marathon in support of the vision of building a strong and healthy community while also showcasing the Geraldton Region to visiting participants. The 2013 event that incorporated both running and walking categories hosted 600 participants. Overall project cost \$106,213.
2. Geraldton Regional Community Education Centre (proposed allocation \$14,000). Assist with the running of the Strong Youth, Strong Community, Strong Future program focused on at-risk young people with the objective to improving both educational and employment outcomes as well as supporting the students to become productive and responsible members of the community. Overall project cost \$137,298 per annum.
3. Churches Commission on Education Inc. (T/A YouthCARE) (proposed allocation \$4,000). Assistance with the School Chaplaincy program. Providing Chaplaincy Services to the Mullewa District High School which would expand this service to eleven schools with the Greater Geraldton region. Overall project cost \$83,061.

The unsuccessful applicants were:

1. Future Leaders (requested \$13,460). Assistance with the Future Leadership Program 2014 – 2016. Community Grant Application for the same project was approved.
2. Geraldton Greenough Rifle Club Inc. (requested \$4,365). Assistance in paying the land rates of Lot 1106 McCartney Road. Committee felt that a request for reimbursement of rates was a Council decision. Subsequently, Council (Item CCS011) at the meeting of 22nd October 2013 resolved to continue to support the club for a further five years via an annual donation equivalent to the rates levied.
3. Greenough Farmers Club Inc. (requested \$1,921). Assistance in paying the land rates of Victoria Location 726. Committee felt that a request for reimbursement of rates was a Council decision. Subsequent advice received from the Greenough Farmers Club is that they are proposing to make application to Council to seek an exemption on their rates under Section 6.26 (g) of the Local

Government Act on the basis that the land is used for charitable purposes. This matter has subsequently been determined by Council.

COMMUNITY CONSULTATION:

Not applicable

COUNCILLOR CONSULTATION:

Community funding framework was presented to the February 2012 Council Concept Forum for discussion and subsequent adoption of a new Council policy at the 28 February Council meeting.

STATUTORY IMPLICATIONS:

Not applicable

POLICY IMPLICATIONS:

Council Policy CP033 endorsed and approved 28 February 2012.

FINANCIAL AND BUDGET IMPLICATIONS:

The overall dollar allocation for this triennial period was set at \$381,000 per annum (Total Triennial allocation - \$1,143,000) for Recurrent Community Grants. The current surplus amount available for per annum distribution is \$30,670.

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

Goal 3	Social.
Outcome 3.1	Recreation and Sport.
Strategy 3.1.1:	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle.
Outcome 3.2	Youth
Strategy 3.1.1:	Developing leadership and mentoring programs to support single parenting.

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

There are no economic implications.

Social:

There are no social implications.

Environmental:

There are no environmental implications.

RELEVANT PRECEDENTS:

Under the new policy adopted by Council, this Recurrent Community Grants round represents the initial pilot allocation and there are no relevant precedents in relation to the new policy.

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 6.2 of the Local Government Act 1995 RESOLVES to:

1. NOT ENDORSE or APPROVE the distribution of recurrent grant funds to the proposed projects for the triennial period commencing 2012-13 and ending 2014-15;
2. MAKES the determination to redistribute funds as follows:
 - 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 distribution of recurrent grant funds to the proposed projects for the triennial period commencing 2012-13 and ending 2014-15.
2. MAKES the determination to redistribute funds as follows:
 - a. To be determined by council.

CONCLUSION:

Council endorsement and implementation of CO033 Community Funding Policy was based on providing fair and equitable approach to the distribution of funds to the community, improving management processes and providing outcomes aligned to Council's strategic and community plans.

The Grants Advisory Committee applied the principles of the policy in the prioritisation and assessment of projects.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority Pursuant to Section 6.2 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE and APPROVE the per annum distribution of recurrent grant funds for the triennial period commencing 2012-13 and ending 2014-15 to the following projects:

	Group	12/13	13/14	14/15	Total
	Previous Allocated Projects (x21)	347,220	367,220	367,220	1,081,600
22	Geraldton Harriers Club Inc.		12,670	12,670	25,340
23	Geraldton Regional Community Education Centre		14,000	14,000	28,000
24	Churches Commission on Education Inc. (T/A YouthCARE)		4,000	4,000	8,000
		347,220	397,890	397,890	1,143,000

CCS016 STATEMENT OF FINANCIAL ACTIVITY TO 31 OCTOBER 2013

AGENDA REFERENCE:	D-13-78654
AUTHOR:	K Chua, Manager Accounting Services
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	6 November, 2013
FILE REFERENCE:	FM/17/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 31 October 2013.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position to the end of October 2013 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$ 315,408	0.6%	Positive Variance
Operating Expenditure	\$814,895	3.2%	Positive Variance
Net Operating	\$1,130,304	4.6%	Positive Variance
Capital Expenditure	\$2,040,540	22.8%	Positive Variance
Capital Revenue	\$15,945	6.9%	Negative Variance
Cash at Bank - Municipal	\$16,301,303		
Cash at Bank – Reserve	\$30,528,574		
Total Funds Invested	\$42,546,927		
Net Rates Collected	75.4%		
Receivables Outstanding	\$6,909,562		

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

The financial position represented in the October financials shows a positive variance of \$1,130,304 in the net operating result. The closing funding surplus is \$3,176,292 and is due to the under-spend associated with materials and contractors and employee costs. Additionally, capital expenditure is understated due to the delay associated with commencing and completing infrastructural works and purchases of buildings and plant and equipment.

COMMUNITY CONSULTATION:

Community consultation is not undertaken in relation to regular progress reports provided to Council.

COUNCILLOR/OFFICER CONSULTATION:

There has been no officer consultation with Councillors in relation to the monthly financial report.

STATUTORY IMPLICATIONS:

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

POLICY IMPLICATIONS:

The provision of financial reports to Council is governed by statute.

FINANCIAL AND BUDGET IMPLICATIONS:

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

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

Goal 5:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.7:	Ensuring efficient and effective delivery of service

Regional Outcomes:

There are no regional outcomes associated with monthly reporting.

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

There are no economic issues.

Social:

There are no relevant social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Simple Majority is required.

CONCLUSIONS

The financial activity statement to 31 October 2013 as attached includes no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION

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

1. RECEIVE the October 2013 monthly financial activity statement as attached; and
2. RECORD the statement of financial activity in the Minutes.

13 CREATIVE COMMUNITIES

CC136	WONTHELLA OVAL FLOOD LIGHTING PROJECT
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AGENDA REFERENCE:	D-13-79179
AUTHOR:	W Shi Recreational Needs Planner
EXECUTIVE:	A Selvey, Director Creative Community
DATE OF REPORT:	19 November 2013
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

SUMMARY:

The Wonthella Oval Flood Lighting Project has been identified by the Wonthella Oval Ground Management Committee (WOGMC) and in the Sporting Futures Report as a high priority sporting infrastructure need.

In progressing this project, the City applied for funding for 500lux lighting from the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund (CSRFF). The application was partially successful and this item seeks a Council resolution to progress a Business Case for Mid West Infrastructure Plan (MWIP) funding to meet the funding shortfall.

PROPONENT:

The proponent is the City of Greater Geraldton on behalf of the Wonthella Oval Ground Management Committee.

BACKGROUND:

Wonthella Oval is currently considered the main football and cricket facility for the City of Greater Geraldton. Football finals, WAFL matches, and AFL pre-season matches, as well as State and International cricket matches have been hosted at Wonthella Oval in the past.

Other potential uses for the oval include;

- Australian Rules Football alternate training venue;
- Touch Rugby;
- Soccer;
- Hockey;
- Baseball; and
- T Ball.

In addition to the sporting events, Wonthella Oval is ideally positioned to host non-sporting events such as concerts, markets and other large-scale events needing to cater for crowds.

Lighting for Wonthella Oval has long been identified as a priority (Geraldton Greenough Sporting Facilities Master Plan, 2005) and this prioritisation was supported in the Sporting Futures Report (2013), with Wonthella Oval identified for development into the 'Premier' open air facility in the City to

accommodate elite level sport of a variety of disciplines with this project being designated a high priority.

In seeking to progress this project, Council sought CSRFF funding in 2012.

Council at its meeting held on 28 August 2012 resolved to:

1. **ADVISE the CSRFF Committee of the Department of Sports and Recreation of the City of Greater Geraldton's priorities for funding for the 2013/14 CSRFF Grant Round in the following order:-**
 - a. **the Wonthella Oval Lighting Project based on the Development Bonus Application for \$412,474 of CSRFF funding to match a 50/50 basis between the City and DSR;**
 - b. **the Wonthella Skate Park Extension Project based on a 1/3rd contribution of \$200,000 from CSRFF and 2/3rd City of Greater Geraldton matching;**
 - c. **the Geraldton Hockey Association Resurfacing of the Synthetic Turf on Stadium 2 based on a contribution of \$130,000 from CSRFF; and**
2. **SUBMIT for consideration in the 2013/14 Financial Year Budget process matching funding to the amount defined in point 1 and subject to CSRFF confirming their contribution.**

This above Council resolution was made when there was an opportunity to relocate 1100 lux lights from the City of Vincent NIB Stadium at an approximate cost of \$826,000. However, further investigation resulted in the realisation that the relocation was not viable and a subsequent Council resolution was made at the Ordinary Meeting of Council on 18 December 2012.

Council at its meeting held on 18 December 2012 resolved to:

1. **ADVISE the CSRFF committee of the Department of Sport and Recreation of the City of Greater Geraldton's amendment to the commitment and installation of purchasing new 500 lux lights for Wonthella Oval;**
2. **AGREE in principle to 2/3rd funding this project over one or two financial years;**
3. **REQUEST consideration of Towns and GNFL towards meeting 1/3 cost contribution through a self-supporting loan;**
4. **REQUEST CSRFF Committee to give consideration to the project based on the Development Bonus Application and be eligible for 50% funding; and**
5. **CONSIDER this matter in the mid-year budget review.**

In January 2013 the City was advised that the CSRFF application for the Wonthella Oval Flood Lighting Project for 500lux lighting had been partially successful and allocated a grant of \$230,000 with the funding available to claim in either 2013/14, 2014/15 or 2015/16 financial years. The rationale provide by DSR for the grant funding amount allocated was that DSR would support 1/3 funding for 250lux lighting as this would be more than sufficient and a good outcome for the community. Additionally, the WOGMC has

secured a \$100,000 commitment toward funding the project from the AFL (for 500lux lights).

The total cost for 500lux lighting is estimated at \$1.5million. The funding situation as it currently stands is as follows;

\$230,000	CSRFF funding
\$380,000	CGG for detailed design, Project Management and construction
\$100,000	AFL contribution – contingent on 500lux lighting being provided

This leaves a shortfall of \$790,000.

The City submitted an EOI to the Mid West Development Commission for funding from the Midwest Investment Plan on behalf of Wonthella Oval Management Committee on 07/05/2013 and was successful in being invited to progress to a full business case.

Over the past five months, City staff, representatives from the MWDC, the WOGMC and other stakeholders have worked collaboratively to develop the business case for MWIP funding for 500lux lights. The final draft business case is attached.

COMMUNITY CONSULTATION:

The City and Wonthella Oval Management Committee have held community consultations in the past as part of the 2005 Eighth Street Master Plan, the Geraldton-Greenough Facilities Master Plan and the 2010 Wonthella Oval Lighting Study.

Further robust and comprehensive Community Engagement was carried out over two years in the development of the Sporting Futures Report. This engagement process involved dozens of workshops and stakeholder meetings, and three opportunities for community submissions. Following this comprehensive engagement process, Wonthella Oval Lighting was identified as a high priority in the final Council adopted Sporting Futures report as follows;

- 1. Acknowledge Wonthella Oval as the premier oval for the medium term until Southern Districts Sporting Facility is developed to the appropriate standard.*
- 2. Commit to Stage 1 of the installation of flood lighting of 250 lux as a high priority – noting that 500 lux flood lighting will be considered as an alternative if additional, fully matching government funding be sourced prior to installation as a high priority.*

COUNCILLOR CONSULTATION:

Councillors have been provided briefing sessions as part of the Sporting Futures Project. The full Sporting Futures Report with the recommendation on Wonthella Oval lights was adopted by Council on 25 March 2013.

Briefing notes on the progress of the Wonthella Oval lights project have been provided to Council on the following occasions;

- 5 March 2013
- 29 April 2013
- 13 May 2013
- 27 May 2013
- 2 July 2013
- 5 November 2013

STATUTORY IMPLICATIONS:

There are no statutory implications.

POLICY IMPLICATIONS:

This project is consistent with the Sporting Futures Policy CP048.

FINANCIAL AND BUDGET IMPLICATIONS:

Within the City's current annual budget and long term financial plan (LTFP) the following budget provisions have been made:

2013-14:

\$150,000 – Detailed design. (CGG funds)

2014-15:

\$1,050,000 – Construction. (Includes \$230k CGG contribution)

In relation to the proposed business case (500 lux) to be submitted for MWIP funds and confirmed funding commitments, the current funding scenario has changed based on sourcing additional external contributions (note: The City's overall financial contribution remains the same at \$380k).

Funding Body	Current LTFP	Business Case
CGG (committed)	\$380,000	\$380,000
CRSFF (confirmed)	\$230,000	\$230,000
AFL (confirmed for only 500 lux)	\$0	\$100,000
Royalties for Regions – MWIP (Proposed)	\$390,000	\$790,000
Total	\$1,000,000	\$1,500,000

It is not expected that the City would receive any significant net income to offset the lifecycle costs of the proposed lighting system for Wonthella Oval. The Wonthella Oval Management Committee has given a commitment to the provision of full cost recovery to the City for annual operating costs of the lights and any additional revenue generated from event activity would be applied to annual maintenance and renewal costs. The tables below provides a summary of costs in relation to the 250 lux and 500 lux options and includes three scenarios in relation to cost recovery by the City. Therefore, a commitment to install lights, either

250lux or 500lux, effectively includes a commitment to ongoing annual costs for maintenance and renewal as outlined below.

Cost Type	33% contribution of Annual Maintenance & Asset Replacement cost		66% contribution of Annual Maintenance & Asset Replacement cost		100% contribution of Annual Maintenance & Asset Replacement cost	
	250lux \$	500lux \$	250lux \$	500lux \$	250lux \$	500lux \$
Annual Operating Cost	6,950	7,542	6,950	7,542	6,950	7,542
Annual Maintenance Cost	3,709	6,824	7,418	13,649	11,240	20,680
Annual Asset Replacement Cost	24,472	36,708	48,944	73,416	74,158	111,237
Total Annual Cost	35,131	51,074	63,312	94,607	92,348	139,459
Initial Capital Cost	1,000,000	1,500,000	1,000,000	1,500,000	1,000,000	1,500,000
Anticipated Replacement Cost (25 years)	1,850,000	2,780,000	1,850,000	2,780,000	1,850,000	2,780,000

The table below provides average hourly cost recovery rate estimates based on partial to full recovery of total annual costs to the City:

Average Hourly Rate	33%	66%	100%
250Lux	\$90.1	\$162.4	\$236.8
500Lux	\$131.0	\$242.6	\$357.9

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 3: A strong healthy community which is equitable, connected and cohesive.

Outcome 3.1: Recreation and Sport.

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

Regional Outcomes:

Currently the Greater Geraldton area and Mid West Region does not have a premier oval. Other West Australian regional centres (Broome, Bunbury, Albany, Port Hedland) have had, or are in the process of having, 500 lux lighting installed. In addition, several Perth metropolitan facilities have or are

being lit to this level. This strengthens the city's case for 500 lux lighting to ensure geographic equity and that the Mid West is not at a disadvantage.

This project will help build capacity in our region through sport and recreation. Events such as AFL preseason games also bring professional development opportunities for sports coaches, officials, sports trainers and administrators (including other sport and those not resident at WO).

Without 500 lux lights events such as AFL preseason games are not possible and are being lost to other regions that have 500 lux lights (or better) like Albany, Bunbury, Broome and Port Hedland. The AFL has shown strong willingness to host matches in Geraldton (reaffirmed with its \$100k commitment) but this cannot happen until 500 lux lights are installed.

Attracting higher level sporting events to the region compliments local services such as the Mid West Academy of Sport, Clontarf football academy and other athlete development programs. They serve to inspire and motivate talented regional athletes and sporting administrators / coaches and are important for the retention of young people.

As an opportunity to generate income the City and WO user groups will proactively market the venue's new capacity to attract as many new sporting and non-sporting events to the region. Surpluses generated from major events etc can support future enhancements at WO.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

This project would be of great benefit for both the Wonthella Oval Management Committee and the City as it has the potential to generate significant revenue by holding the night time sports competition and big non-sporting events. Events such as the Fremantle vs Richmond game in 2004 attracted around 7,000 spectators with an estimated financial economic indirect benefit for the Greater Geraldton Region of around \$400,000. Without lights such events cannot be held in Geraldton in the future. These events strengthen sport generally and provide economic opportunities for sports and numerous local businesses (directly and indirectly).

Social:

500lux lights at Wonthella Oval will allow Geraldton to be able to host elite level sports, therefore encouraging local participation and aspiration to sporting achievement. There are strong links between participation in community activities such as sporting clubs and association and positive social outcomes. The existing lighting at Wonthella Oval is very limited and antiquated; it does not provide the sufficient lighting for night training and matches. The light system was installed by the club over a decade ago and does not meet current standards. If this submission is successful, it will enable training at night and have more flexible time for Junior development as well as hosting State and National sporting events. Further, Wonthella Oval will then be a high quality facility in the Mid West that is capable of attracting elite level

sporting and non-sporting events that have previously bypassed Geraldton, for the benefit of the entire Mid West community. This will have further flow on benefits to sporting development both on and off the field.

Environmental:

While 500lux lighting would consume a large amount of electricity the lights will be used at this level relatively infrequently. The social outcomes that would be derived from this project outweigh the environmental impact.

Cultural & Heritage:

There are no cultural & heritage issues.

RELEVANT PRECEDENTS:

There are no relevant precedents.

DELEGATED AUTHORITY:

There is no delegated authority.

VOTING REQUIREMENTS:

Absolute majority required for the executive recommendation and option 4.
Simple majority required for option 2 and option 3.

OPTIONS:

Option 1:

As per Executive Recommendation in this report.

Option 2:

That Council by Simple Majority pursuant to section 3.1 of the Local Government Act (as amended) RESOLVES to:

1. DECLINE to submit a Business Case for Wonthella Oval Flood Lighting Project to the Mid West Development Commission for Mid West Investment Plan funding for flood Lighting of any level.
2. MAKES the determination based on the following reason:
 - b. To be determined by Council.

Option 3:

That Council by Simple Majority pursuant to section 3.1 of the Local Government Act (as amended) RESOLVES to:

1. DEFER the decision to submit a Business Case for Wonthella Oval Flood Lighting Project to the Mid West Development Commission for Mid West Investment Plan funding for flood Lighting of any level.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

Option 4:

That Council by Absolute Majority pursuant to section 6.8 of the Local Government Act (as amended) RESOLVES to:

1. COMMIT to supporting the 250lux light project for Wonthella oval subject to full funding support from the MWDC;
2. SUBMIT a Business Case to the Mid West Development Commission for funding of \$390,000 from the Mid West Investment Plan for 250lux flood lighting at Wonthella Oval;
3. NOTE that the 250lux option effectively commits ongoing funding towards the annual maintenance costs estimated at approximately \$11,250 per annum;
4. NOTE that the 250lux option effectively commits ongoing funding towards the annual asset replacement costs estimated at approximately \$74,200 per annum;
5. REFER the matter back to Council should this application receive anything less than the full funding request of \$390,000 from the Mid West Investment Plan funding.

CONCLUSION:

There are regional, social and economic benefits to be derived from floodlighting Wonthella Oval to a 500lux standard. While there is an ongoing cost in maintenance and renewal of such a facility, the economic and social return for our community warrants serious consideration of this project. Additionally, it is essential infrastructure is in keeping with the status of Greater Geraldton a growing regional capital city. Furthermore, many metropolitan and other regional centres already have 500lux lights, making regional equity an issue to be considered with evaluating this project.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to section 6.8 of the Local Government Act (as amended) RESOLVES to:

1. COMMIT to supporting the 500lux lighting project for Wonthella Oval subject to full funding support from the MWDC;
2. SUBMIT a Business Case to the Mid West Development Commission for funding of \$790,000 from the Mid West Investment Plan for 500lux flood lighting at Wonthella Oval;
3. NOTE that the 500lux option effectively commits ongoing funding towards the annual maintenance costs estimated at approximately \$20,700 per annum;
4. NOTE that the 500lux option effectively commits ongoing funding towards the annual asset replacement costs estimated at approximately \$111,237 per annum; and
5. COMMIT to progressing the 250lux lighting option In the event the MWIP Business Case does not attract full funding of \$790,000 for 500lux lighting for Wonthella Oval but does get full funding of \$390,000 for 250lux level lighting.

CC137 SPONSORSHIP OF EVENTS

AGENDA REFERENCE:	D-13-79147
AUTHOR:	C Budhan, Manager Arts, Culture & Events
EXECUTIVE:	A Selvey, Director Creative Communities
DATE OF REPORT:	13 November 2013
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	Chervon City to Surf for Activ; Geraldton Turf Club; Ice Australia; and Ocean Events Pty Ltd
ATTACHMENTS:	Yes (x6)

SUMMARY:

The purpose of this report is to seek a Council resolution on the sponsorship of four events: 1. City to Surf; 2. Ice Australia; 3. Lord Mayor's Cup; and 4. Ocean Race Around Australia.

PROPONENT:

The proponents are Chervon City to Surf for Activ; Geraldton Turf Club; Ice Australia; and Ocean Events Pty Ltd.

BACKGROUND:

The City has recently received sponsorship proposals for four events: 1. City to Surf; 2. Ice Australia; 3. Lord Mayor's Cup; and 4. Ocean Race Around Australia.

These proposals are being presented to Council in the absence of a Council-adopted events strategy. The Arts, Culture & Events team has commenced work on an events strategy that will provide a framework for considering event-related requests. It is anticipated that this strategy will be brought to Council early in 2014.

City to Surf

The Chevron City to Surf for Activ (CSA) is the Activ Foundations' major fundraising event. Now approaching its 39th year it has become the second largest official timed race in the South Hemisphere with over 50,000 participants across WA in 2013. In 2013 the event was introduced to four regional areas, including Geraldton.

The 2013 event in Geraldton received sponsorship of \$15,000 from the City and Go GERO! (\$10,000 cash and \$5,000 in-kind). It attracted 464 participants. 16.59% (77) of these were visitors to Geraldton from Binu, Chapman Valley, Dongara, Exmouth, Halls Head, Morowa, Mullewa, and Perth. It is estimated that these 77 visitors stayed for an average of one night each. In addition, ten CSA staff members stayed in Geraldton an average of 3.5 nights. The associated economic impact is \$16,000 (please see the attached Economic Impact Analysis). Further, the event had positive social and economic effects through promoting health/wellbeing and charity giving, and attracting media attention.

The City has raised concerns over perceived deficits in CSA's 2013 course planning, risk management, and relationship with Geraldton Harriers Club Inc. Please see CSA's attached response to these concerns.

CSA is seeking a three-year commitment to sponsorship (2014-15, 2015-16 and 2016-17) of \$50,000 plus GST per annum (\$30,000 cash and \$20,000 "contra", although contra is also a real cost). Sponsorship benefits include promotion via: notices to past/present participants; event website; television advertising; radio advertising; signage; event presentations; Perth Chevron City to Surf Expo; corporate marquee; and event day. Please see CSA's attached sponsorship proposal for further information.

CSA's requested amount of \$50,000 plus GST per annum substantially exceeds the event's forecasted direct economic impact of \$16,000 (based on the event's 2013 impact). Furthermore, aside from the event's brand value (which attracts limited visitation), its value proposition is not substantially differentiated from those of local events such as Geraldton Run Fest.

However, the 2013 sponsorship level of \$15,000 (\$10,000 cash and \$5,000 in-kind) was commensurate with benefits received, and staff assessment is that a similar return, in terms of benefits, could be expected in 2014-15.

Ice Australia

Ice Australia, a partnership of Douglas Webber Group (New Zealand) and Ice World International (Holland), has installed nine ice rinks in nine NZ cities since 2011. They seek to install temporary ice rinks in Australia, including Geraldton, in 2014. The temporary rinks are 14m by 25m, and are available for a minimum of four weeks. They target children, families, and walk-up crowds.

Ice Australia is seeking \$100,000 plus GST and electricity (which could cost in excess of \$7,000) to bring a temporary ice rink to Geraldton for four weeks in 2014, and has indicated that this cost could be recouped by the City through user fees. Please see Ice Australia's attached proposal for further information.

Ice Australia has indicated that the rink could accommodate an average of 1,300 skaters per day at a fee of \$12 to \$20 per skater. Based on experience with family events in the local market, the Arts, Culture & Events team's opinion is that an average of 100 skaters per day would be a more realistic expectation. It is not anticipated that the rink would attract significant visitation.

Given 100 skaters per day for 28 days at an average fee of \$15, Ice Australia's temporary ice rink would generate \$42,000 in revenue. Therefore, funding of \$100,000 plus GST is not commensurate with the benefits offered.

It should be noted that there is potential for criticism regarding the use of electricity (estimated at approximately 40,000 kWh over the 4 weeks) to run this facility and the resulting environmental impact.

Lord Mayor's Cup

The Geraldton Turf Club has invited the City to hold a Corporate Day, titled Lord Mayor's Cup, to be held on Monday 3rd March (Labour Day). In their attached proposal they present it as a "family day out" that would strengthen the relationship between the City and its residents through a positive and fun social and sporting event.

The Geraldton Turf Club is seeking sponsorship of \$9,040 plus GST for the event. Sponsorship benefits include promotion via: naming rights; trophy presentation; media and pubs/TAB exposure; family activities; and a marquee. Please see their attached sponsorship proposal for further information.

It is not anticipated that the Lord Mayor's Cup would be substantially differentiated from the Geraldton Turf Club's existing horse racing events or attract significant visitation; and as a result, its economic impact would be limited. Moreover, the City's sponsorship of an event promoted through gambling channels would be inconsistent with the City's health objectives and health-related funding (i.e. from Healthway), and could attract criticism.

Ocean Race Around Australia

Ocean Race Around Australia, presented by North Fremantle-based Ocean Events Pty Ltd, is a new yacht-race event to be held on a biannual basis. It is based on an anti-clockwise circumnavigation of Australia for high-performance monohull and multihull offshore racing yachts. It will be the longest coastal yacht race in the world, and is intended to become an event of national and international significance.

Ocean Events Pty Ltd is seeking sponsorship of \$75,000 (\$25,000 in 2013-14 and \$50,000 in 2014-15) to have an entrant in the race under the branding "Spirit of Greater Geraldton" with opportunity given to Geraldton residents to apply to join the crew. Please see Ocean Events Pty Ltd's attached proposal for further information.

It should be noted that Ocean Events Pty Ltd's proposal is not for a Geraldton stopover, but solely for an entrant in the race. As a result, the event would not directly attract visitation to Geraldton. Its economic impact would therefore be limited to that of its brand marketing, which would be principally within Australia and of unknown value at this time (as the event has not previously been held).

Therefore, sponsorship of \$75,000 is not commensurate with the benefits offered.

COMMUNITY CONSULTATION:

Ocean Events Pty Ltd's proposal includes support letters from Hon. Barry House MLC, Ian Blayney MLA, and Bruce Semple of the Geraldton Yacht Club. In addition, Chevron City to Surf for Activ has communicated with the Geraldton Harriers Club Inc., which provided a support letter in 2012.

However, Geraldton Harriers Club Inc. has not provided a support letter for future years.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

The four events detailed herein are collectively seeking \$334,000 plus GST in funding, including \$34,040 in the current financial year. This cannot be met within existing event resources, and therefore support of the events would require that Council provide a new funding allocation in the current financial year and commit to funding in 2014-15, 2015-16, and 2016-17.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 4: Economy

Outcome 4.1: Lifestyle and Vibrancy

Strategy 4.1.5: Developing and promoting Greater Geraldton as a preferred cultural, environmental and agri/aquaculture tourism destination.

Regional Outcomes:

The events detailed herein are proposed to be held in Geraldton (excluding Ocean Race Around Australia, which is not proposed to be held in Greater Geraldton). However, regional residents will be encouraged to participate, and event tourists will be encouraged to visit regional areas.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The events detailed herein have the potential to increase economic activity through promoting Greater Geraldton as a preferred tourism destination; however the economic analysis as outlined in the proposals does not reflect the economic return estimated by staff.

Social:

The events recommended in the executive recommendation have the potential to support sporting culture and promote healthy choices.

Environmental:

The Ice Australia proposal involves the construction and operation of a temporary ice rink. An officer's estimate of the electrical consumption (based on other ice rinks of similar size) is 40,000 kWh over the 28-day period. This electrical consumption would have a negative environmental impact.

Cultural & Heritage:

The attraction of events is a key part of the community's cultural aspirations, as per item 1.3.3 of the Strategic Community Plan.

RELEVANT PRECEDENTS:

In 2013 the City and Go GERO! sponsored Chevron City to Surf for Activ with \$10,000 cash and \$5,000 in-kind. In 2011 and 2009 the City hosted a stopover of the Clipper Round the World Yacht Race, and in 2011 co-sponsored a yacht in the Race with Tourism WA.

DELEGATED AUTHORITY:

There is no relevant delegated authority.

VOTING REQUIREMENTS:

Absolute Majority required for the Executive Recommendation and Option 2.
Simple Majority required for Option 3.

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 as amended RESOLVES to:

1. PROVIDE \$30,000 plus GST in cash and \$20,000 in-kind to Chevron City to Surf for Activ annually for three years commencing 2014-15 for the benefits outlined in the Chevron City to Surf for Activ Sponsorship Proposal.
2. PROVIDE \$100,000 plus GST to Ice Australia in 2014-15 for the services outlined in the Ice Australia Council Proposal, and charge \$12 to \$20 per skater as per the schedule of charges in the Proposal.
3. PROVIDE \$9,040 plus GST to the Geraldton Turf Club for the benefits outlined in the Lord Mayor's Cup Proposal.
4. PROVIDE \$25,000 plus GST in 2013-14 and \$50,000 in 2014-15 to Ocean Events Pty Ltd for the benefits outlined in the Ocean Race Around Australia Proposal.
5. MAKES this determination based on the following reason:
 - a. To be determined by Council.

Option 3:

That Council by Simple Majority pursuant to section 3.1 of the Local Government Act as amended RESOLVES to:

1. DECLINE the request for sponsorship from City to Surf.
2. DECLINE the request for sponsorship from Ice Australia.
3. DECLINE the request for sponsorship of the Geraldton Turf Club's Lord Mayor's Cup.
4. DECLINE the request for sponsorship from Ocean Events Pty Ltd for the Ocean Race Around Australia Proposal.
5. MAKES this determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

The sponsorship requests detailed herein are not commensurate with the benefits offered. It is therefore recommended that Council make a final counter offer for the City to Surf event and decline the other requests.

City to Surf

Rather than provide the requested \$50,000 plus GST annually for three years (2014-15, 2015-16 and 2016-17), it is recommended that Council offer Chevron City to Surf for Activ \$15,000 plus GST (\$10,000 cash and \$5,000 in-kind) for the 2014 event only as per the City's contribution in 2013 as this amount reflects the economic return as estimated by staff and based on the 2013 event.

Ice Australia

It is recommended that the City decline Ice Australia's funding request, as the request is not commensurate with the benefits offered.

Lord Mayor's Cup

It is recommended that the City decline the Geraldton Turf Club's sponsorship request, as the City's sponsorship of an event promoted through gambling channels would be inconsistent with the City's health objectives and health-related funding (i.e. from Healthway), and could give rise to perception issues.

Ocean Race Around Australia

It is recommended that the City decline Ocean Events Pty Ltd's sponsorship request, as the request is not commensurate with the benefits offered.

These recommendations are reflected in the Executive Recommendation.

EXECUTIVE RECOMMENDATION:

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

1. OFFER \$10,000 plus GST in cash and \$5,000 in-kind to Chevron City to Surf for Activ for the 2014-15 financial year for the benefits outlined in the Chevron City to Surf for Activ Sponsorship Proposal;
2. DECLINE the request for sponsorship from Ice Australia;
3. DECLINE the request for sponsorship of the Geraldton Turf Club's Lord Mayor's Cup; and
4. DECLINE the request for sponsorship from Ocean Events Pty Ltd for the Ocean Race Around Australia Proposal.

CC138	PROVISION OF FUNDING FOR MARA ART ABORIGINAL CORPORATION
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AGENDA REFERENCE:	D-13-79141
AUTHOR:	C Budhan, Manager Arts, Culture & Events
EXECUTIVE:	A Selvey, Director Creative Communities
DATE OF REPORT:	11 November 2013
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	Mara Art Aboriginal Corporation
ATTACHMENTS:	Yes (x1)

SUMMARY:

The purpose of this report is to seek a Council resolution on the provision of funding support to the Mara Art Aboriginal Corporation.

PROPONENT:

The proponent is the Mara Art Aboriginal Corporation, trading as Yamaji Art and hereafter referred to as Yamaji Art.

BACKGROUND:

Yamaji Art is the Mid West's premier Aboriginal arts organisation and peak body for Yamaji artists. They provide services with the aim of fostering, preserving and promoting traditional art practices (including design, painting, performance, print-making, textiles, and weaving). They represent artists from all of the Mid West's Yamaji groups, including the Amangu, Badimaya, Naaguja, Nhanagardi, Wajarri, and Wilunyu.

Yamaji Art operates the Yamaji Art Centre, based in Geraldton. The Centre includes a gallery, shop, studio and workshop, and is a popular tourist attraction. In addition to presenting exhibitions in its gallery, Yamaji Art tours exhibitions nationally and internationally, and thereby fosters a global market for Mid Western Aboriginal art.

The City partnered with Yamaji Art in the development of the Ilgarijiri public art work (the colourful 'emu eggs' at the Geraldton Foreshore), which is based on works by local Aboriginal artists. This project recently received a 2013 Deadly Awards nomination for Science Project of the Year. Yamaji Art has also supported the City by supplying gifts for international relations, and curating exhibitions at the Queens Park Theatre. Furthermore, Yamaji Art has supported Mullewa-based art groups through the provision of mentoring, materials and exhibition opportunities.

Yamaji Art has sent the City a request for \$50,000 (see attachment). In its request, Yamaji Art indicates that they intended to apply to the City's Community Grants Program, but failed to do so on account of misunderstanding or miscommunication regarding the closing date. They also indicate that their sustainability is challenged by an increase in rent, a reduction in funding, and a reduction in sales.

Yamaji Art has not previously applied to the City's Community Grants Program, and therefore hasn't received funding from the City. It should be noted that the Community Grants Program currently provides \$40,000 per annum in recurrent funding to Greater Geraldton's other major arts organisation, the Arts and Cultural Development Council (ACDC).

The amount remaining in the Community Grants account (to be available for Round 14 in March 2014) is \$327,609. This does not include \$26,649 which was unallocated from 2012/13 and will be added to the Budget at Budget Review.

COMMUNITY CONSULTATION:

There has been no community consultation.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

Yamaji Art is requesting \$50,000 in funding in the current financial year. There is capacity to provide this funding from the Community Grants budget. Specifically, the amount remaining in the Community Grants account (to be available for Round 14 in March 2014) is \$327,609. This does not include \$26,649 which was unallocated from 2012/13 and will be added to the Budget at Budget Review. The executive recommendation is to provide \$40,000 to Mara Arts from this budget. This would therefore result in the amount available for Round 14 of the Community Grants being reduced by \$40,000.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

- | | |
|-----------------|---|
| Goal 1: | Culture – Vibrant arts, culture and education. |
| Outcome 1.3: | The Arts |
| Strategy 1.3.2: | Facilitating and promoting Aboriginal and Torres Strait Islander art. |

Regional Outcomes:

Yamaji Art is the Mid West's premier Aboriginal arts organisation. Their catchment extends through Yamaji Country, including the Lower Murchinson localities of Morawa, Mullewa and Northampton. Further, Yamaji Art supports

Mullewa-based art groups through the provision of mentoring, materials and exhibition opportunities.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Yamaji Art Centre is a popular tourist attraction, and therefore promotes Greater Geraldton as a preferred cultural tourism destination. Further, Yamaji Art tours exhibitions nationally and internationally, and thereby fosters a global market for Mid Western Aboriginal art.

Social:

Yamaji Art contributes to the celebration of cultural diversity and integration of multicultural people. Further, it supports Aboriginal communities.

Environmental:

There are no direct environmental issues.

Cultural & Heritage:

Yamaji Art strongly supports all of the community's cultural aspirations identified in the Strategic Community Plan, especially the: 1.1.3 Recognising and celebrating of Yamaji people and their languages and culture; 1.1.4 Promoting Aboriginal and Torres Strait Islander history and communities; and 1.3.2 Facilitating and promoting Aboriginal and Torres Strait Islander art.

RELEVANT PRECEDENTS:

Council currently provides recurrent funding to a number of community groups and associations via the Community Grants process; the most relevant being the recurrent funding of \$40,000 per annum to Greater Geraldton's other major arts organisation, the Arts and Cultural Development Council (ACDC).

DELEGATED AUTHORITY:

There is no relevant delegated authority.

VOTING REQUIREMENTS:

Absolute majority for the Executive Recommendation and Option 2; Simple Majority for Options 3 and 4.

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 RESOLVES to:

1. PROVIDE \$50,000 to the Mara Art Aboriginal Corporation from the 2013/14 Community Grants budget;

2. ADVISE Mara Art Aboriginal Corporation that future funding requests must be submitted via the Community Grants funding process;
3. MAKES this determination based on the following reason:
 - a. To be determined by Council.

Option 3:

That Council by Simple Majority pursuant to Section 3.1 of the Local Government Act RESOLVES to:

1. DEFER consideration of providing funds to the Mara Art Aboriginal Corporation;
2. MAKES this determination based on the following reason:
 - a. To be determined by Council.

Option 4:

That Council by Simple Majority pursuant to Section 3.1 of the Local Government Act RESOLVES to:

1. DECLINE to provide funds to the Mara Art Aboriginal Corporation;
2. ADVISE Mara Art Aboriginal Corporation that future funding requests must be submitted via the Community Grants funding process;
3. MAKES this determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

Yamaji Art, is the Mid West's premier Aboriginal arts organisation, and is of paramount cultural, economic and social importance to Greater Geraldton. Their sustainability is challenged by an increase in rent, a reduction in funding, and a reduction in sales. Despite their strong alignment with the City's Strategic Community Plan, they have not previously applied for nor received funding from the City.

There is a relevant precedent in the Community Grants Program's provision of \$40,000 per annum in recurrent funding to Greater Geraldton's other major arts organisation, the Arts and Cultural Development Council (ACDC).

Based on Yamaji Art's importance and critical need, and the above-mentioned precedent, it is recommended that Council provide \$40,000 in funding to Yamaji Art from the Community Grants budget (the same amount provided to ACDC). This is reflected in the Executive Recommendation.

Staff have discussed this alternative amount (re. \$40,000) with Mara Art representatives and they agree this would be reasonable.

EXECUTIVE RECOMMENDATION:

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

1. PROVIDE \$40,000 to the Mara Art Aboriginal Corporation from the 2013/14 Community Grants budget; and
2. ADVISE Mara Art Aboriginal Corporation that future funding requests must be submitted via the Community Grants funding process.

14 OFFICE OF THE CEO

CEO030 RE-ESTABLISHMENT OF COUNCIL COMMITTEES	
AGENDA REFERENCE:	D-13-79060
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	11/11/13
FILE REFERENCE:	GR/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

The purpose of this report is to re-establish Council committees and delegates for the City of Greater Geraldton.

PROPONENT:

The Proponent is the City of Greater Geraldton

BACKGROUND:

Section 5.8 of the Local Government Act 1995 allows Council to establish, by absolute majority, committees of three or more persons to assist Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

The City of Greater Geraldton is required to re-establish the committees and delegates after the inaugural election.

The following committees have been addressed in this item:

- a. CEO Performance Review Committee
- b. City of Greater Geraldton/Geraldton Port Authority Liaison Committee
- c. City of Greater Geraldton Audit Committee
- d. Bushfire Advisory Committee
Mullewa Bush Fire Advisory Committee
- e. City of Greater Geraldton Local Emergency Management Committee
- f. Greater Geraldton Australia Day Committee
- g. Greater Geraldton Crime Prevention Committee
- h. Greater Geraldton Community Grants Committee
- i. Greater Geraldton Reconciliation Committee
- j. Public Arts Advisory Committee
- k. Greater Geraldton Regional Art Gallery Management Committee
- l. Queen Elizabeth II Seniors and Community Centre Advisory Committee
- m. Sister City Economic and Cultural Development Advisory Committee
- n. Greater Geraldton Roadwise Committee
- o. Heritage Advisory Committee
- p. Western Australian Regional Cities Alliance Committee
- q. Mullewa Resource & Tourist Committee
- r. Mullewa Community Trust
- s. The Greater Geraldton Futures Governance Alliance

t. City of Greater Geraldton Natural Areas Advisory Group

Terms of Reference for each of these committees are attached for Councillor's information.

COMMUNITY CONSULTATION:

Where appropriate, each committee has existing community representation.

COUNCILLOR CONSULTATION:

There is no requirement for councillor/officer consultation.

STATUTORY IMPLICATIONS:

Section 5.8 of the Local Government Act 1995 allows Council to establish committees to assist it in discharging its duties under the Act.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no cost implications in the establishment of these committees.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:

Goal 5: Governance

Outcome 5.2: Planning and Policy.

Strategy 5.2.8: Continuously improving business sand governance frameworks to support a growing community.

Regional Outcomes:

The establishment of these committees provides for regional issues to be addressed in a consultative manner.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The re-establishment of these committees may provide economic benefits to the community.

Social:

The re-establishment of these committees may provide social benefits to the community.

Environmental:

The re-establishment of these committees may provide environmental benefits to the community.

Cultural & Heritage:

The re-establishment of these committees may provide cultural and heritage benefits to the community.

RELEVANT PRECEDENTS:

There are no relevant precedents associated with this item.

DELEGATED AUTHORITY:

Delegations to the committees have been stated in their Terms of Reference.

VOTING REQUIREMENTS:

Absolute Majority is required.

CONCLUSION:

The re-establishment of Council committees will assist Council in the discharge of its duties to the community and provide a platform for input into Council's direction by the community.

Part A – CEO Performance Review Committee**EXECUTIVE RECOMMENDATION:**

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

1. RE-ESTABLISH the CEO Performance Review Committee;
2. ADOPT the Terms of Reference of the Committee as denoted in the attachment;
3. APPOINT as members of the Committee:
 - a. _____(Chair)
 - b. _____(Deputy Chair)
 - c. _____
 - d. _____
 - e. _____

Five Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
 Cr N McIlwaine
 Cr S Van Styn
 Cr T Thomas
 Cr D Brick
 Cr P Fiorenza

4. DEFINE Council delegations as Nil.
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
7. HOLD meetings as required.

Part B – City of Greater Geraldton and Geraldton Port Authority Liaison Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the City of Greater Geraldton and Geraldton Port Authority Liaison Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
 Cr N McIlwaine
 Cr S Douglas
 Cr J Clune
 Cr B Hall
 Cr P Fiorenza

3. DEFINE Council delegations as Nil.
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings every three months.

Part C – City of Greater Geraldton Audit Committee

EXECUTIVE RECOMMENDATION:

That the Council by Absolute Majority under Section 7.1A of the Local Government Act 1995 RESOLVES to:

1. RE-ESTABLISH the City of Greater Geraldton Audit Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____
 - d. Councillor _____ (Proxy)

Four Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
 Cr S Van Styn
 Cr J Critch
 Cr T Thomas (Proxy)

3. DEFINE Council delegations as Nil.

4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part D – Bushfire Advisory Committee

EXECUTIVE RECOMMENDATION:

PART A:

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

1. RE-ESTABLISH the Greater Geraldton Coastal Bush Fire Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr J Clune
Cr T Thomas
Cr J Critch

- d. Reappoint the External Members which are:
 - Community Fire Manager, Chief Bushfire Control Officer – Chair – City of Greater Geraldton/FESA
 - Deputy Chair– Senior Ranger Fire Prevention City of Greater Geraldton
 - 2 nominated Fire Control Officers or 1 captain Cape Burney Brigade and 1 FCO
 - 2 nominated Fire Control Officers or 1 captain Moonoonooka Brigade and 1 FCO
 - 2 nominated Fire Control Officers or 1 captain Waggrakine Brigade and 1 FCO
 - Captain and or 2 nominated Fire Control Officers Walkaway Brigade or 1 captain and 1 FCO
3. DEFINE Council delegations as Nil.
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

PART B:

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

1. RE-ESTABLISH the Mullewa Bush Fire Advisory Committee;
2. APPOINT as members of the Committee:

- a. Councillor _____
- b. Councillor _____
- c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr J Clune
Cr J Critch
Cr T Thomas

- d. Reappoint the External Members which are:

Position of	District manager Mullewa -
Position of	Community Fire Manager, Chief Bushfire Control Officer City of Greater Geraldton/FESA
Position of	Senior Ranger – Fire Control Casuarinas Brigade
2 nominated Fire Control Officers or 1 Captain and 1 FCO	Eradu Brigade
2 nominated Fire Control Officers or 1 captain and 1 FCO	Mullewa Central Brigade
2 nominated Fire Control Officers or 1 captain and 1 FCO	Mullewa South Brigade
2 nominated Fire Control Officers or 1 captain and 1 FCO	Pindar/Tardun Brigade
2 nominated Fire Control Officers or 1 captain and 1 FCO	Tenindewa North Brigade
2 nominated Fire Control Officers or 1 captain and 1 FCO	Tenndewa South Brigade

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part E – Greater Geraldton Local Emergency Management Advisory Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Local Emergency Management Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter (Chair)
 Cr J Clune
 Cr T Thomas
 Cr B Hall
 Cr R deTrafford

- d. Reappoint the External Members which are:
- Manager from Community Law and Safety
 - Manager from Geraldton Airport
 - Nominee from Department of Transport
 - Nominee from Abrolhos Island Council
 - Nominee from Geraldton Professional Fisherman's Association
 - Nominee from Geraldton Volunteer Sea Rescue
 - Nominee BFB's from Chief Bushfire Control Officer
 - Nominee from Telstra
 - Nominee from DEC
 - Nominee from Bureau of Meteorology
 - Nominee from St John Ambulance
 - Nominee from Australian Red Cross
 - Nominee from Geraldton Port Authority
 - Nominee from Department Child Protection
 - Nominee from Water Corporation
 - Nominee from FESA
 - Nominee from FESA (CEMO)
 - Nominee from Department of Agriculture and Food;
 - Nominee from the Department of Child Protection
 - Nominee from Department of Environment and Conservation;
 - Nominee from Department of Fisheries;
 - Nominee from Department of Water;
 - Nominee from Greenough Regional Prison;
 - Nominee from Fire and Rescue Services;
 - Nominee from State Emergency Services;
 - Nominee from Centrecare;
 - Nominee from Main Roads;
 - Nominee from Geraldton Regional Hospital;
 - Nominee from Geraldton Surf Life Saving Club;
 - Nominee from Australian Federal Police;
 - Nominee from Volunteer Marine Rescue;
 - Nominee from Centrelink;
 - WA Police (Geraldton Station Local Emergency Coordinator);
 - and;
 - WA Police (Geraldton Police Station Assistant Local
3. DEFINE Council delegations as Nil;
 4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
 6. HOLD meetings as required.

Part F – City of Greater Geraldton Australia Day Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the City of Greater Geraldton Australia Day Committee;
2. APPOINT as members of the Committee
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Keemink
 Cr J Critch
 Cr B Hall
 Cr P Fiorenza

- d. Reappoint the External Members which are:

Nominee from	Community Representative
Peter Nelson	Champion Bay Surf Life Saving Club
Nominee from	Rotary Club of Geraldton
Vacant	Community Representative
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part G – Greater Geraldton Crime Prevention Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Community Safety Crime Prevention Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr V Tanti
 Cr T Thomas
 Cr D Brick
 Cr B Hall

- c. Reappoint the External Members who are:
- Ian Blayney MLA, Member of Geraldton
 - Shane Love MLA, Member for Moore
 - Nominee from Department of Education and Training
 - Nominee from Geraldton Community Patrol
 - Nominee from Population Health Directorate
 - Nominee from Department of Indigenous Affairs
 - Nominee from Geraldton Regional Community Education Centre
 - Nominee from Geraldton Police
 - Nominee from Mullewa Police
 - Nominee from Meedac
 - Nominee from G.R.A.M.S
 - Nominee from Geraldton P.C.Y.C.
 - Nominee from Youth Justice Corrective Services
 - Nominee from Dept. for child protection & family support
 - Nominee from Midwest Yellow Ribbon
 - Nominee from Department of Families, Housing, Community Services and Indigenous Affairs
 - Nominee from Yamatji Patrol
 - Nominee from Bundiyarra Aboriginal Corporation
 - Nominee from Geraldton Streetwork Aboriginal Corporation
 - Nominee from Geraldton Flexible Learning Centre
 - Nominee from Neighbourhood Watch
 - Nominee from Dept. Fire & Emergency Services
 - Nominee from Community Drug Service
 - Nominee from Short Term Accommodation for Youth
 - Nominee from Aboriginal Mediation Service

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part H – Greater Geraldton Community Grants Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Community Grants Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____;
 - b. Councillor _____;
 - c. Councillor _____;

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Keemink
Cr J Critch
Cr R deTrafford
Cr B Hall

- d. Reappoint the External Members which are:
- | | |
|------------------|--|
| Gordon Gray | Indigenous Community |
| Natalie Nelms | MidWest Chamber of Commerce & Industry |
| Richard Malacari | Broader Community (Manager DSR) |
3. DEFINE Council delegations as Nil;
 4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council;
 6. HOLD meetings as required.

Part I – Greater Geraldton Reconciliation Committee**EXECUTIVE RECOMMENDATION:**

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

1. RE-ESTABLISH the Greater Geraldton Reconciliation Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____
 - d. Councillor _____ (Proxy)

Four Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Keemink
Cr T Thomas
Cr D Brick
Cr R deTrafford

- e. Appoint the External Members which are representatives from the following groups/agencies:
- Amangu Native Title Group
 - Naaguja Native Title Group
 - Wadjjarri Native Title Groups
 - Department of Aboriginal Affairs
 - Department of Child Services
 - Geraldton Streetwork Aboriginal Corporation
 - Department of Housing and Works
 - Mulga Mail
 - Department of Education and Training
 - Mid West Alliance of Aboriginal Organisations

- Bundiyarra
 - Yamaji Marlpa
3. DEFINE Council delegations as Nil;
 4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
 6. HOLD meetings as required.

Part J – Public Arts Advisory Committee

EXECUTIVE RECOMMENDATION:

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 _____;
 - b. Councillor _____;
 - c. Councillor _____ (Proxy)

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Douglas
Cr T Thomas
Cr J Critch

- d. Re-appoint External Members which are:

James Davies	Regional Art Gallery
Erika Monique	Community Member
Ric McCracken	Community Member
Susan Nickels	Community Member
4. DEFINE Council delegations as Nil;
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
7. HOLD meetings as required.

Part K – Greater Geraldton Regional Art Gallery Management Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Greater Geraldton Regional Art Gallery Management Committee;
2. APPOINT the following delegates to the Greater Geraldton Regional Art Gallery Management Committee:

- a. Councillor _____
- b. Councillor _____
- c. Councillor _____ (Proxy)

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr N McIlwaine

Cr S Douglas (Proxy)

Cr T Thomas

- d. Re-appoint External members which are:

Brian Stewart	Art Gallery WA
Julie Sproule	Art Gallery WA
Anthea daSilva	Community Member
Gary Martin	Community Member
Nichola Smith	Community Member
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part L – Queen Elizabeth II Seniors and Community Centre Advisory Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Queen Elizabeth II Seniors and Community Centre Advisory Committee;
2. APPOINT as members of the Committee
 - a. Councillor _____;
 - b. Councillor _____
 - c. Councillor _____ (Proxy)

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Keemink

Cr L Graham (Proxy)

Cr B Hall

Cr V Tanti

- d. Reappoint External Members which are:

Sue Hunter	Piccadilly Dance Club
Edna Freeman	Over 50's Gentle Gym
Verna Scully	Pensioner Social Club
Betty Clarke	Geraldton Probus Club
Gae Slade	Friendly Squares Dance Club
Beryl Scott	National Seniors Inc
Christine Mullender	Seniors Action Group

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part M – Sister City Economic and Cultural Development Advisory Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Sister City Economic and Cultural Development Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____ (Proxy)

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Douglas
 Cr S Van Styn
 Cr J Critch
 Cr B Hall
 Cr P Fiorenza

Nominee from Geraldton University Centre

Nominee from Durack Institute of Technology

Nominee from Geraldton Port Authority

Nominee from Combined University Centre for Rural Health

Nominee from the Mid West Chamber of Commerce & Industry

Nominee from the Mid West Development Commission

Nominee from Geraldton University Centre

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part N – Greater Geraldton Roadwise Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Roadwise Committee;

2. APPOINT as members of the Committee:

- a. Councillor _____;
- b. Councillor _____;
- c. Councillor _____ (Proxy)

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr V Tanti
Cr T Thomas
Cr B Hall

d. Reappoint External Members which are:

Samantha Adams	Regional Road Safety Officer – Western Australian Local Government (WALGA) Midwest Region
Peter Herbert	Network Operation Manager, Main Roads Western Australia (MRWA) Midwest Region
Craig Martin	Owner, Martins Motorcycle & Driver Training Geraldton
Valma McCrory	Customer Service Manager, Department of Transport
Kay Creasy	Representative, Country Women’s Association (CWA)
Helen Harrison	Representative, Country Women’s Association (CWA)
Kate McConkey	Midwest Officer, Department of Education – SDERA
Russel Hayes	Midwest Regional Manager, Fire and Emergency Services Authority of WA (FESA)
Ian Blayney MLA	Member for Geraldton, Parliament of Western Australia
Inspector Cyril Larent	Geraldton Police Complex, Midwest-Gascoyne Traffic Enforcement Group

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part O – Heritage Advisory Committee**EXECUTIVE RECOMMENDATION:**

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

1. RE-ESTABLISH the Heritage Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

Three Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
 Cr S Keemink
 Cr J Clune
 Cr V Tanti
 Cr T Thomas

d. Reappoint the External Members which are:

2 Nominees from the General Community;
City Heritage Advisor (ex-officio);
Representative from the Aboriginal Community (ex-officio);
Manager, WA Museum, Geraldton (ex-officio);
National Trust Representative (ex-officio);
City of Greater Geraldton staff as required (ex-officio);
One representative from the Geraldton Greenough Historical Society;
One representative from the Community Group of Greenough;
One representative from the Walkaway Station Museum Inc.

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
5. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
6. HOLD meetings as required.

Part P – West Australian Regional Capitals Alliance Committee**EXECUTIVE RECOMMENDATION:**

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

1. RE-ESTABLISH the representation on the West Australian Regional Capitals Alliance Committee;
2. APPOINT the following delegates to the West Australian Regional Capitals Alliance Committee:
 - a. Councillor _____;
 - b. Councillor _____ (Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
 Cr N McIlwaine
 Cr S Douglas
 Cr S Keemink

- c. Reappoint External Members which are:
 Mayor of the City of Albany
 Mayor of the City of Bunbury
 Mayor of the City of Kalgoorlie-Boulder

Mayor of the Town of Port Hedland
 President of the Shire of Broome
 President of the Shire of Roebourne

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2017 or as determined by Council; and
6. ATTEND meetings as required.

Part Q – Mullewa Resource Centre & Tourist Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Mullewa Resource Centre & Tourist Committee;
2. APPOINT the following delegates to the Mullewa Resource Centre & Tourist Committee:
 - a. Councillor _____;
 - b. Councillor _____ (Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr J Critch

Cr T Thomas (Proxy)

- c. Reappoint the External Members which are:
 - Chairperson—Glenn Bryant
 - Secretary– Shirley Flynn
 - Treasurer—Bev Crudeli
 - Barb Thomas
 - Tony Fraser
 - Heather Reynolds
 - Josephine Docherty
 - Dolores Bone
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2017 or as determined by Council; and
6. ATTEND meetings as required.

Part R – Mullewa Community Trust

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Mullewa Community Trust;
2. APPOINT the following delegates to the Mullewa Community Trust:
 - a. Councillor _____
 - b. Councillor _____ (Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr J Critch (Proxy)

Cr T Thomas

- c. Reappoint the external members which are:
 - Nominee from Mullewa Community member
 - Nominee from Mount Gibson Iron
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part S – Greater Geraldton Futures Governance Alliance

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Greater Geraldton Futures Governance Alliance;
2. APPOINT the following delegates to the Greater Geraldton Futures Governance Alliance:
 - a. Councillor _____ (Deputy Mayor)
 - b. Councillor _____ (Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Deputy Mayor Cr N McIlwaine

Cr L Graham (Proxy)

- c. Reappoint the external members which are:
 - Leonie Noble, Deputy Chair Regional Development Australia Mid West Gascoyne with Alan Bradley as proxy
 - Deputy Chair, Mid West Chamber of Commerce and Industry and proxy – to be confirmed
 - Leanne Sice, Deputy Chair Durack Institute of Technology and Bert Beevers as proxy
 - Andrew Pitcher Deputy Chair Mid West Development Commission with Gavin

- Treasure as proxy
Deputy Chair, Geraldton Port Authority and proxy
3. DEFINE Council delegations as Nil;
 4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
 5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
 6. ATTEND meetings as required.

Part T – City of Greater Geraldton Natural Areas Advisory Group

EXECUTIVE RECOMMENDATION:

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

1. ESTABLISH the City of Greater Geraldton Natural Areas Advisory Group ;
2. APPOINT as members of the Committee:
 - a. Councillor _____ as Chair
 - b. Councillor _____ as Proxy

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr D Brick
Cr J Clune

3. SET the Terms of Reference of the City of Greater Geraldton Natural Areas Advisory Group to be:
 - a. facilitate effective communication and cooperation between the City of Greater Geraldton and key stakeholders of the community for the management of priority natural areas in the CGG.
4. DEFINE Council delegations as Nil.
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 17 October 2015 or as determined by Council; and
7. HOLD meetings every three months.

CEO031 APPOINTMENT OF DELEGATES TO EXTERNAL COMMITTEES

AGENDA REFERENCE:	D-13-79019
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	11/11/13
FILE REFERENCE:	GR/6/0012-02
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

The purpose of this report is to appoint City of Greater Geraldton Council delegates to external committees.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

In order to ensure that Council's position on different aspects of its business is understood, Council appoints delegates to committees external to Council. These delegates are to represent Council's views on relevant topics and to report back to Council on the outcomes of meetings held.

Appointments to the following external committees have been addressed in this item:

- a. WA Museum Geraldton Advisory Committee
- b. Forum of Regional Councils: Waste Management
- c. Mid West Regional Road Group
- d. WALGA – Northern Zone WA Local Government Association
- e. WALGA – Municipal Waste Advisory Council
- f. Greater Geraldton Sunshine Festival Inc
- g. Wildflower and Tourism Committee
- h. Development Assessment Panels (alternative representatives)

Terms of Reference for each of these committees are attached for the Councillors' information.

COMMUNITY CONSULTATION:

There is not requirement for community consultation on this matter.

COUNCILLOR/OFFICER CONSULTATION:

There is no requirement for councillor/officer consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications with this matter.

POLICY IMPLICATIONS:

There are no policy implications

FINANCIAL AND BUDGET IMPLICATIONS:

There are minor travel cost implications in the appointment of delegates to external committees. Such costs are contained within the 2013/14 budget.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:

Goal 5: Governance

Outcome 5.2: Planning and Policy.

Strategy 5.2.8: Continuously improving business sand governance frameworks to support a growing community.

Regional Outcomes:

Appointees to these committees provide a regional voice to issues affecting the region and the State.

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 or heritage issues associated with this item.

RELEVANT PRECEDENTS:

There are no relevant precedents associated with this item.

DELEGATED AUTHORITY:

Appointees to external committees do not have any delegations associated with the appointment.

VOTING REQUIREMENTS:

Simple Majority is required.

CONCLUSION:

The appointment of delegates to external committees ensures that Council has an input to issues of importance affecting the community.

Part A – WA Museum Geraldton Advisory Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the WA Museum Geraldton Advisory Committee;
2. APPOINT the following delegates to the WA Museum Geraldton Advisory Committee:
 - a. Councillor _____
 - b. Councillor _____ (Proxy)

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter

Cr S Keemink

Cr V Tanti

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part B – Forum of Regional Councils: Waste Management

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Forum of Regional Councils: Waste Management;
2. APPOINT the following delegates to the Forum of Regional Councils: Waste Management:
 - a. Councillor _____;
 - b. Councillor _____ (Proxy)

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr L Graham

Cr B Hall

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part C – Mid West Regional Road Group

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Regional Road Group;
2. APPOINT the following delegates to the Regional Road Group:
 - a. Councillor _____
 - b. Councillor _____ (Proxy)

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr V Tanti
Cr T Thomas

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part D – WALGA Northern Zone WA Local Government Association

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Northern Zone WA Local Government Association;
2. APPOINT the following delegates to the Northern Zone WA Local Government Association:
 - a. Councillor _____;
 - b. Councillor _____ (Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Mayor I Carpenter
Cr R deTrafford
Cr S Van Styn

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part E – WALGA Municipal Waste Advisory Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the WALGA Municipal Waste Advisory Council;
2. APPOINT the following delegates to the WALGA Municipal Waste Advisory Council:
 - a. Councillor _____
 - b. Councillor _____ (Proxy)

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr L Graham
Cr B Hall

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part F – Geraldton-Greenough Sunshine Festival Inc

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Geraldton-Greenough Sunshine Festival Inc;
2. APPOINT the following delegates to the Geraldton-Greenough Sunshine Festival Inc:
 - a. Councillor _____;
 - b. Councillor _____ (Proxy)

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr R deTrafford
Cr L Graham

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part G – Wildflower Country Tourism Committee

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Wildflower Country Tourism Committee;
2. APPOINT the following delegates to the Wildflower Country Tourism Committee:
 - a. Councillor _____;
 - b. Councillor _____(Proxy);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr J Critch (Proxy)
Cr T Thomas

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

Part H – Mid West Joint Development Assessment Panel

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the alternative representatives Local Government representatives to the Mid West Joint Development Assessment Panel
2. APPOINT the following alternative representatives Local Government representatives to the Mid West Joint Development Assessment Panel:
 - a. Councillor _____(alternative representative);
 - b. Councillor _____(alternative representative);

Two Vacant Positions

Nominations received as at the printing of the Council Meeting Agenda from:

Cr S Van Styn
Cr L Graham

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 17 October 2015 or as determined by Council; and
6. ATTEND meetings as required.

CEO032 CONFIDENTIAL ITEM

AGENDA REFERENCE:	D-13-81295
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	19 November 2013
FILE REFERENCE:	LP/5/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

Confidential item, details of which have been circulated separately

EXECUTIVE RECOMMENDATION:

That the Council by Simple Majority RESOLVES to:

1. DEFER this item until the end of the meeting.

15 SUSTAINABLE COMMUNITIES

SC123	CITY OF GREATER GERALDTON LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO. 1
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AGENDA REFERENCE:	D-13-75949
AUTHOR:	M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	28 October 2013
FILE REFERENCE:	LP/9/0037
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

This report recommends that Council formally resolve to prepare a new City of Greater Geraldton Local Planning Strategy and Local Planning Scheme No. 1 and advise the WA Planning Commission of this intention.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

As background a local planning strategy is the framework for local planning and the strategic basis for local planning schemes. It provides the interface between regional and local planning. The strategy sets out the local government's objectives for future planning and development and includes a broad framework by which to pursue those objectives. Local planning schemes are the principal statutory tool for implementing the local planning strategy and achieving the local government's aims and objectives with respect to the development of its local area.

Currently the City operates under 4 separate Town or Local Planning Schemes of differing ages as follows:

1. Town Planning Scheme No. 1A (Greenough River Resort) – Gazetted 30 May 1986;
2. Local Planning Scheme No. 2 (Mullewa) – Gazetted 22 June 2012;
3. Town Planning Scheme No. 3 (Geraldton) – Gazetted 17 April 1998; and
4. Local Planning Scheme No. 5 (Greenough) – Gazetted 14 April 2010.

Also the City has 2 Local Planning Strategies (one for Greenough and one for Mullewa). The former City of Geraldton area does not have a Local Planning Strategy.

Since amalgamation it was always intended to consolidate all the Schemes into one, single Local Planning Scheme for the City of Greater Geraldton and also have one Local Planning Strategy.

A significant amount of background work has already been undertaken (by the City and other government Agencies) on the information required for the preparation of a Local Planning Strategy. This includes:

- Greater Geraldton Structure Plan Update (2011);
- 2029 & Beyond Project (including the Designing our City Forum);
- Residential Development Strategy;
- Commercial Activity Centres Strategy;
- Public Open Space Strategy;
- Identification of High Quality Agricultural Land;
- Water Planning and Management Strategy; and
- Local Biodiversity Strategy.

It is considered necessary to review and comprehensively update the local planning framework to ensure the City's obligations under the *Planning and Development Act 2005* are met. The *Act* requires local governments to review their local planning schemes every five years.

Section 12A of the *Town Planning Regulations 1967* requires the preparation of a Local Planning Strategy in order to review the Town Planning Schemes. Importantly, the preparation of the Local Planning Strategy will establish the basis for consolidating the four schemes through the preparation of the new Scheme.

The *Act* requires that the Council must forward to the WA Planning Commission:

- a. A copy of the resolution certified by the Chief Executive Officer;
- b. A map marked "Scheme Area Map", signed by the Chief Executive Officer, on which is delineated the area of the land proposed to be included in the Scheme; and
- c. A statement setting forth:
 - i. The objects and intentions of the Scheme; and
 - ii. The anticipated format of the Scheme.

Objects and Intentions of the Scheme:

The objects and intentions of the Scheme have due regard to the 'Five Pillars of Sustainability' that have been established in the *2029 and Beyond Community Charter* and the 'Community Aspirations' in the City's *Strategic Community Plan 2013 – 2023*.

Anticipated Format of the Scheme:

The Local Planning Scheme will be developed in accordance with the format provided under the Model Scheme Text as set out in the *Regulations*.

The certified resolution, Scheme Area Map and statement setting forth the objects, intentions and anticipated format of the Scheme are included in Attachment No. SC123.

COMMUNITY CONSULTATION:

Community consultation is a key component to preparation of the Strategy and Scheme. Stakeholder and community consultation is also a statutory requirement.

Subject to consent from the WA Planning Commission, the City will undertake initial consultation in accordance with the requirements of the *Town Planning Regulations 1967* as follows:

- (a) Publication in the *Government Gazette* and locally circulated newspaper(s) of a notice of the resolution to prepare the new Local Planning Strategy and Local Planning Scheme;
- (b) Copies of the notice distributed to the surrounding Shires of Chapman Valley, Northampton, Murchison, Yalgoo, Morawa, Mingenew and Irwin;
- (c) Copies of the notice distributed to Water Corporation, Department of Environmental Regulation, Department of Parks and Wildlife, Department of Water, Western Power and any other public authority likely to be affected by the Scheme in order to provide advice relevant to preparing the scheme; and
- (d) Refer the resolution and written information relating to issues of possible environmental impact to the Environmental Protection Authority to determine its view on the environmental acceptability of the Scheme.

Extensive consultation and community engagement was part of the *2029 and Beyond* project and the *Designing our City Forum*. Community outcomes will be drawn from that resource to inform the preparation of the Strategy and Scheme. Therefore, community consultation is not proposed to be undertaken until the draft Strategy and Scheme are adopted by Council.

However it must be noted that the preparation of the draft Strategy and Scheme will involve stakeholder engagement.

COUNCILLOR CONSULTATION:

Updates on the process have been provided to Council at the Concept Forum meeting held on 4 June 2013 and a Briefing Note circulated on 28 October 2013.

STATUTORY IMPLICATIONS:

The City of Greater Geraldton may prepare a Local Planning Strategy and Local Planning Scheme to any land within its district pursuant to Section 72 of the *Planning and Development Act 2005*. The content of a Scheme shall have regard to the WA Planning Commission's Model Scheme Text and the *Town Planning Regulations 1967*.

POLICY IMPLICATIONS:

A review of the City's local planning policies will also be undertaken with the objective of ensuring consistency between the new Scheme and the local planning policies.

FINANCIAL AND BUDGET IMPLICATIONS:

The City has been fortunate to receive funding via the WA Planning Commission's Northern Planning Program to complete both the Strategy and Scheme.

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

Goal 5: Governance – Inclusive civic and community leadership.

Outcome 5.2: Planning and Policy.

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

Regional Outcomes:

The City will benefit from the consolidation of the four operational town planning schemes into one. Consistency of zoning, land use and development requirements will simplify the local planning framework, enabling landowners, developers and the community to understand and comply with the planning system requirements. A simplified town planning framework will be advantageous in terms of creating more appeal for business and investment in the district and the region generally.

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

The economic base for the City and the Mid West region will be supported by a contemporary urban and regional planning framework in the format of the Scheme.

The consolidation of the operational planning schemes into the new Scheme and the direction provided by the Strategy will ensure responsive planning outcomes can be achieved, to deliver outcomes that will benefit the general community, local business, regional industries and investment into Geraldton.

Social:

Engagement with the community, business and industry are key components to the process for delivering the new Strategy and Scheme. This project builds upon the work undertaken through the *2029 and Beyond* strategic planning, and will provide a link for delivering the vision of the City.

Environmental:

The new Scheme will incorporate all relevant environmental legislation and planning requirements to ensure the natural ecosystem and habitat is adequately identified and protected. Council will have a more robust planning

framework to adequately consider the environmental and sustainability impacts of developments and land use planning.

Cultural & Heritage:

Cultural and heritage aspects of Greater Geraldton, both Aboriginal and European, will be identified and preservation provisions introduced through the Scheme. The Strategy will provide opportunities for the planning framework to identify and strengthen development outcomes with due regard to the cultural and heritage identity of the region.

RELEVANT PRECEDENTS:

Council at its meeting held on 27 August 2013 awarded the tender for the preparation of a new Local Planning Strategy and Scheme.

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 prepare a new Local Planning Strategy or Scheme for the City of Greater Geraldton;
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 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER the preparation of a new Local Planning Strategy and Scheme for the City of Greater Geraldton;
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

It is imperative that the City has a simple and effective local planning framework. Due to the legacies of the amalgamation processes, the City is functioning under 4 Local Planning Schemes and 2 Local Planning Strategies, yet some of the local government area is still not covered by a Strategy at all. Due to the age and the inconsistencies of all documents the City's local planning framework is considerably out of date and not reflective of the

opportunity to progress rapid urban development and to create major urban centres to assist in the diversification and development of WA.

Since amalgamation it was always intended to consolidate all the Schemes into one, single Local Planning Scheme for the City of Greater Geraldton and also have one Local Planning Strategy. A significant amount of background work has already been undertaken on the information required for the preparation of a Local Planning Strategy, and therefore Option 2 is not supported.

Option 3 is not supported as Council has already appointed consultants to prepare the new Scheme and Strategy and they have begun work on the project.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 72 of the Planning and Development Act 2005 RESOLVES to:

1. PREPARE a new Local Planning Scheme No. 1 for the area situated wholly within the City of Greater Geraldton; and
2. FORWARD to the WA Planning Commission:
 - a. A copy of the resolution certified by the Chief Executive Officer;
 - b. A map marked "Scheme Area Map", signed by the Chief Executive Officer, on which is delineated the area of the land proposed to be included in the Scheme; and
 - c. A statement setting forth:
 - i. The objects and intentions of the Scheme; and
 - ii. The anticipated format of the Scheme.

SC124	ADOPTION OF DRAFT (REVISED) ANCILLARY DWELLINGS LOCAL PLANNING POLICY
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AGENDA REFERENCE:	D-13-77243
AUTHOR:	N Browne, City Statutory Planner
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	1 November 2013
FILE REFERENCE:	LP/8/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

In light of the recent gazettal of the amended Residential Design Codes (R-Codes), staff have reviewed the existing "Ancillary Accommodation" local planning policy. This report recommends the adoption of the draft revised policy (included as Attachment No. SC124) for the purpose of public advertising.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The existing policy has been reviewed by staff in light of the recent gazettal of the amended R-Codes. In summary the amended R-Codes have made the following changes to the Ancillary Accommodation provisions:

- The heading Ancillary Accommodation has been amended to Ancillary Dwellings.
- The definition of Ancillary Dwellings has been amended to "*self contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house*".
- The provision requiring the sole occupant or occupants being members of the family of the occupiers of the main dwelling has been removed.
- The maximum plot ratio area has been increased from 60m² to 70m².
- Parking requirements may be reduced where the site is proximate to public transport.

It is noted that one of the major issues considered by the WA Planning Commission in reviewing the R-Codes was the need to address new and emerging residential trends in regard to affordable housing, hence the proposed changes to the Ancillary Accommodation provisions.

It is imperative that the City's "Ancillary Accommodation" local planning policy is updated to reflect the changes to the Ancillary Accommodation provisions within the R-Codes that were recently gazetted. Not updating the local planning policy would be contrary and inconsistent with the R-Codes. In this regard it is important to note that where a local planning policy is inconsistent

with the R-Codes, the R-Codes prevail over the policy to the extent of the inconsistency.

COMMUNITY CONSULTATION:

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

In accordance with the requirements of the R-Codes the draft revised policy was referred to the Department of Planning for comment. The Department of Planning advised that they had no comments to make in regard to the draft revised policy prepared by the City for public advertising.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

A Local Planning Policy is not part of the Scheme and 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.

Clause 7.3.1 of the R-Codes allows Local Planning Policies to contain provisions that amend or replace certain 'deemed-to-comply' provisions of the R-Codes without the endorsement of the WA Planning Commission.

Clause 7.3.2 of the R-Codes allows Local Planning Policies to contain provisions that amend or replace any other 'deemed-to-comply' provision that are not referenced within clause 7.3.1 of the R-Codes with the endorsement of the WA Planning Commission.

Given that clause 5.5.1 'Ancillary Dwellings' of the R-Codes is not referenced within clause 7.3.1, the WA Planning Commissions endorsement of the revised "Ancillary Dwellings" Local Planning Policy will be required.

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:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.8:	Continuously improving business and governance frameworks to support a growing community.

Regional Outcomes:

There are no regional outcomes.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural and heritage issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedent set by previous Council or Executive.

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) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REFUSE to adopt as a draft the revised (version 3) “Ancillary Dwellings” Local Planning 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 Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER adopting as a draft the revised (version 3) “Ancillary Dwellings” Local Planning Policy; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

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

Leaving the “Ancillary Accommodation” Local Planning Policy as is would be contrary and inconsistent with the R-Codes recently gazetted. In this regard it is important to note that where a local planning policy is inconsistent with the R-Codes, the R-Codes prevail over the policy to the extent of the inconsistency. Therefore it will be fait accompli in that the provisions of the amended R-Codes will prevail.

There is considered sufficient information for Council to determine the matter and additionally as the amended R-Codes were gazetted on 2 August 2013, Option 3 is not supported.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ADOPT the revised (version 3) “Ancillary Dwellings” Local Planning Policy as a draft and advertise it for a period of 21 days;
2. ADOPT for final approval the revised (version 3) “Ancillary Dwellings” Local Planning Policy should no objections be received during the advertising period;
3. FORWARD the adopted revised (version 3) “Ancillary Dwellings” Local Planning Policy to the WA Planning Commission for its endorsement; and
4. REQUIRE staff to present to Council a further report should there be any objections received during the advertising period.

SC125	ADOPTION OF DRAFT (REVISED) OUTBUILDINGS LOCAL PLANNING POLICY
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AGENDA REFERENCE:	D-13-
AUTHOR:	N Browne, City Statutory Planner
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	1 November 2013
FILE REFERENCE:	LP/8/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

In light of the recent gazettal of the amended Residential Design Codes (R-Codes), staff have reviewed the existing "Outbuilding" local planning policy. This report recommends the adoption of the draft revised policy (included as Attachment No. SC125) for the purpose of public advertising.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The R-Codes now includes a definition for the term 'enclosed'. The R-Codes definition of 'enclosed' has been reflected in the revised policy along with photographic examples to provide clarity as to what actually constitutes an outbuilding.

The revised policy proposes to delete clause 7.0a. which allows for increases in wall height to a maximum of 20% where no objections are received. The provision for allowing increased wall heights will instead be included within clause 5.2.2 which is proposed to be amended to increase the allowable maximum wall heights by 20%. The proposed amendments are as follows:

- Residential R10 and higher density – allowable maximum wall height will increase from 3.0m to 3.6m
- Residential R5 and lower density – allowable maximum wall height will increase from 3.5m to 4.2m
- Rural Residential & Rural Smallholdings – allowable maximum wall height will increase from 4.0m to 4.8m

The revised policy also proposes to amend clause 5.2.2 d. as follows:

- d. Setbacks *Residential **R5** and higher density:*
*The setback to the side/rear boundary can be reduced to nil (subject to compliance with the **National Construction Code Series**) provided affected landowner consent is given.*

No planning application required.

*Residential **R2.5** and lower density:*

The setback to the side/rear boundary may be reduced to nil (subject to compliance with the National Construction Code Series) provided affected landowner consent is given.

Planning application required.

The change in the density codes is a reflection of both categories having the same setback requirements under the R-Codes.

It is also noted that the 'National Construction Code Series' replaced the 'Building Code of Australia', hence the requirement to reflect this new wording in the revised policy.

COMMUNITY CONSULTATION:

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

In accordance with the requirements of the R-Codes the draft revised policy was referred to the Department of Planning for comment. The Department of Planning advised that they had no comments to make in regard to the draft revised policy prepared by the City for public advertising.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

A Local Planning Policy is not part of the Scheme and 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.

Clause 7.3.1 of the R-Codes allows Local Planning Policies to contain provisions that amend or replace certain 'deemed-to-comply' provisions of the R-Codes without the endorsement of the WA Planning Commission.

Clause 7.3.2 of the R-Codes allows Local Planning Policies to contain provisions that amend or replace any other 'deemed-to-comply' provision that are not referenced within clause 7.3.1 of the R-Codes with the endorsement of the WA Planning Commission.

Given that clause 5.4.3 'Outbuildings' of the R-Codes is not referenced within clause 7.3.1 the WA Planning Commissions endorsement of the revised "Outbuildings" Local Planning Policy will be required.

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:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.8:	Continuously improving business and governance frameworks to support a growing community.

Regional Outcomes:

There are no regional outcomes.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

There are no cultural and heritage issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedent set by previous Council or Executive.

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) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REFUSE to adopt as a draft the revised (version 6) “Outbuildings” Local Planning 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 Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER adopting as a draft the revised (version 6) “Outbuildings” Local Planning Policy; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

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

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 Clause 2.2 of Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 2 (Mullewa), Part 2 of Local Planning Scheme No. 5 (Greenough) and Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ADOPT the revised (version 6) “Outbuildings” Local Planning Policy as a draft and advertise it for a period of 21 days;
2. ADOPT for final approval the revised (version 6) “Outbuildings” Local Planning Policy should no objections be received during the advertising period;
3. FORWARD the adopted revised (version 6) “Outbuildings” Local Planning Policy to the WA Planning Commission for its endorsement; and
4. REQUIRE staff to present to Council a further report should there be any objections received during the advertising period.

SC126	PROPOSED LOCAL PLANNING SCHEME AMENDMENT – HIGHWAY COMMERCIAL, FORMER SHIRE OF GREENOUGH ADMINISTRATION OFFICES, UTAKARRA
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AGENDA REFERENCE:	D-13-77245
AUTHOR:	M Connell, Manager Urban & Regional Development and M Thomson, Strategic Planning Officer
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	31 October 2013
FILE REFERENCE:	LP/11/0014
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x 6)

SUMMARY:

This report seeks Council's endorsement to initiate a Scheme Amendment of the former Shire of Greenough administration offices located on a portion of Lot 47 (No. 60) Edward / Horwood Roads, Utakarra. The site is proposed to be rezoned from the 'Public Purpose – Civic' Local Scheme Reserve to the 'Highway Commercial' zone with restricted uses.

PROponent:

The proponent is City of Greater Geraldton.

BACKGROUND:

The subject land is located approximately 4 kilometres east of the Geraldton City Centre and contains the former Shire of Greenough administration offices. Additionally on Lot 47 is the recreation ground commonly known as the "Rovers Football Oval". An aerial photo of the site is included as Attachment No. SC126A.

Since 2007 the building has been occupied by City office staff, the Department of Sport and Recreation and the Midwest Regional Council.

In February 2011, remaining local government office staff and Council meetings were permanently relocated to the City of Greater Geraldton Civic Centre, thus making the entire building available for other uses.

Conditional approval has been granted from the WA Planning Commission to subdivide Lot 47 into two lots that effectively separate the administration offices from the recreation ground. A copy of the subdivision plan is included in Attachment No. SC126B.

The administration offices are now superfluous to the City's requirements and can either be leased or disposed of by sale. Compatible uses of the site should be accommodated and hence the current zoning needs to change.

The current zoning of the site is reflective of the former use of the site as Shire administration offices. The rezoning of the site will enable a wider range of uses for the building. Given the significance and good condition of the

building itself, it is envisaged that there would not be any desire to demolish the building but rather refurbish to suit future uses.

Upon initiation of the Amendment city staff will prepare the formal Amendment documentation.

COMMUNITY CONSULTATION:

Should Council initiate the Amendment, it is required to be publicly advertised in accordance with the requirements of the Planning and Development Act 2005.

COUNCILLOR CONSULTATION:

In April and December 2011 Council made resolutions regarding the leasing of the offices.

STATUTORY IMPLICATIONS:

The subject property is currently a Local Scheme Reserve 'Public Purposes – Civic' under Local Planning Scheme No. 5 (Greenough). This zoning reflects the former use of the site as the Shire of Greenough administration offices.

The proposal is to rezone the site to the "Highway Commercial" zone which has the primary objective of providing for service commercial development. Also proposed is to restrict certain types of uses on the site. The uses chosen for the site are those that are considered to be most appropriate given the location and existing building on the site. The following table describes what uses (under the "Highway Commercial" zone) are proposed to be restricted and those that may be permitted on the site.

Uses that may be permitted	Restricted uses (i.e. NOT permitted)
Child Care Premises	Caretaker's Dwelling
Civic Use	Club Premises
Community Purpose	Convenience Store
Consulting Rooms	Fast Food Outlet
Educational Establishment	Hospital
Exhibition Centre	Large Format Retail
Funeral Parlour	Lunch Bar
Industry Light	Market
Industry Service	Motor Vehicle, Boat or Caravan Sales
Medical Centre	Motor Vehicle Repairs
Office	Restaurant
Place of Worship	Service Station
Reception Centre	Shop
Recreation Private	Storage
Showroom	
Telecommunications Infrastructure	
Trade Display	
Veterinary Centre	
Warehouse	

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

A plan of the existing and proposed zoning is included as Attachment No. SC126C and Attachment No. SC126D.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no financial and budget implications with the rezoning of the site. Any future income generated from either the lease or sale of the site will be directed towards the potential relocation of the Rovers Football Club.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 5:	Governance
Outcome 5.2:	Planning and Policy
Strategy 5.2.1:	Responding to community aspirations by providing creative yet effective planning and zoning for future development

Regional Outcomes:

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

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is adjacent to the area identified as "industrial and service commercial" on the structure plan.

Commercial Activity Centres Strategy:

This Strategy provides a strategic planning framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres. The Strategy informs the City and proponents of the potential scale for future retail and commercial development in existing and planned activity centres.

Although the subject land is not specifically identified within the Strategy it is in immediate proximity to the future Geraldton Business Park 'Highway Commercial' precinct.

To define what a successful network of activity centres means for Geraldton, a series of principles are included in the Strategy. Of relevance to this amendment is the principle of efficient, intense and compact centres. Desired outcomes for this principle include development of centres that facilitate multiple purpose trips.

It is considered that expanding the range of uses permissible on the site will enhance the development of the immediate area that includes “Highway Commercial” and “Light Industry” zoned land.

A plan showing the strategic context of site is included as Attachment No. SC126E.

Rangeway Utakarra Karloo Precinct Plan:

The Rangeway Utakarra Karloo Precinct Plan is a response to the outcomes of the ‘2029 and Beyond Project’ undertaken by the City and is one area that is able to play an important role in the growth of Greater Geraldton. The Plan identified 4 precincts as logical locations for more intense activity.

The subject land is located in the East Utakarra Precinct. The precinct planning process identified a range of potential initiatives to establish a new East Utakarra centre and integrate it with the existing residential and future commercial areas around it.

The subject land is adjacent to an area identified for a new business park precinct to compliment the proposed and future commercial uses to the north of Horwood Road.

It is considered that expanding the range of uses permissible on the site will further support the East Utakarra initiatives.

A plan and text showing the East Utakarra Precinct initiatives is included as Attachment No. SC126F.

City of Greater Geraldton Sporting Futures Report:

The objective of the Report is to provide a holistic overview document that captures and integrates the key findings of previous research, submissions, concepts and City investigations to bring together an overarching master plan that will form the basis for sports infrastructure development.

The subject land additionally contains the recreation ground commonly known as the “Rovers Football Oval”. The Sporting Futures Report recommends the relocation of the club to the Southern Districts Sporting Facility near Verita Road. The land could then be developed for light industrial uses.

It is considered that expanding the range of uses permissible for the administration offices would complement the long term redevelopment planning for the adjacent Rovers Football Oval.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The rezoning will introduce a greater range of uses permissible for the site and support the areas development as a service commercial precinct.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural & Heritage:

The site is listed (place 182) on the Municipal Inventory as follows:

Management Category 5: Significant in contributing to local character and historical knowledge, individually or as one of a group of like places.

The place has social significance and/or contributes to the streetscape and/or built environment of the precinct. Provide encouragement to the owner to maintain or enhance.

It is proposed that a condition be placed on the site that requires the front landscaping to be maintained.

RELEVANT PRECEDENTS:

Council at its meeting held 23 April 2013 gave final approval to rezone Lot 207 Horwood Road, Woorree to the 'Highway Commercial' zone. The Minister granted final approval to the Amendment on the 8 August 2013.

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 Part 5 of the Planning and Development Act 2005 RESOLVES to:

1. REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to rezone a portion of Lot 47 (No. 60) Horwood Street, Utakarra to the 'Highway Commercial' zone with restricted uses;
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 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER the initiation of an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to rezone a portion of Lot 47 (No. 60) Horwood Road, Utakarra to the 'Highway Commercial' zone with restricted uses; and
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

The current zoning of the site is reflective of the former use of the site as Shire administration offices. The rezoning of the site will enable a wider range of uses for the building. Given the significance and good condition of the building itself, it is envisaged that there would not be any desire to demolish the building but rather refurbish to suit future uses.

It is considered that expanding the range of uses permissible for the administration offices would complement the long term, strategic intent for the precinct consistent with the Commercial Activity Centres Strategy, the Rangeway Utakarra Karloo Precinct Plan and the City's Sporting Futures Report and therefore Option 2 is not supported.

Option 3 is not supported as there is considered sufficient information for Council to determine the matter.

EXECUTIVE RECOMMENDATION:

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

1. AMEND Local Planning Scheme No. 5 (Greenough) by rezoning a portion of Lot 47 (No. 60) Horwood Road, Utakarra to the 'Highway Commercial' zone with restricted uses.
2. PROCEED with advertising the Scheme Amendment in accordance with the requirements of the Planning and Development Act 2005.

SC127	FINAL ADOPTION OF THE LOCAL BIODIVERSITY STRATEGY
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AGENDA REFERENCE:	D-13-78380
AUTHOR:	R Nicholas, Senior Environmental Sustainability Officer and M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	23 September 2013
FILE REFERENCE:	LP/9/0024
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x3)

SUMMARY:

The advertising period has concluded for the 'Local Biodiversity Strategy' (the LBS) and this report recommends final approval of the LBS (subject to minor modifications).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In November 2009 the City met with representatives from the Department of Planning and WALGA to initiate scoping of the LBS.

The LBS has been prepared by the Perth Biodiversity project with the assistance of consultants Ecological Australia Pty Ltd and We Are Arising. Additional support has come from the City, the Shire of Chapman Valley and the State NRM program.

The LBS has been overseen by a Steering Committee comprising representatives from:

- City of Greater Geraldton;
- Shire of Chapman Valley;
- Department of Planning;
- Department of Environment and Conservation; and
- Perth Biodiversity Group/Western Australian Local Government Association.

Geographically, the LBS covers 32,410 ha including the coastal portion of the City of Greater Geraldton, the Shire of Chapman Valley and small portion of the Shire of Northampton. The area is approximately bounded by Coronation Beach Road to the north, Devlin Pool Road to the south and Moresby Range to the east.

The Geraldton area is included in one of only 34 global biodiversity hotspots, being both very high biodiversity value, yet also under significant threat. The City of Greater Geraldton and the Shire of Chapman Valley's policies and strategies show a commitment to environmental values, and to halting and

reversing the observed trends towards collapse of local ecosystems. Recent surveys and forums have also shown community support for strong commitments to conservation to preserve social, economic, cultural and intrinsic values and ecosystem services provided by natural areas.

Only 6,041 ha of vegetation remains in the LBS study area, representing only 18% of pre-European extent of native vegetation, and well under the 30% threshold recognised at which species loss appears to accelerate exponentially at an ecosystem level. More than 30% of that remaining is land identified for future development and an additional 20% is land where potential future development could result in further vegetation clearing. Less than 1.8% of the original extent of vegetation in the study area has some level of protection.

Achieving the Goals of the LBS will require stronger action from government in policy, planning and compliance, and business in natural area assessment, urban design, and use of offsets. Actions must also provide stronger support for:

- local community groups working on the coast, in the Moresby Range and in the Chapman River;
- planners working to implement innovative policies in areas such as Waggrakine; and
- for private landholders wanting to conserve their bushland.

The LBS takes all these trends and aspirations into account and, using detailed spatial and policy analysis, suggests a prioritised list of natural areas for conservation action.

On 28 August 2012, Council resolved to:

1. *ADOPT the draft 'Local Biodiversity Strategy' for the purpose of seeking public comment;*
2. *ADVERTISE the draft strategy for a period of 42 days;*
3. *ADOPT for final approval the 'Local Biodiversity Strategy' should no objections be received during the advertising period; and*
4. *REQUIRE a further report to Council should there be any objections received during the advertising period.*

Objections were received during the advertising period and hence this report is presented to Council. Extracts from the LBS are included as Attachment No. SC127A and a full copy of the LBS is available to Council upon request.

On 22 October 2013 Council resolved to:

1. *DEFER the final approval the 'Local Biodiversity Strategy'; and*
2. *MAKES the determination based on the following reason:*
 - a. **to allow new Councillors sufficient time to review the 'Local Biodiversity Strategy' until the next Ordinary Meeting of Council.**

COMMUNITY CONSULTATION:

The LBS has been formulated within a Stakeholder Engagement Plan designed by the City to identify, educate, and involve stakeholders in the biodiversity planning process through 3 phases.

- 1) Collating Survey Results: The LBS Steering Group conducted a review of previous community consultation and surveys, (e.g. NACC Coastal Communities Study, 2009 and Beyond Deliberative Survey, existing management plans etc.), and conducted a new survey of community values, issues and visions for biodiversity.

25 responses were received through the online and hard-copy forms, and these responses directly informed the content of the LBS, as well as guided the structure and focus of the subsequent workshops. One aim of the community consultation was to identify meaningful and practical actions that could be implemented as 'early wins'.

- 2) Information Session and Background Briefing: In May 2010, a LBS information session involved:
 - introducing the timeline and process for strategy development;
 - feeding back values, visions, and concerns identified from previous surveys; and
 - identifying additional information required for meaningful stakeholder participation.

Attendees were also involved in small group conversations on the same topics as the survey: values, issues, solutions and useful additional information.

- 3) Setting goals and prioritising actions: In July 2010, more than 30 people attended a 'goal-setting' and 'action-planning' workshop in Geraldton. Participants were presented with a background briefing and engaged in discussions about goals for biodiversity conservation. Steering group members facilitated small group conversations to develop goals for the strategy, and brainstorm actions to achieve those goals. The end result was a set of goals and list of prioritised actions.

The advertising period was originally for 42 days, however taking into consideration that the advertising period fell over the festive season, the City extended the advertising period to 66 days. Further to this, submissions were received and accepted up until 19 February 2013. Therefore, the advertising period was for 85 days (2 months and 25 days) and involved the following:

1. A notice appeared in the Midwest Times on Thursday, 29 November 2012 advertising the public comment period;
2. The LBS was publicly displayed at the Civic Centre;

3. A brochure was compiled in November 2012 and distributed widely throughout the community. The brochure provides an explanation of the LBS and seeks to answer commonly asked questions about the planning process (and included as Attachment No. SC127B);
4. A community survey was conducted online and in hard copy;
5. Project updates were emailed out to over 173 community members who had registered an interest in the project;
6. Throughout the above, a public consultation page remained available on the City's website. It contained information on upcoming consultation events, a section for community members to lodge new comments and view past results from community consultations on the LBS;
7. The LBS was available on the City's website; and
8. The LBS was referred to the following:
 - Department of Regional Development and Lands;
 - Department of Agriculture and Food;
 - Department of Environment and Conservation;
 - Department of Planning;
 - DFES (Previously FESA);
 - NACC;
 - Western Power;
 - Yamatji Land and Sea Council;
 - Shire of Irwin;
 - Shire of Northampton;
 - Department of Water;
 - Department of Indigenous Affairs;
 - Progress Associations;
 - All major land developers and planning consultancies;
 - MP Ian Blayney.

The City of Greater Geraldton recently received a Biodiversity Milestone Award from WALGA's Local Biodiversity Program for preparing and endorsing for public consultation a draft LBS.

Submissions:

As a result of the advertising, a total of 11 submissions were received with only 1 submission formally objecting to the LBS. Listed below is a summation of the comments/concerns raised from the public comment period:

- Private landholders / developers concerned that the burden of active management for conservation should not be placed solely on the landholder / developer to implement the recommendations but rather implementation should be collaborative between the City and other agencies.
- Retention of native vegetation should be shared amongst landholdings in Areas of Conservation Value.
- Lack of consideration for the financial ramifications of the LBS (devaluation of land, loss of land use, and cost of managing biodiversity assets) on private landholders.

- Compensation for private landholders.
- All stock should be removed from denigrated rural residential land and the land be regenerated, rather than expecting a small portion of responsible landowners to carry the burden of conservation.
- Support the initiatives to protect and retain natural areas wherever possible, but where it does not impact negatively on the existing development potential of an area.
- Concern for the management of ACV on private land. Who will determine which ACV will be managed? What will the management actions be? Will the City provide assistance or compensation for managing the ACV?
- Questioned the City's capacity to implement the LBS.
- Supported the regeneration of degraded land to achieve biodiversity targets.
- Concern of the increase in fuel load and fire risk in achieving the biodiversity conservation targets.
- Why the City has authority to determine biodiversity on private land and placing extra burden on rate payers when state government already has control of native vegetation on private land.
- Steering Committee had no private landholder representation and no formal invitation was offered to private landholders.
- The concept of the LBS for Geraldton is supported, particularly if the strategy allows more consistency and clarity on the expectation of private developers on biodiversity management and retention through the planning process.
- Assumptions have been made on the basis of regional information to determine and prioritise conservation significance and should not replace site specific assessments.
- Concern of the prioritisation methodology used to identify and rank Areas of Conservation Value within the project area.
- Opportunities for retention and management of high value natural areas within the development should be encouraged; however these opportunities should be assessed on a site by site basis.
- Further analysis of the Areas of Conservation Value should be undertaken to take into account the actual viability of ecological linkages, and the current and future zonings of landholdings.
- The LBS should be amended to clearly state and imply that in respect to land use planning for areas of potential conservation on private landholdings, that the LBS is only a high level guidance document, and site specific surveys and information will be the primary source of decision making for those landholdings subject to development projects.
- Definition and function of ecological linkages.
- The City provide the full added cost to ratepayers of this project to all Geraldton ratepayers formally.
- The LBS focuses on plant communities, excludes animals and makes no reference to micro-organisms.

A 'Schedule of Submissions' is included as Attachment No. SC127C and copies of the actual submissions are available to Council upon request.

In addition to the above, six (6) submissions were received by the Shire of Chapman Valley specific to land parcels in that local authority, with 2 specifically objecting to the LBS.

COUNCILLOR CONSULTATION:

Councillor Des Brick was appointed as the Biodiversity Champion at the Council Meeting held on the 25 May 2010 and Councillors Tarleah Thomas, Jerry Clune and Ilse Middleton are the NRM Champions.

STATUTORY IMPLICATIONS:

It is proposed that the LBS be endorsed as a local planning policy under Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 5 (Greenough).

It is expected that the LBS will inform the future Local Planning Strategy which will then be endorsed by the WA Planning Commission.

POLICY IMPLICATIONS:

A Local Planning Policy is not part of the Scheme and 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:

The LBS has a series of recommendations only which are not presently costed or included in the current budget. Should Council determine to implement any of the recommendations the financial and budget implications will be detailed at that time.

It should be noted that adoption of the LBS does not commit Council to any of the recommendations but does allow for the recommendations to be funded out of the annual budgeting process.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 2: Environment – A sustainable built form and natural environment

Outcome 2.1: Revegetation-Rehabilitation-Preservation

Strategy 2.1.3: Preserving, rehabilitating and enhancing natural flora and fauna corridors

Goal 5: Governance – Inclusive civic and community

engagement and leadership

Outcome 5.2: Planning and Policy

Strategy 5.2.1: Responding to community aspirations by providing creative yet effective planning and zoning for future development

Regional Outcomes:

The Geraldton Regional Flora and Vegetation Survey:

The Geraldton Regional Flora and Vegetation Survey was recently completed and adopted by the EPA. This LBS is a follow-on project to implement some recommendations of the survey. Further, a conservation plan for the region is being funded by the state and will link with the LBS.

Local Rural Strategy:

This strategy guides future land use and subdivision decisions for rural areas. It includes objectives to retain native vegetation, create vegetation corridors as well as specific management directives for vegetation management.

Local Planning Strategy:

The purpose of this document is to identify the likely land uses that will be established and indicate the preferred location for these land uses. The LBS includes the Greenough and Chapman River foreshores into areas with significant environmental value. The promotion of foreshore reserves, foreshore management plans, and revegetation along these rivers will provide a basis for linking other environmentally significant areas to these rivers. The LBS states that foreshore reserves, foreshore management plans and/or revegetation along these rivers are required as conditions of subdivision to create lots for more intensive use and, where possible, efforts should be made to provide links between these river corridors and other environmentally significant areas (e.g. Moresby Range).

Geraldton Region Plan and Greater Geraldton Structure Plan:

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 that recommends inclusion of ecologically significant areas in the conservation estate, protection of areas of agricultural significance and the establishment of landscape committees to protect areas of landscape value.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Through the 2029 and Beyond process the residents of the City have identified a range of economic, social, environmental and cultural characteristics of the Greater Geraldton area which make it attractive. The draft LBS has been prepared, cognisant of these.

Economic:

The economic impacts of the LBS may include providing more certainty for business and investors through consistent policies regarding land use and biodiversity conservation.

Social:

Refer to Goal 4 in the 'Environmental' section of this report below.

Environmental:

Goals for local biodiversity conservation were decided through careful consideration of the biodiversity assets, their regional and local significance within the context of opportunities, constraints and community aspirations.

5 goals were identified, each focusing on retention, protection, management, engagement and regeneration. The 5 Goals are:

Goal 1: Retention – Retain natural areas

Given current constraints to natural area retention, this goal translates into 10% of the original extent of native vegetation in Geraldton, as a minimum:

- Retention of at least 3,334 ha of the remaining 6,041 ha of natural areas remaining; and
- Requirement to offset and revegetate as compensation where losses are unavoidable.

Goal 2: Protection – Protect natural areas and specific biodiversity features

This goal translates into:

- Protection of at least 5% of the original extent of natural areas;
- Protection of an additional 1058 ha of areas of conservation value; and
- Protection of Threatened Ecological Communities, Declared Rare Flora, Priority flora and fauna, and riparian and coastal vegetation.

Goal 3: Management – Manage protected natural areas for conservation

This goal translates into:

- Active management of 100% of Local Government natural areas of conservation value;
- Active management of 50% of all other retained natural areas (1,659 ha), through provision of incentives for private land conservation and restoration; and
- Valuation of biodiversity assets and implementation of asset management plans.

Goal 4: Engagement – Increased community contributions to biodiversity conservation

This goal translates into:

- Observable change in public and institutional language, values and priorities;
- Measured decrease in behaviours identified as threats;

- Measured increase in the time, money or resources contributed to biodiversity conservation;
- Observable increase in the biodiversity 'proofing' of policies; and
- Increase in evidence that the community are 'acting as stewards for the environment'.

Goal 5: Regeneration - Ensure the rate of regeneration exceeds the rate of degradation

This goal translates into:

- Restoration of more than 1,500 ha of natural areas in the City;
- Measurable improvement in connectivity between natural areas and along ecological linkages; and
- Use of local offsets to over-compensate any future clearing of native vegetation.

Cultural & Heritage:

Natural areas are of cultural heritage value.

RELEVANT PRECEDENTS:

The Shire of Chapman Valley at its meeting held on 16 October 2013 resolved to receive the Geraldton Local Biodiversity 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 clause 2.2 of both Town Planning Scheme No. 3 (Geraldton and Local Planning Scheme No. 5 (Greenough) RESOLVES to:

1. REFUSE to adopt for final approval the 'Local Biodiversity Strategy'; and
2. MAKES the determination on the grounds that:
 - a. To be determined by Councillors.

Option 3:

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

1. DEFER the final approval the 'Local Biodiversity Strategy'; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

The Geraldton area is included in one of only 34 global biodiversity hotspots, being both very high biodiversity value, yet also under significant threat. The City of Greater Geraldton and the Shire of Chapman Valley's policies and strategies show a commitment to environmental values, and to halting and reversing the observed trends towards collapse of local ecosystems. Recent surveys and forums have also shown community support for strong commitment towards conservation to preserve social, economic, cultural and intrinsic values and ecosystem services provided by natural areas.

The development of the LBS included substantial community and stakeholder engagement, and was formulated within a Stakeholder Engagement Plan designed to involve stakeholders in the planning process. The LBS notes that achieving the vision will require stronger action from government and must also provide for stronger support for local community groups and private landowners.

The LBS does not place any specific burden on any one individual or part of the community, and indeed an action of the LBS is to develop and support an incentive program for private landholder conservation.

Option 2 is not supported as the City's policies, strategies and results of community engagement show that the natural environment is highly valued and the reality is that less than 18% of native vegetation remains in the study area and nearly half of that may be lost through planned developments. It should also be noted that there are a number of private landowners who actively seek improved biodiversity outcomes on their own land and the LBS will assist those people.

Option 3 is not supported as the consideration of biodiversity is now fundamental in land use planning and the LBS provides the City with a strategic way of addressing this requirement. Additionally the LBS will be used to inform the preparation of the new Local Planning Strategy and Scheme and this process has recently commenced.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to clause 2.2 of both Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 5 (Greenough) RESOLVES to:

1. DETERMINE the submissions outlined in the 'Schedule of Submissions';
2. ADOPT for final approval the 'Local Biodiversity Strategy', subject to the modifications outlined in the 'Schedule of Submissions'.

SC128	DELEGATED AUTHORITY FOR AUTHORISED PERSONS
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AGENDA REFERENCE:	D-13-78533
AUTHOR:	GWM Chadwick, Manager Environmental Health and Sustainability
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	2 September 2013
FILE REFERENCE:	PH/1/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	No

SUMMARY:

This report seeks Council delegated authority to persons and positions listed in the attached schedule of authorised officers made under various provisions of health and environmental legislation, which is required to perform the roles required by local governments and requires Council delegation.

PROponent:

The proponent is City of Greater Geraldton.

BACKGROUND:

The City last renewed its Environmental Health Officer delegations pursuant to the *Health Act 1911, as amended* and *Local Government Act 1995* through Council resolution on 1 July 2011. Since then there have been operational changes to staff that carry out regular administrative and enforcement responsibilities.

Whilst City Officers have up to date certificates of authorisation, the purpose of this agenda paper is to ensure Council authorised delegations remain current and recorded accurately on its corporate delegations register and made available to be audited by the relevant authority from time to time.

COMMUNITY CONSULTATION:

The City is required to liaise with the Department of Health regarding authorisations required to be made under the *Health Act 1911, as amended* and *Food Act 2008* and *Food Regulations 2009*.

COUNCILLOR / OFFICER CONSULTATION:

The Manager Environmental Health and Sustainability has consulted with the Manager, Governance and Risk and with Sustainable Communities Department Managers and relevant staff. There has been no consultation with Councillors as this is an operational matter.

STATUTORY IMPLICATIONS:

Council is able to execute by delegation specific powers in relation to its responsibilities under the *Local Government Act 1995*, *Health Act 1911*, *Caravan Parks and Camping Grounds Act 1995*, *Caravan Parks and Camping Grounds Regulations 1997*, *Food Act 2008* and *Food Regulations 2009*.

The delegation of such powers does not remove any of the responsibilities of the local government from exercising its powers.

POLICY IMPLICATIONS:

No impact on existing policies or new policies proposed as a result of the authorisations.

FINANCIAL AND BUDGET IMPLICATIONS:

No significant costs increases are associated with the delegated authority. There are increased service efficiencies through authorisation of building surveyor staff as authorised for plumbing inspections.

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

Goal 3: A strong healthy community which is equitable, connected and cohesive.

Outcome 3.5: Community Health and Safety

Strategy 3.5.3 Promoting healthy lifestyle and living standards

Regional Outcomes:

There may be positive regional outcomes where authorised officers are made available to other local government authorities on fee for service basis.

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

There are positive economic impacts through effective execution of environmental health legislative powers particularly in relation to the benefits of businesses reducing their risk of litigation as a result of serious harm to health and wellbeing as a result of unsafe practices.

Social:

There are positive social impacts through effective execution of environmental health legislative powers particularly in relation to health and wellbeing.

Environmental:

There are positive environmental impacts through effective execution of environmental legislative powers particularly in relation to the control of pollution.

Cultural & Heritage:

There are no cultural and heritage impacts with this item. Authorised officers are working in cross cultural situations.

RELEVANT PRECEDENTS:

The previous Council decision regarding these particular delegations was made in March 2011.

DELEGATED AUTHORITY:

This agenda items concerns Councils delegated authority as the local government specified by the relevant Acts to confer its powers to Officers in accordance with the attached schedule.

VOTING REQUIREMENTS:

Simple Majority voting is required.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

That Council by Simple Majority made under *Section 26 and 178 (1) of the Health Act 1911, as amended and sections 122 and 126 of the Food Act 2008 and regulation 21 of the Food Regulations 2009 and sections 17 and 23 of the Caravan Park and Camping Ground Act 1995* RESOLVES to::

1. DEFER its decision on delegated authority for Environmental Health Officers, Manager and Executive Officers:
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

Option 3:

That Council by Simple Majority made under *Section 26 and 178 (1) of the Health Act 1911, as amended and sections 122 and 126 of the Food Act 2008 and regulation 21 of the Food Regulations 2009 and sections 17 and 23 of the Caravan Park and Camping Ground Act 1995* RESOLVES to:

1. NOT delegate authority for Environmental Health Officers, Manager and Executive Officers; and
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

The City is required to review its delegations regularly to ensure it remains current and meets the responsibilities to perform the required functions imposed by the relevant Acts and subsidiary legislation.

The current delegated authority schedule is no longer current and is required to be brought up to date to enable transparency and effective governance of the statutory powers required to be executed by local government.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority exercise its power under section 26 of the *Health Act 1911*, sections 118, 122 and 126 of the *Food Act 2008*, sections 17 and 23 of the *Caravan Parks and Camping Grounds Act 1995* and regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* to:

1. AUTHORISE the persons listed in the schedule circulated with the agenda item to perform the functions under the relevant legislation as specified in the schedule listed below:

Schedule of authorised and designated officers
George William Mark Chadwick, Manager Environmental Health and Sustainability:
Appoint under section 26 of the <i>Health Act</i> to be the City's deputy with authority to exercise and discharge the following powers and functions of the City under the Act –
(a) enter premises;
(b) investigate offences;
(c) instigate prosecutions
(d) issue orders, directions and notices;
(e) approve and certify public buildings;
(f) any power or function under the City of Geraldton Health Local Laws 2004 and any local law adopted to replace those local laws.
Delegate the power under section 118(2) of the <i>Food Act</i> to, for the purposes of the Act –
(a) issue orders and notices; and
(b) register a food business.
Appoint as an authorised officer under section 122(1) of the <i>Food Act</i> with authority to exercise the following powers under the Act –
(a) enter premises;
(b) investigate offences; and
(c) instigate prosecutions.
Designate under section 126(13) of the <i>Food Act</i> as a designated officer for the purpose of giving infringement notices under section 126(2) of the Act.
Appoint as an authorised officer under section 17(1) of the <i>Caravan Parks and Camping Grounds Act</i> and grant authority under regulation 6 of the <i>Caravan Parks and Camping Grounds Regulations</i> to grant or renew a licence for a caravan park or camping ground.
Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds Act</i> as a person authorised to give an infringement notice under section 23(2) of the Act.

Schedule of authorised and designated officers

Schedule of authorised and designated officers Cont.
Environmental Health Officers
<p>Marie Struwig, Senior Environmental Health Officer; Hayley Williamson, Senior Environmental Health Officer; Paul Boardman, Environmental Health Officer (Meat); Jasmine Molloy, Environmental Health and Sustainability Officer; Viraj Ballanthudaachchige, Environmental Health Officer; Lloyd Evans, Environmental Health Officer (Onsite Effluent); Kelly Cripps, Senior Environmental Health Officer; Kerry Bowditch, Environmental Health Officer.</p>
<p>Appoint under section 26 of the <i>Health Act</i> to be the City's deputies with authority to exercise and discharge the powers and functions of the City under the Act to enter premises and investigate offences.</p> <p>Appoint as authorised officers under section 122(1) of the <i>Food Act</i> with authority to exercise the powers under the Act to enter premises and investigate offences.</p> <p>Designate under section 126(13) of the <i>Food Act</i> as designated officers for the purpose of giving infringement notices under section 126(2) of the Act.</p> <p>Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds Act</i> as persons authorised to give an infringement notice under section 23(2) of the Act.</p>
Executive Officers
<p>Ken Diehm (Chief Executive Officer) Philip Melling (Director of Sustainable Communities)</p>
<p>Designate under section 126(13) of the <i>Food Act</i> as designated officers for the purposes of extending the period within which a modified penalty the subject of an infringement notice given under section 126(2) of the Act may be paid or withdrawing such a notice.</p> <p>Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds Act</i> as persons authorised for the purposes of extending the period within which a modified penalty the subject of an infringement notice given under section 23(2) of the Act may be paid or withdrawing such a notice.</p>
Contracted Officers
<p>Piotr Zenni, Environmental Health Officer</p>
<p>Appoint as an authorised officer under section 122(1) of the <i>Food Act</i> with authority to assist another person appointed as an authorised officer under that provision.</p>

SC129	CITY OF GREATER GERALDTON LOCAL LAWS 2013
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AGENDA REFERENCE:	D-13-77169
AUTHOR:	N Ferridge Team Leader Local Laws
EXECUTIVE:	P Melling, Director of Sustainable Communities
DATE OF REPORT:	19 September 2013
FILE REFERENCE:	LE/5/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes(x3)

SUMMARY:

The attached three proposed City of Greater Geraldton local laws (Attachment No. SC129A) are provided for consideration by Council to give notice of the purpose and effect of each local law and to seek approval to advertise for public consultation.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

With the establishment of the City of Greater Geraldton (the City) effective from the 1 July 2011 it was appropriate to adopt a suite of new local laws to replace the out-dated local laws which operated under the former City of Geraldton-Greenough and Shire of Mullewa.

It should be noted that when the City of Geraldton-Greenough was established in 2007 by amalgamation of the City of Geraldton and the Shire of Greenough, the process of reviewing and repealing local laws was not completed. It is now necessary to complete this task following the amalgamation of the City of Geraldton-Greenough and Shire of Mullewa and early work on this project.

The City engaged a consultant to review the Local Law Register managed by the Department of Local Government and other relevant documentation, particularly Government Gazettes, to identify all current local laws for the former entities and to prepare a draft local law to repeal all former local laws that are not subject to a new local law.

Eleven Local Laws were identified during this process, as requiring review to accommodate the amalgamation.

Council resolved on the 12 October 2011, to make the following local laws.

- Activities in Thoroughfares and Public Places and Trading Local Law 2001;
- Bush Fire Brigades Local Law 2011;
- Cemetery Local Law 2011;
- Dogs Local Law 2011;
- Meeting Procedures Local Law 2011;
- Pest Plants Local Law 2011; and

- Parking and Parking Facilities Local Law 2012 was resolved by Council on the 26 June 2012.

The Animal, Environment and Nuisance Local Law, Fencing Local Law and the Health Local Law were not resolved due to issues arising out of public consultation and by the Department of Local Government.

During the public consultation period for the Animal, Environment and Nuisance Local Law, the section dealing with permits for sheep was identified as being unnecessary. As a result of further analysis this section was removed. The Department of Local Government had some issues with the definitions and legalities of some clauses. These have now been amended to reflect current standards.

It has been identified that a Fencing Local Law is not required as the issues addressed within that proposed Local Law are adequately provided for within the Town Planning Policies and the Local Government Miscellaneous Provisions Act 1960.

The Local Government and Public Property Local Law was considered highly contentious in the Greater Geraldton community due to competing interests from user groups (specifically recreation pursuits such as off road vehicle use and environmental groups). This Local Law had specified specific parcels of Council managed land for vehicle use and did not reflect other parcels that could be suitable. A review of other similar local laws were less specific in terms of areas which made for better management.

Extensive Community Consultation took place and a raft of recommendations was made to work toward addressing Community needs. The report, is provided to Council for noting toward the Off Road Vehicle Strategy which is to be developed and finalised by June 2015. The key component of the Strategy is to address all vehicle access needs across the City, not just Council managed land to which the law relates.

The Health Local Law was subsequently identified as a further local law requiring completion and is now included within this process.

The Local Laws presented in this item have been reviewed by Council Officers and respective Departments. The presented laws have undergone review by a legal practitioner.

COMMUNITY CONSULTATION:

The use of Natural areas in Greater Geraldton has undergone significant community consultation. A report as Attachment No. SC129B outlines recommendations for the City to consider in the long term management of Council Land, other land within the Greater Geraldton area and community needs.

Areas proposed for vehicle access and type of use is indicated on the Coastal Reserve Access Survey is attached as Attachment No. SC129C as per the property local law, it is anticipated that these maps will inform signage and the set areas.

Section 3.12(5) of the *Local Government Act 1995* requires the City to give state wide notice for a period of 42 days from the date of publication of the advertisement inviting submissions on the proposed local law.

COUNCILLOR CONSULTATION:

Councillors were invited to attended community workshops in relation to the community consultation on public areas. A number of Councillors attended these sessions.

On the 11 April 2013, a Briefing Note to Councillors responded to concerns regarding Off Road Vehicle Use in the Dunes estate. While much of this Briefing Note was in relation to the Dunes estate an update on the process and local laws was provided.

STATUTORY IMPLICATIONS:

Local Government (Constitutional) Regulations 1998, regulation 7, provides that, although an order has abolished the former entities and created the new City, the local laws that applied in the former entities continue to apply in respect of the former districts until the local laws are repealed.

Section 3.12 of the *Local Government Act 1995* provides the procedure to be followed by a Local Government when making a Local Law. This procedure is included verbatim herewith for the guidance of Council:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give state-wide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

(a) stating the title of the local law; and

(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

(c) advising that copies of the local law may be inspected or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

The proposed Local Laws are listed below together with their respective purpose and effect in accordance with Section 3.12.(2) of the Local Government Act (as above).

1. Animals, Environment and Nuisance Local Law 2013

The purpose and effect of this local law is as follows:

Purpose:

To provide for the regulation, control and management of animals and the prevention of environmental damage and nuisances within the District.

Effect:

To establish the requirements with which any person keeping animals, or undertaking activities that have the potential to impact the environment or create nuisance must comply and to remove obsolete and out-dated local laws relating to the new district of the City of Greater Geraldton.

2. Health Local Law 2013

The purpose and effect of this local law is as follows:

Purpose:

To provide a statutory means of effectively controlling issues which have the potential to adversely impact on the health and well-being of the community.

Effect:

To allow health related issues to be sufficiently controlled so as to provide an acceptable standard for the maintenance of public health in the community and to remove obsolete and out-dated local laws relating to the new district of the City of Greater Geraldton.

3. Local Government and Public Property Local Law 2013

The purpose and effect of this local law is as follows:

Purpose:

To regulate the care, control and management of all property of the local government except on thoroughfares

Effect:

To control the use of local government property and offences created for inappropriate behaviour in or on local government property and to remove obsolete and out-dated local laws relating to the new district of the City of Greater Geraldton.

POLICY IMPLICATIONS:

There are no policy implications relevant to this report.

FINANCIAL AND BUDGET IMPLICATIONS:

The costs of the advertising and publication of the local laws in the Government Gazette have been allowed for in this financial year's budget.

STRATEGIC & REGIONAL OUTCOMES:**Strategic & Plan for the Future Outcomes:**

Environment 2.1, 2.2 & 2.3 Strategic Community Plan

Governance 5.1 & 5.2 Strategic Community Plan

Regional Outcomes:

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

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

There are no economic impacts associated with this matter.

Social:

The provision of effective local laws assists with contributing toward the safety and security of the community.

Environmental:

Local Laws assist with the effective management and protection of City of Greater Geraldton environment.

Cultural & Heritage:

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

RELEVANT PRECEDENTS:

There are no relevant precedents.

DELEGATED AUTHORITY:

The Chief Executive Officer has the Delegated Authority to enforce local laws as per section 5.2 of the Local Government Act, outlined in the Instrument of Delegation signed on the 1 July 2013.

VOTING REQUIREMENTS:

Simple Majority is required.

Option 1:

As per Executive Recommendation in this report.

Option 2:

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

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

Option 3:

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

1. NOT ADOPT the local laws as provided; and
2. MAKES the determination based on the following reason:
 - a. To be determined by the Council.

CONCLUSION:

The creation of the City requires new local laws to be adopted to cover the whole of the amalgamated district. Until the new local laws have been gazetted the existing local laws remain in place. Option 1 is recommended as it follows due process and will allow for Local Laws specific to the City of Greater Geraldton to be finalised.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE the advertising of the City of Greater Geraldton Local Government and Public Property Local Law 2013, Animal, Environment and Nuisance Local Law 2013 and Health Local Law 2013 in order to seek public comment.

SC130	DOG AND CAT FEES AND CHARGES
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AGENDA REFERENCE:	D-13-78631
AUTHOR:	K Seidl, Manager Community Law and Safety
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	8 November 2013
FILE REFERENCE:	LE/5/0002
APPLICANT / PROPONENT:	The City of Greater Geraldton
ATTACHMENTS:	Yes(x1)

SUMMARY:

To amend the City of Greater Geraldton Fees and Charges to allow for Dog and Cat fees.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

The Cat Act of 2011 was brought into effect for Local Governments as of November 1 2013. Similar to the Dog Act the Cat Act has certain provisions which come at a cost to Local Governments. The current schedule of fees and charges do not have consideration for these charges which include impounding cats, sustenance for cats, micro chipping of cats and releasing a cat outside of normal pound hours. The charges and changes required are as listed.

- Statutory Fees and Charges - Amended to reflect changes:
Statutory Charges have changed for both cats and dogs and while the City can rightfully charge these fees, the current Schedule of Fees and Charges reflects the old fees
- Cat Traps - Removal fee:
Given that the City now has certain responsibilities under the Cat Act, it is now unreasonable to have a fee for hiring the Cat Trap of the City. This fee and its associated bond should be removed from the Schedule of Fees and Charges.
- Microchip of Dog or Cat - \$40:
On 24 October 2013 amendments to the Dog Act 1976 were passed by State Parliament. The changes were to come into effect for Local Governments on the 1 November 2013. One change that is not listed on the City Schedule of Fees and Charges is the micro chipping of dogs. It is proposed that a fee for the micro chipping of impounded Dog or Cats of \$40 be applied to cover the costs associated with administration, purchase of microchips and equipment and the application time.
 - Impounding Dog or Cat \$70.00
 - Sustenance Dog or Cat (per day) \$22.00
 - Release of Dog or Cat (Outside Hours) \$70.00

It is proposed that the fees and charges in relation to Cats come into line with the current Fees and Charges for Dogs and an amendment is made to reflect 'per dog or cat' over the current wording of 'per dog' in relation to fees for Impounding, sustenance and release of a dog or cat outside of normal pound hours.

Hence a fee of \$70 is proposed for an impounded Dog or Cat, a fee of \$22 is proposed for sustenance of a Dog or Cat each day and a fee of \$70 for the release of a Dog or Cat outside of normal Cat or Dog Management Facility Hours (the term Dog Pound has been replaced to reflect Dog Management Facility and the same applies for Cats).

The proposed amendments to the Schedule of Fees and Charges, are as per Attachment No. SC130 and indicated in red text.

COMMUNITY CONSULTATION:

The changes to the Dog Act and implementation of the Cat Act are State driven. There has been advertising about the changes and New Cat Act from the State and City of Greater Geraldton.

COUNCILLOR CONSULTATION:

Not applicable.

STATUTORY IMPLICATIONS:

The Dog Act 1976 (as amended) allows for Local Governments to charge owners of dog's reasonable costs in relation to the maintenance and detention of the dog.

The Cat Act 2011 makes similar provisions.

Section 6.16 (1) and Section 6.19 (a) (b) of the Local Government Act 1995 allows a local government to impose and recover a fee or charge for any goods or service it proposes to provide. If a local government wishes to impose a new fee or charge after the adoption of the annual budget it must, before introducing the fee or charge give notice of the following:

- a) *Its intention to do so; and*
- b) *The date from which it is proposing the fee or charge will be imposed.*

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

In determining the new proposed schedule of fees and charges the City has taken into consideration the cost of providing these new services and/or goods.

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

Goal 3: A strong healthy community which is equitable, connected and cohesive.

Outcome 3.5: Community Health and Safety.

Strategy 3.5.5: Creating Safer Communities.

Regional Outcomes:

There are no Regional Outcomes.

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

There are no economic issues relevant to this report.

Social:

The Dog Act 1976 (as amended) and Cat Act 2011 allow for the better management and control of animals in the Greater Geraldton community.

Environmental:

Both the Dog Act 1976 (as amended) and Cat Act 2011 assist in the management of the environment.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

Council adopts fees and charges annually with the City Budget.

DELEGATED AUTHORITY:

There is no Delegated Authority relevant to this report.

VOTING REQUIREMENTS:

Absolute Majority required.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

That Council by Absolute Majority Section 6.16 (1) and Section 6.19 (a) (b) of the Local Government Act 1995 RESOLVES to:

1. DEFER the item.
2. MAKES the determination based on the following reason:
 - a. to be determined by Council.

CONCLUSION:

The City has commenced impounding Cats as per the provisions of the Cat Act 2011. With the introduction of the Cat Act and the amendments to Dog Act 1976 Rangers will be required to microchip Dogs and Cat at Management Facilities. As per the Dog Act 1976 and Cat Act 2011 the City can apply fees with regard to impounded animals. The fees are recommended in line with Legislative changes, cost to Council and other current fees in relation to dogs.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 6.16 (1) and Section 6.19 (a) (b) of the Local Government Act 1995 RESOLVES to:

1. AMEND the City of Greater Geraldton Fees and Charges to reflect the changes in the attached Schedule of Fees and Charges as indicated.

16 REPORTS TO BE RECEIVED

REPORTS TO BE RECEIVED	
AGENDA REFERENCE:	D-13-78981
AUTHOR:	K Diehm, Chief Executive Officer
DISCLOSURE OF INTEREST:	No
FILE REFERENCE:	GO/6/0002
DATE OF REPORT:	11 November 2013

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>Reports of Corporate & Commercial Services</i>	
CCS017	Confidential – Report to be Received – List of Accounts Paid Under Delegation for the Period Ending 31 October 2013
CCS018	Report to be Received – Quarterly Reporting on the Corporate Business Plan
<i>Reports of Creative Communities</i>	
CC139	Report to be Received – Public Art Advisory Committee Meeting Minutes – 25 September 2013
CC140	Report to be Received – QEII Seniors Advisory Committee Meeting Minutes – 18 September 2013
<i>Reports of Sustainable Communities</i>	
SCDD080	Delegated Determinations & Subdivision Applications
SCED0052	Report to be Received – Geraldton Futures Governance Alliance Meeting Minutes for - August 2013

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 – Creative Communities:
 - i. CC139 – Public Art Advisory Committee Meeting Minutes – 25 September 2013;
 - ii. CC140 – QEII Seniors Advisory Committee Meeting Minutes – 18 September 2013.
 - b. Reports – Sustainable Communities:
 - i. SCD080 – Delegated Determinations & Subdivision Applications; and
 - ii. SCED0052 – Geraldton Futures Governance Alliance Meeting – Agenda and Minutes for 12 August 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 – Corporate and Commercial Services:
 - i. CCS017 – Confidential Report to be Received – List of Accounts for Payment for the Period Ending 31 October 2013;
 - ii. CCS018 – Quarterly Reporting on the Corporate Business Plan.

17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

18 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

19 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING

20 DEFERRED MATTERS

Pursuant to Section 5.2 (i) of the Meeting Procedures Local Law February 2011, please note this part of the meeting will be closed to the public due to its confidential nature.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority RESOLVES to MOVE behind closed doors.

CEO032 CONFIDENTIAL ITEM

AGENDA REFERENCE:	D-13-81295
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	19 November 2013
FILE REFERENCE:	LP/5/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

Confidential item, details of which have been circulated separately

EXECUTIVE RECOMMENDATION:

As per the confidential item.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority RESOLVES to MOVE from behind closed doors.

21 CLOSURE

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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