



ORDINARY MEETING OF COUNCIL
MINUTES

27 MARCH 2018

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 27 MARCH 2018 AT 1.30PM
MULLEWA DISTRICT OFFICE

MINUTES

DISCLAIMER:

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

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.30pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 ATTENDANCE

Present:

Mayor S Van Styn

Cr J Clune

Cr N Colliver

Cr J Critch

Cr S Douglas** *by phone*

Cr S Elphick

Cr L Freer

Cr R D Hall

Cr S Keemink

Cr N McIlwaine

Cr V Tanti

Officers:

R McKim, Chief Executive Officer
P Melling, Director of Development & Community Services
B Davis, Director of Corporate and Commercial Services
C Lee, Director of Infrastructure Services
S Moulds, PA to the Chief Executive Officer
L Pegler, Executive Support Secretary
P Kingdon, Coordinator Communications

Others:

Members of Public: 8
Members of Press: 1

Apologies:

Nil

Leave of Absence:

Cr T Thomas
Cr G Bylund
Cr M Reymond

Absent

Cr D J Caudwell

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

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.

Public Question Time Commenced at 1.31pm

Mr K D Tucker, PO Box 260, Mullewa 6630

Question 1

Why was a bobcat used on both of the walk trails in Mullewa?

Response

Thank you for your question. The bobcat was used to undertake repairs to the walk trails to address erosion and trip hazards. It was later identified during the works that the machine was not ideal and staff have been instructed to complete the work with hand tools.

Question

When will the damage caused by this be repaired?

Response

Full repairs to the walk trail will be complete by Thursday 29 March 2018.

Question

When will the information panels at the start of each trail be replaced?

Response

The vandalised information signage has been inspected & photographed and research is being carried out to identify a more cost efficient replacement of this signage as these original panels are very expensive to produce. The City is exploring an alternative option to replace the damaged signage.

Supplementary question – When will the information panels at the start of each trail be replaced?

Response

This question will be taken on notice and a response will be provided to Mr Tucker. The response will be published in the next Council Meeting Agenda under 'Response to Previous Public Questions Taken On Notice'.

Sofie and Isabella - Our Lady Mount Carmel Primary School – Mullewa

We would like to begin by thanking you for this opportunity to discuss our community. We feel lucky to be able to meet with you today to share some ideas that we believe could support our town.

Firstly, we would like to thank you for the following items:

- The Mullewa Swimming Pool. This term we have used the pool for swimming lessons and practise for our interschool swimming carnival. This means that we have been able to practise our swimming and are now ready to join in the upcoming interschool carnival.
- The Town Hall. We have been able to use the Town Hall for our Christmas Concert. With the use of the hall we are able to have enough room for everyone to watch our concert.
- The doctor's surgery. This helps our town because it means that people don't have to travel all the way to Geraldton when they are injured or sick. It is also good when there is an emergency.

Response

Thank you for providing the City with your feedback on those facilities, it's always great to know they are appreciated by our community.

Secondly, we believe the following ideas may help to improve our local community:

- An outdoor movie night for the families in our town to enjoy. There could be a gold coin donation to watch the movie, and this money could be donated to a charity.
- The Police might be able to drive around more at night so that people always feel safe.
- A discussion with the kids of the town to talk about wearing helmets when they are riding their bikes. There are lots of people who don't wear a helmet, and this is unsafe.

Thank you for taking the time to listen to our ideas, we look forward to seeing you soon.

Response

Thank you for these ideas. Your ideas will be passed through to the Mullewa District office for Officers to consider how we could move them forward. Officers are currently talking to the Police about local resident security.

Shari Comeagain and Tahnasia Mitchell, Mullewa District High School

Question - Shari Comeagain

I would like to know if the Council will support a girls football team in Mullewa?

Response

The City supports all types of sporting related community activities, applications are offered through the community grants program which is available to all residents on the City's website. In addition the City's Club Development Officer is able to provide further resourcing avenues and advice in the development of a women's football team in Mullewa. We will ask Jack Little (CDO) to get in touch with you to discuss further.

Question - Tahnasia Mitchell

I would like to know if the council would be willing to put more CCTV around town to make the public feel safer.

Response

Thank you for the question. Originally 4 CCTV cameras were installed around Mullewa and this was later doubled to 8 cameras. The cameras in place are on sites chosen with the local police.

Importantly both the Mullewa Police Station and the City of Greater Geraldton have access to the Mullewa CCTV network and the system we now have give's good coverage of the main areas in Mullewa. Residents can be assured that the system in place assists the police in their duties around Mullewa.

Officers are currently doing night audits of street lights in Mullewa as these lights need to be working for the CCTV cameras to be effective.

Mr Paul Brown, 2 Wavcrest Circle, Drummond Cove

Question

Is the City of Greater Geraldton currently developing plans to alter the current road traffic plan within the Drummond Cove – Whitehill Rd – Estuary Place foreshore area?

If so,

- a. Is the City planning to engage the Drummond Cove community in a communication consultation process so that they can be fully informed of the implications? Has the City attempted to inform local residents and landowners, particularly those on the Estuary Place, of the proposed road plan in order to give them the ability to provide necessary feedback? Is this road plan being developed by the City as a temporary solution to the erosion occurring at Drummond Cove or as a permanent solution?

Response

Thank you for the question. The short answer is yes. In response to concerns raised by residents, and utilising the information gathered at recent CHRMAP community workshops, Officers are investigating road network options and medium term (10-15 years) coastal protection works. The City's process is that Officers investigate and then take the findings to Councillors at a Concept forum to discuss the concepts and options. This then formulates into broader community awareness and reports to Council. In recent years, the City has completed various community engagement exercises in Drummond Cove including CHRMAP workshops, regular meetings with the Drummond Cove Progress Association representatives and sending City representatives to DCPA meetings. Further consultation will ultimately be a decision for the Council.

Question

Is the City of Greater Geraldton aware of the ongoing contamination from Blue Asbestos at the Drummond Cove foreshore area on the land along Whitehill Rd that was previously home to the beach shacks?

- a. What is the City's Occupation Health and Safety policy in regard to protecting residents and visitors to the area from the potential risk of coming into contact with this dangerous material that could lead to fatal consequences that may remain unknown and undiagnosed to those affected for the many decades? Has the beach shack area been certified as a clean, safe area free from contamination from Blue Asbestos? Who has given the certification that it is free from Blue asbestos contamination?

Response

Rather than a City OHS Policy it is necessary that where there is suspected asbestos contamination that the City follows the State Department of Health [Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia](http://ww2.health.wa.gov.au/Articles/A_E/Asbestos-contaminated-sites) (http://ww2.health.wa.gov.au/Articles/A_E/Asbestos-contaminated-sites). The site has been inspected by qualified consultants and subsequently the City has developed and implemented a Site Management Plan that governs the process that takes place should any other residual asbestos fragments be found as the site is still classed as having a low level of contamination.

Supplementary question – why has the fencing been removed?

The City in adhering to the Guidelines mentioned above and as recommended by the Consultants has put in place the Site Management Plan and the site is now being monitored, hence the reason the fence has been removed (which was applicable action in this case).

For information the City will be spreading mulch over the disturbed areas and will also be installing the standard style of fencing used in coastal areas to ensure that when coastal plantings occur in the area over winter that there is some level of protection for the coastal environment.

Public question time concluded at 1.46pm

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr G Bylund	22 March 2018	2 April 2018	27/2/2018
Cr S Douglas**	23 March 2018	4 April 2018	27/2/2018
Cr M Reymond	24 March 2018	14 April 2018	28/11/2017
Cr T Thomas	26 March 2018	29 March 2018	27/2/2018
Cr N McIlwaine	16 April 2018	25 April 2018	23/1/2018
Cr S Keemink	16 April 2018	23 April 2018	27/2/2018
Cr L Freer	4 July 2018	30 July 2018	28/11/2017
Cr S Douglas	31 August 2018	5 October 2018	19/12/2017
Cr N McIlwaine	16 November 2018	30 November 2018	23/1/2018

Note: If Elected Members' application for leave of absence is for the meeting that the request is submitted, they will be noted as an apology until Council consider the request. The granting of the leave, or refusal to grant the leave and reasons for that refusal, will be recorded in the minutes of the meeting

***Cr S Douglas joined the meeting by phone, as approved at the Ordinary Meeting of Council 27 February 2018 – Item CCS316.*

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

Cr N Colliver requests leave of absence for the period 13 April 2018 to 18 April 2018 be approved.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr J Critch declared an Impartiality Interest in Item DCS363 – Proposed Name Change - Tenindewa – as she is a member of the Tenindewa Progress Association and the proponent (Anthony Critch) is her Father-in-law

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 February 2018, as previously circulated, be adopted as a true and correct record of proceedings.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 February 2018, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

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

DATE	FUNCTION	REPRESENTATIVE
2 March 2018	Spirit Radio Interview – Council Business	Mayor Shane Van Styn
2 March 2018	Deputy Mayor – Council Matters	Mayor Shane Van Styn
2 March 2018	Bundiyarra – Introduction to new CEO, BACAC Board & Staff	Mayor Shane Van Styn
2 March 2018	Apex – Point Moore	Mayor Shane Van Styn
2 March 2018	Hear Me Out Podcast – Council Meeting Update	Mayor Shane Van Styn
6 March 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
6 March 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
6 March 2018	Regular Meeting with Local Member – Ian Blayney, MLA Member for Geraldton	Mayor Shane Van Styn
6 March 2018	Concept Forum	Mayor Shane Van Styn
9 March 2018	Welcome to Mullewa	Cr Tarleah Thomas Cr Jennifer Critch
11 March 2018	Edna Freemans 100 th Birthday Celebrations	Cr Robert Hall
12 March 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
12 March 2018	Citizenship Ceremony	Mayor Shane Van Styn
12 March 2018	Point Moore Lighthouse	Mayor Shane Van Styn
13 March 2018	Business & Regional Leaders Meeting - MWCCI	Mayor Shane Van Styn
15 March 2018	Progress Midwest Board Meeting Pre Meeting with City Officers	Mayor Shane Van Styn
15 March 2018	Progress Midwest Board Meeting	Mayor Shane Van Styn
15 March 2018	Purple Epilepsy Day – Media Promotion	Mayor Shane Van Styn
15 March 2018	WoW Festival – Media Promotion	Mayor Shane Van Styn
15 March 2018	Audit Committee Meeting	Mayor Shane Van Styn
18 March 2018	Regional Capitals Australia - Geelong	Mayor Shane Van Styn
19 March 2018	Regional Capitals Australia - Geelong	Mayor Shane Van Styn
19 March 2018	2018 Hawaiian Ride for Youth	Cr Robert Hall
20 March 2018	Regional Capitals Australia - Geelong	Mayor Shane Van Styn
20 March 2018	Agenda Forum	Deputy Mayor Neil McIlwaine
21-22 March 2018	Australian Coastal Councils Conference - Geelong	Mayor Shane Van Styn
22 March 2018	Ni Hao WA Tourism Industry Dinner	Cr Robert Hall
24 March 2018	Harmony Day	Mayor Shane Van Styn
26 March 2018	Salvation Army Thrift Shop Opening	Mayor Shane Van Styn
26 March 2018	Everlasting Partnership Agreement with Panaceum	Mayor Shane Van Styn

26 March 2018	Underground Power Media Promotion	Mayor Shane Van Styn
26 March 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
26 March 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
26 March 2018	Ordinary Meeting of Council - Mullewa	Mayor Shane Van Styn

11 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS363 PROPOSED ROAD NAME – TENINDEWA

AGENDA REFERENCE:	D-18-018410
AUTHOR:	K Elder, Coordinator Strategic Planning
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	1 March 2018
FILE REFERENCE:	RO/7/0001
ATTACHMENTS:	Yes (x2) A. Accompanying Information - Proposed Road Name - Tenindewa B. Map of Unnamed Road Reserve

EXECUTIVE SUMMARY:

A request has been received from the Tenindewa Progress Association to apply the road name 'Griffiths' to an unnamed road reserve which runs next to the Tenindewa Store.

This report recommends approval of the road name and that it be forwarded to Geographic Names for their approval.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 26A of the *Land Administration Act 1997* RESOLVES to:

1. APPROVE the road name 'Griffiths'; and
2. FORWARD the road names to Geographic Names for final approval.

PROPONENT:

The proponent is Anthony Critch on behalf of the Tenindewa Progress Association.

BACKGROUND:

The Tenindewa Progress Association has requested the naming of an unnamed portion of road abutting the Tenindewa Store in order to reflect the pertinent history of the area.

The Association initially sought approval for the name 'Foster' in recognition of the family who were the last and the longest proprietors of the Tenindewa Store. However, Geographic Names advised that the name is not supported as there is already a 'Foster Place' in Mount Tarcoola.

The Association then recommended 'Griffiths' in order to commemorate 'Bill Griffiths' whom originally built the Tenindewa Store in 1935. In support of the application the Association has provided a letter of request, and emails from a descendent of Bill Griffiths providing information of his achievements within the community. This information is included as Attachment No. DCS363A.

The portion of the unnamed road reserve which is proposed to be named 'Griffiths' is a gravel road 1.1km in length between the Yuna-Tenindewa Road (to the south) and Tenindewa Road North (to the north). This alignment is distinctly separate to the longer road reserve as it is situated between two railway crossings and is the only portion which is formed. A map showing the location and the portion of the unnamed road reserve is included as Attachment No. DCS363B.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Tenindewa is located approximately 17km southwest of Mullewa and was one of the many stops on the Geraldton to Mullewa Railway line constructed in 1893. A railway gang was housed there to service the line and a small community formed. By 1910 there were railway buildings, sports facilities and a race course, a post office and a hall, and by 1913 a school.

The first Tenindewa Store was built by Alex Rumble in 1921. In 1924 Bill Griffiths leased the store from Alex Rumble until 1935 when he built the new Store and Post Office.

The Store operated until its closure in 1985 and is the last remaining building in the Tenindewa town site. Despite the decline in local population, the store still functions as a meeting point for the community, such as the location of the Tenindewa Christmas tree, which still occurs annually and celebrated its 100 year anniversary in 2013.

The Store is listed in the Municipal Inventory of Heritage Places (Part 4 – Mullewa Heritage Places, place No. 37) as follows:

Management Category: 3M

Level of Significance: Moderate Significance – Important to the heritage of the locality.

The proposed 'Griffiths' road name supports the historical significance of the site.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

The City has a Register of Road Names which has already received approval from Council. Road names selected from this list are referred directly to Geographic Names for their approval and application to a road. Given that 'Griffiths' is not on the Register, Council approval is required prior to its referral to Geographic Names for their consideration.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The application has been made on behalf of the Tenindewa Progress Association. Whilst there has been no formal Councillor consultation, the elected members of the Mullewa ward are aware of the background of this road naming request.

LEGISLATIVE/POLICY IMPLICATIONS:

Geographic Names is responsible under the *Land Administration Act 1997* for the final approval of road names. The 'Policies and Standards for Geographical Naming in Western Australia' outlines the types of names that are unsuitable, which includes:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 150km radius and local government area; and
- names that are considered 'overused' across the State.

Geographic Names has advised that whilst 'Griffiths' is considered overused across the State, there is the ability for special consideration to be given to names which are considered to only be marginally 'overused'.

Geographic Names have informally advised that the name 'Griffiths' is only marginally overused and therefore they have the ability to consider the road naming request.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

Title: Community	1.1 Our Heritage and the Arts
Strategy 1.1.1	Recording, recognising and preserving our social, environmental and built heritage

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

There are no inherent risks to the City in recommending approval of this road name.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The road name is considered appropriate given its strong historical and cultural linkages with the Tenindewa townsite. The road name adds to the conservation and interpretation of the historical significance of the area.

Geographic Names have anecdotally advised that the name 'Griffiths' is only marginally overused and they have the ability to consider the road naming request. The option to refuse the road name is therefore not supported.

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

Cr J Critch declared an Impartiality Interest in Item DCS363 – Proposed Name Change - Tenindewa – as she is a member of the Tenindewa Progress Association and the proponent (Anthony Critch) is her Father-in-law and left Chambers at 1.48pm.

Cr Clune moved a motion different from the Executive Recommendation to include 'Road' in point 1.

COUNCIL DECISION

MOVED CR CLUNE, SECONDED CR HALL

That Council by Simple Majority pursuant to Section 26A of the *Land Administration Act 1997* RESOLVES to:

- 1. APPROVE the road name 'Griffiths Road'; and**
- 2. FORWARD the road names to Geographic Names for final approval.**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:
That Council include the name 'Road' to the motion for clarity in Councils' request when submitting to the Geographic Names.

Cr Critch returned to Chambers at 1.53pm.

DCS364 LEASE – WALKAWAY SPORTING COMPLEX INC

AGENDA REFERENCE:	D-18-019103
AUTHOR:	L Macleod, Coordinator Land & Property Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	6 March 2018
FILE REFERENCE:	A63382
ATTACHMENTS:	Yes (x1) Application for Partial Lease

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's support to enter into a land lease agreement with the group Walkaway Sporting Complex Inc. for a portion of approximately 1.7 hectares of Lot 23 (6) Evans Road, Walkaway.

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a land lease agreement with the Walkaway Sporting Complex Inc. for a portion of approximately 1.7 hectares of Lot 23 (6) Evans Road, Walkaway;
2. SET the conditions as follows:
 - a. enter into a 20 year lease agreement commencing 1 May 2018;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
3. ADVISE the lessee they are responsible for separately paying:
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

PROPONENT:

The proponent is the Walkaway Sporting Complex Inc.

BACKGROUND:

The Walkaway Sporting Complex Inc. comprises of three likeminded clubs being the Walkaway Polocrosse Club, Greenough Polocrosse Club and the Walkaway Pony Club.

Lot 23 (6) Evans Road is owned in fee simple freehold by the City and is known as the Walkaway Recreation Ground and Community Centre.

Under the former Shire of Greenough, Clubs utilising the ground entered into management agreements however, no formal lease was ever in place. To support equity across all sporting clubs, the Walkaway Sporting Complex Inc. have written to the City requesting a formal lease. The Walkaway Sporting

Complex Inc. application for partial lease is attached as Attachment No. DCS364.

The group has requested to lease the portions outlined in red that include their club houses, ablutions and horse yards.

Proposed lease areas are in red.



COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:**Community:**

The three polocrosse clubs that make the Walkaway Sporting Complex Inc promote the sport of polocrosse as family orientated sport encouraging riders of all ages and levels who wish to increase their skills in a friendly and social environment

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

Section 136 of the Planning and Development Act 2005, states the maximum lease term for a portion of a freehold lot is 20 years. To be equitable with sporting clubs leasing land on Crown Reserves where the maximum lease term in 21 years, is recommended this lease term to be 20 years.

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been consultation between the Walkaway Sporting Complex Inc. members and City Officers.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process “disposing” (in this case leasing) of property.

Regulation 30 of the Local Government Functions and General Regulations outlines the exemptions under section 3.58 of the Local Government Act.

FINANCIAL AND RESOURCE IMPLICATIONS:

The lease fee is set by the City of Greater Geraldton Schedule of Fees and Charges adopted by Council and reviewed annually. The commencement lease fee for 2017-18 is \$410.00 per annum inclusive of GST.

INTEGRATED PLANNING LINKS:

Title: Community	1.2 Recreation and Sport
Strategy 1.2.1	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

There are no identified risk management issues with this report.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There were no alternative options considered as the Walkaway Sporting Complex Inc. is already well established on the grounds and a lease agreement will formalise the use of the grounds and enable the Club to secure tenure into the future.

Cr Clune moved a motion different from the Executive Recommendation to delete point 3.c. from the Motion.

Deleted from the Motion:

- *3.c. legal and survey expenses associated with the preparation, execution and registration of the lease.*

MOTION**MOVED CR CLUNE, SECONDED CR COLLIVER**

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

- 1. ENTER into a land lease agreement with the Walkaway Sporting Complex Inc. for a portion of approximately 1.7 hectares of Lot 23 (6) Evans Road, Walkaway;**
- 2. SET the conditions as follows:**
 - a. enter into a 20 year lease agreement commencing 1 May 2018;**
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;**
- 3. ADVISE the lessee they are responsible for separately paying:**
 - a. relevant building insurance and other insurances; and**
 - b. all applicable rates, taxes and other utilities.**

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION: Is that there are three organisations co-located within the sporting complex and imposing the legal and survey costs on just one organisation would be unfair.

Cr Douglas moved an amendment to Cr Clune's motion to include the deleted point 3.c. to retain the continuity with lease agreements that are in place with other sporting groups.

The proposed amendment to the motion was considered.

AMENDMENT TO MOTION

MOVED CR DOUGLAS, SECONDED CR KEEMINK

That Council include point 3.c. as per the Executive Recommendation

Note: At the time of the vote to the amendment it was noted that due to a technical issue with the telephone connection FROM Chambers to Cr Douglas that the meeting was unable to hear the Councillor, but the Councillor could hear the discussion that was being held and had lodged his vote at 2.06pm. Cr Douglas advised he had heard the comments that the Mayor had made during this brief technical issue. The call was then reconnected FROM the City to Cr Douglas and he confirmed his vote.

Postscript: The City's ICT team advised that City of Greater Geraldton's telephone system experienced a network issue at this time.

CARRIED 10/1

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	NO
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. McIlwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

The amended motion, as carried, became the substantive motion.

COUNCIL DECISION

MOVED CR DOUGLAS, SECONDED CR KEEMINK

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

- 1. ENTER into a land lease agreement with the Walkaway Sporting Complex Inc. for a portion of approximately 1.7 hectares of Lot 23 (6) Evans Road, Walkaway;**
- 2. SET the conditions as follows:**
 - a. enter into a 20 year lease agreement commencing 1 May 2018;**
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;**
- 3. ADVISE the lessee they are responsible for separately paying:**
 - a. relevant building insurance and other insurances;**
 - b. all applicable rates, taxes and other utilities; and**
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.**

CARRIED 10/1

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	NO
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. McIlwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

DCS365 LEASE AGREEMENT – LA FIAMMA SPORTING CLUB

AGENDA REFERENCE:	D-18-019060
AUTHOR:	L MacLeod, Coordinator Land & Property Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	6 March 2018
FILE REFERENCE:	A18478
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's consent to enter into a land lease agreement for an approximate 700 square metre portion of Reserve 21146 with La Fiamma Sporting Club for the purpose of their clubrooms.

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a land lease agreement for an approximate 700 square metre portion of Reserve 21146 with the La Fiamma Sporting Club for the purpose of their clubrooms;
2. SET the conditions as follows:
 - a. enter into a 21 year lease agreement commencing 1 May 2018;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
3. MAKE the determination subject to consent from the Minister for Lands;
4. ADVISE the lessee they are responsible for separately paying:
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

PROPONENT:

The proponent is the La Fiamma Sporting Club.

BACKGROUND:

Reserve 21146 forms part of the Eighth Street Sporting Precinct and is vested by way of a Management Order to the City of Greater Geraldton with the power to lease for up to 21 years with consent from the Minister for Lands.

The Club's previous lease expired in November 2014. This lease of land included the main soccer playing field adjacent to their clubrooms. The playing field however was maintained by the City and included four lighting towers that were installed by the Club many years ago. The City's recent light tower audit identified that the current state of the lighting towers posed a risk to the public and were immediately decommissioned. Since then, City Officers have been liaising with the Club to resolve this matter and to facilitate the granting of a new club lease that would benefit the club and ensure that

the City continues its responsibility of the field maintenance and now the light tower responsibility. To that end, the Club has agreed to relinquish the infrastructure on the main field to the City and enter into a land lease for the footprint of their clubhouse building only.



COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The La Fiamma Sporting Club was established in Geraldton in 1959. The Club actively promotes the game of Soccer at all levels and encourages junior and senior members to enjoy this social and healthy activity.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

RELEVANT PRECEDENTS:

The City leases portions of Crown Reserves to community and sporting organisations for a variety of recreational purposes in line with the relevant Management Order.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation has occurred between City Officers and La Fiamma Sporting Club resulting in a formal commitment to negotiating a revised lease arrangement that relinquishes responsibility for maintenance of all assets on the main pitch including the tower lighting.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process “disposing” (in this case leasing) of property.

Regulation 30 of the Local Government Functions and General Regulations outlines the exemptions under section 3.58 of the Local Government Act.

FINANCIAL AND RESOURCE IMPLICATIONS:

The lease fee is set by the City of Greater Geraldton Schedule of Fees and Charges adopted by Council and reviewed annually. The commencement lease fee for 2017-18 is \$410.00 per annum inclusive of GST.

INTEGRATED PLANNING LINKS:

Title: Community	1.2 Recreation and Sport
Strategy 1.2.1	Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

There are no identified risk management issues with this report.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

That the land lease includes the main soccer field and the Club be fully responsible for the maintenance of the grounds including the lighting towers. This was discounted however as this approach would be inequitable with many other sporting clubs where those clubs only lease the footprint of the club house building.

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

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

1. **ENTER** into a land lease agreement for an approximate 700 square metre portion of Reserve 21146 with the La Fiamma Sporting Club for the purpose of their clubrooms;
2. **SET** the conditions as follows:
 - a. enter into a 21 year lease agreement commencing 1 May 2018;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
3. **MAKE** the determination subject to consent from the Minister for Lands;
4. **ADVISE** the lessee they are responsible for separately paying:
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

DCS366 COUNCIL POLICY CP1.4 DISABILITY ACCESS & INCLUSION POLICY

AGENDA REFERENCE:	D-18-018591
AUTHOR:	S Davidson, Community Development Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	7 March 2018
FILE REFERENCE:	CS/6/0016
ATTACHMENTS:	Yes (x2) A. Draft Council Policy - CP 1.4 Disability Access & Inclusion B. Comparison Table - CP1.4 Disability Access & Inclusion Policy

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of Council Policy CP 1.4 Disability Access & Inclusion Policy version 2, as amended. The Policy is attached as Attachment No. DCS366A.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Council Policy CP1.4 Disability Access & Inclusion Policy version 2.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy CP 1.4 Disability Access & Inclusion Policy was first approved as Council Policy CP025 Disability Access & Inclusion Policy on 27 August 2013 and reviewed and renamed by Council on 24 January 2017. Within the biennial review process for the Council Policy Manual the policy is due for review prior to 2019. This Policy does not currently comply with the revisions to the Disability Access and Inclusion Plan, which incorporate changes to the WA Disability Service Regulations.

The policy has been amended to:

1. Incorporate additional Outcome 7 of the WA Disability Service Regulations; and
2. Update reference document information details.

Please refer to the Comparison Table for relevant changes made to the Policy. The Comparison Table is attached as Attachment No. DSC366B.

The Disability Access & Inclusion Plan can be viewed on the City's website from the following link: <https://www.cgg.wa.gov.au/documents/725/city-of-greater-geraldton-disability-access-and-inclusion-plan-2013-2018>

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

This policy, along with the Disability Access and Inclusion Plan, will guide Council directions, programs and resource allocation required to integrate and respond to community needs and initiatives.

Environment:

There are no adverse environmental impacts.

Economy:

The Policy frames the Disability Access and Inclusion Plan and aims to ensure that universal access is available to the whole community and therefore ensures that the Greater Geraldton economy can benefit from all sectors of our community and visitors alike.

Governance:

This Policy is amended to align with the revisions to the WA Disability Service Regulations and the subsequent changes to the City of Greater Geraldton Disability Access & Inclusion Plan.

RELEVANT PRECEDENTS:

Council Policy CP 1.4 Disability Access & Inclusion Policy was previously approved as Council Policy CP025 Disability Access & Inclusion Policy on 27 August 2013.

COMMUNITY/COUNCILLOR CONSULTATION:

Council was consulted via a briefing note on 31 January 2018. The Executive Management Team reviewed the draft policy on 7 March 2018.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to section 2.7 of the Local Government Act 1995 the role of Council includes determination of Council Policies:

2.7. Role of council

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

It is a requirement of the WA Disability Services Act 2004 (WA), that all local government authorities develop and implement a Disability Access and Inclusion Plan. The Disability Services Commission (WA) advised all public authorities that an additional outcome requirement that states 'People with

disability have the same opportunities as other people to obtain and maintain employment with a public authority’.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Policy frames the Disability Access & Inclusion Plan, which further impacts budgets for renewals and capital works in relation to access and inclusion.

INTEGRATED PLANNING LINKS:

Title: Governance	4.5 Good Governance and Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

Ensuring that the Council Policy Register is current and comprehensive and supports the role of Council in the good government of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION

MOVED CR FREER, SECONDED CR COLLIVER

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

- 1. APPROVE Council Policy CP1.4 Disability Access & Inclusion Policy version 2.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton’s Meeting Procedures Local Law 2011 the motion was passed unopposed.

DCS367 PROPOSED LEASE – LOT 601 MARINE TERRACE GERALDTON

AGENDA REFERENCE:	D-18-021485
AUTHOR:	L MacLeod, Coordinator Land and Property Services; P Melling, Director Development and Community Services
EXECUTIVE:	P Melling, Director Development and Community Services; C Lee, Director Infrastructure Services
DATE OF REPORT:	14 March 2018
FILE REFERENCE:	A7759
ATTACHMENTS:	Yes (x3) 2x Confidential A. Confidential Attachment - Draft Lease - Lot 601 Marine Terrace, Geraldton B. Confidential Attachment - Development Options C. City Centre Planning Policy, Addendum One

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's support to enter into an initial five year lease agreement with the Western Australian Land Authority trading as LandCorp for Lot 601 Marine Terrace, Geraldton for the purpose of activating the site for increased community use and improving the aesthetics in this area.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.41 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a five (5) year lease agreement with a further five (5) year option with the Western Australian Land Authority trading as LandCorp for Lot 601 Marine Terrace, Geraldton, subject to the terms and conditions of the lease noting a need to amend reference to insurances with a new special condition; and
2. CONFIRM to LandCorp that Section 32 of the Western Australian Land Authority Act 1992 that Lot 601 Marine Terrace, Geraldton, is exempt from Local Government rates.

PROponent:

The proponent is City of Greater Geraldton.

BACKGROUND:

Lot 601 is a strategic land parcel owned by the Western Australian Land Authority (LandCorp) within the Geraldton City Centre, which unfortunately has not attracted a buyer to develop the site. Lot 601, as it is currently configured, presents a negative vista through this section of Marine Terrace and Foreshore Drive (respectively) being an unsealed car park surrounded by a 1.8m high chain mesh fence. The free informal car parking area is held under a rolling licence agreement between LandCorp and the City. A small portion of the site is also held separately under licence to the Champion Bay

Surf Lifesaving Club, the club's use of the site will continue under this proposed arrangement (Special Condition 8(a)) refers.

As part of the Growing Greater Geraldton Plan, the City has sought support from LandCorp to activate Lot 601 and enable it to be used for broader community purposes. LandCorp supports the City's Growth Plan and has agreed to lease Lot 601 to the City for a term of five (5) years at a peppercorn rent with a further 5 year option. As LandCorp will be seeking to dispose of the land in the future, LandCorp has included a provision in the lease document that may allow the lease to be terminated by either party after the first 2 years of the initial term by providing not less than six months written notice. The draft Lease document for Lot 601 Marine Terrace, Geraldton is included as Confidential Attachment No. DCS367A.

Proposed development

Recent aerial imagery indicates that the site is currently utilised by approximately 210 vehicles for free informal car parking on a day to day basis.

Officers presented three possible development options (refer Confidential Attachment No. DCS367B) to Council for discussion at Concept Forum on 3 October 2017. The options presented include the removal of the existing chain mesh fence and provide a combination of formal car parking and Public Open Space to improve the amenity of the site.

Officers will liaise with Councillors in relation to the preferred option if the leasing of Lot 601 is supported.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The activation of this Lot will enhance the vibrancy of the east end of the City Centre.

Environment:

There are no environmental impacts as this area has been established as a parking station for over a decade and has been remediated to Environmental Protection Authority requirements.

Economy:

Undertaking works on Lot 601 will assist in uplifting the area and provide activation of a space that currently is a chain mesh encircled informal car park segregated from the City Centre.

Governance:

Formalising interim uses on Lot 601 will improve the governance of an area that is currently uncontrolled. There are issues with the current wording relating to insurances in Section 5 that will need to be amended via the Special Conditions due to our insurer's advice regarding third party indemnity.

RELEVANT PRECEDENTS:

There are no relevant precedents in relation to the City leasing State Government land within the Geraldton City Centre.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation with Councillors took place at the Council Concept Forum on 3 October 2017 discussing possible interim use options for Lot 601 and for the City to consider leasing the property.

LEGISLATIVE/POLICY IMPLICATIONS:

The adopted City Centre Planning Policy contains design criteria and a specific Addendum 1 (included as Attachment No. DCS367C) that relates to design objectives for Lot 601. It is important that Lot 601 is activated given its strategic position in the City Centre and proximity to the Foreshore.

FINANCIAL AND RESOURCE IMPLICATIONS:

The proposed lease will give the City access to Lot 601 for up to five years with a possible 5 year option noting that a termination clause (Special Condition 8 (f)) that could be enacted after two years should a suitable proponent be sourced to develop the site. The lease also includes a clause that should more than \$50,000 in revenue be received from use of the site the City could be liable for a percentage of the amount above \$50,000 to be paid to Landcorp. It is seen as unlikely that the City would reach this figure per annum given the intended use of the site.

There will be associated annual maintenance costs incurred for the site that are still to be quantified.

Given that Lot 601 Marine Terrace, Geraldton, is exempt from Local Government rates, the City will not be held liable for the "Rates Equivalent" payment to the State Government for the land, this is a payment that State Agencies pay to the State Government in lieu of payment of Local Government rates (the Local Government does not get any rates contribution on land owned by the Crown). Recommendation 2 has been included to make it clear from a City perspective that Local Government rates are not payable on this lot.

Cost estimates for the development options presented to Council for discussion at Concept Forum are estimated to cost in the order of \$350,000-\$450,000 for the development of the site as shown. The City's draft 2018-19 budget will include a listing for consideration of a sum of \$420,000 for Lot 601 work. Detailed design and supervision would be undertaken by City Officers and the works procured recently established Annual Supply Contracts.

INTEGRATED PLANNING LINKS:

Title: Community	1.1 Our Heritage and the Arts
Strategy 1.1.4	Fostering and facilitating community and cultural events
Title: Economy	3.1 Growth
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan

REGIONAL OUTCOMES:

Activation of Lot 601 with interim uses will revitalise this strategic site within the Geraldton City Centre. Its use will assist in the City achieving its vision for a revitalised City Centre in the short to medium term.

RISK MANAGEMENT:

The site if it remains in its current undeveloped state will continue to be a blight on the City Centre and its foreshore areas. Activation of the site is essential for the City Centre and will bring a positive change which will complement works undertaken by both the City (underground power and Durlacher Street projects) and private land owners (adjoining building upgrades). These works will significantly improve the aesthetics of this portion of the Geraldton City Centre.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The following options were considered by City Officers:

- Continue with the existing licence arrangement and current use of the site as an informal carpark until Landcorp either terminate the licence arrangement or sell the site. This option was discounted as it does little to activate the site and detracts from what the City wishes to achieve with a vibrant City Centre.
- Terminate the current licence and let Landcorp follow its own process on future disposal. This option was discounted as it could lead to Landcorp closing the site to access and leave it until market conditions improve (which could take several years).

COUNCIL DECISION**MOVED MAYOR, SECONDED CR DOUGLAS**

That Council by Simple Majority pursuant to Section 5.41 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a five (5) year lease agreement with a further five (5) year option with the Western Australian Land Authority trading as LandCorp for Lot 601 Marine Terrace, Geraldton, subject to the terms and conditions of the lease noting a need to amend reference to insurances with a new special condition; and
2. CONFIRM to LandCorp that Section 32 of the Western Australian Land Authority Act 1992 that Lot 601 Marine Terrace, Geraldton, is exempt from Local Government rates.

CARRIED 11/0

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	YES

Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Mcllwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS317 COUNCIL POLICY CP 4.17 PUBLIC INTEREST DISCLOSURE
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AGENDA REFERENCE:	D-18-017508
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	2 March 2018
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2)
	A. Comparison Table - CP 4.17 Public Interest Disclosure
	B. Draft Council Policy CP 4.17 Public Interest Disclosure

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of Council Policy CP 4.17 Public Interest Disclosure version 2, as amended.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

1. APPROVE Council Policy CP 4.17 Public Interest Disclosure version 2.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy CP 4.17 Public Interest Disclosure was last reviewed by Council on 24 January 2017. Within the biennial review process for the Council Policy Manual the policy is due for review prior to 30 June 2018.

The objective of CP 4.17, Public Interest Disclosure, is to provide guidelines in relation to the receipt and investigation of Public interest information, made under the provisions of the *Public Interest Disclosure Act 2003* (PID Act). The Public Sector Commission assist public authorities to developing policy and procedure through their publication 'Guidelines for Public Authorities'.

The suggested amendments to Council Policy CP 4.17, Public Interest Disclosure, reflect the content of the current Public Sector Commission 'Guidelines for Public Authorities', published in 2016. Suggested changes to CP 4.17 are detailed on the comparison table, attachment A (CCS317).

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

Amendments to Council Policy CP 4.17, Public Interest Disclosure, will ensure that the City meets the standards of procedures, recommended by the Public Sector Commission, and is therefore compliant with the provisions of the *Public Interest Disclosure Act 2003*.

RELEVANT PRECEDENTS:

Council review Council Policies from time to time as required. Public Interest Disclosure Policy was first endorsed by Council 28 August 2012 – OP0003. A further revision was adopted 28 April 2015 – CCS110.

COMMUNITY/COUNCILLOR CONSULTATION:

Council were consulted via briefing note on 25 January 2018 and at the Concept Forum on 6 March 2018. The Executive Management Team reviewed the draft policy on 14 February 2018.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to section 2.7 of the Local Government Act 1995 the role of Council includes determination of Council Policies:

2.7. Role of council

(1) The council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	4.5 Good Governance & Leadership
Strategy: 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in the good government of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

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

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

1. **APPROVE Council Policy CP 4.17 Public Interest Disclosure version 2.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

CCS318 COMPLIANCE AUDIT RETURN 2017	
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AGENDA REFERENCE:	D-18-017510
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	2 March 2018
FILE REFERENCE:	RM/6/0020
ATTACHMENTS:	Yes (x1) Compliance Audit Return 2017

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of the Compliance Audit Return (CAR) 2017 as required under the Local Government Act 1995.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 7.13(1) of the Local Government Act and Regulations 14 and 15 of the Local Government (Audit) Regulations RESOLVES to:

1. ADOPT the 2017 Compliance Audit Return for the period 1 January 2017 to 31 December 2017; and
2. NOTE that the Compliance Audit Return for the period 1 January 2017 to 31 December 2017 will be submitted to the Department of Local Government, Sport and Cultural Initiatives.

PROONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In accordance with section 7.13(1) of the *Local Government Act 1995* and regulation 14 and 15 of the *Local Government (Audit) Regulations 1996*, a local government authority is required to carry out a compliance audit for the period 1 January to 31 December in each year and prepare a Compliance Audit Return in a form approved by the Minister.

Pursuant to regulation 14 (3A) of the *Local Government (Audit) Regulations 1996*:

(3A) The local governments audit committee is to review the compliance audit return and is to report to the council the results of that review.

The 2017 CAR was submitted to the Audit Committee Meeting on 15 March 2018 for the Committee to review and subsequently report the results of the review to Council.

The Audit Committee resolved to:

1. *ENDORSE the results of the Compliance Audit Return 2017.*
2. *REPORT the results of the review of the Compliance Audit Return 2017 to Council at the Ordinary meeting to be held on 27 March 2018.*

The Minutes of the Audit Committee Meeting 15 March 2018 are attached in Report to be Received CCS321.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

It is a legislative requirement under the provisions of the *Local Government (Audit) Regulations 1996* r. 14(3) that the Compliance Audit Return is presented to Council and adopted by the Council.

RELEVANT PRECEDENTS:

Council adopts the Compliance Audit Return each year, prior to its submission to the department (CCS244 – 28 March 2017)

COMMUNITY/COUNCILLOR CONSULTATION:

The CAR was submitted to the Audit Committee meeting on 15 March 2018 to review the results.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 7.13(1)(i) of the LGA and Regulation 13 and 14 of the *Local Government (Audit) Regulations 1996*.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Good Governance & Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

The Compliance Audit Return is a statutory compliance requirement for Local Governments and is subject to review first by the Audit Committee and then as a report to Council for adoption before being submitted to the Department of Local Government. The City is required to provide this to the Department no later than 31 March 2018. The City does not have the option to not adopt the CAR as it would result in non-compliance with the Local Government Act 1995 and Local Government (Audit) Regulations 1996.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternative options were considered by City Officers.

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

That Council by Simple Majority pursuant to Section 7.13(1) of the Local Government Act and Regulations 14 and 15 of the Local Government (Audit) Regulations **RESOLVES** to:

1. **ADOPT** the 2017 Compliance Audit Return for the period 1 January 2017 to 31 December 2017; and
2. **NOTE** that the Compliance Audit Return for the period 1 January 2017 to 31 December 2017 will be submitted to the Department of Local Government, Sport and Cultural Initiatives.

CARRIED 11/0

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Mcllwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

CCS319	AMEND AUDIT COMMITTEE CHARTER
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AGENDA REFERENCE:	D-18-017914
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	2 March 2018
FILE REFERENCE:	GO/11/0020
ATTACHMENTS:	Yes (x1) Draft Audit Committee Charter

EXECUTIVE SUMMARY:

The purpose of this report is seek Council endorsement of an amendment to the Audit Committee Charter to delete sub paragraph 6(1)(b) to 6(1)(d) inclusive and amend subparagraph 4(1).

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 7.1A of the Local Government Act RESOLVES to:

1. ENDORSE amendment to the Audit Committee Charter to delete sub paragraph 6(1)(b) to (1)(d) inclusive, amend sub paragraph 3.1, delete sub paragraph 3.2 – 3.4, and amend subparagraph 4(1) as per attachment CCS319 Draft Audit Committee Charter v.1.5 March 2018.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

On 28 November 2017 (CEO048) Council endorsed the re-establishment of the Audit Committee, and required that the Committee, at its first meeting held following the resolution, to review the terms of reference.

Accordingly at the Audit Committee held on 15 March 2018 the Committee reviewed the terms of reference (AC 059) and considered the effect of recent changes to the role of the Audit committee made through The *Local Government Amendment (Auditing) Act 2017*, which received assent on 1 September 2017:

7.3 Appointment of Auditors

(1A) A local government cannot appoint a person to be its auditor after commencement day.

(Note commencement day is 28 October 2017)

1.4 Terms used

Auditor means –

(a) In relation to an audit, other than a performance audit

- (i) In relation to a local government that has an audit contract that is in force – a person for the time being appointed under Part 7 Division 2 to be the auditor of the local government ; and*
- (ii) In relation to a local government that does not have an audit contract that is in force – the Auditor General*

(b) In relation to a performance audit – the Auditor General

The committee endorsed changes to the Audit Committee Charter as per the below table:

Provision	Current	Suggested	Reference/ comment
4. Membership			
3.1	The committee will consist of four members with three elected members and one external person. All members will have voting rights.	<i>The committee will consist of four members and one proxy with the members and proxy being elected members. All members will have full voting rights.'</i>	Recommended by the Audit Committee at the meeting 15.3.2018- Item AC060 and General Business item ' Increase Councillor Membership of the Audit Committee
3.2-3.4	<p>3.1 External persons appointed to the committee will have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.</p> <p>3.2 Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two years. The terms of the appointment shall be aligned to the biennial council election cycle.</p> <p>3.3 Reimbursement of approved expenses will be paid to each external person who is a member of the committee.</p>	Delete these sections	Recommended by the Audit Committee at the meeting 15.3.2018- Item AC060
4. Meetings			
4.1	The committee shall meet at least quarterly.	The committee shall meet up to four times annually.	The number of Audit Committee meetings is a function of the relevant Audit Committee matters, for consideration. It is for the Committee to decide on the number of meetings per annum. In recent years the Committee has met between two to three times annually.

Provision	Current	Suggested	Reference/ comment
6. Duties and Responsibilities			
6.1(b)	Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local governments auditor	Delete this subsection	<i>7.3 (1A) A local government cannot appoint a person to be its auditor after commencement day.</i>
6.1(c)	Develop and recommend to Council <ul style="list-style-type: none"> • A list of those matters to be audited; and • the scope of the audit to be undertaken. 	Delete this subsection	<i>7.3 (1A) A local government cannot appoint a person to be its auditor after commencement day</i> This relates to the external audit and the Auditor General determines the program of audit.
6(d)	Recommend to Council the person or persons to be appointed as auditor	Delete this subsection	<i>7.3 (1A) A local government cannot appoint a person to be its auditor after commencement day</i>
6(e)	Develop and recommend to Council a written agreement for the appointment of the external auditor. The agreement is to include <ul style="list-style-type: none"> • The objectives of the audit; • The scope of the audit; • a plan of the audit; • details of the remuneration and expenses to be paid to the auditor; and • the method to be used by the local government to communicate with and supply information to , the auditor 	Delete: <ul style="list-style-type: none"> • The objectives of the audit; • The scope of the audit; • a plan of the audit; 	<i>7.8(1) Subject to this part and to any regulations , the appointment of an person as auditor of a local government is to be made by agreement in writing on such terms and conditions, including the remuneration and expenses of the person to be appointed ,as agreed between that person and the local government</i>

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance,

ethical accountability and the internal and external audit functions. Clear and comprehensive terms of reference, setting out the committee's roles and responsibilities, are therefore essential.

RELEVANT PRECEDENTS:

Council previously endorsed changes to the Audit Committee Charter on 28 March 2017, (CCS243) on the recommendation of the Audit Committee from the meeting 21 February 2017 (AC052).

COMMUNITY/COUNCILLOR CONSULTATION:

The Audit Committee discussed the amendment of the Charter at the meeting on 15 March 2018, (AC059).

LEGISLATIVE/POLICY IMPLICATIONS:

Part 7 Division s.7.1A, s.7.12A of the *Local Government Act 1995*.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	4.5 Good Governance & Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

The Audit Committee is required by Council Resolution of 28 November 2017 (CEO048) to Review its Terms of Reference. Any changes to the Audit Committee Charter proposed by the Committee are required to be submitted to Council for approval.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR FREER, SECONDED MAYOR**

That Council by Simple Majority pursuant to Section 7.1A of the Local Government Act **RESOLVES** to:

1. **ENDORSE** amendment to the Audit Committee Charter to delete sub paragraph 6(1)(b) to (1)(d) inclusive, amend sub paragraph 3.1, delete sub paragraph 3.2 – 3.4, and amend subparagraph 4(1) as per attachment CCS319 Draft Audit Committee Charter v.1.5 March 2018.

CARRIED 11/0

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Mcllwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

CCS320 STATEMENT OF FINANCIAL ACTIVITY TO 28 FEBRUARY 2018

AGENDA REFERENCE:	D-18-019526
AUTHOR:	T Machukera, Management Accountant
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	8 March 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x1) Monthly Management Report for period to 28 February 2018

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 28 February 2018. The statements in this report include no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the monthly financial statements of activity dated 28 February 2018, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

Operating Income	\$ 197,559	0.30% Over YTD Budget
Operating Expenditure	\$ 514,979	1.00% Under YTD Budget
Net Operating	\$ 712,538	5.20% Positive variance
Capital Expenditure	\$ 1,174,165	3.00% Over YTD Budget
Capital Revenue	\$ 72,503	2.70% Under YTD Budget
Cash at Bank – Municipal	\$20,269,221	
Cash at Bank – Reserve	\$22,120,384	
Total Funds Invested	\$41,681,046	
Net Rates Collected	91.45%	
Net Rates Collected in February 2017	92.14%	

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

The financial position represented in the February financials shows a variance of \$712,538 in the net operating result (this takes into account commitments).

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economy:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/ Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

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

INTEGRATED PLANNING LINKS:

Title: Governance	4.4 Financial Sustainability and Performance
Strategy 4.4.1	Preparing and implementing short to long term financial plans
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery
Title: Governance	4.5 Good Governance and Leadership
Strategy 4.5.2	Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

There are no alternative options to consider.

COUNCIL DECISION

MOVED CR FREER, SECONDED CR HALL

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

- 1. RECEIVE the monthly financial statements of activity dated 28 February 2018, as attached.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

13 REPORTS OF INFRASTRUCTURE SERVICES

IS170	RFT	15	1718	–	FENCE	INSTALLATION,	REPAIR	AND	MAINTENANCE SERVICES
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AGENDA REFERENCE:	D-18- 019302
AUTHOR:	K Smith, Manager Maintenance Operations
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	27 March 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x2) Confidential Attachments
	A. RFT 15 1718 Tender Evaluation Report
	B. RFT 15 1718 Tender Evaluation Worksheet

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award RFT 15 1718 for Fence Installation, Repair and Maintenance to the preferred tenderer.

EXECUTIVE RECOMMENDATION:

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

1. AWARD the contract RFT 15 1718 Fence Installation, Repair and Maintenance to the preferred tenderer; and
2. RECORD the estimated annual contract value in the minutes.

PROPONENT:

The proponent is The City of Greater Geraldton.

BACKGROUND:

RFT 15 1718 sought tender prices for the installation, repair and maintenance of fences around drainage sumps, parks and reserves and boundary or dividing fences on land owned or controlled by the City of Greater Geraldton. The scope of work includes consultation with adjacent property owners and disposal of fences being replaced.

Awarding this tender will allow the City to engage a contractor to supply and install, repair or maintain fences in accordance with legislative procurement requirements of the Local Government Act.

RFT 15 1718 was advertised in the West Australian on 28 October 2017 and in the Geraldton Guardian on 27 October 2017. The RFT was also advertised on the City's TenderLink e-tendering portal. 17 suppliers downloaded copies of the tender and two (2) submissions were received.

Both submissions were deemed compliant against the City's compliance criteria. Both submissions were then assessed against the following qualitative criteria:

- (a) Tenderers Experience and Local economic Benefit (20%)
- (b) Key Resources – staff and Machinery (15%)
- (c) OSHE Management (15%)
- (d) Pricing (50%)

RFT 15 1718 is offered as a two (2) year period contract with a one (1) year extension at the absolute discretion of the City.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

There is community benefit in the awarding of this contract through increased responsiveness to safety and risk issues arising through damaged fences on drainage sumps and similar. Further benefit is provided through improved effectiveness and amenity available for general fencing maintenance and repair.

Environment:

Fencing of sensitive environmental areas contributes to the protection of fauna and flora from unauthorised access.

Economy:

Local economy will benefit from approximately \$450,000 per annum excluding GST being spent by the City on the supply of the goods and service required within the tender.

Governance:

There are no governance impacts.

RELEVANT PRECEDENTS:

Fence repairs and maintenance were previously included with a contract for Drainage Construction and Maintenance Services as a separable portion for drainage sump fencing.

COMMUNITY/COUNCILLOR CONSULTATION:

Community and Councillor Consultation occurs as required on part of individual projects as opposed to the award period supply contracts.

LEGISLATIVE/POLICY IMPLICATIONS:

The Local Government Act and City's Procurement policy were observed when preparing and recommending the award of this tender. Safe work methods and environmental management in line with legislative requirements will be implemented during delivery of the contract.

FINANCIAL AND RESOURCE IMPLICATIONS:

Historically the annual expenditure for this scope of work has been approximately \$450,000 per annum excluding GST.

INTEGRATED PLANNING LINKS:

Title: Environment	2.3 Built Environment
Strategy 3.2.3	Providing a fit for purpose, safe and efficient infrastructure network

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

This is a performance based contract with review milestones. Installation and maintenance of fencing at drainage sumps is essential to protect community from risk associated with deep excavations which may hold water of varying depths during rain events. Fencing of open space assets also mitigates risk of unauthorised vehicle access.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Procurement of fence installation, maintenance and repairs through alternate methods would be less efficient and likely to increase costs for the same level of service. Therefore a period contract is considered the appropriate option.

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

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

1. **AWARD** the contract RFT 15 1718 Fence Installation, Repair and Maintenance to the preferred tenderer beng Batavia Fencing; and
2. **RECORD** the estimated annual contract value in the minutes, being \$449,330 excluding GST.

CARRIED 11/0

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES
Cr. Clune	YES
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. McIlwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

IS171	ROCKS LANEWAY OPTIONS REPORT
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AGENDA REFERENCE:	D-18-019308
AUTHOR:	C Lee, Director Infrastructure Services
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 March 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x3) x1 Confidential
	A. Structural Condition Survey and Concept Report
	B. Preliminary Design Concepts
	C. Confidential Attachment - Opinion of Probable Cost Estimates

EXECUTIVE SUMMARY:

The purchase of the former Rocks Newsagency for conversion to a public open space / laneway has been very well received by the local community and the business community. The purchase again demonstrates the City of Greater Geraldton's commitment to revitalise the Geraldton City Centre, the heart of Geraldton.

The purpose of this report is to seek direction from Council on the next stage of the project – the laneway's preferred concept design option.

EXECUTIVE RECOMMENDATION:

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

1. ADOPT Option 1 of the attached UDLA report as the preferred laneway Concept;
2. APPROVE detailed design and documentation for the approved option from the FY 2017-18 budget for CBD Revitalisation Planning Projects; and
3. CONSIDER funding the construction phase of the project as part of the 2018-19 budget deliberations.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City's involvement in this project began in 2011 when the property was last on the market (Council report of 22 November 2011 - CE020). Council agreed to bid on the purchase of the property but on this occasion was unsuccessful. A second opportunity to purchase the property presented itself in late 2017 (Council report of 26 September 2017 - DCS344).

Because of the historical links of the building to Geraldton, Officers feel that it is important to preserve as much of the buildings structure as possible to present its history to future users of the lane. As such, Officers commissioned a structural investigation of the existing building to determine if its external

walls and roof structures could be retained and incorporated into the laneway's design (refer Attachment A – Structural Condition Survey and Concept Report).

The structural engineering report revealed that the original building was situated on the Marine Terrace end of the site and comprised of timber roof trusses. The building was later extended towards Foreshore Drive at least once, possibly twice, as revealed by the later use of metal roof trusses. The structural report confirmed that the interior walls are not structural elements and that with minor modifications to provide for the increased wind loading, the two ends of the building can be removed and the external walls and roof utilised as key elements of the laneway's design. This is a great result as it enables the final concept to incorporate heritage links to the site whilst creating a space that is inviting, interesting and flexible in its options for use.

Officers also commissioned UDLA Architects to undertake a preliminary design options report for the development of the laneway (refer to Attachment B – Preliminary Design Concepts). This report was verbally presented to Councillors at the March 2018 Concept Forum by video link. The Options Report is attached and provides schematics of the four possible options considered. A brief summary of the options is as follows:

Option 1

The external side walls and roof trusses and sheeting remain in place with some of the existing sheeting replaced with clear panels to enhance lighting. The flooring would include a meandering pedestrian space with a graphic that links this space to the entire urban Post Office Lane from the Art Gallery through to the foreshore. This option includes a "Grotto" providing a green wall, elevated 'crow's nest', open walls for art/projection and a "long Bench" timber decked terrace for informal seating. The "versatile event space" can facilitate temporary food vans and cater for art, musical and other community events with storage of seating and tables also provided. This design would include smart cities technology including free Wi-Fi, audio and visual capacity and potentially renewable energy driven lighting. This option would require lockable fencing to be installed at both ends.

Option 2

This option includes a straight pedestrian laneway with a primary function of being an events room that can be opened/partitioned in various ways to facilitate a range of community events, functions, exhibitions. It would be supplemented with small Café/bar. This option would see the existing roof sheeting replaced with clear sheeting panels. The precedent project is the existing Goods Shed in Claremont.

Option 3

The primary function of this space is the creation of an urban garden with new plantings, seating and furniture. It would require the entire internal space to be gutted and the floor removed and replaced with a new softer surface. The existing roof trusses would be retained with new clear sheeting panels installed. The precedent project is the Payley Park project in New York.

Option 4

This option establishes a new series of small “incubator” retail spaces through the installation of re-purposed shipping containers. This option requires the internal space of the building to be gutted with the new rooms constructed internally. The roof trusses would be retained with new clear sheeting panels installed and potentially supplemented with climbing plants. The precedent project is The Mantle in Fremantle.

Option 1 is the officers’ preferred option as it provides a flexible urban space linkage from the Art Gallery Precinct to the Foreshore via Post Office Lane in keeping with the CBD Revitalisation Plan aspiration to significantly increase green space within the CBD. The Option 1 space can be readily updated / refreshed with public art and events to maintain long term community interest in a space that does not provide a commercial offering in competition with the empty retail space that currently exists within Marine Terrace.

Option 1 proposes to open up the Rocks building at both ends to create a new kind of public open space within Geraldton’s CBD. Effectively, the Rocks becomes an “Evolutionary Town Square” component to the laneway providing a multi-use and fully connected public space onto which the City of Geraldton has the opportunity to affirm and project its identity, whilst retaining heritage elements of the building.

The preferred option incorporates aspects from all of the options presented, that take precedent from other projects, to create a unique and iconic space within the Geraldton CBD that the community can be proud of. The Rocks space has the potential to set Geraldton apart from other towns in regional WA in offering a public place that is a truly unique experience, for both locals and visitors alike, that is proposed to be a space that can remain in a constant state of transition and ongoing iterative evolution to maintain community interest.

Critically, Option 1 does not propose to incorporate any permanent retail or commercial space to compete with the existing vacant premises in Marine Terrace and is proposed to serve only as a community attractor to the CBD to increase business opportunities and confidence. The design proposes to feature:

- A unique and lush public garden sheltered from wind, sun and rain and providing an attractive microclimate;
- A multipurpose, unencumbered & sheltered urban exhibition / function / event space;
- An edgy, colourful and youthful ambiance
- A publicly accessible link between Marine Terrace and Foreshore Drive;
- The ability to be fully secured or fully open at any time depending upon requirements and offers the potential for both day and night use;
- Provision for service vehicle access into the space;
- Protection from sun, wind and rain;

- Access and facilities for Food trucks, stalls, pop-ups and other temporary operations;
- As a part of a larger urban link that incorporates Post Office lane, the Art Gallery, the clock tower square, and the foreshore;
- Potential for Connectivity and Multimedia facilities (movie / video projection, sound, lighting, Wi-Fi, CCTV, wireless charging stations);
- An opportunity for temporary and permanent displays of public art;
- The ability for the space to be actively programmed and curated by council and/or other operators; and
- The ability for adaptation and re-invention as the City understands how it is best used. The space is such that it can be 'added to' or 'subtracted from' over time without undermining its core integrity.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The development of the laneway and ultimately the connectivity of the foreshore right through Post Office Lane to the City's Art Gallery will contribute significantly to the vibrancy of the Geraldton City Centre. The creation of interesting, slightly alternative spaces add to Community fabric and wellbeing.

Environment:

The laneway will be constructed in accordance with environmental requirements. The inclusion of plantings in the design concepts will enhance the City Centre's environmental standing.

Economy:

The Development of the CBD Revitalisation Plan and the construction of the Rocks Laneway will further activate the heart of the City adding to the City's economic vibrancy.

Governance:

The development of the Rocks Laneway is in keeping with the City's procurement requirements (Local Government Act) and is in keeping with the City's strategic planning documents including the Mid West Blue Print, the Geraldton Growth Plan and the recently adopted CBD Revitalisation Planning Policy.

RELEVANT PRECEDENTS:

Precedent projects for the various design options are included in the body of this report. Cities around the world are creating and utilising urban laneway spaces to add a new vibrant dimension to city centre spaces.

COMMUNITY/COUNCILLOR CONSULTATION:

Extensive Community consultation has been undertaken in the lead up to this project. The Major consultation exercises that lead up to the development of this project included consultation on the Mid West Regional Blue Print, the Geraldton Growth Plan and the CBD Revitalisation Plan that was adopted as a City planning policy.

LEGISLATIVE/POLICY IMPLICATIONS:

The development of the Rocks Laneway is in keeping with the City's procurement requirements (Local Government Act) and is in keeping with the City's strategic planning documents including the Mid West Regional Blue Print, the Geraldton Growth Plan and the CBD Revitalisation Plan.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City allocated \$750,000 in the 2017-18 capital works program for the CBD revitalisation project. These funds are currently being utilised to undertake the City Centre Urban Design and Public Realm master planning project which includes the identification, staging and cost estimation of master plan projects.

Officers are proposing that this council approved allocation be used to undertake the detailed design and documentation phase of the Rocks Laneway project and that Council considers funding of the construction phase of the project as part of the 2018-19 budget deliberations.

An Opinion of Probable Cost Estimate for the construction of the preferred option has been prepared indicating development costs in the order of \$500K-\$700K excluding GST (refer to Confidential Attachment C – Opinion of Probable Cost).

INTEGRATED PLANNING LINKS:

Title: Community	1.1 Our Heritage Our Arts
Strategy 1.1.1	Recording, recognising and preserving our social, environmental and built heritage
Strategy 1.1.4	Fostering and facilitating community and cultural events
Strategy 1.2.2	Encouraging informal recreation through well planned and developed public open space, cycle/walk paths and green streetscapes
Title: Environment	2.3 Built Environment
Strategy 2.3..2	Providing accessible community spaces, parks, natural areas, sport and recreational facilities that equitably service the whole community
Title: Economy	3.1 Growth
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment
Strategy 3.1.3	Supporting and facilitating implementation of the Growing Greater Geraldton plan
Strategy 3.2.3	Revitalising the CBD through economic, social and cultural vibrancy

REGIONAL OUTCOMES:

The development of the Rocks Laneway is one component of the City's endeavours to revitalise the Geraldton Central Business District. The development of an attractive, inviting and interesting City Centre will help to attract visitors from outside Geraldton generating a positive regional outcome.

RISK MANAGEMENT:

The development of the Rocks Laneway options has been undertaken by professional Landscape Architects & Urban Designers, with significant experience in undertaking similar projects, in accordance with the aspirations City Centre Revitalisation Plan. Furthermore, Officers engaged a professional structural engineering firm to undertake a condition survey of the existing structure to ensure that the preferred option is achievable.

The subsequent detailed design phase for the adopted option will be required to be undertaken incorporating the requirements identified in the structural assessment. Other typical design principles such as Crime Prevention through Environmental Design (CPTED), sustainability and operations and maintenance costs will also be required to be considered.

Council potentially faces a reputational risk if the Rocks Laneway project does not proceed in a timely fashion or if the resulting laneway does not achieve the City Centre Revitalisation objectives.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

With respect to the ultimate design concept of the Rocks Laneway, Council has been presented with four options to consider. Alternatively, Council may decide that none of the options are satisfactory and request Officers come back with further options.

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

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

1. **ADOPT** Option 1 of the attached UDLA report as the preferred laneway Concept;
2. **APPROVE** detailed design and documentation for the approved option from the FY 2017-18 budget for CBD Revitalisation Planning Projects; and
3. **CONSIDER** funding the construction phase of the project as part of the 2018-19 budget deliberations.

CARRIED 11/0

Name	Vote
Cr. Douglas	YES
Cr. Bylund	NOT PRESENT
Cr. Caudwell	NOT PRESENT
Cr. Colliver	YES

Cr. Clune	YES
Cr. Critch	YES
Cr. Freer	YES
Cr. Elphick	YES
Cr. Hall	YES
Cr. Keemink	YES
Cr. Mcllwaine	YES
Cr. Reymond	NOT PRESENT
Cr. Tanti	YES
Cr. Thomas	NOT PRESENT
Mayor Van Styn	YES

14 REPORTS OF OFFICE OF THE CEO
Nil.

15 REPORTS TO BE RECEIVED**MARCH - REPORTS TO BE RECEIVED**

AGENDA REFERENCE:	D-18-019821
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	12 March 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x3) 1x Confidential
	A. Delegated Determinations and Subdivision Applications
	B. Audit Committee Minutes - 15 March 2018
	C. Confidential Report – List of Accounts Paid Under Delegation February 2018

EXECUTIVE SUMMARY:

To receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development & Community Services:
 - i. DCSDD132 – Report – Delegated Determinations and Subdivision Applications; and
 - b. Reports – Corporate and Commercial Services:
 - i. CCS321 – Report – Audit Committee Minutes 15 March 2018.

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. CCS322 - Confidential Report – List of Accounts Paid Under Delegation February 2018.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the "Reports (including Minutes) to be Received" are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY/COUNCILLOR CONSULTATION:

Not applicable.

LEGISLATIVE/POLICY IMPLICATIONS:

Not applicable.

COUNCIL DECISION

MOVED CR FREER, SECONDED CR CLUNE

PART A

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

- 1. RECEIVE the following appended reports:**
 - a. Reports – Development & Community Services:**
 - i. DCSDD132 – Report – Delegated Determinations and Subdivision Applications; and**
 - b. Reports – Corporate and Commercial Services:**
 - i. CCS321 – Report – Audit Committee Minutes 15 March 2018.**

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. CCS322 - Confidential Report – List of Accounts Paid Under Delegation February 2018.**

CARRIED 11/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law 2011 the motion was passed unopposed.

16 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

19 CONFIDENTIAL 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, if applicable, where confidential discussion is required.

Nil.

20 CLOSURE

There being no further business the Presiding Member closed the Council meeting at 2.30pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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