



ORDINARY MEETING OF COUNCIL
MINUTES

27 NOVEMBER 2018

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 27 NOVEMBER 2018 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

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 5pm.

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 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

Mayor S Van Styn
Cr G Bylund
Cr D J Caudwell
Cr J Clune
Cr N Colliver
Cr J Critch
Cr S Douglas
Cr S Elphick
Cr L Freer
Cr R D Hall
Cr S Keemink
Cr M Reymond
Cr V Tanti
Cr T Thomas

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
E Enright, PA to the Director of Infrastructure Services
L Pegler, Executive Support Secretary
P Radalj, Manager Treasury & Finance
J Graham, Manager Corporate Services
T Palmonari, Manager Economic Development
S Smith, Manager Community & Cultural Development
P Kindgon, Coordinator Communications
J Kopplhuber, Communications Officer – Engagement
J Steele, Coordinator Youth Development

Others:

Members of Public: 65
Members of Press: 3

Apologies:

Nil.

Leave of Absence:

Cr N McIlwaine

4 DISCLOSURE OF INTERESTS

Cr S Douglas declared an Impartiality interest in Item DCS391 Geraldton Regional Art Management Committee Community Representation as one of the proposed representatives is a staff member of the Geraldton University Centre (GUC) of which he is chair.

Cr N Colliver declared an Impartiality interest in Item DCS391 Geraldton Regional Art Management Committee Community Representation as Sari Jacobsen is a work colleague of hers at the Geraldton Universities Centre (GUC).

Cr S Elphick declared a financial indirect interest in Item CCS385 Trading Hours, as she works in retail.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

6 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 5.01pm

Darren Old, 8 Waterfront Circle, Drummond Cove

Question

Given the varied projected impacts of erosion and inundation within the boundaries of the City of Greater Geraldton, how is the City planning to develop policy that is appropriate to specific areas of risk?

Response

Officers agree that different impacts have been identified at different locations along the Geraldton coast line. The council has not yet decided on the framework for the coastal policy development phase of the project in Stage 3. The options include having individual policies for the 12 individual coastal cells, grouping the cells and having say four geographical policies or having one overarching policy establishing the general direction for specific strategies within each cell.

Question

Has the City commenced negotiations with owners of other State assets identified at risk for collaborative joint venture projects, to provide cost effective protection works for State and Federal Treasuries? If yes, what has been the response?

Response

It is certainly the council's position that it would like to work collaboratively and cooperatively with all asset owners potentially impacted by coastal processes and the City has demonstrated its willingness to do this with the completion of the recent Beresford Foreshore works. With respect to access to future State and Federal Government funding for coastal protection works, officers have been advised that step one is to have the CHRMAP report adopted by Council. The proposed council resolution this evening reflects the council's desire to obtain assistance from both the State and Federal Governments on this issue which is being faced by coastal councils around Australia.

As a specific example, at the time of the closure of Whitehill Road, officers approached various utility providers for assistance with funding coastal protection works. On this occasion the city was unsuccessful with these organisations removing their infrastructure and adopting a wait and see approach.

Question

How can we, the Community, support the City in efforts to attract funding for coastal protection works?

Response

Community efforts with assisting to attract funding for coastal protection works would be greatly appreciated. A good place to start would be to raise your concerns with your local State and Federal Government members directly as the city will certainly be doing this itself once the CHRMAP report is adopted.

Gillian Old, 8 Waterfront Circle, Drummond Cove**Question**

Will the geotechnical and geophysical assessments be completed in time to inform policy development for properties identified at risk in the 2030 to 2110 timeline within Drummond Cove, Sunset Beach and Bluff Point coastal management units?

Response

The short answer is yes. The recommendations suggested to Council highlights the need for further studies at Bluff Point, Drummond Cove and Beresford. It should also be noted that the CHRMAP process requires regular review as time advances and more information becomes available.

Question

The Economic Assessment identified “other intangible benefits and non-quantified benefits that were not assessed” and recommended if development of adaptation options progressed then further analysis could be undertaken to quantify some of these values. What measures will the City undertake to quantify the cost benefit analysis in relation to Tourism potential for Drummond Cove, being the northern gateway to the City of Greater Geraldton?

Response

Thank you for your question.

In recent times, the City has been involved in the development of the City of Greater Geraldton Growth plan, the appointment of an experienced Economic Development Manager and the creation of a tourism cluster which includes various local tourism operator representatives. These resources would most likely be utilised to determine the tourism potential of Drummond Cove with the outcomes considered during the future policy making process.

Question

Some public comment submissions indicate perceived gaps in community engagement for the CHRMAP process to date. How is the City planning to identify and address any gaps for Stage 3 of the process?

Response

Once the CHRMAP is adopted and Stage 3 of the process begins, a Community Engagement Strategy for the policy development process that aligns with Council's Community Engagement Policy and Framework will be developed. Opportunities to have your say will be promoted using a range of traditional and social media channels including media releases and the City website. To ensure opportunities to engage aren't missed the City encourages residents to regularly visit the City's website where all the latest news and information on all projects, programs, events and community engagement activities can be easily found.

Peter McGowan, 164 Kempton Street, Bluff PointQuestion

In 2003 a memorandum of understanding was implemented between Mid-West Ports and the Geraldton City Council for the impact Dredge works and groyne structures were having on the Champion Bay Coast line.

Over the last 20 years (even in your reports) sea-level rise has been minimal and most erosion has come for storm activity made more severe by deepening the shipping channel and groyne building.

My question is does council on behalf of its residents believe Mid-West Ports undertaking of sand nourishment is adequate and should Mid-West Ports be contributing more towards coastal erosion?

Response

The Mid-West Ports Authority has recognised its contribution to erosion of the northern beaches up to the Chapman River. Since 2006 the port has been undertaking annual sand bypassing activities of approximately 12,500m³ of sand each year (a figure calculated by one of Australia's leading coastal engineers) to the Beresford Foreshore to feed these beaches and which will continue. The Port also contributed financially to the cost of constructing coastal protection works along the Beresford Foreshore and we are grateful for their contribution towards this project. The City will continue to work with the Port regarding potential projects to mitigate the impacts of coastal erosion and inundation if, and when, infrastructure becomes at risk.

Bevan Suckling, 15 Brockman Close, MoresbyQuestion

Will the executive please re-affirm to CGG councillors and all CGG employees that in the event of legal proceedings taken against people from either of these categories that while performing their given duties, that they will NOT be entitled to free legal representation at council or rate payer expense in the event of;

a) having committed an illegal act?

OR

b) having been dishonest?

OR

- c) having acted deliberately to the detriment of rate payers and or the community?

Response

The City of Greater Geraldton Council Policy 4.8 Legal Representation for Council Members and Employees was recently approved at the September 2018 Ordinary meeting of council and is available on the City Website. This policy contains the criteria and circumstances for Council to assess the appropriateness of spending City funds on the legal representation of Council members and employees.

Payment criteria include that applicants for payment of Legal representation costs, by the City, must have acted in good faith, and consistently with the City's Codes of Conduct, Local Government (Rules of Conduct) Regulations 2007 (Council members), and other written laws; (clause 1.4), the applicant is required to make a declaration, in the application to Council, that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.(clause 3.3)

Question

How many councillors and which councillors will agree to act and vote in accordance with this standard of responsible conduct where there is compelling evidence that either one, two, or all three of these measures dictate that an individual has without doubt;

- a) acted illegally?
- b) been dishonest?
- c) acted knowingly to the detriment of the majority of ratepayers and or citizens?

Response

In accordance with the policy a person seeking assistance under the Legal Representation policy is required to make a written application to the CEO (clause 3) and the CEO is to prepare a report to Council on the matter (clause 3.7).

Council as a whole are responsible for assessing the application, on a case by case basis, at an Ordinary (Public) meeting of Council.

Heike Hess-Hirschhausen, 51 Hillview Drive Drummond Cove

Question

My questions are in relation to our property at 13 Tailor Street, Drummond Cove.

Our property is about 250m from the beach and has an elevation of about 12m above sea level. There is public open space and 2 rows of houses between our property and the shoreline. The Baird report indicates that our property and several other properties on that ridge are west of the 2110 setback line.

The Baird report Part 1 section 5.1.2 states that the setback distance changes along a section of coast and varies due to local characteristics. The Baird report specifically recommends geophysical testing to accurately determine subterranean structure.

Does the City of Greater Geraldton plan to undertake geophysical testing in the public open space adjacent to (meaning directly west of) 13 Tailor Street to accurately determine setback lines that are affecting all the properties on that ridge and to adjust setback lines accordingly?

Response

One of the recommendations in the final draft Geraldton CHRMAP Report is for the City to undertake geophysical investigations at key coastal locations between Bluff Point and Drummond Cove. If the council endorses the officer recommendation, officers will seek advice from the coastal engineers with respect to the study details. The recommendations do suggest that the studies are undertaken at Bluff Point, Sunset Beach and Drummond Cove.

Question

In how many locations of Drummond Cove, Sunset Beach and Bluff Point is the City of Greater Geraldton planning to undertake geophysical testing to obtain accurate subterranean data to determine accurate setback lines?

Response

Once the Final Draft CHRMAP Report is adopted by Council, the next step in the process will be to determine the exact locations of the geophysical studies.

Question

Is the City of Greater Geraldton willing to adjust the setback lines based on the data obtained by geophysical testing?

Response

As and when new information becomes available, yes, the setback lines and other relevant information will be updated. The CHRMAP Report itself is proposed to be reviewed every five years.

Sean Hickey, PO Box 2966, Geraldton

The building and maintenance of roads, through the natural dunes to the 'high water mark of the beach, either side of ' The Geraldton Surf Lifesaving Club 'is more than detrimental to the City Budget- it wrecks a natural beach/dune location.

And, this act is certainly sending a conflicting message to the general public about the important message that is an underlying theme of the CHRMAP process:

'that natural coastlines-beaches and dunes- have an enormous role in overall coastal stability' and in essence are providers of natural barriers

and protection of the coast - in cost effective / economic and environmentally sustainable terms.'

Question

Would Council explain this conflict of doing exactly what is clearly a breach of the protocol suggested in the adoption of information and facts from the CHRMAP process. ?

Response

Access to the two City assets being South Pipe outfall and North Pipe outfall is required to be maintained through the Dunes System. Works to maintain and keep these tracks open is minimised as much as possible but access is required 3 to 4 times a year as the city is required to keep outfalls clear to maintain the functionality of the SW system.

There is works scheduled for February on North Pipe to extend the outfall and it is intended to utilise the recently maintained Emergency Vehicle Access Track (that GSLSC use) for this work. Ongoing maintenance activities in this, and other coastal areas, area likely to be reviewed once the CHRMAP has been adopted and for consideration during the policy development phase.

Supplementary question from Mr Hickey

An adoption of the strategy in the future to deals with the environmental problem created by those two roads, which are relatively new, and in the timeframe of when we had knowledge of this CHRMAP process, and in the timeframe of 2.6 in regard to coastal planning, and yet we plough both roads through and when the surf club used to operate successfully, efficiently and safely for decades prior. Could you explain that?

Response

Those access tracks have been put there for two key reasons:

1. For maintenance of the outfalls; and
2. For emergency beach access for the surf club.

Once the CHRMAP process has been resolved, and the City moves in the Policy making process, various strategies may be developed that may change the outcome of the way that the beach operates in the future.

Sharon Blundell, 9 Erla Place, Woorree

Question

What information does the council make public regarding GRV's in the different suburbs aside from the median/mean rate for the CGG- i.e. where can I check to see if my rates are comparable to a similar property in a similar area.

If this information is publicly available where is it available and what is the timing of this in relation to rates notices being issued?

I understand the City absolves itself of making sure GRV's are correct and that the onus is on the rate payer to know that their GRV may not be correct. I ask if the council considers that to be reasonable when the rate payer is not provided with A –the information that is provided to Landgate for determining the valuation B – average/actual GRV's for other properties in the same suburb or C- any other way to determine the legitimacy of 1 person's rates relative to another person's.

Response

As Per section 5.94 of the Local government Act, the Rates Book is available for public viewing during office hours by attendance at the Customer Service counter at the Civic Centre. The Rates Book is updated annually at the time of the issue of rates notices and contains information on the valuation amount, the amount of rates levied and property address. When new valuations are received from Landgate the information provided is the vendor number and new valuation amount. Council does not receive any other and/or additional information related to how and why the new valuation was determined. As per a previous response, officers do review new valuations to ensure that there is no obvious anomalies or variances but the matter is still between the property and Landgate on behalf of the Valuer General. Individual valuations are not a matter for Council

Supplementary question from Ms Blundell

Previously the City advised it provides the buildings details to Landgate when a new property is built?

Response

Through the building and planning process when someone does an addition to their house, or builds a new house, that information is provided to Landgate. It is not through the rate setting process.

Supplementary question from Ms Blundell

To clarify the rates book is available for the public to view a, is it available on line?

Response

The rates book is not available on line, it is large document.

Supplementary question from Ms Blundell

I can walk in at any time and look at any property, in any suburb in Geraldton and see what their GRV is.

Response

Yes you can.

Max Correy, 52 Bayview Street, GeraldtonQuestion

Is it true that a Consultant's Report that was commissioned by Council with respect to the Extended Retail Trading hours issue, was corrupted by the deletion of whole pages, paragraphs and sentences prior to it being made available to Councillors and in turn to the Minister for a decision and being passed off as though it was the original report. If so who is responsible for altering the report and have they been stood down?

Response

I would refer you to the city website where the two reports are available along with an explanation of changes from the draft to the final document. Both reports have been provided to the Minister, to the Department (DMIRS), and to Councillors, and is available on the City website. At this meeting, council is being asked to reaffirm their position on trading hours. It is not appropriate to be answering questions regarding staff matters in this forum.

Question

Were Councillors made aware by Council that the report they received was not the original Consultant's report but instead one that had been altered considerably but passed off as the original report?

Response

Both reports have been provided to the Minister, to the Department (DMIRS), and to Councillors, and is available on the City website. At this meeting, council is being asked to reaffirm their position on trading hours.

Supplementary question from Mr Correy

Was a first report given to Council, and at a later date, a second report was then provided.

Response

This evening both reports have been made available to the community, the Minister, and to the Councillors, and Councillors are being asked to reaffirm their position at this meeting.

It is a matter of conjecture, and for the CEO it concerns version control. Where one uses the words final or cut down, that is where the issue gets tricky. Both reports have been presented to both parties. The City is being open and transparent on the matter. Tonight Council will reaffirm their decision, hopefully, on Trading Hours and therefore the City would like to move this matter forward.

Question

Will the matter be taken further by Council e.g. Reported to the CCC for investigation?

Response

The reasons for the existence of the two report has been made available to the Minister, the Council and the community and legal advice has been obtained. No evidence of misconduct or corruption has been identified. The details have been provided to the Department (DMIRS).

The Mayor gave notice that he would extend Public Question Time, as per Meeting Procedures Local Law 2011 Section 5.7(9).

John Rigter, 35 Bayview Street, Geraldton

Verbal questions provided at the meeting.

Question

Is the Council and Director of Corporate & Commercial Services aware that the Geraldton Retail Industry Alliance and the Mid West Chamber of Commerce and Industry, on behalf of its members, have supported general retail trading on a Sunday. If so, in the interest of evidence based, unbiased advice to the Council, how is the comment in the Director's report that opponents of extended trading hours for general retailers has persistently sought to protect their own business interest endeavouring to prevent general retailers from trading on Sundays and public holidays in competition with them? You will find the part that is missing from the first report to the second report was this request, not to change Sunday trading, but to just change the daily trading to 7 o'clock. They weren't against retail trading they were just asking for an adjustment on trading that the City that has put to the Minister.

Secondly, further knowing that trading after 7pm on four days of the week that is part of the issue, at variance with the City's position, why did the City not consider asking the community if they support or did not support the change in the survey?

Thirdly, in extending the trial, the Minister asked the City to review the impact on local businesses, particularly small businesses. What measure has the City undertaken to understand and give consideration on who this impacts? This is particularly important for how many businesses who have fallen down in the last 12 months.

Response

The Mayor advised that these questions will be taken on notice and the responses will answered in full in the Minute record of the next meeting, being 18 December 2018.

Public Question Time concluded at 5.27pm

7 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Cr N McIlwaine	16 November 2018	30 November 2018	23/1/2018
Cr T Thomas	14 December 2018	22 December 2018	23/10/2018
Cr V Tanti	19 January 2019	25 January 2019	25/9/2018
Cr M Reymond	6 January 2019	21 January 2019	23/10/2018
Cr N McIlwaine	22 March 2019	12 April 2019	28/8/2018
Cr M Reymond	22 March 2019	26 March 2019	23/10/2018

**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*

If an Elected Member on Approved Leave subsequently attends the meeting, this will be noted in the Minutes.

COUNCIL DECISION

MOVED CR THOMAS, SECONDED CR FREER

Cr G Bylund requests leave of absence for the period 21 December 2018 to 14 January 2019.

Cr S Keemink requests leave of absence for the period 8 January 2019 to 29 January 2019.

Cr M Reymond requests leave of absence for the period 22 January 2019 to 28 January 2019.

Cr J Critch requests leave of absence for the period 30 December 2018 to 13 January 2019.

Cr J Critch requests leave of absence for the period 25 January to 31 January 2019.

CARRIED 14/0

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

8 PETITIONS, DEPUTATIONS

Nil.

9 CONFIRMATION OF MINUTES

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 23 October 2018, as previously circulated, be adopted as a true and correct record of proceedings.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 23 October 2018, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 14/0

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

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

DATE	FUNCTION	REPRESENTATIVE
24 October 2018	ABC Interview – Local Matters	Mayor Shane Van Styn
24 October 2018	Spirit Radio Interview– Outcomes of Council Meeting	Mayor Shane Van Styn
24 October 2018	GWN7 Interview– Outcomes of Council Meeting	Mayor Shane Van Styn
24 October 2018	October Business After Hours – Mid West Ports and Svitzer	Mayor Shane Van Styn
24 October 2018	50 th Anniversary of the Geraldton Ocean Classic – Geraldton Yacht Club	Cr Steve Douglas
25 October 2018	Meeting with Hon. Rita Saffioti MLA, Minister for Transport; Planning; Lands – Local Matters	Mayor Shane Van Styn
25 October 2018	Opening of the Beresford Foreshore Enhancement Project	Mayor Shane Van Styn
25 October 2018	50 th Anniversary of the Geraldton Ocean Classic – Dinner & Presentations – Geraldton Yacht Club	Mayor Shane Van Styn
25 October 2018	2018 Vocational Education & Training Delivered to Secondary Students (VETDSS) Awards	Cr Natasha Colliver
26 October 2018	Mid West Development Commission (MWDC) Board Meeting	Mayor Shane Van Styn
26 October 2018	Variety Santa Fun Run – Media Release	Mayor Shane Van Styn
26 October 2018	Cooperative of Local Businesses - to collectively attract skilled workers to Geraldton	Mayor Shane Van Styn
26 October 2018	Leadership Exploration and Development (LEAD) Graduation Dinner	Mayor Shane Van Styn
29 October 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
29 October 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
29 October 2018	Seniors Bowls – QEII Centre	Mayor Shane Van Styn
29 October 2018	Funtavia 2019	Mayor Shane Van Styn
29 October 2018	Post Office Lane Concepts	Mayor Shane Van Styn
29 October 2018	Soldiers Sailors and Airmen Memorial Trust AGM	Mayor Shane Van Styn
30 October 2018	Liveability in Geraldton - Year 7 Class – Geraldton Grammar School	Mayor Shane Van Styn
30 October 2018	Grand Opening of Midwest Adventure Tours	Mayor Shane Van Styn
31 October 2018	Rake Chalmers – Fifth Street – General Discussions	Mayor Shane Van Styn
31 October 2018	Walkaway Development Association - General Meeting	Mayor Shane Van Styn
1 November 2018	West Regional News Interview - Cruise Ships in Geraldton	Mayor Shane Van Styn

1 November 2018	WA Symphony Orchestra 90 Year Anniversary Concert & Function	Mayor Shane Van Styn
2 November 2018	Mullewa Police Station Community Garden Opening	Mayor Shane Van Styn
2 November 2018	WWI Memorial Concert	Deputy Mayor Neil McIlwaine
5 November 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
5 November 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
5 November 2018	Meeting with Hon. Melissa Price MP, Minister for the Environment, Federal Member for Durack – Matters in Common	Mayor Shane Van Styn
5 November 2018	Citizenship Ceremony	Mayor Shane Van Styn
5 November 2018	Regular Meeting with Local Member Ian Blayney MLA – Matters in Common	Mayor Shane Van Styn
5 November 2018	Clontarf Academy – Award Night	Mayor Shane Van Styn
7 November 2018	Meeting with Local Park Operators	Mayor Shane Van Styn
7 November 2018	CEO Performance Review Committee	Mayor Shane Van Styn
7 November 2018	Concept Forum	Mayor Shane Van Styn
8 November 2018	Regional Capitals Australia (RCA) Chair Handover	Mayor Shane Van Styn
8 November 2018	ABC Radio Interview – Whitehill Road	Mayor Shane Van Styn
8 November 2018	Morning Tea with Mr Alf Thornton - a crew member of HMAS Sydney II	Mayor Shane Van Styn
8 November 2018	Update on Glew Matters with Officers	Mayor Shane Van Styn
8 November 2018	Durlacher St Road Resurfacing – Media Release	Mayor Shane Van Styn
8 November 2018	Update on 132 Durlacher St – Fiona Griffiths	Mayor Shane Van Styn
8 November 2018	Service for the Unknown Serviceman	Mayor Shane Van Styn
11 November 2018	Official Opening of the 2018 Seniors Week	Cr Robert Hall
12 November 2018	Mayors Mystery Bus Tour	Mayor Shane Van Styn
12 November 2018	Meeting with Hon. Shane Love MLA, Member for Moore – Matters in Common	Mayor Shane Van Styn
12 November 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
12 November 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
12 November 2018	CHRMAP Meeting – John Batten Hall Drummond Cove	Mayor Shane Van Styn
13 November 2018	Tourism Geraldton - Australia's Coral Coast	Mayor Shane Van Styn
13 November 2018	ABC Radio Interview - Outcomes of Trading Hours	Mayor Shane Van Styn
13 November 2018	Concept Forum - CHRMAP	Mayor Shane Van Styn
14 November 2018	Agenda Review	Mayor Shane Van Styn

15 November 2018	Regional Capitals Alliance Western Australia (RCAWA)	Mayor Shane Van Styn
16 November 2018	Seniors Week 2018 – Official Opening of the Art Hall Gallery	Mayor Shane Van Styn
16 November 2018	Lotterywest Grant for Queens Park Theatre - Presentation	Mayor Shane Van Styn
16 November 2018	Seniors Week 2018 – Finale Lunch	Mayor Shane Van Styn
17 November 2018	Leaning Tree Steiner School Art Exhibition Opening	Mayor Shane Van Styn
17 November 2018	Acacia Living Group Beachlands Retirement Village Community Centre - Official Opening	Mayor Shane Van Styn
18 November 2018	Murray and Pia Tour Company Introduction	Mayor Shane Van Styn
19 November 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
19 November 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
19 November 2018	Progress Midwest - AGM	Mayor Shane Van Styn
19 November 2018	Progress Midwest – Regular Meeting	Mayor Shane Van Styn
19 November 2018	ABC Drive Interview – HMAS Sydney II	Mayor Shane Van Styn
19 November 2018	Mayoral Prayer Breakfast Proposal for 2019	Mayor Shane Van Styn
19 November 2018	2018 Highlight Video	Mayor Shane Van Styn
19 November 2018	77 th HMAS Sydney II Commemoration	Mayor Shane Van Styn
20 November 2018	Agenda Forum	Mayor Shane Van Styn
21 November 2018	Rocks Laneway - Update	Mayor Shane Van Styn
22 November 2018	Midwest Services Hub - Official Opening	Cr Robert Hall
22 November 2018	Mid West Development Commission (MWDC) Business Plan Workshop	Mayor Shane Van Styn
22 November 2018	Mid West Development Commission (MWDC) Board Dinner	Mayor Shane Van Styn
23 November 2018	Mid West Development Commission (MWDC) Business Plan Workshop	Mayor Shane Van Styn
23 November 2018	ABC Interview – Extended Trading Hours	Mayor Shane Van Styn
25 November 2018	Regular Catch up – Mayor & CEO	Mayor Shane Van Styn
25 November 2018	Regular Catch up – Marketing & Media	Mayor Shane Van Styn
26 November 2018	Seniors Bowls	Mayor Shane Van Styn
27 November 2018	Ordinary Meeting of Council	Mayor Shane Van Styn

11 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

There is no unresolved business from previous meetings.

12 REPORTS OF COMMITTEES AND OFFICERS

The Mayor brought forward Item IS185 Geraldton Coastal Hazard Risk Management and Adaptation Planning for consideration in this part of the Agenda.

IS185	GERALDTON COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLANNING
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AGENDA REFERENCE:	D-18-193738
AUTHOR:	M Dufour, Coordinator Coastal and Natural Environment
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	2 November 2018
FILE REFERENCE:	EM/10/0006
ATTACHMENTS:	Yes/No (x10)
	A. BAIRD Geraldton CHRMAP Report Part 1
	B. BAIRD Geraldton CHRMAP Report Part 1 Technical Appendices
	C. BAIRD Geraldton CHRMAP Report Part 2
	D. BAIRD Geraldton CHRMAP Report Part 2 Technical Appendices
	E. Summary of Community and Councillor Engagement and Consultation
	F. Geraldton CHRMAP Public Comment Submissions
	G. WA State Planning Policy No 2.6 State Coastal Planning Policy
	H. WA State Government CHRMAP Guidelines
	I. MP Rogers Sunset Beach Adaptation Options Advice
	J. Geraldton CHRMAP Report FAQs

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council adoption of the final draft Geraldton Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) report the City of Greater Geraldton.

Adoption of the Plan will progress detailed studies, investigations and consultation to refine the location of the coastal setback lines in order to seek formal funding advice from the State Government. This advice is required to assist in the development of a local coastal planning policy to address the potential impacts of long-term climate change.

The report proposes a number of adaptation and resilience measures, including the long-term adaptation pathways that the City and its community can adopt to become more resilient to coastal hazards such as coastal erosion and coastal inundation.

As illustrated within this report, the adoption of the Geraldton CHRMAP report is **not** the conclusion of the project.

The report is a strategic document that recommends specific investigations and ongoing monitoring actions to inform a five-yearly review of the plan. Further consultation with the community is proposed in Stage 3 during the development of a local coastal planning policy.

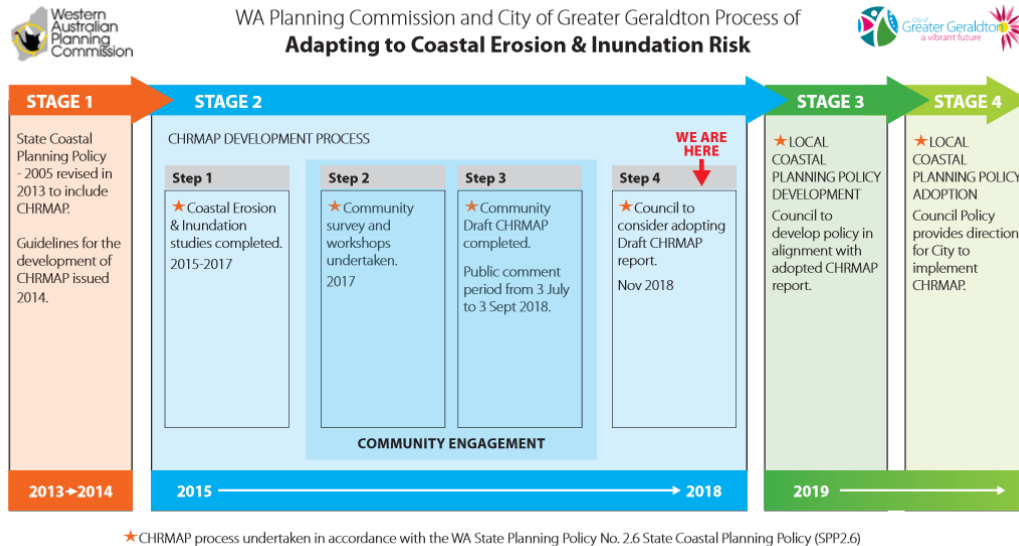


Figure 1. Coastal Adaptation Process flowchart.

The final draft Geraldton CHRMAP report has been produced in accordance with State Government requirements and responsibilities under Part 3 of the *Planning and Development Act 2005*, which is further outlined in State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6, Attachment No. IS185G).

EXECUTIVE RECOMMENDATION:

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

1. ADOPT the final draft Geraldton Coastal Adaptation Risk Management and Adaptation Planning report as a guiding document;
2. DIRECT the CEO to undertake further geophysical investigations of the shoreline areas in Drummond Cove, Sunset Beach and Bluff Point;
3. DIRECT the CEO to undertake coastal monitoring of the beach at Drummond Cove and investigate medium-term coastal adaptation options at Sunset Beach outlined in M P Rogers Sunset Beach Adaptation Options Advice (Attachment No. IS185I);
4. DIRECT the CEO to seek formal advice from the State Government on its position with respect to the future funding of coastal protection works; and
5. DIRECT the CEO to initiate Stage 3 of the Coastal Adaptation Process flowchart – local coastal planning policy.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) is a process that has been formalised through State Planning Policy No.2.6 – State Coastal Planning Policy (SPP 2.6) gazetted by the Western Australian State Government in 2013 under the *Planning and Development Act 2005*. In 2014 the Department of Planning, Lands and Heritage issued CHRMAP guidelines to assist local governments in developing and implementing the CHRMAP process (Attachment No. IS185H).

Clause 5.5 of SPP2.6 states, in respect to Adaptation Planning:

“Adequate coastal hazard risk management and adaptation planning should be undertaken by the responsible management authority and/or proponent where existing or proposed development or landholders are in an area at risk of being affected by coastal hazards over the planning timeframe. Coastal hazard risk management and adaptation planning should include as a minimum, a process that establishes the context, vulnerability assessment, risk identification, analysis, evaluation, adaptation, funding arrangements, maintenance, monitoring and review, and communicate and consult”.

The extent to which the coastal erosion and coastal inundation hazards are likely to impact on land in the developed coastal zone of Geraldton has been captured in the final draft Geraldton CHRMAP Report (Attachment No. IS185A through D).

The final draft Geraldton CHRMAP Report considered twelve (12) geographical Coastal Management Units (CMUs) along Geraldton’s coastline between Cape Burney and Drummond Cove (Figure 2).

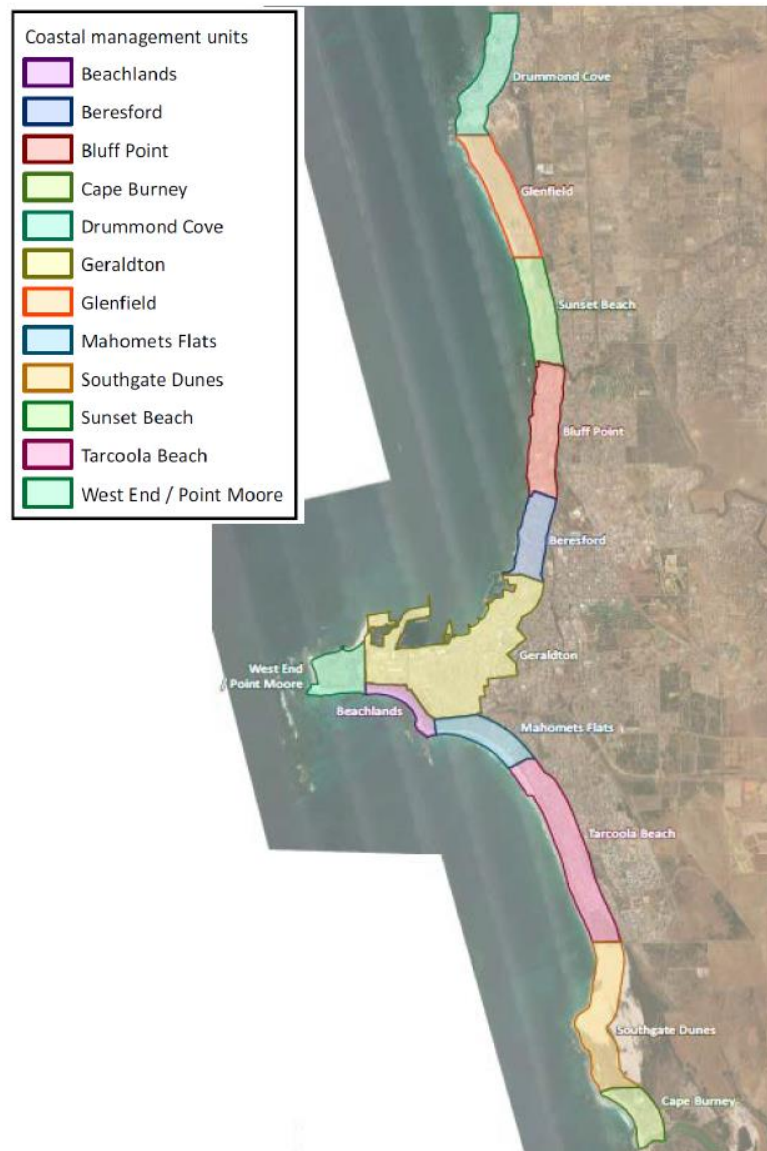


Figure 2. Geraldton CHRMAP Coastal Management Units.

The final draft CHRMAP Report provides an evaluation of risk for all assets in each Coastal Management Unit. The risk analysis concentrates on the most immediate planning period 2030, with consideration of the outcomes as far as the 2110 planning period. It analyses the coastal infrastructure and property at risk from erosion and inundation, and provides recommendations to guide strategic and operational decision making by the City in terms of the location and maintenance of its coastal infrastructure, development of statutory planning controls and the key focus areas for coastal monitoring, management and adaptation in the short term (to 2032) and longer timeframes out to 2110.

Public release of the draft Geraldton CHRMAP Report

The City released the draft Geraldton CHRMAP Report for public comment on 3 July 2018 for an extended period of 60 days – closing on 3 September 2018. A total of 233 submissions with comments and feedback were received during the 60 days public consultation period. Community, City Officer and Steering Group feedback has been incorporated into the final draft Geraldton CHRMAP report attached (Attachment No. IS185A through D).

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The final draft Geraldton CHRMAP report identifies that across the 100-year planning timeframe up to 770 properties *could* be impacted by the coastal erosion. Each resident who might be impacted has their own experience of how they came to live on the Geraldton coast and the City understands that this prospect is an emotive subject. It intends to continue to work openly and collaboratively with the community on the CHRMAP journey.

One of the main impacts to the community of not adopting the final draft Geraldton CHRMAP report is property and property development insecurity due to the is the lack of effective planning mechanisms to guide residing and building in the coastal zone. This is reflected in the Public submissions (Attachment No. IS185F).

The report identifies what City and community assets are at risk over the 100-year planning timeframe – and the ways in which the City and the community can adapt and become more resilient to these coastal hazards. It provides planning recommendations which the City can develop with the community to implement mechanisms to guide residing and building in the coastal zone.

The final draft Geraldton CHRMAP report provides a socially responsible set of long-term adaptation pathways to reduce the risks to both the City and the community from coastal effects attributable to climate change.

Environment:

The final draft Geraldton CHRMAP Report is a strategic document that will inform future decision making in the coastal zone of Geraldton. The report captures areas of environmental value that could be at risk from coastal erosion and coastal inundation.

Economy:

The report identifies that a significant portion of commercial businesses and shopping outlets in the CBD are at risk from the coastal inundation hazard. If the inundation hazard is realised to its fullest extent there *could* be extensive disruption to the local economy.

Governance:

The final draft Geraldton CHRMAP Report aligns with:

- State Planning Policy No. 2.6 – State Coastal Planning Policy;
- CGG Council Policy CP1.1 Towards Sustainable Decisions;
- CGG Council Policy CP3.1 Climate Change; and
- Western Australian Local Government Association (WALGA) Climate Change Management – Guidelines for Incorporating Climate Change Impacts into the Local Government Planning Framework (2014).

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council, at its meeting on 26 June 2018 unanimously resolved to:

1. RECEIVE the City of Greater Geraldton's draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) report;
2. APPROVE release of the draft report for public comment for a minimum of forty-two (42) days; and
3. DIRECT the CEO to collate public feedback, and return the final CHRMAP report to Council for adoption.

Note: The draft Geraldton CHRMAP Report was released for an extended public comment period of 60 days.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been extensive engagement with the community and other stakeholders throughout the CHRMAP process. A summary is provided below, with an expanded community/councillor consultation paper provided at Attachment No. IS185E.

CHRMAP Project Steering Group

A steering group was established in October 2016 to guide the Geraldton CHRMAP project – including two community representatives. The group has been involved through all stages of the project from development of the CHRMAP brief through to providing feedback on the final draft Geraldton CHRMAP report.

Coastal Hazard Mapping: Point Moore Coastal Inundation and Coastal Processes Allowances Study

On 13 January 2016, a community information session was held. This was attended by 76 members of the community. City Officers and coastal engineering consultants, M P Rogers presented the results of the Point Moore Coastal Inundation and Coastal Processes Allowance Study. The community information session outlined the requirements of SPP2.6, how the hazard maps were created, and what the maps meant in terms of adaptation planning.

Coastal Hazard Mapping: Town Beach to Drummond Cove Coastal Inundation and Coastal Processes Allowances Study

On 6 April 2016, two community information sessions were held. These were attended by 52 members of the community. City Officers and coastal engineering consultants, M P Rogers presented the results of the Town Beach to Drummond Cove Coastal Inundation and Coastal Processes Allowance Study. The community information session outlined the requirements of SPP2.6, how the hazard maps were created, and what the maps meant in terms of adaptation planning.

Coastal Adaptation Planning Forum

On 5 May 2016, City Officers presented at the multi-agency Coastal Adaptation Planning Information Forum. The City outlined the coastal adaptation process, the work that has already undertaken, and the work that needed to be done. A timeframe of 18-24 months was identified for the completion of the adaptation process.

Coastal Hazard Mapping: Cape Burney to Greys Beach Inundation and Coastal Processes Allowances Study

On 8 February 2017, a community information session was held. This was attended by 27 members of the community. City Officers and coastal engineering consultants, M P Rogers presented the results of the Cape Burney to Greys Beach Coastal Inundation and Coastal Processes Allowance Study. The community information session outlined the requirements of SPP2.6, how the hazard maps were created, and what the maps meant in terms of adaptation planning.

CHRMAP Development Community Engagement Overview

The City and the Project consultant team developed and implemented a community and stakeholder engagement strategy in accordance with SPP2.6 requirements. This included a Coastal Planning Community Survey followed by two Coastal Planning Workshops. The Community and Stakeholder Engagement Strategy and Coastal Planning Community Survey Report are included in the final draft Geraldton CHRMAP report (Attachment No. IS185B). The opportunities to engage with the City in the project were extensively promoted and consultation results shared broadly with the community in alignment with the Engagement Strategy.

Coastal Planning Community Survey and Coastal Planning Workshops

On 14 October 2017, the City held two coastal planning workshops. These were attended by 88 members of the community. City Officers and coastal engineering consultants, BAIRD summarised the hazard mapping already completed and provided information on the coastal assets and values potentially at risk now, and into the future.

At the same time (2 October to 23 October 2017) a community coastal survey was undertaken via SurveyMonkey. The City received 376 responses to the survey.

The purpose of the survey and workshops was to:

- Identify key coastal infrastructure/assets that hold economic, social and environmental value;
- Describe the risk analysis framework summarised earlier in this report and, in particular the consequence scale for the identified coastal hazards;
- Define risk tolerances to the identified coastal hazard risks; and
- Receive feedback on proposed adaptation options that could address the risks, and identify additional adaptation options.

Draft Geraldton CHRMAP Report Public Comment Period

On 3 July 2018, the City released the draft Geraldton CHRMAP report for public comment. The initial 42-day comment period was extended to 60-days to encourage community participation. A total of 156 community submissions were received. A schedule of summary of those submissions is provided in Attachment No. IS185F.

At the same time, an online submission form for the draft Geraldton CHRMAP report survey was made available via SurveyMonkey. A total of 77 community submissions were received. A schedule of summary of those submissions is provided in Attachment No. IS185F.

Beyond an Adopted Geraldton CHRMAP Report

On 29 August 2018, the City released a Coastal Adaptation Process flowchart that identified where the City and its community is at in terms of the coastal adaptation process (Figure 1).

Councillor Briefings

Councillors have been briefed throughout the development of the final draft Geraldton CHRMAP report.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 1.3(3) of Local Government Act 1995 details the process for local governments for planning for future risks:

1. *In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”.*

Planning and Development Act 2005 – Part 3 – State Planning Policy No. 2.6 – State Coastal Planning Policy details that:

1. *Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures;*
2. *A coastal planning strategy or foreshore management plan is developed in consultation with the broad community and relevant public authorities, and achieve the approval of the local land manager and the WAPC if appropriate;*

3. *Implementation of this Policy will be through related state planning policies, regional strategies, local planning strategies and regional and local planning schemes.*

The development of the final draft Geraldton CHRMAP report is consistent with these Acts.

FINANCIAL AND RESOURCE IMPLICATIONS:

The final draft Geraldton CHRMAP will have the following financial and resource implications:

Funding

Formal adoption of Geraldton CHRMAP will progress the investigation of opportunities for funding of coastal adaptation measures. State funding bodies are increasingly requesting a strategic Coastal Adaptation Plan and local coastal planning policies to demonstrate the need and planning undertaken for coastal adaptation.

Additional Studies

The final draft Geraldton CHRMAP report recommends undertaking key technical studies to further inform the ongoing CHRMAP process. The costs are estimated at \$115,000. The studies recommended are:

- Geophysical study of the shoreline areas to examine presence of rock strata that could reduce the vulnerability of critical sections over the longer term (Drummond Cove, Sunset Beach, Bluff Point); and
- Overland flood study to more appropriately define current and future flood levels throughout the CBD.

The City has allocated in its FY2018-19 budget \$600,000 towards CHRMAP Adaptation Measures. Of this, \$240,000 has been committed to coastal adaptation works at Whitehill Road, Drummond Cove. This leaves \$360,000 that could be allocated to implementing investigations, studies and coastal adaptation works arising from the adoption of the final draft Geraldton CHRMAP Report.

Monitoring Program

The final draft Geraldton CHRMAP report recommends a targeted monitoring program to support the CHRMAP recommendations. This has estimated budget of approximately \$25,000 per annum. Monitoring includes:

- Analysis of the shoreline vegetation movement from aerial photo data recommended five-yearly;
- Beach transect survey, ideally twice yearly (winter and summer) to monitor changes to the profile of the beach at specific shoreline locations;
- UAV capture of shoreline bi-annually to supplement transect survey specific shoreline locations;
- Analysis of extent of acute erosion (storm bite) along the coastline following large storm events;

- Photo monitoring of the beach (through continuation of NACC photo-monitoring program);
- Inspection of minor structures (e.g. access, shelters etc.) directly exposed to coastal erosion and inundation for condition/safety twice yearly and after large storm events ; and
- Inspection of coastal protection structures for condition and performance at minimum yearly and after large storm events.

Appropriate operational funding should be allocated to undertake this monitoring programme.

INTEGRATED PLANNING LINKS:

Title: Environment	2.1 Revegetation-Rehabilitation-Preservation
Strategy 2.1.3	Ensuring natural areas and habitats are cared for and enhanced for the enjoyment of current and future generations.
Title: Environment	2.3 Built Environment
Strategy 2.3.1	Promoting a built environment that is well planned and meets the current and future needs of the community.
Title: Governance	4.1 Community Engagement
Strategy 4.1.1	Continuing to engage broadly and proactively with the community.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.
Title: Governance	4.4 Financial Sustainability and Performance.
Strategy 4.4.2	Ensuring the City's long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner.

REGIONAL OUTCOMES:

Adoption of the final draft Geraldton CHRMAP Report will provide the confidence for development, commercial and tourism opportunities in the coastal zone.

RISK MANAGEMENT

The Geraldton CHRMAP Report is itself a risk management tool. It has been developed in line with the requirements of SPP2.6. A significant impact in failing to adopt the final draft Geraldton CHRMAP report will be ongoing community insecurity due to a lack of appropriate long term planning mechanisms to guide development in the coastal zone. This is reflected in the Public submissions (Attachment No. IS185F).

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The following alternative options was considered by City Officers:

To Not Adopt. This is not supported since it does not comply with the requirements and responsibilities under Part 3 of the *Planning and Development Act 2005*. In the absence of a formally adopted CHRMAP the City will be unlikely to attract State funding for new coastal protection projects.

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

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

1. **ADOPT** the final draft Geraldton Coastal Adaptation Risk Management and Adaptation Planning report as a guiding document;
2. **DIRECT** the CEO to undertake further geophysical investigations of the shoreline areas in Drummond Cove, Sunset Beach and Bluff Point;
3. **DIRECT** the CEO to undertake coastal monitoring of the beach at Drummond Cove and investigate medium-term coastal adaptation options at Sunset Beach outlined in M P Rogers Sunset Beach Adaptation Options Advice (Attachment No. IS185I);
4. **DIRECT** the CEO to seek formal advice from the State Government on its position with respect to the future funding of coastal protection works; and
5. **DIRECT** the CEO to initiate Stage 3 of the Coastal Adaptation Process flowchart – local coastal planning policy.

CARRIED 14/0

Time: 5:47 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

12.1 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS388 ADOPTION OF DRAFT 'ACTIVATING THOROUGHFARES IN THE CITY CENTRE' AND 'PARKLETS' LOCAL PLANNING POLICY

AGENDA REFERENCE:	D-18-092914
AUTHOR:	K Elder, Coordinator Strategic Planning
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	24 October 2018
FILE REFERENCE:	LP/8/0001
ATTACHMENTS:	Yes (x2)
	A. Activating Thoroughfares in the City Centre Local Planning Policy
	B. Parklet Local Planning Policy

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to adopt the draft policies for the purpose of public advertising.

City Officers have prepared two new local planning policies to assist with revitalisation of the City Centre by permitting the use of thoroughfares and parklet development.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. ADOPT the 'Activating Thoroughfares in the City Centre' (Version 1) and 'Parklet' (Version 1) local planning policies as a draft and advertise them for a period of 21 days;
2. ADOPT for final approval the 'Activating Thoroughfares in the City Centre' and 'Parklet' local planning policies should no objections be received during the advertising period; and
3. REQUIRE Officers to present to Council a further report should there be any objections received during the advertising period.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Geraldton is aspiring to better fulfil the role as the region's capital. This recognises the city centre's important role to be a strong heart for Greater Geraldton. Revitalisation in the context of the Geraldton city centre means introducing strategies that can help to address existing issues and challenges, and harness many of the opportunities available.

One of the key objectives in guiding the overall revitalisation of the Geraldton city centre is to create comfortable and exciting places and streets for people to enjoy. The intent is to bring (back) activity to a place, and provide strategies around fostering this activity. In order to achieve this, the following local planning policies have been prepared.

Activating Thoroughfares in the City Centre Local Planning Policy

The draft 'Activating Thoroughfares in the City Centre' Local Planning Policy has been compiled to assist in the revitalisation of the city centre by encouraging and promoting the use of thoroughfares (footpaths). This policy builds on, and proposes to replace, the existing 'Alfresco Dining' Local Planning Policy by supporting a greater range of activities in city centre areas and by streamlining the approvals process.

The main components of the policy are as follows:

1. General site requirements will be provided for the greater City Centre area and specific site areas will be identified for Marine Terrace.
2. The Marine Terrace areas will essentially be 'pre-approved' and business owners will not require any City approval nor application fees. It is hoped that the areas will be self-regulating.
3. Areas available for activity have been developed by using the existing pavement treatments which is a cost-effective yet detailed solution to assist retailers locate and regulate their pre-approved areas.
4. Activities supported in these areas will be outdoor dining, advertising, sale of goods and the beautification of the streetscape through plants and other objects.
5. While the policy attempts to encourage the use of thoroughfares in different ways to bring vibrancy with our streets, at its core is the protection of accessibility with a minimum pedestrian footpath width of 2 metres.

The policy will support (and legitimise) the ways in which many retailers are already making use of the footpath areas within the city centre.

The 'Activating Thoroughfares in the City Centre' local planning policy is included as Attachment No. DCS388A.

Parklet Local Planning Policy

Parklets are small public parks set into the existing streetscape usually by transforming an existing car parking space. They represent high quality urban spaces that provide both visual interest and function while enhancing the overall appearance of the street. The essential defining element is that they represent public spaces that are open and accessible to all.

This policy establishes guidelines and provides a framework to allow for the development of parklets within city centre road reserves.

The main components of the policy are as follows:

1. General design principles particularly focusing on appropriate siting and location such as in areas with high pedestrian activity and where alternative parking is available.
2. Guidance on the process and application requirements including the submission of a management plan and necessary consultation.
3. Any application for development approval granted for a parklet will be for a maximum of 2 years. Renewal will require the submission of renewed written consent of the land and business owner whose property fronts the proposed parklet, and evidence of support of businesses and property owners immediately adjacent.

The 'Parklets' local planning policy is included as Attachment No. DCS388B.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

The policies advocate for and enhance the pedestrian use of streets within the city centre.

Environment:

There are no adverse environmental impacts.

Economy:

The policies provide options for landowners and traders to utilise the road reserves and thoroughfares within the city centre in order to enhance business opportunities.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The Activating Thoroughfares in the City Centre local planning policy was discussed at Concept Forum held 4 September 2018. A briefing note outlining the policy was also circulated on this date.

Local planning policies are required to be advertised for a period of 21 days with a notice in a newspaper. Community consultation will also include liaison with business owners on Marine Terrace to discuss the impacts and opportunities presented by the policies.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the requirements and procedure for preparing a local planning policy.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the municipality. A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies. In making a determination under the Local Planning Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

FINANCIAL AND RESOURCE IMPLICATIONS:

Both policies propose that no fees be charged for applications made within the regional centre zone. The fee amount would be \$147 if current charges were applied.

INTEGRATED PLANNING LINKS:

Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.3	Revitalising the CBD through economic, social and cultural vibrancy.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.2	Responding to community aspirations by providing planning and zoning for future development.

REGIONAL OUTCOMES:

The Geraldton City Centre Revitalisation Plan Local Planning Policy provides short, medium and long-term aspirations and strategies that will enable the city centre to move toward success, becoming a true regional capital for the Mid-West and beyond.

One of the project objectives is to “provide clear link to the provisions in the statutory planning process for development that contributes to the city’s identity, environment, structure, common interest and culture”.

It is considered that both local planning policies are consistent with this objective.

RISK MANAGEMENT

There are no inherent risks with the adoption of the local planning policies.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

In order to support the revitalisation of the city centre, two local planning policies have been compiled to provide options to foster vibrancy and broaden business opportunity.

The policies are consistent with the overarching guidance provided by the Geraldton City Centre Revitalisation Plan Local Planning Policy therefore the option to refuse is therefore not supported.

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

COUNCIL DECISION

MOVED CR FREER, SECONDED CR DOUGLAS

That Council by Simple Majority pursuant to Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

- 1. ADOPT the ‘Activating Thoroughfares in the City Centre’ (Version 1) and ‘Parklet’ (Version 1) local planning policies as a draft and advertise them for a period of 21 days;**
- 2. ADOPT for final approval the ‘Activating Thoroughfares in the City Centre’ and ‘Parklet’ local planning policies should no objections be received during the advertising period; and**
- 3. REQUIRE Officers to present to Council a further report should there be any objections received during the advertising period.**

CARRIED 14/0

Time: 5:51 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

DCS389 EXPRESSION OF INTEREST – BERESFORD FORESHORE PRECINCT USE

AGENDA REFERENCE:	D-18-093875
AUTHOR:	B Robartson, Manager Land and Regulatory Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	30 October 2018
FILE REFERENCE:	R42069 and R5660
ATTACHMENTS:	Yes (x9) Confidential A. Schedule of Submissions B. Submissions x 8

EXECUTIVE SUMMARY:

The purpose of this report is to seek approval to give local public notice of the intent to grant a lease for approximately 50m² of Crown Reserve 42069 (Zone 1) for the purpose of a sea container/transportable structure for café purposes.

This report also seeks approval to give local public notice of the intent to grant a licence to utilise portion of Crown Reserve (known as Zone 2) for the purposes of mobile café operations.

EXECUTIVE RECOMMENDATION:

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

PART A

1. GIVE local public notice of the intent to lease 50m² of Crown Reserve 42069 (Zone 1) for the purpose of a sea container/transportable structure for café purposes to:
 - a. Alexander Stellmach – Trading as AJ's;
2. SET the proposed conditions as:
 - a. enter into a five (5) year lease agreement commencing from the date of execution of the lease with a further term option of five (5) years;
 - b. adjust the lease fees annually as at 1 July in line with the preceding March Consumer Price Index for Perth;
 - c. conduct a current ground market valuation prior to any further term option to establish the lease fee;
 - d. set the commencement lease fee at \$6,000 plus GST per annum;
3. MAKE the determination subject to:
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
4. ADVISE the lessee they are responsible for separately paying:
 - a. all applicable rates, taxes and other utilities;
 - b. all connection and installation or services to the leased area;
 - c. all costs associated with:

- i. the preparation, execution and registration of the lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. REFER back to Council for final consideration if any objecting submissions are received; and
6. DELEGATE authority to the Chief Executive Officer to approve a design and the location/position for the sea container/transportable structure Café that compliments and adds to the vibrancy /functionality of the Beresford foreshore/ surrounding area, subject to the outcome in point 3 above.

PART B

1. GIVE local public notice of the intent to licence a portion of Crown Reserve 5660 (Zone 2) for the purpose of mobile café operations to:
 - a. Andrea Hunt – Trading as Yard Bar + Co;
2. SET the proposed conditions as:
 - a. enter into a two (2) year plus further two (2) year option licence agreement commencing from the date of execution of the licence;
 - b. set the commencement licence fee at \$500 plus GST per annum;
3. MAKE the determination subject to:
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
4. LICENCEE is responsible for separately paying:
 - a. all applicable rates, taxes and other utilities;
 - b. all costs associated with:
 - i. the preparation, execution and registration of the licence;
 - ii. survey plans of the licence area;
 - iii. all other costs associated with the licence; and
5. REFER back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council at its meeting on the 25 September 2018 approved item DCS384 as below:

1. APPROVE Council Policy 1.5 – Foreshore Use and Development Policy – version 2;
2. INITIATE an EOI process to invite potential operators to provide services and facilities at two specific locations along the Beresford Foreshore;
3. DETERMINE that the two areas are:
 - a. Zone 1– Reserve 42069 – (Midalia’s Beach locality) an area of approximately 415m² for multi-use commercial activities that are either temporary or transportable structures or Itinerant/ mobile in nature;
 - b. Zone 2 – Reserve 5660 – (Dean Street locality) an area adjacent to the Dean Street carpark of approximately 385m² for multi-use commercial activities that are itinerant/ mobile in nature; and
4. PROVIDE a report to Council on the results of the EOI process and recommendations thereto for determination.

As a consequence an Expression of Interest (EOI) was advertised on 3 October 2018 and closed on the 25 October 2018 at 4.00pm and was successful with eight (8) individual submissions.

A 'Schedule of Submissions' received is included as Confidential Attachment No. DCS389A. Individual submissions are attached as Confidential Attachment No. DCS389B.

The Schedule of Submissions contain a summary of the submissions received and type of business proposed and details supplementary comment and the Officer's recommendation on each of the submissions. Council should note that all submissions received are very worthy proposals. Due to size and the limited capacity of the leased area at Zone 1 – Midalia's Beach to entertain only one sea container/transportable lease structure the below recommendation is referred to council for consideration.

Council is advised that the author has discussed alternate leasing and licence options at alternative sites with worthy proponents for a best fit and will be subject to further ongoing discussions following final Council determinations on this matter.

Zone 1 lease/licence area is shown below has an area of approximately 415m² for multi-use commercial activities that are either transportable structures or mobile in its operation. This area is fully serviced with power and water available.



(Photo Courtesy of Luke Thompson)

It is proposed that a lease of approximately 50m² of area for the purpose of a sea container/transportable structure for café purposes to Alexander Stellmach – Trading as AJ's is supported.

The business proposes serving high quality European snacks. German (Bratwurst) sausages, gourmet coffee, Belgium waffles, chips, salads and other sides. Soft drinks, ice creams, smoothies and locally made cakes will be served. The proponent proposes trading 7 days a week. 7.00am - 7.00pm including public holidays. Extension for operating times to support special events will be requested.

Zone 2 licence area is shown below has an area of approximately 385m² for multi-use commercial activities that are mobile in its operation. This area is not serviced with power and water.



(Photo Courtesy of Luke Thompson)

It is proposed that a mobile café operation is supported for Yard Bar + Co for a 1977 Type 2 VW Kombi Van that will serve coffee service and small snacks, healthy food choices and juices.

Yard Bar + Co propose times of operation being Wednesday - Sunday 7.00am - 12 noon. Friday - Sunday 3.30pm - 5.00pm (weather permitting) Flexible for special events conducted at foreshore and subject to review.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

All submissions are in line with the six driving principals of CP 1.5 Foreshore Use & Development Policy. In particular they address the principles of:

- Activation of the foreshore recognizing that while public open space is a high priority and should not be compromised, people want amenities and activities that enhance their experience of the foreshore;
- The effective use and management of the foreshore reserve(s) resulting in a space that is people focused not building focused and promotes active and passive recreation that promotes health and wellbeing; and
- To enable opportunities for activities that respects the essence of the place and enables providers to offer services and facilities to the public to enhance their visit to the foreshore.

Environment:

There are no adverse environmental impacts.

Economy:

These proposals have the potential to offer a viable local business opportunity to operate in a prime Geraldton location. Small businesses, such as these could trade from the sites and add to the economic vibrancy and vitality of our community.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The City has leases on a number Crown Reserves accommodating a variety of uses/ purposes consistent with the individual Management Order. An example would be the Jaffle Shack located on the Geraldton Foreshore (Reserve 50100) on a portion of the reserve and was approved by Council and is leased by the City for café and alfresco purposes.

It is noted that the City does not levy a fee to those businesses that provide alfresco areas on footpaths. It is considered that it would be inconsistent to charge the proponents for the alfresco/public space area if other businesses are not being charged.

The City also provides licences for activities on Crown Reserves for a variety of purposes that are consistent with the uses under Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

Council has also approved a licence for the operations of Ultimate Watersports at the Geraldton foreshore and those activities are consistent with the foreshore use policy.

COMMUNITY/COUNCILLOR CONSULTATION:

Council at its meeting of the 25 September 2018 approved the amendment to the Foreshore Use and Development Policy CP 1.5 and resolved to initiate an EOI process to invite potential operators to provide services and facilities at the Beresford Foreshore.

The resolution of Council also requested a report to Council on the results of the EOI process and recommendations for determination.

The EOI was advertised and closed on the 25 October 2018 at 4.00pm and was successful with 8 individual submissions. The submissions received were discussed at the Concept Forum on Wednesday 7 November 2018.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 – Disposing of Property
Section 3.58:

- (1) *In this section –*
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money.
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
(a) *it gives local public notice of the proposed disposition –*
(i) *describing the property concerned; and*
(ii) *giving details of the proposed disposition; and*
(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Section 18 of the Land Administration Act 1997 – Crown land transactions that need Ministerial approval.

Section 18:

- (1) *A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land.*

Council Policy - CP 1.5 Foreshore Use and Development Policy is applicable to these applications.

Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

FINANCIAL AND RESOURCE IMPLICATIONS:

A commencement lease fee of \$6,000 plus GST which is exclusive of applicable Local Government rates and taxes and adjusted by CPI for Perth annually as at 1 July.

A current ground market valuation was obtained for the purposes of this report to establish a dollar rate per square metre for leasing purposes. A further ground market valuation will be conducted prior to exercising the further term options to establish the lease fee.

A commencement licence fee of \$500 per annum plus GST is applicable for all licences and is in line with the Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land fee.

All proponents are also responsible for other costs associated with the preparation and issue of the lease/licence agreement.

INTEGRATED PLANNING LINKS:

Title: Community	1.3 Community Health and Safety
Strategy 1.3.2	Promoting healthy lifestyle initiatives and living standards.
Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Title: Governance	4.1 Community Engagement
Strategy 4.1.1	Continuing to engage broadly and proactively with the community.

REGIONAL OUTCOMES:

There is the potential for the Beresford Foreshore to become another attraction building on the success of the existing Geraldton Foreshore.

RISK MANAGEMENT

There are no consequent risks inherent in approving – or not approving – the recommendation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The other option for consideration by Council is to not approve the licences or part thereof or lease submission and decline the proposals as submitted. This is not supported as all proposal have the potential to increase activation in this section of the foreshore and offer a product different to that already available in the area.

All submissions meet the requirements and the objectives of the six driving principals of CP 1.5 Foreshore Use & Development Policy and comply with Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land and therefore should be supported.

An alternative recommendation would be for Council to decline the recommended lease option for this business at Beresford Foreshore – Zone 1 and recommend the alternative lease option submission that proposes a sea container/transportable from the Schedule of Submissions Confidential Attachment No. DCS389A.

COUNCIL DECISION

MOVED MAYOR, SECONDED CR TANTI

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

PART A

1. **GIVE** local public notice of the intent to lease 50m² of Crown Reserve 42069 (Zone 1) for the purpose of a sea container/transportable structure for café purposes to:
 - a. Alexander Stellmach – Trading as AJ's;
2. **SET** the proposed conditions as:
 - a. enter into a five (5) year lease agreement commencing from the date of execution of the lease with a further term option of five (5) years;
 - b. adjust the lease fees annually as at 1 July in line with the preceding March Consumer Price Index for Perth;
 - c. conduct a current ground market valuation prior to any further term option to establish the lease fee;
 - d. set the commencement lease fee at \$6,000 plus GST per annum;
3. **MAKE** the determination subject to:
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
4. **ADVISE** the lessee they are responsible for separately paying:
 - a. all applicable rates, taxes and other utilities;
 - b. all connection and installation or services to the leased area;
 - c. all costs associated with:
 - i. the preparation, execution and registration of the lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. **REFER** back to Council for final consideration if any objecting submissions are received; and
6. **DELEGATE** authority to the Chief Executive Officer to approve a design and the location/position for the sea container/transportable structure Café that compliments and adds to the vibrancy /functionality of the Beresford foreshore/ surrounding area, subject to the outcome in point 3 above.

PART B

1. **GIVE** local public notice of the intent to licence a portion of Crown Reserve 5660 (Zone 2) for the purpose of mobile café operations to:
 - a. Andrea Hunt – Trading as Yard Bar + Co;

2. **SET the proposed conditions as:**
 - a. enter into a two (2) year plus further two (2) year option licence agreement commencing from the date of execution of the licence;
 - b. set the commencement licence fee at \$500 plus GST per annum;
3. **MAKE the determination subject to:**
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
4. **LICENCEE is responsible for separately paying:**
 - a. all applicable rates, taxes and other utilities;
 - b. all costs associated with:
 - i. the preparation, execution and registration of the licence;
 - ii. survey plans of the licence area;
 - iii. all other costs associated with the licence; and
5. **REFER back to Council for final consideration if any objecting submissions are received.**

CARRIED 14/0

Time: 5:55 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

DCS390 PROPOSED LICENCE – AQUAFUN PTY LTD GERALDTON FORESHORE RESERVE
--

AGENDA REFERENCE:	D-18-093789
AUTHOR:	B Robartson, Manager Land and Regulatory Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	12 November 2018
FILE REFERENCE:	R50100
ATTACHMENTS:	Yes (x1) Confidential Confidential Submission

EXECUTIVE SUMMARY:

This report seeks Council approval on the intent to grant a licence to utilise the beach area on foreshore reserve 50100 for the purposes of commercial water recreational activities.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 18 of the Land Administration Act 1997 RESOLVES to:

1. GIVE local public notice of the intent to grant a licence for commercial water sport activities that will utilise portion of Crown Reserve 50100 to Aquafun Pty Ltd – Trading as Skyline Hydrobikes Pty Ltd;
2. MAKE the determination subject to:
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
3. SET the proposed conditions as:
 - a. enter into a one (1) year licence agreement with a further one (1) year option to renew;
 - b. commence the licence on the date of execution;
 - c. set the licence fee at \$500 per annum plus GST;
4. ADVISE the licensee they are responsible for separately paying:
 - a. all applicable rates, taxes;
 - b. all costs associated with:
 - i. the preparation and execution of the licence;
 - ii. all other costs associated with the licence; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The proponent is Aquafun Pty Ltd – Trading as Skyline Hydrobikes Pty Ltd.

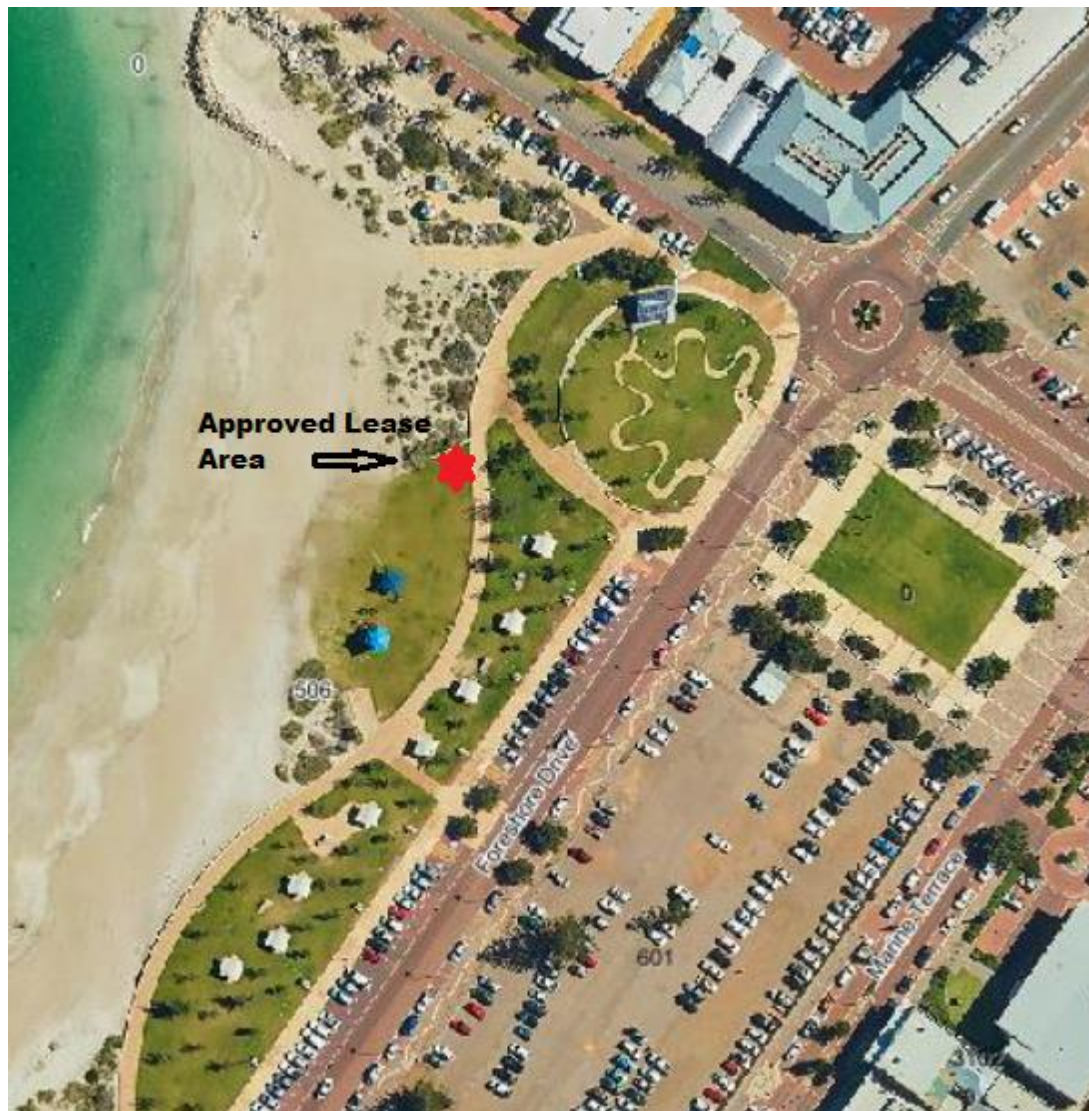
BACKGROUND:

Skyline Hydrobikes Pty Ltd to operate a business that hires out hydrobikes for use on the water. The proposal indicates that initially the hydrobikes would remain on a trailer until hired out and then rest on the beach in an area of approximately 20 metres.

This activity intends to be a seasonal operation and weather dependant based on a trial period. The proponent has responded to the expression of interest called for activities on the Beresford Foreshore and following discussions with the author on practicality and possible uses of a future sea container on location was referred to this location.

Council at its meeting of the *22 November 2016* approved an area for lease of approximately 30m² for a hire shack to operate water craft equipment and use of the beach area. The lease approval and business activity was not proceeded with and the site is now available for use.

The proponent (dependant on the success of the venture) would seek to utilise the approved lease area for a future sea container storage facility and for operational use. In the interim the activities will operate only on the beach in this area. The location is depicted in the photo below:



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

The submission is in line with the six driving principals of CP 1.5 Foreshore Use & Development Policy. In particular they address the principles of:

- Activation of the foreshore recognizing that while public open space is a high priority and should not be compromised, people want amenities and activities that enhance their experience of the foreshore;
- The effective use and management of the foreshore reserve(s) resulting in a space that is people focused not building focused and promotes active and passive recreation that promotes health and wellbeing; and
- To enable opportunities for activities that respects the essence of the place and enables providers to offer services and facilities to the public to enhance their visit to the foreshore.

Environment:

There are no adverse environmental impacts.

Economy:

This proposal has the potential to offer a viable local business opportunity to operate in a prime Geraldton location. Small businesses, such as this one may enhance tourism and add to the economic vibrancy and vitality of our community in this area.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The City provides licences for activities on Crown Reserves for a variety of purposes that are consistent with the uses under Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land and the Management Order.

COMMUNITY/COUNCILLOR CONSULTATION:

The proponent's submission was circulated to the Mayor and Councillors for their information at the 7 November 2018 Concept Forum.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 18 of the Land Administration Act 1997 – **Crown land transactions that need Ministerial approval**

Section 18:

- (2) *A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land.*

The application for the proposed licence addresses the criteria and the objectives of Policy CP 1.5 – Foreshore Use & Development Policy and Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land.

FINANCIAL AND RESOURCE IMPLICATIONS:

A commencement licence fee of \$500 per annum plus GST plus all other costs associated with the preparation and issue of the licence agreement.

This fee is in line with the Local Planning Policy – Commercial Recreational Tourism Activity on Crown Land fee.

INTEGRATED PLANNING LINKS:

Title: Community	1.3 Community Health and Safety
Strategy 1.3.2	Promoting healthy lifestyle initiatives and living standards.
Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Title: Governance	4.1 Community Engagement
Strategy 4.1.1	Continuing to engage broadly and proactively with the community.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no consequential risks inherent in approving – or not approving – the recommendation. All operations and activities are to be conducted in accordance with the relevant Department of Transport marine legislation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The following options were considered by City Officers:

The other option for consideration by Council is to not approve the licence and decline the proposal as submitted. This is not supported as the proposal has the potential to increase activation in this section of the foreshore and offer a product different to that already available in the area.

Alternatively, Council may consider a different location from the one at the Geraldton foreshore and recommend a beach locality north of the marina near the Flour Mill estate known as Midalia's Beach and propose the site originally considered in the proponent's submission.

COUNCIL DECISION**MOVED CR TANTI, SECONDED CR KEEMINK**

That Council by Simple Majority pursuant to Section 18 of the Land Administration Act 1997 RESOLVES to:

1. **GIVE** local public notice of the intent to grant a licence for commercial water sport activities that will utilise portion of Crown Reserve 50100 to Aquafun Pty Ltd – Trading as Skyline Hydrobikes Pty Ltd;
2. **MAKE** the determination subject to:
 - a. advertising notice period of not less than 14 days inviting public submissions;
 - b. consent from the Minister for Lands;
3. **SET** the proposed conditions as:
 - a. enter into a one (1) year licence agreement with a further one (1) year option to renew;
 - b. commence the licence on the date of execution;
 - c. set the licence fee at \$500 per annum plus GST;
4. **ADVISE** the licensee they are responsible for separately paying:
 - a. all applicable rates, taxes;
 - b. all costs associated with:
 - i. the preparation and execution of the licence;
 - ii. all other costs associated with the licence; and
5. **REFER** the matter back to Council for final consideration if any objecting submissions are received.

CARRIED 14/0

Time: 6:02 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

DCS391 GERALDTON REGIONAL ART MANAGEMENT COMMITTEE COMMUNITY REPRESENTATION
--

AGENDA REFERENCE:	D-18-092902
AUTHOR:	S Smith, Manager Community and Cultural Development
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	6 November 2018
FILE REFERENCE:	RC/4/0043
ATTACHMENTS:	Yes (x2) Confidential
	A. Nomination – Mark Lennard
	B. Nomination – Sara Jacobsen

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to appoint two community representatives to the Geraldton Regional Art Management Committee following the resignation of Ms Adeline Turner and Mr Christian Watters from the Committee.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.10 of the Local Government Act 1995 RESOLVES to:

1. ACKNOWLEDGE the recommendations of the Geraldton Regional Art Management Committee;
2. APPOINT the following community representatives to the Geraldton Regional Art Management Committee:
 - a. Mr Mark Lennard;
 - b. Ms Sari Jacobsen; and
3. DETERMINE the appointment to apply until the expiration date of 19 October 2019 or as determined by Council.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

On 26 April 2017, Council resolved to establish the Geraldton Regional Art Management Committee. Following a call for expressions of interest for community members, five submissions were received and the terms of reference were updated accordingly to reflect this number.

At a Committee meeting held on Monday 28 May 2018, the resignation of Community Member Adeline Turner was noted.

Expressions of interest from prospective community representatives on the Geraldton Regional Art Management Committee were sought in October 2018. An advertisement was placed in the Public Notice section of the Geraldton Guardian on Friday 5 October 2018 and in the Mid West Times on Wednesday 3 October 2018. Notices were also placed on public noticeboards

at the City, The Geraldton Regional Library, Mullewa District Office and also on the City's website. Two nominations were received by the closing date of 26 October 2018. They were from Ms Sari Jacobsen and Mr Mark Lennard, both of whom have extensive experience in arts management and the visual arts.

Nominations were discussed at the Geraldton Regional Art Management Committee held on Wednesday 7 November. Further to this, the resignation of another Committee Member, Christian Watters, was also noted at the meeting. A recommendation was made to appoint the two candidates as community representatives to the Committee. The two nominations are attached as Confidential Attachment Nos. DCS391A and DCS391B.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Since Council resolved to establish the Geraldton Regional Art Management Committee in April 2017 there has been community representation on the Committee.

COMMUNITY/COUNCILLOR CONSULTATION:

The Committee discussed applications received from two members of the community at a meeting held on Wednesday 7 November 2018. Council representatives on the Committee are Cr McIlwaine, Cr Douglas, Cr Elphick and Cr Reymond.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Community	1.1 Our Heritage and the Arts
Strategy 1.1.2	Recognising and preserving Aboriginal heritage, history, traditions, languages and culture.
Strategy 1.1.3	Facilitating engagement in the arts in all its forms.
Strategy 1.1.4	Fostering and facilitating community and cultural events.
Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.2	Promoting events and unique tourism experiences that aid in attracting visitors and investment.
Strategy 3.2.3	Revitalising the CBD through economic, social and cultural vibrancy.

REGIONAL OUTCOMES:

Public art and the provision of a Class A Regional Gallery enhances the City of Greater Geraldton's profile as the Regional Capital.

RISK MANAGEMENT

There are no inherent risks to the City.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternative options were considered by City Officers.

Cr S Douglas declared an Impartiality interest in Item DCS391 Geraldton Regional Art Management Committee Community Representation - as one of the proposed representatives is a staff member of the Geraldton University Centre (GUC) of which he is chair and left Chambers at 6.01pm.

Cr N Colliver declared an Impartiality interest in Item DCS391 Geraldton Regional Art Management Committee Community Representation as Sari Jacobsen is a work colleague of hers at the Geraldton Universities Centre (GUC) and remained in Chambers.

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

That Council by Absolute Majority pursuant to Section 5.10 of the Local Government Act 1995 RESOLVES to:

1. **ACKNOWLEDGE** the recommendations of the Geraldton Regional Art Management Committee;
2. **APPOINT** the following community representatives to the Geraldton Regional Art Management Committee:
 - a. Mr Mark Lennard;
 - b. Ms Sari Jacobsen; and
3. **DETERMINE** the appointment to apply until the expiration date of 19 October 2019 or as determined by Council.

CARRIED BY ABSOLUTE MAJORITY 13/0

Time: 6:03 PM

Not Voted: 2

No Votes: 0

Yes Votes: 13

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

Cr S Douglas returned to Chambers at 6.03pm

DCS392 COUNCIL POLICY 1.2 - YOUTH

AGENDA REFERENCE:	D-18-093089
AUTHOR:	J Steele Coordinator Youth Development
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	8 December 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x2) A. CP 1.2 Youth B. CP 1.2 Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of Council Policy 1.2 Youth 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. ADOPT Council Policy 1.2 Youth, version 2.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 1.2 Youth 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.

The policy has been amended to reflect the City of Greater Geraldton's change in direction away from the mobile youth outreach project Youth'n'Motion. The amended policy is attached as Attachment No. DCS392A. The proposed amendments to the policy are detailed in the Comparison Table in Attachment DCS392B.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council first approved CP 1.2 Version 1 on 24 January 2017 – CCS231.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via briefing note on 5 September 2018 and at the Concept Forum on 7 November 2018. The Executive Management Team reviewed the draft policy on 24 October 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: Community	1.5 Recognise, value and support everyone
Strategy 1.5.3	Supporting young people to develop the skills to make valuable contributions to their communities.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in the good governance 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 FREER**

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

1. ADOPT Council Policy 1.2 Youth, version 2.

CARRIED 13/1

Time: 6:05 PM

Not Voted: 1

No Votes: 1

Yes Votes: 13

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

DCS393 APPOINTMENT OF AUTHORISED PERSONS

AGENDA REFERENCE:	D-18-088751
AUTHOR:	N Beer, Coordinator Ranger Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	24 October 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to appoint authorised persons for compliance and enforcement of the *Control of Vehicles (Off-Road Areas) Act 1978* and the *Caravan Parks and Camping Grounds Act 1995*.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 38 of the *Control of Vehicles (Off-Road Areas) Act 1978*, Section 17 of the *Caravan Parks and Camping Grounds Act 1995* and Regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* RESOLVES to:

1. APPOINT the following as authorised persons whilst they are employed as a Ranger at the City of Greater Geraldton:
 - a. Trevanian Arnold;
 - b. Deslyn Walker;
 - c. Shaun Killick; and
 - d. Lauren Jones.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Each City of Greater Geraldton Ranger performs functions under the *Control of Vehicles (Off Road Areas) Act 1978* and the *Caravan Parks and Camping Grounds Act 1995*. Each Ranger who carries out functions under the Acts is required to be duly authorised by Council.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council on numerous occasions has resolved to appoint authorised persons.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 38 of the *Control of Vehicles (Off-Road Areas) Act 1978*, Section 17 of the *Caravan Parks and Camping Grounds Act 1995* and Regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* provides for Council to appoint authorised persons.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Community	1.3 Community Health and Safety
Strategy 1.3.4	Encouraging initiatives to improve community safety
Title: Environment	2.1 Revegetation-Rehabilitation-Preservation
Strategy 2.1.2	Sustainably maintaining public open spaces and recreation areas.

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

Council appointment of authorised persons will mitigate against potential risks associated with a Ranger performing duties without the legal authority to do so.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

Not appointing authorised persons would result in the inability of a Ranger to perform their duties of compliance and enforcement under the relevant legislation. Therefore the options to refuse or defer the matter are not supported.

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

That Council by Simple Majority pursuant to Section 38 of *the Control of Vehicles (Off-Road Areas) Act 1978*, Section 17 of the *Caravan Parks and Camping Grounds Act 1995* and Regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* RESOLVES to:

1. **APPOINT** the following as authorised persons whilst they are employed as a Ranger at the City of Greater Geraldton:
 - a. Trevanian Arnold;
 - b. Deslyn Walker;
 - c. Shaun Killick; and
 - d. Lauren Jones.

CARRIED 14/0

Time: 6:06 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

DCS394 CREATION OF NEW RESERVE FOR PROTECTION OF GROUYNE

AGENDA REFERENCE:	D-18-093581
AUTHOR:	L MacLeod, Coordinator Land & Property Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	9 November 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to accept the Management Order for a newly created Reserve over a portion of Unallocated Crown Land Lot 507 Beresford.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.54 of the Local Government Act 1995 RESOLVES to:

1. INDEMNIFY the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the Native Title Act 1993 (Cth) which may be imposed on, or incurred by the Indemnified Parties relating to or arising directly or indirectly from the creation of a Crown Reserve over Lot 507 on Deposited Plan 578802; and
2. ACCEPT the Management Order for portion of Lot 507 on Deposited Plan 578802 for the purpose of "Protection of Groyne".

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The development of the Beresford Foreshore included an extension of the existing groyne and reclaiming a portion of Midalia Beach. This development has encroached into Unallocated Crown Lot 507.

The Department of Planning, Lands and Heritage have proposed the creation of a new Reserve over portion of Lot 507 with a Management Order issued to the City for the purpose of "Protection of Groyne".

The statutory process includes the indemnity of the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands against any future native title claims with respect to this portion of Crown Reserve pursuant to the Native Title Act 1993. To formalise this, a resolution of Council is required.



The aerial plan above shows Lot 507 outlined in red.

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 as this forms part of the statutory process when creating a new Crown Reserve with a Management Order.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council has granted indemnity to the State with regard to the Native Title Act whenever a new Reserve with a Management Order issued to the City is created.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	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

A new Reserve over portion of Unallocated Crown Lot 507 is required to formalise the City's management for this area.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There are no options considered by City Officers as this is a statutory requirement.

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

That Council by Simple Majority pursuant to Section 3.54 of the Local Government Act 1995 RESOLVES to:

1. **INDEMNIFY** the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the Native Title Act 1993 (Cth) which may be imposed on, or incurred by the Indemnified Parties relating to or arising directly or indirectly from the creation of a Crown Reserve over Lot 507 on Deposited Plan 578802; and
2. **ACCEPT** the Management Order for portion of Lot 507 on Deposited Plan 578802 for the purpose of "Protection of Groyne".

CARRIED 13/1

Time: 6:08 PM

Not Voted: 1

No Votes: 1

Yes Votes: 13

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

DCS395 RETIRE COUNCIL POLICY 4.16 PROPERTY MANAGEMENT LEASES
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AGENDA REFERENCE:	D-18-093814
AUTHOR:	L MacLeod, Coordinator Land and Property Services
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	12 November 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x1) CP4.16 Property Management Leases

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to retire Council Policy 4.16 Property Management Leases and remove it from the Council Policy Register. The policy is attached as Attachment No. DCS395.

EXECUTIVE RECOMMENDATION:

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

1. RETIRE Council Policy 4.16 Property Management Leases; and
2. REMOVE the retired Council Policy from the Register.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

A review of CP4.16 Property Management Leases was undertaken by this department and it was realised in this review that the policy contained material that is now obsolete due to the delegation by Council to the CEO.

The 2018-19 Delegation Register 1.1.16 Disposing of Property grants Delegated Authority to the CEO:

- b. Section 3.58(4) – where the market value of the lease is less than \$15,000pa.*

However CP4.16 states:

Delegations

The Chief Executive Officer has delegated authority to authorise leases on City land owned in fee simple to the total rental value including extensions of term up to \$500,000.

Therefore, all leases on City owned land over the value of \$15,000 per annum will now require a resolution of Council. The policy is therefore redundant.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council reviews the Policy Register from time to time and makes recommendations on the retirement of Council Policies.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to Section 2.7 of the Local Government Act 1995 the role of council includes determination of Council 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 impacts to regional outcomes.

RISK MANAGEMENT

Ensuring that the Council Policies are current, comprehensive and support the role of Council in the good government of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City Officers.

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

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

1. RETIRE Council Policy 4.16 Property Management Leases; and
2. REMOVE the retired Council Policy from the Register.

CARRIED 14/0

Time: 6:08 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

12.2 REPORTS OF CORPORATE AND COMMERCIAL SERVICES

CCS374 AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL	
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AGENDA REFERENCE:	D-18-090683
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	25 October 2018
FILE REFERENCE:	GO/11/0020
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is for Council to review a summary of Audit Committee activities for the period 1 July 2017 to 30 June 2018 - the Audit Committee Annual report.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the Audit Committee Annual Report for the period 1 July 2017 to 30 June 2018.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

In accordance with the *Local Government Act 1995* section 7.1A (1):

“A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it”.

The City of Greater Geraldton Audit Committee Charter incorporates the following reporting requirements:

5.2 The Committee shall report annually to the Council summarising its activities during the previous financial year.

Below is a summary of the activities of the Audit Committee for the period 1 July 2017 to 30 June 2018 for the purposes of providing the above mentioned report to Council:

Audit Committee Meeting – 2 October 2017

Report Number	Title	Decision
AC053	Annual Report to Council	Summary of activities received, with a recommendation that Council accept the report.
AC054	Status of Risk Management Systems	The status of risk management and Promapp noted. The Audit Committee required a further report be submitted to Council.
AC055	Risk Management Framework Review	Framework endorsed and to be presented to Council.
AC056	Status of Business Continuity Plan	Business Continuity Plan noted. A BCP exercise to be held in the first quarter 2018, and the CEO to provide a first draft of the BCP to the Audit Committee by March 2018.
AC057	Information Technology Internal Audit Report	Note the findings and recommendations of the report and endorse actions by staff to resolve items identified in the report.
AC058	Audit Report City of Greater Geraldton	Adopt the Audit Report for the period ending 30 June 2017, endorse actions taken by staff to resolve identified issues and note the unqualified audit report.

Audit Committee Meeting - 15 March 2018

Report Number	Title	Decision
AC059	Review of Audit Committee Charter	Endorse the Audit Committee Charter and recommend to Council proposed amendments to the Audit Committee Charter as determined by the Audit Committee.
AC060	External Member of Audit Committee	Not appoint an external member of the Audit Committee and amend the Audit Committee Charter accordingly.
AC061	Compliance Audit Return	Endorse the results of the Compliance Audit Return 2017 and Report the results of the Compliance Audit Return 2017 to Council at the Ordinary meeting to be held on 27 March 2018.
AC062	Business Continuity – Generator Connectivity	Note the works undertaken to improve Business continuity with the City's ability to respond to power outages and emergency events. Require the CEO to investigate options to hire or purchase equipment to respond to power outages or emergency events.
AC063	Business Continuity Management implementation Program	Note the business continuity management implementation program. Require the CEO to hold a BCP exercise in accordance with the implementation program and require a report be provided to the Audit Committee on the completion of a BCM exercise.

Report Number	Title	Decision
AC064	Risk Management Report	Endorse the updated risk management framework; Require the updated risk management framework and associated council policy be presented to council for endorsement; and note the development of the Compliance Management Plan, and require the status of the Compliance Management plan to be reported to the Audit Committee in future.
AC065	ICT Business Continuity and Disaster Recovery Planning	Note the progress in development and testing of the ICT business continuity and disaster recovery plan.
AC066	Audit Reviews for City of Greater Geraldton	Adopt the financial management systems review, audit regulation 17 review, interim audit management letter and fleet management internal audit report. Endorse actions taken or proposed to be taken by staff to resolve any items identified in the reports; and require progress on implementation of the proposed management actions, at the next Audit Committee Meeting.
Briefing Note	Contractor Payment of Employee & Subcontractor Entitlements	Note the preliminary advice and direct the CEO to continue to monitor the situation.
General Business	After Hours processes for notification and attendance	Direct the CEO to review the City's after hour's processes and emergency response procedures. Require the CEO to provide a report on the outcome of the review to the Audit Committee.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The Audit Committee Charter requires the Committee to report annually to Council summarising the activities of the previous financial year. The Audit Committee Annual Report to Council was last reviewed by the Committee 2 October 2017, Item number AC046, and reviewed by Council 17 October 2017, Item CCS287.

COMMUNITY/COUNCILLOR CONSULTATION:

The Audit Committee at the Meeting on 23 October 2018 endorsed the summary of Audit Committee activities for the period 1 July 2017 to 30 June 2018, and recommended that the summary be submitted to Council as the Audit Committee Annual Report.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	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 provision of an annual report to Council on the activities of the Audit Committee ensures that the committee meets compliance requirements of the *Audit Committee Charter s.5.2* and reporting recommendations of the Department of Local Government and Communities *Audit in Local Government Operational Guideline number 09-2013*.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternatives have been considered.

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

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

1. RECEIVE the Audit Committee Annual Report for the period 1 July 2017 to 30 June 2018.

CARRIED 14/0

Time: 6:14 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

CCS375 2017-18 ANNUAL REPORT FOR THE CITY OF GREATER GERALDTON

AGENDA REFERENCE:	D-18-091476
AUTHOR:	P Radalj, Manager Treasury and Finance
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	1 November 2018
FILE REFERENCE:	GO/3/0002
ATTACHMENTS:	Yes (x1) 2017-18 Annual Report for the City of Greater Geraldton

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of the 2017-18 Annual Report for the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION;

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

1. ADOPT the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2018; and
2. REQUEST the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 18 December 2018 pursuant to section 5.27(2) of the Act.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The 2017-18 Annual Report (Attachment No. CCS375) has been prepared in accordance with Section 5.53 of the Local Government Act 1995 and includes the Audited Annual General Purpose Financial Statements.

The Annual Report highlights the City of Greater Geraldton's significant achievements in 2017-18 in relation to each Directorate and major goal areas contained within the City's Strategic Community Plan, and related actions contained within the City's Corporate Business Plan.

The City continues via in house initiatives to improve existing service levels and achieve efficiency gains whilst being fiscally responsible in progressing towards and maintaining annual budgeted operating surpluses each year. These initiatives have resulted in significant improvement to the financial health and sustainability of the City in recent years.

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

There are no adverse community impacts.

Environment:

There are no adverse environmental impacts.

Economic:

There are no adverse economic impacts.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The acceptance of the Annual Report is a standard statutory requirement.

COMMUNITY/COUNCILLOR CONSULTATION:

Audit Committee has reviewed and recommended the adoption of the Audited Annual General Purpose Financial Statements at its meeting held on 23 October 2018. On adoption of the Annual Report by Council, the CEO will give local public notice of its availability to the public and will call an annual electors meeting.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 5.53 of the Local Government Act 1995 requires the preparation of an Annual Report and details what has to be contained within.

Section 5.54 requires that the Annual Report for a financial year be accepted no later than 31 December after that financial year or within two (2) months of receiving the auditor's report. Council is required to hold an Annual Electors Meeting within 56 days of acceptance of the Annual Report. Pending adoption of the Annual Report, the Annual Electors Meeting will be scheduled for 18 December 2018.

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 related risk is associated with complying with the timelines identified within Section 5.54 of the Local Government Act 1995.

ALTERNATIVE OPTIONS CONSIDERED:

The Annual Report is required by legislation to be adopted by Council by 31 December 2018.

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

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

1. **ADOPT** the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2018; and
2. **REQUEST** the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 18 December 2018 pursuant to section 5.27(2) of the Act.

CARRIED BY ABSOLUTE MAJORITY 14/0

Time: 6:19 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

CCS376 POSSESSION OF LAND FOR UNPAID RATES & CHARGES IN EXCESS OF 3 YEARS - TARDUN

AGENDA REFERENCE:	D-18-092605
AUTHOR:	S Russell, Coordinator Rates
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	1 November 2018
FILE REFERENCE:	RV/4/0002-04
ATTACHMENTS:	Yes (x1) Aerial Map

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to take possession of Lots 10, 11 & 12 Troy Street and Lot 37 Drummond Road, Tardun. All four (4) of these properties have in excess of three (3) years rates and charges outstanding. The recommendation is to apply to the Minister for the re-vestment of this land to the Crown.

EXECUTIVE RECOMMENDATION:**Part A:**

That Council by Simple Majority pursuant to Section 6.64, 6.68 and 6.74 of the Local Government Act 1995 RESOLVES to:

1. APPROVE the taking possession of Lots 10, 11 and 12 Troy Street, Tardun and Lot 37 Drummond Road, Tardun for unpaid rates and charges in excess of three (3) years pursuant to Section 6.64 of the Local Government Act 1995;
2. APPROVE the taking of possession of the land without the further initiation of the process for recovery for money due on the land as there is reasonable belief that the cost of the proceedings will exceed the value of the land pursuant to Section 6.68 of the Local Government Act 1995; and
3. MAKE an Application to the Minister, upon taking possession of the land to have the land re-vested in the crown, pursuant to Section 6.74 of the Local Government Act 1995.

Part B:

That Council by Absolute Majority pursuant to Section 6.12(1)(c) of the Local Government 1995 RESOLVES to:

1. APPROVE to write-off the total of the rates and charges (including penalty interest) for Lots 10, 11 & 12 Troy Street, Tardun and Lot 37 Drummond Road, Tardun prior to the transfer to the Crown.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The owner and his late wife purchased these four (4) vacant lots in the Tardun townsite in July 2013. During a telephone conversation with the owner after he received his 2013-14 rate notice he stated his intent to not pay any future levied rates and the City has subsequently received no further payment of rates on any of these land parcels.

The owner contacted the City rates department again after receiving his 2014-15 rate notice and discussed the group rating of these four (4) lots however his application to Landgate was unsuccessful. Landgate advised that these land parcels cannot be group rated as they are vacant and not being used. The owner advised Landgate he would be forfeiting the land to the City, however no formal request was received.

Due to no payments being received for the outstanding rates and charges on all four (4) lots the City began the process of debt recovery and lodged General Procedure Claims with the Magistrates Court. The Bailiff was initially unable to serve the claims as the owner was no longer at the address which was supplied. Investigations were carried out and he was eventually located and the claims were finally served on him in May 2017. At this time the owner advised the process server he frequently is overseas and he intended to leave and not come back.

Further attempts to locate the owner have failed and it can only be presumed he is now living overseas, which makes it impossible for the City to recover the debt.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The City has previously taken possession of land for unpaid rates in both neighbouring Pindar and Mullewa townsites and applied to the Minister to have them re-vested to the Crown.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.64 of the Local Government Act 1995 states:

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —*
 - (a) *from time to time lease the land; or*
 - (b) *sell the land; or*
 - (c) *cause the land to be transferred to the Crown; or*
 - (d) *cause the land to be transferred to itself.*

- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*

Section 6.68 of the Local Government Act 1995 states:

- (2) *A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —*
 - (a) *has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*
 - (b) *having made reasonable efforts to locate the owner of the property is unable to do so.*

Section 6.12 of the Local Government Act 1995 states:

- (1) *Subject to subsection (2) and any other written law, a local government may —*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

Section 6.74 of the Local Government Act 1995 states:

- (1) *If land is —*
 - (a) *rateable land; and*
 - (b) *vacant land; and*
 - (c) *land in respect of which any rates or service charges have been unpaid for a period of at least 3 years, the local government in whose district the land is situated may apply in the form and manner prescribed to the Minister to have the land revested in the Crown in right of the State.*
- (2) *The Minister is to consider the application and the circumstances surrounding the application and may grant or refuse the application.*
- (3) *If the application is granted the Minister is to execute a transfer or conveyance of the land to the Crown and is to deliver the transfer or conveyance to the Registrar of Titles or the Registrar of Deeds and Transfers, as the case requires, for registration.*
- (4) *Upon the delivery of the transfer or conveyance Schedule 6.3 clause 8 has effect in relation to the exercise of the power referred to in subsection (1).*

FINANCIAL AND RESOURCE IMPLICATIONS:

Currently the outstanding rates and charges on the four (4) properties total \$31,603.86. All properties have an annual charge of the current minimum rate of \$1,010.00.

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 Minister may refuse the Cities application to have these vacant land parcels re-vested in the Crown. If the application is refused the City would then need to transfer the land to itself with the need to attempt to sell the land parcels by way of a public auction. The cost of this action would exceed the value of the land parcels.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The following options were considered by City Officers:

Option 1:

Upon taking possession of the land, sell the land, pursuant to section 6.64(1)(c) of the Local Government Act 1995.

This option was not recommended due to the cost involved in going to auction and the growing trend of ratepayers wishing to dispose of land in rural remote townsites with no interested buyers. The remoteness of these small townsite lots and the fact that they cannot be group rated makes them nigh on impossible to sell. Any potential buyer would be paying the minimum annual rates and charges. For the current financial year these charges are \$4,368.00.

Option 2:

Upon taking possession of the land cause the land to be transferred to itself, pursuant to section 6.64(1)(d) of the Local Government Act 1995.

This option was not recommended due to the cost to maintain vacant land taking into account the remoteness of the Tardun townsite and having no recognised strategic or future worth to the City.

COUNCIL DECISION**MOVED CR THOMAS, SECONDED CR BYLUND****Part A:**

That Council by Simple Majority pursuant to Section 6.64, 6.68 and 6.74 of the Local Government Act 1995 RESOLVES to:

1. **APPROVE** the taking possession of Lots 10, 11 and 12 Troy Street, Tardun and Lot 37 Drummond Road, Tardun for unpaid rates and charges in excess of three (3) years pursuant to Section 6.64 of the Local Government Act 1995;
2. **APPROVE** the taking of possession of the land without the further initiation of the process for recovery for money due on the land as there is reasonable belief that the cost of the proceedings will exceed the value of the land pursuant to Section 6.68 of the Local Government Act 1995; and
3. **MAKE** an Application to the Minister, upon taking possession of the land to have the land re-vested in the crown, pursuant to Section 6.74 of the Local Government Act 1995.

Part B:

That Council by Absolute Majority pursuant to Section 6.12(1)(c) of the Local Government 1995 RESOLVES to:

1. **APPROVE** to write-off the total of the rates and charges (including penalty interest) for Lots 10, 11 & 12 Troy Street, Tardun and Lot 37 Drummond Road, Tardun prior to the transfer to the Crown.

CARRIED BY ABSOLUTE MAJORITY 14/0

Time: 6:20 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

CCS377 POSSESSION OF LAND FOR UNPAID RATES & CHARGES IN EXCESS OF 3 YEARS - GREENOUGH
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AGENDA REFERENCE:	D-18-092699
AUTHOR:	S Russell, Coordinator Rates
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	1 November 2018
FILE REFERENCE:	RV/4/0002-04
ATTACHMENTS:	Yes (x1) Aerial Map

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to take possession of Lot 145 African Reef Boulevard, Greenough for unpaid rates and charges in excess of three (3) years. The recommendation is to apply to the Minister for the re-vestment of this land to the Crown.

EXECUTIVE RECOMMENDATION:**Part A:**

That Council by Simple Majority pursuant to Section 6.64, 6.68 and 6.74 of the Local Government Act 1995 RESOLVES to:

1. APPROVE the taking possession of Lot 145 African Reef Boulevard, Greenough for unpaid rates and charges in excess of three (3) years, pursuant to Section 6.64 of the Local Government Act 1995;
2. APPROVE the taking of possession of the land without the further initiation of the process for recovery for money due as after having made reasonable efforts to locate the owner of the property is unable to do, pursuant to Section 6.68 of the Local Government Act 1995; and
3. MAKE an Application to the Minister, upon taking possession of the land to have the land re-vested in the crown, pursuant to Section 6.74 of the Local Government Act 1995.

Part B:

That Council by Absolute Majority pursuant to Section 6.12(1)(c) of the Local Government 1995 RESOLVES to:

1. APPROVE to write-off the total of the rates and charges (including penalty interest) for Lot 145 African Reef Boulevard, Greenough prior to the transfer to the Crown.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

1996 – WAPC approval of subdivision – “Westbank Private Estate” – Under the Fire Management Plan this block was intended for water storage for firefighting purposes and was intended to be transferred to the ex-Shire of Greenough.

2007 – Revision of Fire Management Plan for Westbank Subdivision. The original Fire Management Plan was put in place at a time when it was not envisaged that scheme water would be available to this subdivision. Scheme water later became available and fire hydrants were placed at the appropriate sites making the provision of water tanks for firefighting or domestic consumption redundant. Therefore this property was not needed and was never transferred to the City.

2012 – Attempted legal action to recover the debt, however we were not able to locate the owner. The proprietor of the property is listed as being Amberton Investments Pty Ltd which has been deregistered with ASIC since 29 November 2011. The Director was listed as Mr John Garry Hay.

2013 – Bailiff Report received stated the address which the City has on record was for the York Hotel which was currently listed for sale by the Mortgagees in Possession and was being dealt with by KLB Mann, Judd (Insolvency WA). They advised that the Director of Amberton Investments Pty Ltd, Mr John Hays left Australia and went back to New Zealand approximately two (2) years ago and would not be returning to Australia due to the amount of money he owes.

17 December 2013 – Council approved to take possession of the property along with several others owned by the same Company with intention to sell.

11 March 2014 – Form 4 was sent to the owners plus all parties with an interest, giving 3 months to pay the amount due.

May 2014 – Balanced Securities being Mortgagee in Possession of all the other properties paid the rates in full therefore action stopped. Correspondence between the City and Balanced Securities, stated they had no interest in the property at Lot 145 African Reef Boulevard due to no Mortgage being registered to it.

April 2018 – Approval was sought from the CEO to begin new proceedings to take possession with the intention to sell the land, however during the preparation to begin this process the City found a memorial registered on the title for unpaid Land Tax. The City was advised by the Office of State Revenue, that the current outstanding balance at this time was \$13,232.30. This amount has now increased with the 2018-19 Land Tax levied 1 July 2018 and payment is required prior to transfer to either a buyer or the City.

Enquiries were made with ASIC in regards to property owned by a deregistered company and the City was advised that it is not their intention to pay the outstanding rates or to sell the property to satisfy the outstanding rates and have no objection to the City disposing of the property for non-payment of rates.

The property is a small land parcel 723 square metres with no building envelope and is zoned Public Purposes. It has been determined it is of no value to anyone apart from adjoining land owners, however the Mortgagees in Possession have not been able to sell the adjoining lots to recover their investment since they took possession prior to 2014.

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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

The City has previously taken possession of land for unpaid rates which they have no interest in transferring to itself and applied to the Minister to have them re-vested to the Crown.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.64 of the Local Government Act 1995 states:

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —*
 - (a) *from time to time lease the land; or*
 - (b) *sell the land; or*
 - (c) *cause the land to be transferred to the Crown; or*
 - (d) *cause the land to be transferred to itself.*
- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*

Section 6.68 of the Local Government Act 1995 states:

- (2) *A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —*
 - (a) *has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*
 - (b) *having made reasonable efforts to locate the owner of the property is unable to do so.*

Section 6.12 of the Local Government Act 1995 states:

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

Section 6.74 of the Local Government Act 1995 states:

- (1) If land is —
 - (a) rateable land; and
 - (b) vacant land; and
 - (c) land in respect of which any rates or service charges have been unpaid for a period of at least 3 years, the local government in whose district the land is situated may apply in the form and manner prescribed to the Minister to have the land re-vested in the Crown in right of the State.
- (2) The Minister is to consider the application and the circumstances surrounding the application and may grant or refuse the application.
- (3) If the application is granted the Minister is to execute a transfer or conveyance of the land to the Crown and is to deliver the transfer or conveyance to the Registrar of Titles or the Registrar of Deeds and Transfers, as the case requires, for registration.
- (4) Upon the delivery of the transfer or conveyance Schedule 6.3 clause 8 has effect in relation to the exercise of the power referred to in subsection (1).

FINANCIAL AND RESOURCE IMPLICATIONS:

Currently the outstanding rates and charges total \$13,824.04. The property has an annual charge of the current minimum rate of \$1,010.00.

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 Minister may refuse the City's application to have these vacant land parcels re-vested in the Crown. If the application is refused the City would then need to transfer the land to itself with the need to attempt to sell the land parcels by way of a public auction.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The following options were considered by City Officers:

Option 1:

Upon taking possession of the land sell the land, pursuant to section 6.64(1)(c) of the Local Government Act 1995.

This option was not recommended due to the following factors:

- the costs involved in going to Auction;
- the existing planning restrictions with no building envelope; and
- the land represents no real value to any potential buyers except to adjoining landowners who are the same de-registered company.

Option 2:

Upon taking possession of the land cause the land to be transferred to itself, pursuant to section 6.64(1)(d) of the Local Government Act 1995.

This option was not recommended due to the following factors:

- the cost to the City to maintain vacant land;
- the property has no strategic worth; and
- the amount of unpaid land tax charges to be paid on transfer.

COUNCIL DECISION

MOVED CR HALL, SECONDED CR CAUDWELL

Part A:

That Council by Simple Majority pursuant to Section 6.64, 6.68 and 6.74 of the Local Government Act 1995 RESOLVES to:

- 1. APPROVE the taking possession of Lot 145 African Reef Boulevard, Greenough for unpaid rates and charges in excess of three (3) years, pursuant to Section 6.64 of the Local Government Act 1995;**
- 2. APPROVE the taking of possession of the land without the further initiation of the process for recovery for money due as after having made reasonable efforts to locate the owner of the property is unable to do, pursuant to Section 6.68 of the Local Government Act 1995; and**
- 3. MAKE an Application to the Minister, upon taking possession of the land to have the land re-vested in the crown, pursuant to Section 6.74 of the Local Government Act 1995.**

Part B:

That Council by Absolute Majority pursuant to Section 6.12(1)(c) of the Local Government 1995 RESOLVES to:

- 1. APPROVE to write-off the total of the rates and charges (including penalty interest) for Lot 145 African Reef Boulevard, Greenough prior to the transfer to the Crown.**

CARRIED BY ABSOLUTE MAJORITY 14/0

Time: 6:21 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

**CCS378 RISK, COMPLIANCE & BUSINESS CONTINUITY MANAGEMENT
FRAMEWORK UPDATE**

AGENDA REFERENCE:	D-18-021830
AUTHOR:	J Graham, Manager Corporate Services
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	24 October 2018
FILE REFERENCE:	RM/6/0012
ATTACHMENTS:	Yes (x8) A. CP 4.7 Risk Management B. CP 4.7 Comparison Table C. CP 4.24 Risk Appetite & Tolerance D. CP 4.24 Comparison Table E. CP 4.25 Business Continuity Management F. CP 4.25 Comparison Table G. CP 4.26 Compliance Management H. CP 4.26 Comparison Table

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval of the following Council Policies:

- CP 4.7 Risk Management (v2);
- CP 4.24 Risk Appetite & Tolerance (v1);
- CP 4.25 Business Continuity Management (v1); and
- CP 4.26 Compliance Management (v1).

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 4.7 Risk Management (version 2);
2. APPROVE Council Policy 4.24 Risk Appetite & Tolerance (version 1);
3. APPROVE Council Policy 4.25 Business Continuity Management (version 1); and
4. APPROVE Council Policy 4.26 Compliance Management (version 1).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Reports on the Risk Management Framework review (AC055) and the status of the Risk Management Systems (AC054) were presented to the Audit Committee in October 2017 and March 2018.

The Audit Committee requested that City Officers conduct a detailed review of the City's risk, compliance and business continuity management systems and report back on the status. The review was conducted between October 2017 and February 2018.

This review included:

1. LGIS (Local Government Insurance Scheme WA) appointment to undertake a detailed assessment of the City's current risk management systems.
2. Risk Management Framework review and validation.
3. Risk Register review and validation.
4. Assessment and development of critical business processes required to support effective management of risk, these include:
 - a. A risk appetite and tolerance policy;
 - b. Risk improvement strategy;
 - c. Compliance management policy;
 - d. Compliance management plan;
 - e. Business continuity management policy; and
 - f. Business continuity plans and process.

Full details associated with the above documents were presented to the Audit Committee at the 15 March 2018 Committee meeting in reports AC063 and AC064.

The Audit Committee received the following documents/policies and requested they be presented to Council for adoption:

- Risk Management Framework;
- CP 4.7 Risk Management;
- CP 4.24 Risk Appetite & Tolerance Policy (as a draft);
- CP 4.25 Business Continuity Management (as a draft); and
- CP 4.26 Compliance Management (as a draft).

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:

The Local Government Act requires that Councils establish good governance principles through the introduction of policies and guidelines.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

This item has the following relevant precedents:

1. CCS231 - CP 4.7 Risk Management Policy review, 24 January 2017.
2. CCS361 - Risk Management Framework, 25 September 2018.

COMMUNITY/COUNCILLOR CONSULTATION:

The policies were issued to Councillors for comment on 21 September 2018 and at the Concept Forum on 7 November 2018. Please refer to attached comparison tables for any Councillor comments.

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.*

Pursuant to Local Government (Audit) Regulations 1996 Regulation 17 the City is to establish effective risk management, internal control and legislative compliance systems:

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*

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 documents presented to Council are primarily associated with the ongoing management of risk throughout the City.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The City initially considered maintaining the CP 4.7 Risk Management policy in its prior form. This however was rejected, as the four policies described in this report have been designed to support each other.

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

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

1. **APPROVE Council Policy 4.7 Risk Management (version 2);**
2. **APPROVE Council Policy 4.24 Risk Appetite & Tolerance (version 1);**
3. **APPROVE Council Policy 4.25 Business Continuity Management (version 1); and**
4. **APPROVE Council Policy 4.26 Compliance Management (version 1).**

CARRIED 14/0

Time: 6:24 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

CCS379 COUNCIL POLICY 2.5, ECONOMIC DEVELOPMENT AND INVESTMENT ATTRACTION
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AGENDA REFERENCE:	D-18-093588
AUTHOR:	T Palmonari, Manager Economic Development
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	9 November 2018
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x1) CP 2.5 Economic Development and Investment Attraction

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of a new Council Policy 2.5 Economic Development and Investment Attraction version 1.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 2.5, Economic Development and Investment Attraction version 1.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 2.5 Economic Development and Investment Attraction is a new policy.

The City currently has no overarching economic development or investment attraction policy that addresses all areas of investment support the City may want to encourage, participate in or support financially.

This policy outlines potential areas for intervention, ways of involvement and proposes that any financial commitment from the City will be subject to Council priorities of the day and will be decided annually as part of the budget process.

The objective is to provide a single policy guideline which addresses potential areas of investment attraction and economic development support that the City may want to engage in.

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:

The Local Government Act requires that Councils establish good governance principles through the introduction of policies and guidelines.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council review or amend Council Policies as and when required.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via briefing note on 5 November 2018 and at the Concept Forum on 7 November 2018. The Executive Management Team reviewed the draft policy on 24 October 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: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.

REGIONAL OUTCOMES:

Facilitate and enable an increase in economic activity within Greater Geraldton and have a positive impact on 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.

Cr Thomas; Cr Clune; and Cr Keemink left chambers at 6.24pm, before the item was moved.

Cr Thomas returned to Chambers at 6.25pm, prior to the vote

Cr Keemink and Cr Clune returned to Chambers at 6.26pm, prior to the vote

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

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

- 1. APPROVE Council Policy 2.5, Economic Development and Investment Attraction version 1.**

CARRIED 13/1

Time: 6:27 PM

Not Voted: 1

No Votes: 1

Yes Votes: 13

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

CCS380 COUNCIL POLICY 2.6, MINE RESOURCING

AGENDA REFERENCE:	D-18-093557
AUTHOR:	T Palmonari, Manager Economic Development
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	12 November 2018
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x1) CP 2.6 Mine Resourcing

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement of Council Policy 2.6 Mine Resourcing version 1.

EXECUTIVE RECOMMENDATION:

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

1. APPROVE Council Policy 2.6, Mine Resourcing version 1.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council Policy 2.6 Mine Resourcing is a new policy.

This policy has been developed to position Geraldton as a Fly-In/Fly-Out (FIFO) and Drive-In/Drive-Out (DIDO) hub appropriate for workers employed with the mining companies operating in the Pilbara, Murchison, Midwest and Gascoyne regions, as opposed to Perth dominating servicing of the region's resource sector workforce needs.

This is aimed at ensuring that mining operations deliver maximum economic and social benefit to Greater Geraldton and in-turn to Mid-West region Local Government Authorities

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:

The Local Government Act requires that Councils establish good governance principles through the introduction of policies and guidelines.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Council review or amend Council Policies as and when required.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted via briefing note on 5 November 2018 and at the Concept Forum on 7 November 2018. The Executive Management Team reviewed the draft policy on 23 October 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: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.

REGIONAL OUTCOMES:

It is envisaged that this policy will enable regional growth 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 FREER, SECONDED CR HALL**

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

1. **APPROVE Council Policy 2.6, Mine Resourcing version 1.**

CARRIED 14/0

Time: 6:28 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

CCS381 STATEMENT OF FINANCIAL ACTIVITY TO 31 OCTOBER 2018

AGENDA REFERENCE:	D-18-093333
AUTHOR:	T Machukera, Senior Treasury Officer
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	9 November 2018
FILE REFERENCE:	FM/17/0001
ATTACHMENTS:	Yes (x1) Monthly Management Report for period ended 31 October 2018

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 31 October 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 31 October 2018, as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of October is detailed in the attached report and summarised as follows, the variances are between Year to Date (YTD) budgeted forecasts and actuals (including commitments):

Operating Income	\$ 38,566	0.06% over YTD Budget
Operating Expenditure	\$ 717,435	2.30% under YTD Budget
Net Operating	\$ 756,001	2.60% positive variance
Capital Expenditure	\$ 110,553	0.60% over YTD Budget
Capital Revenue	\$ 50,254	2.50% over YTD Budget
Cash at Bank – Municipal	\$34,439,074	
Cash at Bank – Reserve	\$16,221,375	
Total Funds Invested	\$50,549,734	
Net Rates Collected	74.91%	
Net Rates Collected in October 2017	73.40%	

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 October financials shows a positive variance of \$756,001 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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

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 COLLIVER, SECONDED CR REYMOND**

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 31 October 2018, as attached.**

CARRIED 14/0

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

12.3 REPORTS OF INFRASTRUCTURE SERVICES

IS183	RFT 01 1819 – SUPPLY OF ELECTRICAL MAINTENANCE SERVICES, COMPLIANCE TESTING AND MINOR INSTALLATIONS – SEPARABLE PORTION A (BUILDING MAINTENANCE)
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AGENDA REFERENCE:	D-18-093352
AUTHOR:	J Crothers, Contract and Procurement Specialist
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	6 November 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x3) Confidential
	A. Tender Evaluation Report
	B. Tender Evaluation Workbook
	C. Annual Usage Scenario Portion A

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 01 1819 for the supply of electrical maintenance services, compliance testing and minor installations. There are two portions (A and B) for this tender of which Portion A includes electrical repairs and maintenance services to City buildings.

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 01 1819 – Supply of Electrical Maintenance Services, Compliance Testing and Minor Installations Portion A to the preferred tenderer; and
2. RECORD the Lump Sum contract value in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City will engage the successful tenderer to provide electrical repairs and maintenance for over 200 buildings owned by the City including minor works, emergency maintenance and breakdown maintenance.

The Request for Tender (RFT) was advertised in the Geraldton Guardian Newspaper and the City's TenderLink e-tendering portal on 20 July 2018. The RFT was also advertised in the West Australian Newspaper on 21 July 2018. The tender closed on 20 August 2018.

Twenty seven (27) suppliers registered to receive copies of the tender. Four (4) submissions were received for Portion A. The tender assessment was undertaken by a panel of five (5) Officers comprising of three (3) voting and two (2) non-voting members.

Three (3) of the tenderers were local suppliers with one (1) supplier from the Perth Metropolitan area. Council Policy CP4.11 Regional Price Preference was applied to this tender assessment.

RFT 01 1819 has a two (2) year duration commencing from the date of award and has a one (1) year extension option at the absolute discretion of the Principal.

The tender selection criteria were as follows:

- a) Tenderer's Experience, Project Methodology (35%)
- b) Key Resources (20%)
- c) Local Economic and Social Benefit (10%)
- d) Price (35%)

The above selection criteria have been adopted to reflect the importance of having a business that demonstrates extensive experience with similar complexity and valued works. Demonstration of adequate resources in regard to personnel, equipment and contingency measures must be addressed by respondents.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Provision of service and amenities from well-maintained buildings allows community members to utilise resources when required with minimal disruption through closures or safety issues.

Prompt attendance by electrical maintenance contractors is essential for breakdown maintenance in the event of an emergency or when there is any threat to public safety.

Environment:

There are no adverse environmental impacts.

Economy:

Awarding of this tender will result in City funds flowing into the local economy through the employment of local community members as electricians, apprentice electricians, trade assistants, administration personnel and supervisory staff.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Land and Regulatory Services have utilised RFQ VP 50692 Reactive Electrical Maintenance from 2016.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation being an annual supply contract as part of standard services to the City.

LEGISLATIVE/POLICY IMPLICATIONS:

The Local Government Act and the City's Procurement Policy 4.9 have been observed when preparing and assessing this tender.

FINANCIAL AND RESOURCE IMPLICATIONS:

Historically, the value of electrical maintenance services for buildings is approximately \$70,000 per annum. With all extensions exercised over a three (3) year period, the value of the tender is approximately \$210,000.

INTEGRATED PLANNING LINKS:

Title: Community	1.4 Emergency Management
Strategy 1.4.1	Building resilience and capacity to manage natural and man-made emergency events.
Title: Economy	3.1 Growth
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.1	Supporting local procurement.
Title: Governance	4.4 Financial Sustainability and Performance.
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.

REGIONAL OUTCOMES:

Enhancement of community services where buildings are maintained to a high standard with regular compliance testing as part of preventative maintenance.

RISK MANAGEMENT

Response in the event of an emergency involving a City asset.

Mitigation: The tender requires an after hours contact to be available and attend site within thirty (30) minutes of receiving a call. Service reduction should one company be successful by award of both portions A and B.

Mitigation: Confirmation regarding resourcing and capacity of the company are requested prior to award to demonstrate how this would be achieved. Contingency plan required in the event of peak periods placing pressure on company resources.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

This tender was called to ensure compliance with the legislative procurement requirements of the Local Government Act. Alternatives to calling this tender include:

1. Call individual quotations for specific maintenance projects. This option is not supported due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Engage a WALGA Preferred Supplier via e-quotes to provide a schedule of rates for electrical maintenance. This option is not supported due to the lack of suppliers listed locally on the WALGA Preferred Supplier Panel and known providers available locally that can provide the required services.

Director B Davis left Chambers at 6.28pm

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

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

1. **AWARD the contract RFT 01 1819 – Supply of Electrical Maintenance Services, Compliance Testing and Minor Installations Portion A to the preferred tenderer being Elite Electrical Contracting Pty Ltd; and**
2. **RECORD the annual lump sum estimated contract value of \$77,055.00 GST inclusive in the Minutes.**

CARRIED 14/0

Time: 6:30 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

IS184	RFT 01 1819 – SUPPLY OF ELECTRICAL MAINTENANCE SERVICES, COMPLIANCE TESTING AND MINOR INSTALLATIONS – SEPARABLE PORTION B (ELECTRICAL SERVICES)
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AGENDA REFERENCE:	D-18-093362
AUTHOR:	J Crothers
EXECUTIVE:	C Lee, Director Infrastructure Services
DATE OF REPORT:	6 November 2018
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x3) Confidential
	A. Tender Evaluation Report – Portion B
	B. Tender Evaluation Workbook – Portion B
	C. Annual Usage Scenario – Portion B

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to award tender RFT 01 1819 for the supply of electrical maintenance services, compliance testing and minor installations.

There are two portions (A and B) of which Portion B includes supply of electrical services for the repair and maintenance of City lighting, stormwater pumps, irrigation and sewerage pumps.

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 01 1819 – Supply of Electrical Maintenance Services, Compliance Testing and Minor Installations Portion B to the preferred tenderer; and
2. RECORD the Lump Sum contract value in the minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City will engage the successful tenderer to supply electrical services for the repair and maintenance of City owned or controlled street lighting, sports lighting and park lighting; respond to faults; repairs and testing of stormwater pumps, irrigation pumps and sewerage pumps.

The Request for Tender (RFT) was advertised in the Geraldton Guardian Newspaper and the City's TenderLink e-tendering portal on 20 July 2018. The RFT was also advertised in the West Australian Newspaper on 21 July 2018. The tender closed on 20 August 2018.

Twenty seven (27) suppliers registered to receive copies of the tender. Four (4) submissions were received for Portion B. Of the submissions, three (3) were compliant and one (1) was non-compliant.

The tender assessment was undertaken by a panel of five (5) Officers with three (3) voting and two (2) non-voting members. Two (2) of the tenderers were local suppliers with one (1) supplier from the Perth Metropolitan area. Council Policy CP4.11 Regional Price Preference was applied to this tender assessment.

RFT 01 1819 has a two (2) year duration commencing from the date of award and has a one (1) year extension option at the absolute discretion of the Principal.

The tender selection criteria were as follows:

- a) Tenderer's Experience, Project Methodology (25%)
- b) Key Resources (25%)
- c) Local Economic and Social Benefit (10%)
- d) Price (40%)

The above selection criteria have been adopted to reflect the importance of having a business that demonstrates extensive experience with similar complexity and valued works. Key Resources are of a higher weighting (25%) compared to Portion A (20%) as there are more assets requiring specialist personnel and equipment to perform maintenance and repairs.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:

Provision of service and amenities from well-maintained lighting assets, sewerage pumps and irrigation pumps allow community members to utilise facilities in good functional condition when required with minimal disruption through faults or safety issues.

Prompt attendance by electrical maintenance contractors is essential for breakdown maintenance in the event of an emergency or when there is any threat to public safety or health.

Environment:

There are no adverse environmental impacts.

Economy:

Awarding of this tender will result in City funds flowing into the local economy through the employment of local community members as electricians, apprentice electricians, trade assistants, administration personnel and supervisory staff.

Governance:

There are no adverse governance impacts.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Infrastructure Services had RFT 16 1213 in place until its expiry in February 2016. Since then, requests for quotation and e-quotes have been used to procure electrical services.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation being an annual supply contract as part of standard services to the City.

LEGISLATIVE/POLICY IMPLICATIONS:

The Local Government Act and the City's Procurement of Goods and Services Policy 4.9 have been observed when preparing and assessing this tender.

FINANCIAL AND RESOURCE IMPLICATIONS:

Historically, the value of electrical maintenance services for lighting, pumps and sewerage is approximately \$300,000 per annum. With all extensions exercised over a three (3) year period, the value of the tender is approximately \$900,000.

INTEGRATED PLANNING LINKS:

Title: Community	1.4 Emergency Management
Strategy 1.4.1	Building resilience and capacity to manage natural and man-made emergency events.
Title: Economy	3.1 Growth
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Title: Governance	4.2 Planning and Policy
Strategy 4.2.1	Supporting local procurement.
Title: Governance	4.4 Financial Sustainability and Performance.
Strategy 4.4.3	Delivering and ensuring business systems and services support cost effective Council operations and service delivery.

REGIONAL OUTCOMES:

Enhancement of community services will be delivered where sports lighting, carpark lighting and park lighting are maintained to a high standard with regular compliance testing and preventative maintenance is carried out.

With the Mullewa wastewater facility in place, ability to contact qualified electricians to attend to any pump failures ensures the facility continues to operate and mitigate any potential health risks with regular maintenance.

RISK MANAGEMENT

Difficulty contacting licenced electricians in the event of an emergency involving a City asset.

Mitigation: The tender requires an after hours contact to be available and attend site within thirty (30) minutes of receiving a call. Service reduction should one company be successful by award of both portions A and B.

Mitigation: Confirmation regarding resourcing and capacity of the company are requested prior to award to demonstrate how this would be achieved. Contingency plan required in the event of peak periods placing pressure on company resources.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

This tender was called to ensure compliance with the legislative procurement requirements of the Local Government Act. Alternatives to calling this tender include:

1. Call individual quotations for specific maintenance projects. This option is not supported due to the volume of administrative effort required, and the potential to have higher costs through multiple small purchases.
2. Engage a WALGA Preferred Supplier via e-quotes to provide a schedule of rates for electrical maintenance. This option is not supported due to the lack of suppliers listed locally on the WALGA Preferred Supplier Panel and known providers available locally that can provide the required services.

COUNCIL DECISION**MOVED CR TANTI, SECONDED CR CRITCH**

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

1. **AWARD** the contract RFT 01 1819 – Supply of Electrical Maintenance Services, Compliance Testing and Minor Installations Portion B to the preferred tenderer being Elite Electrical Contracting Pty Ltd ; and
2. **RECORD** the annual lump sum estimated contract value of \$304,959.60 GST inclusive in the Minutes

CARRIED 14/0

Time: 6:30 PM

Not Voted: 1

No Votes: 0

Yes Votes: 14

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

12.4 REPORTS OF OFFICE THE CEO

Nil.

Director B Davis returned to Chambers at 6.30pm

12.5 REPORTS TO BE RECEIVED**NOVEMBER- REPORTS TO BE RECEIVED**

AGENDA REFERENCE:	D-18-093871
AUTHOR:	R McKim, Chief Executive Officer
EXECUTIVE:	R McKim, Chief Executive Officer
DATE OF REPORT:	16 November
FILE REFERENCE:	GO/6/0012-05
ATTACHMENTS:	Yes (x4) 1 x Confidential
	A. Delegated Determinations and Subdivision Applications
	B. Audit Committee Minutes 23 October 2018
	C. 2018-19 Corporate Business Plan – Quarter One Report
	D. Confidential Report – List of Accounts Paid Under Delegation October 2018

EXECUTIVE SUMMARY:

The purpose of this report is 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. DCSDD140 – Report – Delegated Determinations and Subdivision Applications;
 - b. Reports – Corporate and Commercial Services:
 - i. CCS382 – Report – Audit Committee Minutes 23 October 2018; and
 - ii. CCS383 – Report – 2018-19 Corporate Business Plan – Quarter One Report.

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. CCS384 – Confidential Report – List of Accounts Paid Under Delegation October 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, 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.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

Reports to be received by Council at each Ordinary Meeting of Council

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	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:

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

No alternative options were considered by City Officers.

COUNCIL DECISION

MOVED CR COLLIVER, SECONDED CR THOMAS

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. DCSDD140 – Report – Delegated Determinations and Subdivision Applications;**
 - b. Reports – Corporate and Commercial Services:**
 - i. CCS382 – Report –Audit Committee Minutes 23 October 2018; and**
 - ii. CCS383 – Report – 2018-19 Corporate Business Plan – Quarter One Report.**

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. CCS384 – Confidential Report – List of Accounts Paid Under Delegation October 2018.**

CARRIED 14/0

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

13 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Cr S Elphick declared a financial indirect interest in Item CCS385 Trading Hours, as she works in retail, and left Chambers at 6.32pm.

Director P Melling left Chambers at 6.32pm

PROCEDURAL MOTION**MOVED MAYOR, SECONDED CR TANTI**

That Council, pursuant to Section 4.6 of Meeting Procedures Local Laws 2011, RESOLVES to:

1. **APPROVE that Late Item CCS385 Trading Hours be considered:**
 - a. to provide trading hour certainty in the lead up to the Christmas period for Geraldton businesses;
 - b. to enable the Council to reaffirm its position with respect to extended trading hours; and
 - c. to enable Council to request the Minister proceeds with his original decision;
 - d. to once again support community opinion per polls; and
 - e. to once again support business surveys.

CARRIED 13/0

Time: 6:33 PM

Not Voted: 2

No Votes: 0

Yes Votes: 13

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

CCS385 LATE ITEM – TRADING HOURS

AGENDA REFERENCE:	D-18-097453
AUTHOR:	B Davis, Director Corporate and Commercial Services
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	27 November 2018
FILE REFERENCE:	ED/3/0003-02
ATTACHMENTS:	Yes (x1) General Retail Trading Hours

EXECUTIVE SUMMARY:

The aim of this late report to Council is to bring certainty to the retail sector with respect to the Council's support for extended trading hours, and to enable the CEO to reaffirm to the Minister that the Council is supportive of extended retail trading hours.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to section 5.20 of the Local Government Act 1995, having reviewed –

1. the final draft 32-page report by Progress Economics;
2. the edited 24-page version of that report; and
3. the documented reasons for the editing,

RESOLVES that it:

1. NOTES that all these documents are now publicly accessible on the City's website;
2. IS SATISFIED that the editing was confined to removing sections of the report that did not meet the key objectives of the report to – be evidence-based, relying on independent, robust and verifiable data; avoid bias, whether for or against the proposal; exclude misleading information; and exclude subjective opinion;
3. IS SATISFIED that the edited 24-page version of the report is comprised solely of material prepared and adopted by the consultant;
4. CONFIRMS its support for the continuation of general retail trading hours in Geraldton aligned with approved general retailing hours for Metropolitan Perth on an ongoing basis; and
5. REQUESTS the Chief Executive Officer to inform the Minister of this resolution and any additional information that the Minister may request.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

The attachment to this report provides Councillors with a detailed account of the background to this issue. Both versions of the report in question have been provided to the Minister and to Councillors, and to the community via the City website at <https://www.cgq.wa.gov.au/live/my-community/retail-trading-hours.aspx>.

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

There are no adverse community impacts. The community survey undertaken prior to undertaking the trial, and the subsequent community survey, both indicated strong community support for the extended general retail trading hours.

Environment:

There are no adverse environmental impacts.

Economy:

The extended general retail trading hours have opened the City for business from travellers and tourists on weekends and public holidays. Retail precincts including non-retail businesses (e.g. food and hospitality) have opportunity for business improvement arising from increased activation during the extended weekday trading hours, and from Sunday and public holiday trading hours for general retailers.

Governance:

This report demonstrates that the City of Greater Geraldton is open and transparent and takes governance issues seriously.

Disclosure of Interest:

No Officer involved in the preparation of this report has a declarable interest in this matter.

RELEVANT PRECEDENTS:

This report follows the trial of extended general retail trading hours, approved by Council, as an initiative identified in the Growing Greater Geraldton Plan, and the Council decision (CCS357) with respect to trading hours determined at the 25 September 2018 meeting.

COMMUNITY/COUNCILLOR CONSULTATION:

The Community was consulted by independent survey as reported to Council on 25 September 2018, with strong support for extended general retail trading hours and is provided with subsequent details provided on the City website and attached to this report.

LEGISLATIVE/POLICY IMPLICATIONS:

This decision will enable the City to seek timely confirmation of *Retail Trading Hours (City of Greater Geraldton) Variation Order 2018* as issued by the Minister on 12 November 2018, for general retail trading hours to apply from 1 December 2018.

There are no policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Economy	3.1 Growth
Strategy 3.1.1	Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development.
Strategy 3.1.2	Fostering a community where local business is supported.
Strategy 3.1.3	Developing and maintaining infrastructure that increases the potential for business and investment.
Strategy 3.1.4	Supporting and facilitating implementation of the Growing Greater Geraldton plan.
Title: Economy	3.2 Lifestyle and Vibrancy
Strategy 3.2.3	Revitalising the CBD through economic, social and cultural vibrancy.

REGIONAL OUTCOMES:

Extended general retail trading hours in Geraldton enhance the role of the City as the primary business and services hub for the Mid West region.

RISK MANAGEMENT

There are no risk management issues associated with this initiative.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

Council has the option of not reaffirming its continuation of extended general retail trading hours aligned with metropolitan Perth. That would leave Geraldton as the only regional City in WA without extended general retail trading hours, and that option is therefore not supported. The recommendation in this report, to reaffirm commitment to continuation of extended general retail trading hours, reflects the clear majority views of the community.

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

That Council by Simple Majority pursuant to section 5.20 of the Local Government Act 1995, having reviewed:

1. the final draft 32-page report by Progress Economics;
2. the edited 24-page version of that report; and
3. the documented reasons for the editing,

RESOLVES that it:

1. **NOTES** that all these documents are now publicly accessible on the City's website;
2. **IS SATISFIED** that the editing was confined to removing sections of the report that did not meet the key objectives of the report to – be evidence-based, relying on independent, robust and verifiable data; avoid bias, whether for or against the proposal; exclude misleading information; and exclude subjective opinion;

3. **IS SATISFIED** that the edited 24-page version of the report is comprised solely of material prepared and adopted by the consultant;
4. **CONFIRMS** its support for the continuation of general retail trading hours in Geraldton aligned with approved general retailing hours for Metropolitan Perth on an ongoing basis; and
5. **REQUESTS** the Chief Executive Officer to inform the Minister of this resolution and any additional information that the Minister may request.

CARRIED 13/0

Time: 6:41 PM

Not Voted: 2

No Votes: 0

Yes Votes: 13

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

Cr Elphick returned to Chambers at 6.40pm

Director P Melling returned to Chambers at 6.40pm

16 MEETING CLOSED TO PUBLIC

Pursuant to Section 5.2 (j) 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.

No confidential discussions were required.

17 CLOSURE

There being no further business the Presiding Member closed the Council meeting at 6.41pm.

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>