



ORDINARY MEETING OF COUNCIL
MINUTES

27 SEPTEMBER 2016

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 27 SEPTEMBER 2016 AT 1.30PM
MULLEWA DISTRICT OFFICE

MINUTES

DISCLAIMER:

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

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1:30pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 ATTENDANCE

Present:

Mayor S Van Styn
Cr G Bylund
Cr N Colliver
Cr S Douglas
Cr L Graham
Cr M Reymond
Cr N McIlwaine
Cr V Tanti
Cr S Keemink
Cr L Freer

Officers:

B Davis, Acting Chief Executive Officer & Director of Corporate and Commercial Services
P Melling, Director of Development & Community Services

R McKim, Director of Infrastructure Services
S Moulds & J Altham, Minute Secretary

Others:

Members of Public: 1
Members of Press: 1

Apologies:

Cr D Caudwell
Cr R Ellis
K Diehm, Chief Executive Officer

Leave of Absence:

Cr J Critch
Cr B Hall
Cr T Thomas

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil

5 PUBLIC QUESTION TIME

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

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

Nil.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

| Councillor | From | To (inclusive) | Date Approved |
|-------------------|-------------------|-----------------------|----------------------|
| Cr M Reymond | 1 September 2016 | 26 September 2016 | 25/1/16 |
| Cr J Critch | 15 September 2016 | 10 October 2016 | 22/3/16 |
| Cr T Thomas | 15 September 2016 | 29 September 2016 | 23/8/16 |
| Cr B Hall | 23 September 2016 | 2 October 2016 | 13/9/16 |
| Cr L Freer* | 27 September 2016 | 28 September 2016 | 28/6/16 |
| Cr G Bylund | 2 October 2016 | 9 October 2016 | 22/9/16 |
| Mayor S Van Styn | 16 October 2016 | 22 October 2016 | 28/6/16 |
| Mayor S Van Styn | 23 October 2016 | 25 October 2016 | 23/8/16 |

**Cr Freer's leave application was endorsed by Council as listed above, but he attended this meeting.*

**COUNCIL DECISION
MOVED CR GRAHAM, SECONDED CR BYLUND
Cr Caudwell request for leave of absence from 28 September 2016 to
9 October 2016 inclusive be approved.**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Bylund declared a proximity interest in DCS292, Proposed Land Exchange – Pt Lot 122 Boyd Street and Lot 22 Horwood Road – City of Greater Geraldton & Burando Hill Pl, as he owns the property neighbouring Lot 122 Boyd Street.

Cr Bylund declared an impartiality interest in DCS298, Lease – Brigades Football Club (Inc) – Portion Reserve 39338, as he serves on the committee of the Brigades Football Club.

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 23 August 2016 and the Special Meeting of Council held on 13 September 2016, as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

**MOVED CR MCILWAINE, SECONDED CR DOUGLAS
RECOMMENDED that the minutes of the Ordinary Meeting of Council
held on 23 August 2016 and the Special Meeting of Council held on
13 September 2016, as previously circulated, be adopted as a true
and correct record of proceedings.**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

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

| DATE | FUNCTION | REPRESENTATIVE |
|------------------|--|-----------------------|
| 23 August 2016 | Laneway Art Project Viewing with Artists | Mayor Shane Van Styn |
| 24 August 2016 | Radio Mama Interview – Current Council Issues | Mayor Shane Van Styn |
| 24 August 2016 | Spirit Radio Interview – Outcomes of Council Meeting | Mayor Shane Van Styn |
| 25 August 2016 | Mullewa Annual Wildflower Show Blessing and Morning Tea | Mayor Shane Van Styn |
| 25 August 2016 | Shire of Mount Magnet Presentation to the Midwest Development Commission (MWDC) Board | Mayor Shane Van Styn |
| 25 August 2016 | Mount Magnet Town Tour | Mayor Shane Van Styn |
| 25 August 2016 | Randolph Stow Young Writers Awards Presentation Night | Cr Bob Hall |
| 26 August 2016 | MWDC Board Meeting at the Shire of Mount Magnet | Mayor Shane Van Styn |
| 29 August 2016 | Seniors Bowls | Mayor Shane Van Styn |
| 29 August 2016 | Regular Catch Up – Mayor & CEO | Mayor Shane Van Styn |
| 29 August 2016 | RCDP City Centre Revitalisation – PCG Meeting | Mayor Shane Van Styn |
| 29 August 2016 | Round 4 – City Centre Revitalisation for RCDP Growth Plan – Council Focus Group Workshop for Elected Members | Mayor Shane Van Styn |
| 30 August 2016 | ABC Radio Interview – Outcomes of Council Meeting | Mayor Shane Van Styn |
| 30 August 2016 | Meet and Greet with the new Western Power CEO, Guy Chalkley | Mayor Shane Van Styn |
| 30 August 2016 | Regular Catch Up – Media & Marketing | Mayor Shane Van Styn |
| 30 August 2016 | Meeting with Hon Mia Davies | Mayor Shane Van Styn |
| 30 August 2016 | Official Turning On of the Lights at Wonthella Oval | Mayor Shane Van Styn |
| 30 August 2016 | Dinner with Alan Bradley, Regional Development Australia, and the Production Company for Tim Winton's Dirt Music | Mayor Shane Van Styn |
| 31 August 2016 | Civic Reception to confer Honorary Freeman of the City of Greater Geraldton upon Ian Carpenter | Mayor Shane Van Styn |
| 1 September 2016 | GHD 30 Year Celebration Sundowner | Mayor Shane Van Styn |
| 2 September 2016 | Toyota Australian SUP Titles Opening Ceremony | Mayor Shane Van Styn |

| | | |
|-------------------|--|----------------------|
| 3 September 2016 | Presentation by the State Heritage Office to induct Birdwood House into the State Heritage List | Mayor Shane Van Styn |
| 3 September 2016 | Official Opening of The Monsignor Hawes Heritage Centre | Mayor Shane Van Styn |
| 3 September 2016 | Tigersharks Rugby Game | Mayor Shane Van Styn |
| 4 September 2016 | Greenough Museum 50th Anniversary - Formal Proceedings Celebration | Mayor Shane Van Styn |
| 5 September 2016 | Official Opening of the Mullewa Youth Centre | Mayor Shane Van Styn |
| 5 September 2016 | Regular Catch Up – Media & Marketing | Mayor Shane Van Styn |
| 5 September 2016 | Regular Catch Up – Mayor & CEO | Mayor Shane Van Styn |
| 5 September 2016 | ACBC Mid West Committee Meeting | Mayor Shane Van Styn |
| 6 September 2016 | Take a Fresh Look Geraldton - Cluster JAM Forum | Mayor Shane Van Styn |
| 6 September 2016 | CEO Performance Review Committee Meeting | Mayor Shane Van Styn |
| 6 September 2016 | Concept Forum | Mayor Shane Van Styn |
| 6 September 2016 | Dinner with WA Governor & MWDC Board | Mayor Shane Van Styn |
| 7 September 2016 | Growing Greater Geraldton Future Proof Workshop | Mayor Shane Van Styn |
| 7 September 2016 | Civic Reception : Her Excellency The Honourable Kerry Sanderson AO Governor of Western Australia | Mayor Shane Van Styn |
| 8 September 2016 | RCDP “Last Chance” Workshop | Mayor Shane Van Styn |
| 8 September 2016 | Official Opening of the Abraham Street Bridge | Mayor Shane Van Styn |
| 8 September 2016 | Meeting with Melissa Price MP | Mayor Shane Van Styn |
| 8 September 2016 | Western Rock Lobster Council - Drinks Reception | Mayor Shane Van Styn |
| 9 September 2016 | ABC Radio Interview – Abraham Street Bridge Opening | Mayor Shane Van Styn |
| 12 September 2016 | Regional Capitals Australia (RCA) Delegation Meeting in Canberra | Mayor Shane Van Styn |
| 13 September 2016 | Breakfast with the Perth Wildcats | Mayor Shane Van Styn |
| 13 September 2016 | Everything Geraldton Interview – Various local matters | Mayor Shane Van Styn |
| 13 September 2016 | Lunch with Scinapse and Scitech | Mayor Shane Van Styn |

| | | |
|------------------------|--|----------------------|
| 13 September 2016 | Meeting with Black Swan Theatre Company's Education & Community Access Manager | Mayor Shane Van Styn |
| 13 September 2016 | Special Meeting of Council | Mayor Shane Van Styn |
| 14 September 2016 | Wildcats Vs Adelaide 36ers Basketball Game | Mayor Shane Van Styn |
| 15 September 2016 | Recognition of Service to the Community - Mr John Luk | Mayor Shane Van Styn |
| 15 September 2016 | Meeting with Foodbank CEO, Mr Greg Hebble | Mayor Shane Van Styn |
| 16 September 2016 | Smart Cities and Suburbs Program - Roundtable Event | Mayor Shane Van Styn |
| 17 – 25 September 2016 | China Visit - 2016 International Islands Tourism Conference in Zhoushan | Mayor Shane Van Styn |
| 20 September 2016 | Agenda Forum | Cr Neil Mcllwaine |
| 21 September 2016 | Lower Great Southern Trialliance Welcome Dinner | Cr Neil Mcllwaine |
| 22 September 2016 | Lower Great Southern Alliance Visit to City of Greater Geraldton | Cr Neil Mcllwaine |
| 27 September 2016 | Everlasting Partnership Signing – Red FM | Mayor Shane Van Styn |
| 27 September 2016 | Ordinary Meeting of Council | Mayor Shane Van Styn |

11 REPORTS OF DEVELOPMENT & COMMUNITY SERVICES

| | |
|--------|---|
| DCS292 | PROPOSED LAND EXCHANGE – PT LOT 122 BOYD STREET & LOT 22 HORWOOD ROAD – CITY OF GREATER GERALDTON & BURANDO HILL PL |
|--------|---|

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-45672 |
| AUTHOR: | B Robartson, Manager Land and Regulatory Services |
| EXECUTIVE: | P Melling, Director Development and Community Services |
| DATE OF REPORT: | 12 September 2016 |
| FILE REFERENCE: | A20141 |
| ATTACHMENTS: | No |

EXECUTIVE SUMMARY:

The purpose of this report is to seek the approval of Council for the transfer of Part Lot 122 Boyd Street, Webberton to Burando Hill PL in exchange for Lot 22 Horwood Road, Utakarra, including a cash difference payment to the City to assist in safeguarding the North South Highway Corridor at a strategic location.

EXECUTIVE RECOMMENDATION:

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

1. GIVE local public notice of the APPROVAL to TRANSFER Part Lot 122 Boyd Street, Webberton to Burando Hill PL in EXCHANGE for Lot 22 Horwood Road, Utakarra;
2. MAKE the determination subject to:
 - a. Advertising notice period of no less than 14 days inviting public submissions;
 - b. That both Lots are free of any encumbrances over the titles;
 - c. The cash difference payable to the City by Burando Hill PL is agreed and set at \$115,000 plus GST; and
3. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The City of Greater Geraldton and Burando Hill PL.

BACKGROUND:

The City is the owner of Lot 122 Boyd Street, Webberton that is subject to a subdivision that needs to occur due to the proposed North South Highway (Inner City bypass) and Strathalbyn Road dissecting the property leaving three separate land parcels. Current zoning is residential for two of the lots and light industry for the third. It is the light industry lot that is the subject of this briefing note that consists of a land area of 19306m² (1.93ha).

Burando Hill PL own Lot 22 Horwood Road, Utakarra (1.0032ha), this lot is directly in the alignment of the proposed North South Highway. The City has

received a Development application from Burando Hill PL to build upon their lot (an agricultural machinery / service business). Given the lot was in the corridor alignment the matter was referred to Main Roads for its comment (as the North South Highway is a Main Roads project).

The North South Highway alignment when initiated by Main Roads WA was seen as a way of removing heavy vehicles from the existing Brand and North West Coastal Highways south of Webberton Road. The proposal reached the alignment definition study stage and was published in 2011. It is seen by Main Roads WA as a long term planning proposal and no commitments have been made to further land acquisitions or construction. Main Roads WA have subsequently progressed the Dongara to Northampton Coastal Route Corridor Alignment Selection Study.

Main Roads WA are yet to release their preferred alignment for the Dongara to Northampton alignments and a decision is expected before the end of 2016. This alignment is expensive and could be built in stages, there is believed to be State and Federal Government support to allow triple trailer road trains to operate from Carnarvon to Muchea (on the outskirts of Perth).

It is clear that there are no financial commitments at this time for the \$1 billion (plus) construction cost for the proposed Dongara to Northampton alignment. It is known that there are concerns with a number of key intersections on North West Coastal Highway through Geraldton all of which will cost several million dollars each to fix. The construction of at least part of the North South Highway could be achieved for significantly less dollars than a full upgrade of North West Coastal Highway.

The apparent indecision by Main Roads WA makes the situation difficult for property owners like Burando Hill PL. It does appear that State Government Agencies generally seem to be unmoved by the impacts their plans have on the land owners (e.g. balance areas of the North South Highway, Oakajee-Narngulu Infrastructure Corridor etc.). The identification of an alignment over properties severely limits land owners' options and does impact on possible development and resale options. What compounds this is the lack of "reserving" of corridors leaving it to Local Government to deal with the fallout via the planning process.

Key points are:

- Important that the option for the North South Highway is kept open and the lot in question is unique in terms of its location right in the path of the future highway.
- Other locations in the path of the highway are either created for future acquisition or are still in broad acre ownership and recognised in structure plans etc. and the incidence of precedent is not believed to exist in this particular case given the strategic location this lot occupies.
- There are also options for staging the construction of the North South Highway as demand warrants construction.

- The Dongara to Northampton study has not taken into account the traffic needs of the Greater Geraldton area, the focus has been on the free flowing of heavy freight from the Pilbara to Perth.
- The North South Highway alignment has also been utilised in a number of areas by other government utilities including Western Power and Water Corporation. It would be costly for these services to be relocated and the land sold for development.

It is a City policy position that the North South Highway is the City's preferred priority over other alignment options. Approving a development in the proposed alignment is not a recommended outcome and the idea of a land swap was a possible option raised with the land owner with the City's Pt Lot 122 Boyd Street, Webberton and at this time the application remains deferred.

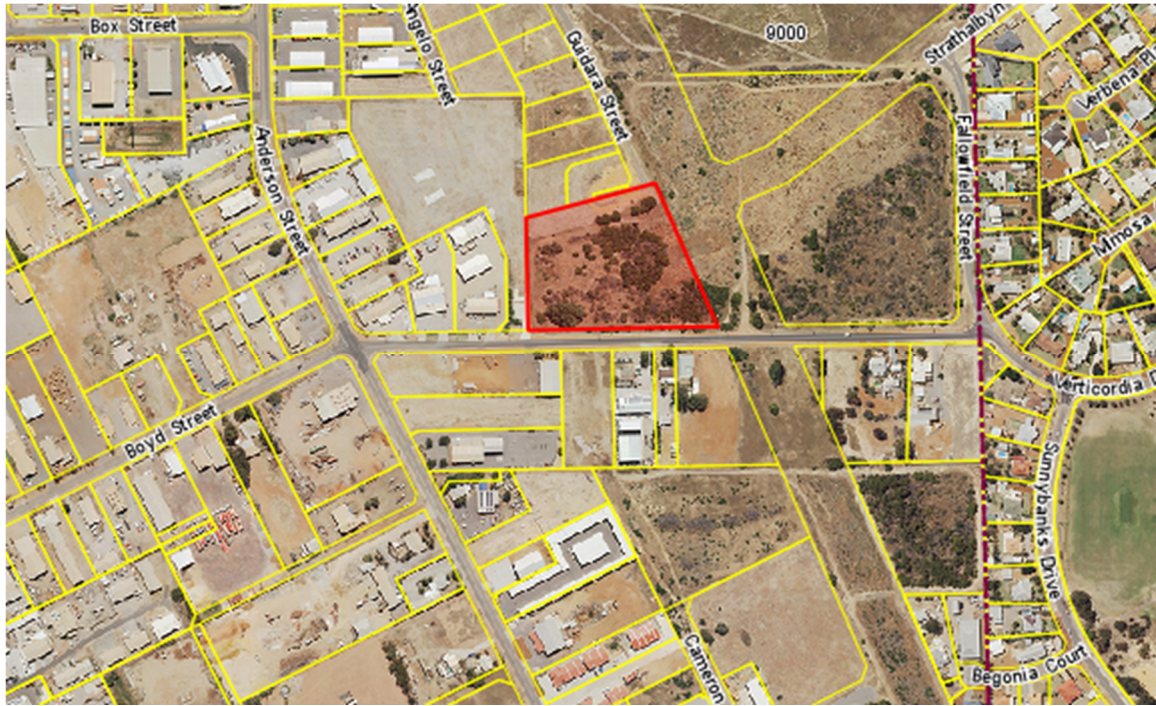
Burando Hill PL have also suggested a form of compensatory allowance payable to them to compensate for past delays, future development delays, further rent paid at existing premises going forward while delays continue, extra development costs, planning impositions due to the delay in the processing of their development application over Horwood Road. The frustration of Burando Hill is evident and highlights the indecision by State infrastructure agencies and their impacts over freehold land owned by others. Should the road ultimately proceed the City would include the compensatory aspects requested by Burando Hill into the price that would be paid to the City by Main Roads.

The City, at its cost agreed to obtain updated valuations by a third independent valuer to ascertain current market valuations of both properties as the old valuations obtained in 2015 were in dispute by Burando Hill PL.

The valuations provided a comparison between the two lots as follows:

- Both lots are zoned "Light Industry".
- Boyd Street lies towards the eastern edge of an established industrial estate on an internal roadway, whilst Horwood Road is a busier through-road with a greater amount of passing traffic.
- It was considered that Horwood Road enjoys a superior location even though the area is not yet as well established for light industrial purposes. This was reflected in the overall rate per square metre.
- Boyd Street is almost twice the size of Horwood Road and as such it was considered that the rate per square metre for Horwood Road would be higher than Boyd Street as rates generally fall the larger the land area becomes.
- Horwood Road is generally level with limited undulating land to the rear and would have lower clearing and levelling costs than Boyd Street.
- Boyd Street benefits from a more regular shape than Horwood Road.

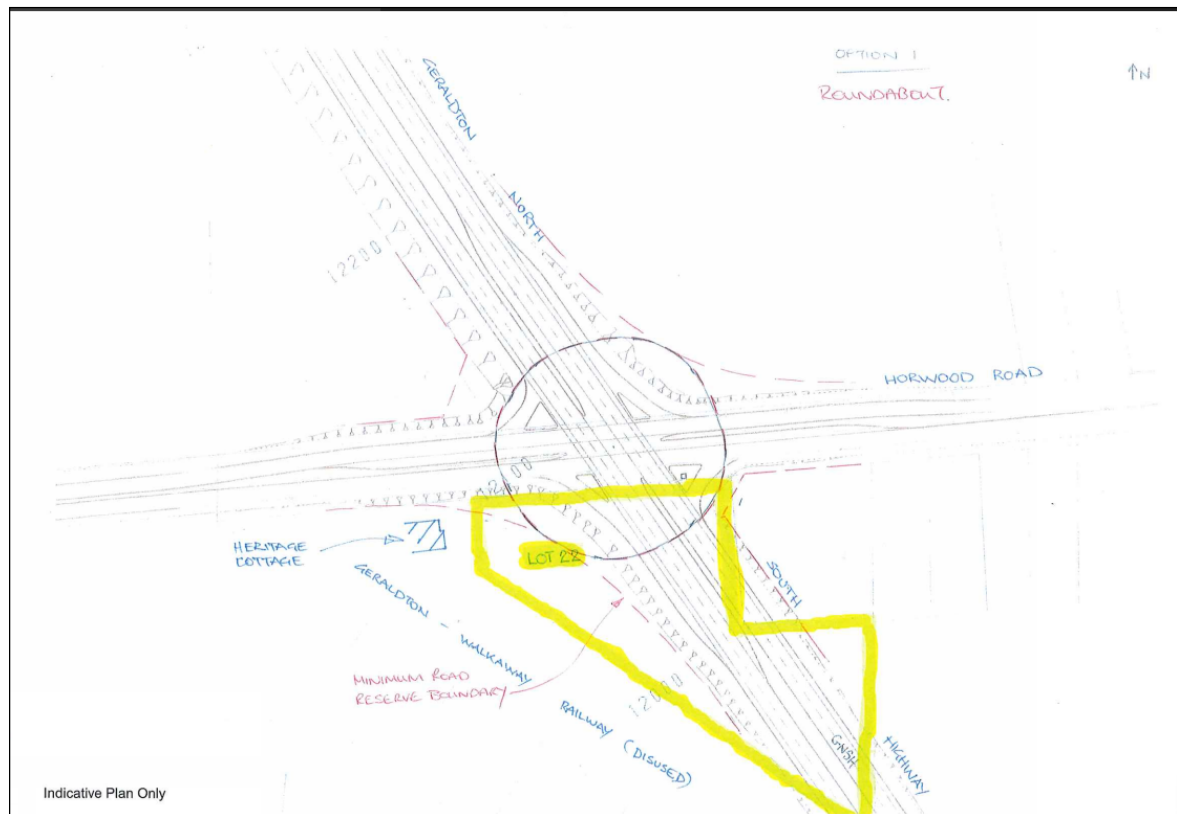
When taking into account the above various factors, the valuers were of the opinion that the Boyd Street property would be some \$10.00 to \$15.00 per square metre lower in value than the Horwood Road property.



Pt Lot 122 Boyd Street, Webberton (shown in red)



Lot 22 Horwood Road, Utakarra (shown in red)



Draft Intersection plan Lot 22 Horwood Road

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

This outcome would allow Burando Hill PL to develop new premises over a larger area of land that in return may provide the stimulus to further activation to the Boyd Street, Webberton locality with light industry development.

Social:

There are no social impacts relating to this proposal.

Environmental:

The City continues to undertake site investigation and remediation works to part of Lot 122 Boyd Street, Webberton. Lot 122 is currently listed on the Department of Environment & Regulation (DER) contaminated sites register and therefore prior to subdivision approval requires DER clearance.

Cultural & Heritage:

There are no cultural & heritage impacts relating to this proposal.

RELEVANT PRECEDENTS:

The City has prior land exchange proposals that have resulted in beneficial outcomes for the City.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation has occurred between the Manager Land and Regulatory Services, Director Development and Community Services and Burando Hill PL.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995.

FINANCIAL AND RESOURCE IMPLICATIONS:

The valuations provided are as follows:

Pt Lot 122 Boyd Street, Webberton - \$600,000 exclusive GST; and
Lot 22 Horwood Road, Utakarra - \$440,000 exclusive GST.

This represents a cash difference of \$160,000 in favour of the City of \$45,000. Burando Hill PL have requested and suggested a compensatory allowance payable to them to compensate for past delays, future development delays, further rent paid at existing premises going forward while delays continue, extra development costs, and planning impositions due to the delay in the processing of their development application over Horwood Road.

After the payment of the \$45,000 a net cash payment difference to the City of \$115,000 plus GST. It is anticipated that the City in the future would seek to recover these costs from Main Roads WA when negotiations commence with them on future land acquisitions for the North South Highway route.

INTEGRATED PLANNING LINKS:

| | |
|-------------------|--|
| Title: Economy | A dynamic, diverse and sustainable economy. |
| Strategy 4.2.1 | Developing more efficient transport options that are secure and safe to sustain our lifestyle |
| Strategy 4.3.2 | Encouraging the development of a variety of industries that will offer diverse employment opportunities |
| Strategy 4.3.4 | Supporting economic development initiatives and promotion of the region |
| Title: Governance | Inclusive civic and community engagement and leadership |
| Strategy 5.2.1 | Responding to community aspirations by providing creative yet effective planning and zoning for future development |
| Strategy 5.2.6 | Supporting decisions to create a long term sustainable City |
| Strategy 5.2.7 | Ensuring efficient and effective delivery of service |

REGIONAL OUTCOMES:

By the City acquiring Lot 22 Horwood Road the City would directly negotiate with Main Roads WA for suitable compensation for eventual acquisition for use of land to construct the proposed North South Highway. This outcome would allow Burando Hill PL to develop new premises over a larger area of land that

may provide the stimulus to further activate the Boyd Street, Webberton locality with light industry development.

RISK MANAGEMENT

A possibility of a compensation claim may be presented in any event, however it is considered that the City has acted in good faith and provided due diligence by disclosing the issues with the future proposed North South Highway and any proposed development over the Horwood Road lot as per the lodged Development Application.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

Council may determine to decline the land exchange and as a result be subject to payment of compensation to Burando Hill PL as advised. This option was not considered as being in the best interests of the proponent or the City in achieving a positive outcome.

Cr Bylund declared a proximity interest in DCS292, Proposed Land Exchange – Pt Lot 122 Boyd Street and Lot 22 Horwood Road – City of Greater Geraldton & Burando Hill Pl, as he owns the property neighbouring Lot 122 Boyd Street and left chambers at 1:31pm.

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR DOUGLAS

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

1. **GIVE** local public notice of the **APPROVAL** to **TRANSFER** Part Lot 122 Boyd Street, Webberton to Burando Hill PL in **EXCHANGE** for Lot 22 Horwood Road, Utakarra;
2. **MAKE** the determination subject to:
 - a. Advertising notice period of no less than 14 days inviting public submissions;
 - b. That both Lots are free of any encumbrances over the titles;
 - c. The cash difference payable to the City by Burando Hill PL is agreed and set at \$115,000 plus GST; and
3. **REFER** the matter back to Council for final consideration if any objecting submissions are received.

CARRIED 9/0

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | N/V |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |

| | |
|---------------------|------------|
| Cr. Reymond | YES |
| Cr. Mclwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

Cr Bylund returned to Chambers at 1:37pm.

| |
|---|
| DCS296 PROPOSED CLOSURE – PORTION OF HAMERSLEY ROAD, GREENOUGH |
|---|

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-56878 |
| AUTHOR: | C Krummenacher, Planning Officer |
| EXECUTIVE: | P Melling, Director Development & Community Services |
| DATE OF REPORT: | 1 September 2016 |
| FILE REFERENCE: | RO/11/0014 & RC112 |
| ATTACHMENTS: | Yes (x1) |
| | A. Aerial Plan and Road Closure Plan |

EXECUTIVE SUMMARY:

The advertising period has concluded for closure of a 4,932m² portion of Hamersley Road, Greenough. The land is to be converted into a reserve to accommodate a flood levee that will be managed by Main Roads WA. This report recommends support of the closure.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 58 of the *Land Administration Act 1997* RESOLVES to:

1. REQUEST the Minister for Lands to approve the closure of a portion of Hamersley Road reserve as shown on Main Roads WA Drawing No.1560-060.

PROPONENT:

The proponent is Main Roads WA (MRWA).

BACKGROUND:

Following the road and Greenough River bridge works along Brand Highway (in Greenough) the intersection with Hamersley Road was realigned. It is proposed to close the redundant portion of Hamersley Road where a flood levee wall has been built to protect the road from flooding from the Greenough River.

Following the closure of the portion of road reserve it is proposed to create a Crown reserve which will be managed by MRWA.

An aerial plan and road closure plan are included as Attachment No. DCS296.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The proposed closure and disposal was publicly advertised in accordance with the provisions of the *Land Administration Act 1997*.

The advertising period was for 43 days (commencing on Friday 15 July 2016 and concluding on 26 Friday 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on 15 July 2016;
2. The closure was publicly displayed at the Civic Centre;
3. The closure was publicly advertised on the City's website; and
4. The closure was referred to the following:
 - ATCO Gas Australia
 - Department of Indigenous Affairs
 - Department of Planning
 - Department of Water
 - Northern Agricultural Catchment Council
 - State Land Services
 - Telstra
 - Water Corporation
 - Western Power
 - All adjoining Landowners

Submissions:

As a result of advertising a total of 3 submissions were received with no objections. Copies of the actual submissions are available to Council upon request.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

| | |
|-------------------|---|
| Title: Governance | Planning and Policy |
| Strategy 5.2.1 | Responding to community aspirations by providing creative yet effective planning and zoning for future development. |

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

There are no inherent risks with the closure and disposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The road reserve area to be closed is a redundant portion of Hamersley Road that now contains a flood levee built to protect the road from flooding from the Greenough River.

Following the closure of the portion of road reserve it is proposed to create a Crown reserve which will be managed by MRWA and therefore the option to refuse is 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 GRAHAM, SECONDED CR KEEMINK**

That Council by Simple Majority pursuant to Section 58 of the Land Administration Act 1997 RESOLVES to:

- 1. REQUEST the Minister for Lands to approve the closure of a portion of Hamersley Road reserve as shown on Main Roads WA Drawing No.1560-060.**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

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| DCS297 FINAL ADOPTION OF LOCAL PLANNING SCHEME AMENDMENT No. 1 – RURAL REZONING, RUDDS GULLY |
|---|

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-56892 |
| AUTHOR: | T Maurici, Planning Officer |
| EXECUTIVE: | P Melling, Director Development & Community Services |
| DATE OF REPORT: | 7 September 2016 |
| FILE REFERENCE: | LP/14/0001 |
| ATTACHMENTS: | Yes (x1) A. Scheme Amendment Report |

EXECUTIVE SUMMARY:

The advertising period has concluded for the Amendment No. 1 (the 'amendment') which proposes to remove the 'Public Purpose' reservation from Lot 51 Rudds Gully Road, Rudds Gully and rezone it to 'Rural'.

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

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Part 5, Section 75 of the *Planning and Development Act 2005* RESOLVES to:

1. ADOPT for final approval Local Planning Scheme Amendment No. 1 to Local Planning Scheme No. 1; and
2. SEEK final approval of the amendment from the Minister for Planning.

PROPONENT:

The proponent is the Electricity Networks Corporation (trading as Western Power).

BACKGROUND:

The subject land is located approximately 10.5km south-east of the Geraldton city centre in Rudds Gully and has an area of 1.99ha. Scott Road and Rudds Gully Road border the lot on the western and south-eastern boundaries.

The subject land is generally flat, predominantly cleared of vegetation and does not contain any buildings. It is currently used for rural uses (cropping) in conjunction with the rural land abutting to the north. An electricity distribution line runs along the Scott Road boundary.

Western Power has identified the subject land as surplus to its requirements as it is not required for electrical network purposes in the foreseeable future. It is proposed to be sold and hence the need to change the zoning from its current 'Public Purpose' reservation.

The amendment report is included as Attachment No. DCS297A.

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

There are no economic issues.

Social:

There are no social issues.

Environmental:

The Environmental Protection Authority advised that the amendment does not need to be assessed by them under Part IV of the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

Council at its meeting held on 24 May 2016 resolved to initiate the amendment.

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

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

The advertising period was for 42 days (commencing on 5 July 2016 and concluding on 15 August 2016) and involved the following:

1. All landowners within a 100m radius were written to and advised of the amendment;
2. A public notice appeared in the Geraldton Guardian on 5 July 2016.
3. A sign was placed on-site;
4. The amendment details were available on the City's website; and
5. The amendment was referred to the following government agencies:
 - ATCO Gas;
 - Department of Planning;
 - Department of Water;
 - Telstra; and
 - Water Corporation.

Submissions:

As a result of the advertising, a total of 5 submissions were received all with no objections.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:**Local Planning Scheme No. 1:**

The subject land is currently a local reserve for 'Public Purposes'. The reserve objective is:

"To provide for a range of essential physical and community infrastructure and services."

The subject land is not required for electrical network purposes in the foreseeable future and hence the 'Public Purpose' reservation no longer reflects the intended use of the subject land. Rezoning the subject land to 'Rural is most appropriate given the land to the north of Rudds Gully Road alignment that surrounds the subject land is also zoned 'Rural'.

Planning and Development Act 2005:

Part 5, Section 75 of the *Planning and Development Act 2005* provides for a local government to amend a local planning scheme.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

| | |
|-------------------|---|
| Title: Governance | Planning and Policy |
| Strategy: 5.2.1 | Responding to community aspirations by providing creative yet effective planning and zoning for future development. |

REGIONAL OUTCOMES:**Geraldton Region Plan:**

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

Local Planning Strategy:

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The subject land has been identified in the Strategy within 'Development Investigation Area 7 (Rudds Gully)'. The Strategy considers the ultimate land uses may include service commercial, light industry and urban, subject to future rezoning and/or structure planning.

More extensive planning is required to ascertain the ultimate land use for the subject land. This will need to be done in context with the wider area covered

by the Development Investigation Area when demand warrants, which is not anticipated in the short-to-medium term.

RISK MANAGEMENT:

There are no inherent risks to the City in adopting for final approval the amendment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered that the amendment is consistent with the overall strategic planning framework. The subject land is not required for electrical network purposes in the foreseeable future and hence the 'Public Purpose' reservation no longer reflects the intended use of the subject land.

Rezoning the subject land to 'Rural' is most appropriate given the land to the north of Rudds Gully Road alignment that surrounds the subject site is also zoned 'Rural' and therefore the option to refuse is 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 DOUGLAS, SECONDED CR TANTI

That Council by Simple Majority pursuant to Part 5, Section 75 of the Planning and Development Act 2005 RESOLVES to:

1. **ADOPT for final approval Local Planning Scheme Amendment No. 1 to Local Planning Scheme No. 1; and**
2. **SEEK final approval of the amendment from the Minister for Planning.**

CARRIED 9/1

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | NO |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

| |
|--|
| DCS298 LEASE – BRIGADES FOOTBALL CLUB (INC) – PORTION RESERVE 39338 |
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| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-56906 |
| AUTHOR: | A Eastough, Acquisitions and Disposals Officer |
| EXECUTIVE: | P Melling, Director Development & Community Services |
| DATE OF REPORT: | 17 August 2016 |
| FILE REFERENCE: | R39338 |
| ATTACHMENTS: | No |

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's consent to enter into a 21 year lease agreement with Brigades Football Club (Inc) for portion of Reserve 39338.

EXECUTIVE RECOMMENDATION:

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

1. ENTER into a new lease agreement with Brigades Football Club (Inc) for portion of Reserve 39338;
2. SET the conditions as follows;
 - a. enter into a 21 year lease agreement commencing 1 November 2016;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
 - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy;
3. MAKE the determination subject to consent from the Minister for Lands; and
4. ADVISE the lessee they are responsible for separately paying;
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

PROPONENT:

The proponent is Brigades Football Club (Inc).

BACKGROUND:

The Brigades Football Club lease expired on 30 June 2004.

The City wrote to the Club inviting them to enter into a new lease agreement on 10 March 2004. The Club replied to this letter on 20 April 2004 expressing their desire to enter the lease agreement under the same terms and conditions as previously granted.

Council resolved to enter into a new lease agreement with the Club on 22 June 2004. The officers' recommendation was for a term of 21 years and to increase

the annual lease fee from \$1.00 to \$275.00 to bring the Club in line with the City's Schedule of Fees and Charges.

The Club objected to the increase in lease fees and asked Council to reconsider. Council resolved to adopt the officers' recommendation on 17 August 2004 that stated:

That Brigades Football Club will be advised that the City has considered the charges for ground hire at Eadon Clarke Reserve but that no reduction will be made.

Correspondence from the Club dated 22 July 2005, disputed clauses within the lease document and raised the issue of the differences between the then Shire of Greenough and the City with regard to their football club.

The last correspondence between the City and the Club was in 2007. City records show no further correspondence occurred after that date and the outstanding lease renewal inadvertently was not progressed to finalise a new lease with the current lessee.

Earlier this year, the Club submitted a building licence with the City which highlighted the fact that a current lease was not in place and therefore the Club had no tenure over the land. Consequently, a meeting was organised between City officers and the Club which resulted in the Club agreeing to enter into a 21 year lease with the City.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

The recent Sporting Club Facilities Review places Eadon Clarke Oval as a Tier 1 facility. Brigades Football Club provides a strong social and sporting culture for members and the community.

Environmental:

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

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

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

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process for “disposing” (in this case leasing) of property. Regulation 30 of the Local Government Functions and General Regulations describes dispositions of property excluded from Section 3.58 of the Local Government Act 1995 for recreational, sporting and other like nature organisations.

CP049 Community Group Land Lease/Licence Policy details the process for the leasing of Crown Land to Community Groups.

FINANCIAL AND RESOURCE IMPLICATIONS:

The lease fee is set by the City of Greater Geraldton Schedule of Fees and Charges adopted by Council and reviewed annually. The commencement lease fee for 2016/17 is \$392.00 per annum inclusive of GST.

INTEGRATED PLANNING LINKS:

| | |
|----------------|--|
| Title: Social | Sport and Recreation |
| Strategy 3.1.1 | Supporting the strong sporting culture that has shaped Greater Geraldton's identity and lifestyle. |

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no identified risk management issues with this report.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

It is considered that any alternative options other than leasing for the maximum term of 21 years would be considered detrimental to the Club's longevity by restricting their ability to obtain future Grant Funding.

Cr Bylund declared an impartiality interest in DCS298, Lease – Brigades Football Club (Inc) – Portion Reserve 39338, as he serves on the committee of the Brigades Football Club and left chambers at 1:40pm.

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

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

- 1. ENTER into a new lease agreement with Brigades Football Club (Inc) for portion of Reserve 39338;**
- 2. SET the conditions as follows;**
 - a. enter into a 21 year lease agreement commencing 1 November 2016;**
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;**
 - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy;**
- 3. MAKE the determination subject to consent from the Minister for Lands; and**
- 4. ADVISE the lessee they are responsible for separately paying;**
 - a. relevant building insurance and other insurances;**
 - b. all applicable rates, taxes and other utilities; and**
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.**

CARRIED 9/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

Cr Bylund returned to Chambers at 1:41pm.

DCS299 ADOPTION OF RECONCILIATION ACTION PLAN 2016-2019

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-56912 |
| AUTHOR: | C Crawford, Coordinator Community and Cultural Development |
| EXECUTIVE: | P Melling, Director Development and Community Services |
| DATE OF REPORT: | 7 September 2016 |
| FILE REFERENCE: | RC/8/0002 |
| ATTACHMENTS: | Yes (x2) |
| | A. Reconciliation Action Plan |
| | B. Table of Actions |

EXECUTIVE SUMMARY:

The Reconciliation Action Plan 2016-2019 is designed to act as an operational guide for the organisation, and, if adopted, will be the second Reconciliation Action Plan undertaken by the City. The plan outlines initiatives that the City will undertake while working towards reconciliation with the Aboriginal and Torres Strait Islander community.

EXECUTIVE RECOMMENDATION:

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

1. ADOPT the Reconciliation Action Plan; and
2. REGISTER the Plan with Reconciliation Australia.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

This draft is the culmination of over two years' community consultation and close collaboration with national peak body 'Reconciliation Australia' who are responsible for the facilitating best-practice reconciliation processes and the development of best-practice Reconciliation Action Plans across Australia.

The City convenes a Reconciliation Advisory Committee who have provided regular input since 2011, and have guided the process culminating in the current draft. The Reconciliation Advisory Committee is comprised of representatives from 10 primarily Aboriginal organisations, 2 community members and 3 City of Greater Geraldton Councillors.

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

The Reconciliation Action Plan aims to improve economic outcomes for the Aboriginal and Torres Strait Islander (ATSI) community. These include the development, implementation, promotion and review of economic opportunities with business and community, and improved employment and procurement outcomes for the ATSI community and ATSI owned businesses.

Social:

The Reconciliation Action Plan aims to improve social outcomes for the Aboriginal and Torres Strait Islander (ATSI) community by advocating for improved services, and improving access and inclusion to council facilitated services.

Environmental:

Environmental impacts include the preserving, rehabilitating and enhancing native plants for traditional use.

Cultural & Heritage:

The Reconciliation Action Plan aims to improve cultural and heritage outcomes for the Aboriginal and Torres Strait Islander (ATSI) community through improved recognition and celebration for example through the celebration of National Reconciliation Week.

RELEVANT PRECEDENTS:

The City of Greater Geraldton previously endorsed the 2011-2016 Reconciliation Action Plan.

COMMUNITY/COUNCILLOR CONSULTATION:

The draft Reconciliation Action Plan was reviewed extensively by the Reconciliation Action Committee, which is chaired by Cr Reymond. The draft RAP has been reviewed by Reconciliation Australia. In addition, the draft was tabled at a concept forum for Councillor feedback. Minor adjustments were made to the Reconciliation Action Plan as a result of feedback at the Concept Forum. For example, two additional actions were included to emphasise the role that the City of Greater Geraldton can play in terms of advocating health and education stakeholders to deliver improved outcomes in these areas for Aboriginal community members. The draft Reconciliation Action Plan is attached as Attachment No. DCS299A and the Table of Actions is attached as Attachment No. DCS299B.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

Actions listed within the Reconciliation Action Plan can be achieved within current resourcing levels.

INTEGRATED PLANNING LINKS:

| | |
|----------------|---|
| Title: Culture | Vibrant arts, culture and education |
| Strategy 1.1.3 | Recognising and celebrating Yamaji people and their languages and culture |
| Strategy 1.1.4 | Promoting Aboriginal and Torres Strait Islander history and communities |
| Strategy 1.3.2 | Facilitating and promoting Aboriginal and Torres Strait Islander art |

| | |
|--------------------|---|
| Title: Environment | A sustainable built form and natural environment |
| Strategy 2.1.4 | Preserving, rehabilitating and enhancing native plants for traditional use. |
| Title: Social | A strong, healthy community which is equitable, connected and cohesive |
| Strategy 3.4.2 | Improving services and accommodation for an ageing population including Aboriginal and Torres Strait Islander aged care facilities. |
| Strategy 3.5.1 | Creating a city that supports family living, the Aboriginal and Torres Strait Islander communities, multicultural groups, people with disabilities, young people and seniors. |
| Strategy 3.5.2 | Encouraging the improvement of health services and facilities for the greater community including Aboriginal and Torres Strait Islander health facilities to support future population growth |
| Title: Economy | A dynamic, diverse and sustainable economy |
| Strategy 4.1.5 | Developing and promoting Greater Geraldton as a preferred cultural, environmental and agri/aquaculture tourism destination |
| Title: Governance | Inclusive civic and community engagement and leadership |
| Strategy 5.1.4 | Facilitate more Aboriginal and Torres Strait Islander participation in engagement processes. |
| Strategy 5.2.3 | Addressing cultural heritage issues and the preservation and enhancement of natural areas as part of the development process. |

REGIONAL OUTCOMES:

Regional outcomes include enhanced recognition of culture and heritage.

RISK MANAGEMENT

There is a risk that objectives outlined within the Reconciliation Action Plan will not be met. In this instance, unmet objectives must be reported to Reconciliation Australia. The Aboriginal and Community Development Officer and Reconciliation Advisory Committee will regularly review progress so as to lessen the risk of failing to meet targets.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No other options were considered.

PROCEDURAL MOTION**MOVED CR REYMOND, SECONDED CR BYLUND**

That Council by Simple Majority RESOLVES to DEFER this item until the next meeting.

LOST 5/5

| | |
|----------------|-----|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | NO |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | NO |
| Cr. Tanti | NO |
| Cr. Reymond | YES |
| Cr. Mcllwaine | NO |
| Cr. Freer | YES |
| Cr. Colliver | NO |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

The Mayor reminded Councillors that he could not exercise the right of a casting vote as it was a procedural motion.

Cr Reymond foreshadowed that should the motion be lost it be considered at the next Council Meeting.

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

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

1. **ADOPT** the Reconciliation Action Plan; and
2. **REGISTER** the Plan with Reconciliation Australia.

LOST 5/5 BY CASTING VOTE OF MAYOR AS PRESIDING MEMBER

| | |
|----------------|-----|
| Mayor Van Styn | NO |
| Cr. Douglas | NO |
| Cr. Bylund | NO |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | NO |
| Cr. Reymond | NO |

| | |
|----------------------|------------|
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

COUNCIL DECISION**MOVED CR REYMOND, SECONDED CR DOUGLAS****That this item be considered at the next Ordinary Council Meeting.****LOST 7/3**

| | |
|-----------------------|------------|
| Mayor Van Styn | NO |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | NO |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | NO |
| Cr. Tanti | NO |
| Cr. Reymond | YES |
| Cr. Mcllwaine | NO |
| Cr. Freer | NO |
| Cr. Colliver | NO |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

Cr Mcllwaine foreshadowed the original executive recommendation with the additional requirement that Council review the Reconciliation Committee status and terms of reference should the motion be lost. The Mayor noted that this is a substantially different motion.

MOTION**MOVED CR MCILWAINE, SECONDED CR TANTI****That Council by Simple Majority pursuant to s.2.7 of the Local Government Act 1995 RESOLVES to:**

- 1. ADOPT the Reconciliation Action Plan;**
- 2. REGISTER the Plan with Reconciliation Australia; and**
- 3. REVIEW the Reconciliation Committee status and Terms of Reference.**

PROCEDURAL MOTION
MOVED CR FREER, SECONDED CR KEEMINK
That the motion be now put.

CARRIED 10/0

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

Cr Reymond foreshadowed an alternative to the motion, as per below, should the motion be lost.

1. *NOT ADOPT the proposed Reconciliation Action Plan;*
2. *NOT REGISTER the Plan with Reconciliation Australia; and*
3. *REVIEW the Reconciliation Committee status and Terms of Reference.*

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

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

1. **ADOPT** the Reconciliation Action Plan;
2. **REGISTER** the Plan with Reconciliation Australia; and
3. **REVIEW** the Reconciliation Committee status and Terms of Reference.

CARRIED 7/3

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | NO |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | NO |
| Cr. Reymond | NO |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION That Council review the Reconciliation Committee status and Terms of reference to strengthen and support the role of the committee.

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| DCS300 PROPOSED HIRE SHACK – FORESHORE RESERVE | |
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|--------------------------|---|
| AGENDA REFERENCE: | D-16-56995 |
| AUTHOR: | B Robartson, Manager Land & Regulatory Services |
| EXECUTIVE: | P Melling, Director Development & Community Services |
| DATE OF REPORT: | 10 August 2016 |
| FILE REFERENCE: | R50100 |
| ATTACHMENTS: | Yes (x1) A. Confidential EOI |

EXECUTIVE SUMMARY:

This report seeks Council approval for the intent to lease a 30m² portion of land on foreshore reserve 50100 for the purpose of a sea container 'Hire Shack'.

EXECUTIVE RECOMMENDATION:

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

1. GIVE local public notice of the intent to lease a portion of Crown Reserve 50100 comprising a land area of 30m² for the purpose of a sea container Hire Shack to Mr Peter Berryman;
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 three (3) year lease agreement with two further term options of three (3) years (3+3+3) commencing 1 November 2016;
 - 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 \$4,935 plus GST per annum;
 - e) applicable approvals from the Department of Transport for gazetted waters usage;
 - f) appropriate water craft for emergency response being on hand at all times and available for use if required.
4. ADVISE the lessee they are 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 lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. DELEGATE authority to the Chief Executive Officer to approve a design for the sea container 'Hire Shack' that compliments and adds

to the vibrancy/functionality of the Geraldton foreshore/surrounding area; and

6. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The proponent is Mr Peter Berryman.

BACKGROUND:

Council at its meeting of the 24 November 2015 resolved the following:

COUNCIL DECISION MOVED CR DOUGLAS, SECONDED CR HALL

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

1. *ADOPT the Policy CP039 - Foreshore Use & Development Policy;*
2. *CALL for Expressions of Interest for activities that assist the City in activating the City Centre Foreshore which address the criteria specified in the Foreshore Use & Development Policy; and*
3. *REQUIRE a report back to Council for Expressions of Interest prior to formal approval.*

Council is advised that an Expression of Interest (EOI) was invited seeking written submissions that addressed the foreshore use and development strategies. This EOI closed on the 5 July 2016 and at the time of the closure two written submissions were received.

A submission was received from a Mr Peter Berryman for a proposed 'hire shack' that will be based in a 6.176 metre side opening sea container. The container will be fixed to a concrete slab and clad in weatherboards on the non-opening sides and have a pitched colour bond roof with a small veranda to the front to allow the operator to be shaded from the sun (other options to the slab solution are also being investigated). The EOI submission is attached as Confidential Attachment No. DCS300.

The equipment on offer will be subject to customer demand but will be restricted to non-powered craft for both land and sea use. It is also intended that the 'Hire Shack' will act as a booking agent for other activities available in Geraldton.

The proponent has advised that there will be no power required as their will be small roof mounted solar panels to charge the small batteries for the hire equipment requiring recharging. The requested lease area of 30m² will allow the proponent to display any hire craft outside the sea container within a defined lease area if the need should arise.

The proponent has also advised that a suitable water craft to provide emergency response, if required, would also be on hand. The necessary approvals from the Department of Transport (DOT) for water activities for non-

powered craft usage in DOT gazetted areas is also in negotiation phase with the Department.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

This proposal has the potential to offer a viable business opportunity for a local business looking for an opportunity to locate in a prime Geraldton location. Small businesses, such as this one could be operated from this site, and will add to the economic vibrancy and vitality of our community in an area where they are currently lacking.

Social:

A small business, such as the hire shack could enhance social quality of life by providing another meeting place for people, particularly those with young children using the playground and play areas in the vicinity and with this application the adjacent water.

Environmental:

There are no environmental impacts relating to this proposal.

Cultural & Heritage:

There is no cultural, heritage or indigenous impacts relating to this proposal.

RELEVANT PRECEDENTS:

The City leases Crown Reserves for a variety of purposes consistent with the Management Order. The recent lease for the sea container 'Jaffle Shack' and Dome Café are located on a portion of the same reserve as is the former Rest Centre that is leased by the City for café' and alfresco purposes.

COMMUNITY/COUNCILLOR CONSULTATION:

An Expression of Interest (EOI) was invited seeking written submissions that addressed the foreshore use and development strategies. This EOI closed on the 5 July 2016 and at the time of the closure two written submissions were received.

This proponent's submission including plan location was also presented to Councillor Concept Forum on the 9 August 2016 for discussion.

LEGISLATIVE/POLICY IMPLICATIONS:

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

The application for the proposed 'Hire Shack' addresses the criteria and the objectives of Policy CPO39 – Foreshore Use & Development Policy.

FINANCIAL AND RESOURCE IMPLICATIONS:

A commencement lease fee of \$4,935 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 will be conducted prior to exercising the further term options to establish the lease fee.

INTEGRATED PLANNING LINKS:

| | |
|--------------------|--|
| Title: Environment | A sustainable built form and natural environment |
| Strategy 2.1.2 | Sustainably maintaining public open spaces and recreational areas |
| Title: Social | A strong healthy community which is equitable, connected and cohesive |
| Strategy: 3.5.3 | Promoting healthy lifestyle initiatives and living standards |
| Title: Economy | A dynamic, diverse and sustainable economy |
| Strategy 4.3.2 | Encouraging the development of a variety of industries that will offer diverse employment opportunities |
| Strategy 4.3.4 | Supporting economic development initiatives and promotion of the region |
| Title: Governance | Inclusive civic and community engagement and leadership |
| Strategy 5.2.1 | Responding to community aspirations by providing creative yet effective planning and zoning for future development |
| Strategy 5.2.6 | Supporting decisions to create a long term sustainable City |
| Strategy 5.2.7 | Ensuring efficient and effective delivery of service |

Regional Outcomes:

There are no potential impacts, either positive or negative to regional outcomes.

RISK MANAGEMENT:

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

ALTERNATIVE OPTIONS CONSIDERED

The other option for consideration by Council is to not approve the lease 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. The proposal in addition meets the requirements and the objectives of Policy CPO39 – Foreshore Use & Development Policy.

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

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

1. **GIVE** local public notice of the intent to lease a portion of Crown Reserve 50100 comprising a land area of 30m² for the purpose of a sea container Hire Shack to Mr Peter Berryman;
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 three (3) year lease agreement with two further term options of three (3) years (3+3+3) commencing 1 November 2016;
 - 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 \$4,935 plus GST per annum;
 - e) applicable approvals from the Department of Transport for gazetted waters usage;
 - f) appropriate water craft for emergency response being on hand at all times and available for use if required.
4. **ADVISE** the lessee they are 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 lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. **DELEGATE** authority to the Chief Executive Officer to approve a design for the sea container 'Hire Shack' that compliments and adds to the vibrancy/functionality of the Geraldton foreshore/surrounding area; and
6. **REFER** the matter back to Council for final consideration if any objecting submissions are received.

CARRIED 10/0

| | |
|----------------|-----|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |

| | |
|----------------------|------------|
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

| | |
|--------|--|
| DCS301 | PROPOSED ICE CREAM AND DESSERT KIOSK – FORESHORE RESERVE |
|--------|--|

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-57187 |
| AUTHOR: | B Robartson, Manager Land and Regulatory Services |
| EXECUTIVE: | P Melling, Director Development and Community Services |
| DATE OF REPORT: | 8 September 2016 |
| FILE REFERENCE: | R50100 |
| ATTACHMENTS: | Yes (x1) |
| | A. Confidential EOI |

EXECUTIVE SUMMARY:

This report seeks Council approval for the intent to lease a 50m² portion of land on foreshore reserve 50100 for the purpose of a sea container 'Ice Cream and Dessert Kiosk'.

EXECUTIVE RECOMMENDATION:

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

1. GIVE local public notice of the intent to lease a portion of Crown Reserve 50100 comprising a land area of 50m² for the purpose of a sea container Ice Cream and Dessert Kiosk to Ms Karen Sanders;
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 three (3) year lease agreement with two further term options of three (3) years (3+3+3) commencing 1 November 2016;
 - 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 \$8,225 plus GST per annum;
4. ADVISE the lessee they are 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 lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. DELEGATE authority to the Chief Executive Officer to approve a design for the sea container 'Ice Cream and Desert Kiosk' that compliments and adds to the vibrancy/functionality of the Geraldton foreshore/surrounding area; and

6. REFER the matter back to Council for final consideration if any objecting submissions are received.

PROPONENT:

The proponent is Ms Karen Sanders

BACKGROUND:

Council at its meeting of the 24 November 2015 resolved the following:

COUNCIL DECISION MOVED CR DOUGLAS, SECONDED CR HALL

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

1. *ADOPT the Policy CP039 - Foreshore Use & Development Policy;*
2. *CALL for Expressions of Interest for activities that assist the City in activating the City Centre Foreshore which address the criteria specified in the Foreshore Use & Development Policy; and*
3. *REQUIRE a report back to Council for Expressions of Interest prior to formal approval.*

An Expression of Interest (EOI) was invited seeking written submissions that addressed the foreshore use and development strategies. This EOI closed on the 5 July 2016 and at the time of the closure two written submissions were received.

The proposed kiosk will be based on a removable 3.048 metre containerised unit that is then clad in a stylised timber finish such as to resemble a retro style caravan. The framework of the timber cladding will completely encase the container inside therefore completely disguising it and also allowing for the bins and alfresco furniture to be safely stored out of site when the kiosk is not open.

The kiosk will serve a range of ice cream and desserts including hot deserts so as to extend the season into the cooler months. The total lease area requested is 50m² that will include the alfresco dining furniture within the lease area. The proponent will meet all costs of the construction, power and water servicing. The EOI Ice Cream and Dessert Kiosk submission is attached as Confidential Attachment No. DCS301.

This application also meets the criteria and the objectives of Policy CP039 - Foreshore Use & Development Policy in that it will enhance the activation of family and its purpose is fundamental to a beachside element of enjoyment.

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

This proposal has the potential to offer a viable business opportunity for a local business looking for an opportunity to locate in a prime Geraldton location. Small businesses, such as this one could be operated from this site, and will

add to the economic vibrancy and vitality of our community in an area where they are currently lacking.

Social:

A small business, such as the Ice Cream and Desert Kiosk could enhance social quality of life by providing another meeting place for people, particularly those with young children using the playground and play areas in the vicinity.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural, heritage or indigenous impacts relating to this proposal.

RELEVANT PRECEDENTS:

The City leases Crown Reserves for a variety of purposes consistent with the Management Order. The recent lease for the sea container 'Jaffle Shack' and Dome Café are located on a portion of the same reserve as is the former Rest Centre that is leased by the City for café and alfresco purposes.

COMMUNITY/COUNCILLOR CONSULTATION:

An Expression of Interest (EOI) was invited seeking written submissions that addressed the foreshore use and development strategies. This EOI closed on the 5 July 2016 and at the time of the closure two written submissions were received.

This proponent's submission including plan location was also presented to Councillor Concept Forum on 9 August 2016 for discussion.

LEGISLATIVE/POLICY IMPLICATIONS:

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

The application for the proposed 'Ice Cream and Desert Kiosk' addresses the criteria and the objectives of Policy CPO39 – Foreshore Use & Development Policy.

FINANCIAL AND RESOURCE IMPLICATIONS:

A commencement lease fee of \$8,225 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 will be conducted prior to exercising the further term options to establish the lease fee.

INTEGRATED PLANNING LINKS:

| | |
|--------------------|---|
| Title: Environment | A sustainable built form and natural environment |
| Strategy 2.1.2 | Sustainably maintaining public open spaces and recreational areas |

| | |
|-------------------|--|
| Title: Social | A strong healthy community which is equitable, connected and cohesive |
| Strategy: 3.5.3 | Promoting healthy lifestyle initiatives and living standards |
| Title: Economy | A dynamic, diverse and sustainable economy |
| Strategy 4.3.2 | Encouraging the development of a variety of industries that will offer diverse employment opportunities |
| Strategy 4.3.4 | Supporting economic development initiatives and promotion of the region |
| Title: Governance | Inclusive civic and community engagement and leadership |
| Strategy 5.2.1 | Responding to community aspirations by providing creative yet effective planning and zoning for future development |
| Strategy 5.2.6 | Supporting decisions to create a long term sustainable City |
| Strategy 5.2.7 | Ensuring efficient and effective delivery of service |

REGIONAL OUTCOMES:

There are no potential impacts, either positive or negative to regional outcomes.

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 lease 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 that would complement that already available in the area. The proposal in addition meets the requirements and the objectives of Policy CPO39 – Foreshore Use & Development Policy.

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

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

1. **GIVE** local public notice of the intent to lease a portion of Crown Reserve 50100 comprising a land area of 50m² for the purpose of a sea container Ice Cream and Dessert Kiosk to Ms Karen Sanders;
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 three (3) year lease agreement with two further term options of three (3) years (3+3+3) commencing 1 November 2016;
 - 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 \$8,225 plus GST per annum;
4. ADVISE the lessee they are 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 lease;
 - ii. survey plans of the lease area;
 - iii. all other costs associated with the lease;
5. DELEGATE authority to the Chief Executive Officer to approve a design for the sea container 'Ice Cream and Desert Kiosk' that compliments and adds to the vibrancy/functionality of the Geraldton foreshore/surrounding area; and
6. REFER the matter back to Council for final consideration if any objecting submissions are received.

CARRIED 10/0

| | |
|----------------|-----|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

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| DCS302 HERITAGE ADVISORY COMMITTEE - COMMUNITY REPRESENTATION |
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| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-58876 |
| AUTHOR: | S Smith, Manager Libraries and Heritage |
| EXECUTIVE: | P Melling, Director Development & Community Services |
| DATE OF REPORT: | 15 September 2016 |
| FILE REFERENCE: | GR/10/0028 |
| ATTACHMENTS: | No |

EXECUTIVE SUMMARY:

This report seeks a Council resolution regarding the community representatives of the Heritage Advisory Committee. The purpose of the committee is to provide advice to Council for development and implementation of the Heritage Strategy.

EXECUTIVE RECOMMENDATION:

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

1. ACKNOWLEDGE the recommendations of the Heritage Advisory Committee;
2. APPOINT Ms Marilyn McLeod and Mr Paul Connolly as community representatives on the Heritage Advisory Committee; and
3. DETERMINE the appointments to apply until October 2017.

PROPONENT:

The proponent is The City of Greater Geraldton.

BACKGROUND:

At the City of Greater Geraldton Ordinary Meeting of Council held on Tuesday 24 November 2015 the following was resolved in reference to the re-establishment of Council Committees.

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

1. *RE-ESTABLISH the following listed internal Committees:*
 - m. Heritage Advisory Committee*

*The Heritage Advisory Committee is comprised of
5 x Elected Members of Council*

External Members:

| | |
|-------------------------------------|-----------------------------------|
| Nominee from | Community Representative |
| Nominee from | Community Representative |
| Nominee from | Walkaway Station Museum Inc. |
| Nominee from | Community Group of Greenough Inc. |
| Nominee from | Geraldton Historical Society Inc. |
| City Heritage Advisor | (ex-officio) |
| Aboriginal Community Representative | (ex-officio) |

Manager WA Museum Geraldton (ex-officio)
National Trust WA Representative (ex-officio)
City of Greater Geraldton staff as (ex-officio)
required

Expressions of interest from prospective community representatives on the Heritage Advisory Committee (HAC) were sought in July 2016. An advertisement was placed in the Public Notice section of the Geraldton Guardian on Friday 8 July 2016 as well as the Mid West Times on Wednesday 13 July 2016. Notices were placed on public noticeboards at the Geraldton Regional Library, Mullewa District Office and Cathedral Avenue reception area. Two nominations, which addressed the required criteria, were received by the closing date of 25 July 2016. Nominations were from community members who had served on the previous HAC, Ms Marilyn McLeod and Mr Paul Connolly. Both nominees have extensive experience in heritage matters. Nominations were discussed at the HAC meeting on 16 August 2016. A recommendation was made to appoint the two candidates as community representatives to HAC.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

Cultural and Heritage Tourism has a significant economic impact.

Social:

The City has a strong sense of place and history and is proud to make heritage an important part of its broader mission to enhance and celebrate its diverse community. Heritage is defined as "*something inherited from the past and valued enough today to leave for future generations*, (National Trust of Australia, WA 2007 *Sharing Our Stories*). The social significance placed on a landscape, a building, a site, object or collection plays an important role in heritage.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

Heritage interpretation is about sharing memories and experiences. It respects the connections between people and place. It involves partnerships between entrepreneurs and a range of different stakeholders, including indigenous and other communities, scientists, historians and artists.

RELEVANT PRECEDENTS:

Since Council approved the formation of a Heritage Advisory Committee in May 2011, there has been community representation on the committee.

COMMUNITY/COUNCILLOR CONSULTATION:

The HAC discussed applications received from the two members of the community at a meeting held on Tuesday 16 August 2016.

LEGISLATIVE/POLICY IMPLICATIONS:

CP023 Heritage Policy will be a guiding policy for relevant issues brought before this committee.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

| | |
|----------------|---|
| Title: Culture | Heritage |
| Strategy 1.1.1 | Recognising and protecting our history and restoring heritage sites and buildings |

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no inherent risks to the City.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No other alternative options were considered.

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

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

1. **ACKNOWLEDGE** the recommendations of the Heritage Advisory Committee;
2. **APPOINT** Ms Marilyn McLeod and Mr Paul Connolly as community representatives on the Heritage Advisory Committee; and
3. **DETERMINE** the appointments to apply until October 2017.

CARRIED BY ABSOLUTE MAJORITY 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

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|--|
| CCS202 CITY OF GREATER Geraldton MEETING PROCEDURES AMENDMENT LOCAL LAW 2016 |
|--|

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-53156 |
| AUTHOR: | M Adam, Coordinator Governance |
| EXECUTIVE: | B Davis, Director Corporate and Commercial Services |
| DATE OF REPORT: | 2 September 2016 |
| FILE REFERENCE: | LE/5/0001 |
| ATTACHMENTS: | Yes (x1) |
| | A. City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 |

EXECUTIVE SUMMARY:

The City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 is provided as attachment CCS202 for consideration by Council to make the law under section 3.12 of the Local Government Act 1995.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 3.12(4) of the Local Government Act RESOLVES to:

1. NOTE that no community submissions were received to the proposed Meeting Procedures Amendment Local Law 2016; and
2. MAKE the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

At the Ordinary meeting of Council held on 28 June 2016 Council resolved to

1. *GIVE NOTICE of the intention to make the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, the purpose and effect of which is as follows:*
 - a. *Purpose: To Amend certain provisions within the City of Greater Geraldton Meeting Procedures Local Law 2011; and*
 - b. *Effect: To provide for the orderly and efficient conduct of meetings at the City of Greater Geraldton.*
2. *APPROVE the advertising of the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, in order to seek public comment.*

The City of Greater Geraldton Meeting Procedures Amendment Local Law 2011 was subsequently advertised to seek public comment in the Geraldton Guardian on 5 July 2016, and the West Australian on 6 July 2016 in accordance with section 3.12 of the *Local Government Act 1995*. The notice was also placed on public notice boards at the Civic Centre, Library and Mullewa Office

and on the City Website. The consultation period closed at 5pm on Friday 19 August 2016.

3.12. *Procedure for making local laws*

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

and
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

In accordance with section 3.12 (3)(b) a copy of the proposed Local Law was forwarded to the Ministers office and the Department of Local Government and Communities, DLGC.

The Department (DLGC) responded to the City on 12 August 2016 suggesting a number of minor formatting changes for compliance with previous recommendations from the Delegated Legislation Committee. The Meeting Procedures Amendment Local Law 2016 has been amended accordingly and the amendments are not considered to be significantly different from what was originally proposed.

There were no other public comments received in response to the advertising.

Should the Council resolve to make the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 the City is required to publish the local law in the Government Gazette and issue a public notice advising that the local law has been made. A copy of the local law, an Explanatory Memorandum, Statutory Procedures Checklist and supporting documentation is to be provided to Parliaments Delegated Legislation Committee for review. The local law would come into effect 14 days after publication in the Government Gazette.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

The Meeting Procedures Local Law 2011 was made upon the establishment of the City of Greater Geraldton (effective 1 July 2011) and adopted by Council on 17 November 2011. It was published in the Government Gazette on 16 February 2012.

COMMUNITY/COUNCILLOR CONSULTATION:

In accordance with Section 3.12(5) of the *Local Government Act 1995* state wide notice was given for a period of 42 clear days from the date of publication of the advertisement (6 July 2016) inviting submissions on the proposed local law. The consultation period closed on 19 August 2016. As part of the consultation process the draft Meeting Procedures Amendment Local Law 2016 was referred to the Minister and the Department of Local Government and Communities for comment.

LEGISLATIVE/POLICY IMPLICATIONS:

Local Laws are made pursuant to *The Local Government Act 1995 section 3.12 Procedure for making Local Laws*.

FINANCIAL AND RESOURCE IMPLICATIONS:

Should Council resolve to make the Meeting Procedures Amendment Local Law 2016 costs will be incurred for advertising and publication in the Government Gazette.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

The provision of an effective Meeting Procedures Local Law will facilitate effective consultation, discussion and decision making at Council, Committee and Electors meetings within the City of Greater Geraldton and enhance the City as a Regional Centre.

RISK MANAGEMENT

It is a requirement of the *Local Government Act 1995* s 3.12(4) that:

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

** Absolute majority required.*

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City Officers.

COUNCIL DECISION**MOVED MAYOR VAN STYN, SECONDED CR BYLUND**

That Council by Absolute Majority pursuant to Section 3.12(4) of the Local Government Act **RESOLVES** to:

1. **NOTE** that no community submissions were received to the proposed Meeting Procedures Amendment Local Law 2016; and
2. **MAKE** the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016.

CARRIED BY ABSOLUTE MAJORITY 10/0

| | |
|----------------|-----|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

CCS203 CHANGE METHOD OF VALUATION OF LAND FROM GRV TO UV

| | |
|--------------------------|--|
| AGENDA REFERENCE: | D-16-56710 |
| AUTHOR: | S Russell, Rates Coordinator |
| EXECUTIVE: | B Davis, Director Corporate and Commercial Services |
| DATE OF REPORT: | 31 August 2016 |
| FILE REFERENCE: | RV/7/0002 |
| ATTACHMENTS: | Yes (x1) |
| | A. Aerial Map Lot 104 |

EXECUTIVE SUMMARY:

A request was received from the power of attorney acting for the registered owner of Rates Assessment number 18 being Lot 104 Mullewa – Wubin Road to have this property group rated with Rates Assessment number 565 which comprises of adjoining lots 5, 8, 7, 9, 11, 12, 6443 and 8387.

Due to lot 104 currently being rated with a Gross Rental Valuation (GRV) and lots 5, 8, 7, 9, 11, 12, 6443 and 8387 all being rated with an Unimproved Valuation (UV) it is not possible to have these properties group rated unless the method of valuation is aligned.

Change of method of valuation is determined by predominant land use and requires Council and Ministerial approval for the GRV method of valuation to be changed to UV.

It is recommended that Council resolve to seek Ministerial approval for the basis of rating for Lot 104 Mullewa-Wubin Road be changed from Gross Rental Value to Unimproved Value.

EXECUTIVE RECOMMENDATION;

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

1. MAKE application to the Minister of Local Government and Communities to change the method of valuation on Lot 104 Mullewa-Wubin Road, Mullewa from gross rental value (GRV) to unimproved value (UV); and
2. CHANGE the method of valuation from GRV to UV to take effect from the date of Ministerial approval.

PROPONENT:

The proponent is Mr David Tomasi, acting power of attorney for Mary Josephine Docherty.

BACKGROUND:

A review of the method of valuation was undertaken by rates staff and an initial assessment of this property potentially requiring a change to Unimproved Value (UV) due to its use being predominantly for rural purposes.

Correspondence was received from the power of attorney acting for the owner requesting the property be changed to an unimproved valuation due to the predominant use being farmed with the adjoining lots and also provides the farm entrance off the Mullewa-Wubin Road. It was stated it had only every been used for this purpose and had never had a residential use.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

The City is to ensure that similar properties in the district are treated consistently, equitably and with fairness. Other properties within the City which are used for rural purposes are rated on Unimproved Valuations.

COMMUNITY/COUNCILLOR CONSULTATION:

The request came from the owner therefore no further consultation was necessary.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.28 of the Local Government Act 1995 states: -

6.28 Basis of rates

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

- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.

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

- Objectivity;
- Fairness and equity;
- Consistency;
- Transparency; and
- Administrative efficiency.

FINANCIAL AND RESOURCE IMPLICATIONS:

The impact on the properties under review is the valuation will be based on the land in its natural virgin state with no improvement. This is opposed to the current GRV method of valuation.

The valuation would not be known until the Valuer General has carried out its review. This change to the method of valuation would likely result in no change to the revenue for the City as it is currently being rated at the minimum rate of \$1,010.00 and it is expected that this would remain the case under unimproved valuation.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

Ministerial approval to change the method of valuation mitigates any risk to Council.

ALTERNATIVE OPTIONS CONSIDERED

No alternative options considered.

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

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

1. **MAKE** application to the Minister of Local Government and Communities to change the method of valuation on Lot 104 Mullewa-Wubin Road, Mullewa from gross rental value (GRV) to unimproved value (UV); and
2. **CHANGE** the method of valuation from GRV to UV to take effect from the date of Ministerial approval.

CARRIED 10/0

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

CCS204 CEO PERFORMANCE REVIEW

| | |
|--------------------------|---|
| AGENDA REFERENCE: | D-16-57263 |
| AUTHOR: | P Bennett, Administration Officer – Corporate Services |
| EXECUTIVE: | B Davis, Director Corporate & Commercial Services |
| DATE OF REPORT: | 9 September 2016 |
| FILE REFERENCE: | GO/6/0012-04 |
| ATTACHMENTS: | Yes (x1) |
| | A. Confidential – Corporate & Commercial Services |

EXECUTIVE SUMMARY:

The purpose of this item is to seek Council's endorsement of the Chief Executive Officer's (CEO) performance review and performance plan for 2016/17.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.38 of the Local Government Act RESOLVES to:

1. NOTE the Chief Executive Officer's satisfactory performance review; and
2. ENDORSE and give effect to the recommendations of the CEO Performance Review Committee of the 6 September 2016.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The Council has a responsibility under the Local Government Act 1995 (sections 5.36-5.39) to review the CEO's performance at least annually and set performance criteria so the CEO is clear on the expectations of Council.

The CEO Performance Review Committee held a meeting on 6 September 2016 to review 2015/16 performance and make recommendations for performance criteria for 2016/17. Attached are the minutes of the Committee meeting.

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

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

This is an annual requirement.

COMMUNITY/COUNCILLOR CONSULTATION:

All Council members and executive staff have had input into the performance feedback of the CEO by virtue of a 360 degree survey.

LEGISLATIVE/POLICY IMPLICATIONS:

Part 5 of the Local Government Act 1995 relates to the employment of staff. Section 5.38 of the Act requires regular reviews be undertaken of senior staff of the local government. Regulation 18D requires Council to consider each review carried out under Section 5.38 and to accept the review, with or without modification, or to reject the review.

FINANCIAL AND RESOURCE IMPLICATIONS:

Provision has been made within the budget to accommodate a variation to the CEO package.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

As required by legislation, Council is required to conduct an annual performance review of the CEO. Completion of the review ensures compliance with the statutory requirement.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered.

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

That Council by Simple Majority pursuant to Section 5.38 of the Local Government Act **RESOLVES** to:

1. **NOTE** the Chief Executive Officer's satisfactory performance review; and
2. **ENDORSE** and give effect to the recommendations of the CEO Performance Review Committee of the 6 September 2016.

CARRIED 10/0

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

CCS205 STATEMENT OF FINANCIAL ACTIVITY TO 31 AUGUST 2016

| | |
|--------------------------|--|
| AGENDA REFERENCE: | D-16-57670 |
| AUTHOR: | M Jones, Financial Business Planner |
| EXECUTIVE: | B Davis, Director Corporate and Commercial Services |
| DATE OF REPORT: | 7 September 2016 |
| FILE REFERENCE: | FM/17/0001 |
| ATTACHMENTS: | Yes (x1) |
| | A. Monthly Management Report August 2016 |

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 31 August 2016. 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 31 August 2016 monthly financial activity statements as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

| | | | |
|--------------------------|--------------|-------|-------------------|
| Operating Income | \$736,622 | -1.4% | Negative Variance |
| Operating Expenditure | \$115,924 | -0.8% | Negative Variance |
| Net Operating | \$620,698 | | |
| Capital Expenditure | \$406,800 | -5.4% | Negative Variance |
| Capital Revenue | \$651 | -0.1% | Positive Variance |
| Cash at Bank – Municipal | \$28,171,506 | | |
| Cash at Bank – Reserve | \$10,327,730 | | |
| Total Funds Invested | \$26,327,730 | | |
| Net Rates Collected | 57.18% | | |

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 August financials shows a negative variance of \$620,698 in the net operating result.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

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

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options to consider.

COUNCIL DECISION CCS205

MOVED CR GRAHAM, SECONDED CR FREER

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

- 1. RECEIVE the 31 August 2016 monthly financial activity statements as attached.**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

13 REPORTS OF INFRASTRUCTURE SERVICES
Nil.

14 REPORTS OF OFFICE OF THE CEO
Nil.

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

| | |
|-------------------------------|---|
| AGENDA REFERENCE: | D-16-57998 |
| AUTHOR: | K Diehm, Chief Executive Officer |
| EXECUTIVE: | K Diehm, Chief Executive Officer |
| DATE OF REPORT: | 13 September 2016 |
| FILE REFERENCE: | GO/6/0012-04 |
| APPLICANT / PROPONENT: | City of Greater Geraldton |
| ATTACHMENTS: | Yes (x2) A. Delegated Determinations and Subdivision Application B. List of Accounts Paid Under Delegation August 2016 |

EXECUTIVE SUMMARY:

To receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Development & Community Services:
 - i. DCSD114 Delegated Determinations and Subdivision Application

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. CCS206 List of Accounts Paid Under Delegation August 2016

PROponent:

The proponent is the City of Greater Geraldton

BACKGROUND:

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be

presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY/COUNCILLOR CONSULTATION:

Not applicable.

LEGISLATIVE/POLICY IMPLICATIONS:

Not applicable.

COUNCIL DECISION

MOVED CR BYLUND, SECONDED CR FREER

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. DCSDD114 Delegated Determinations and Subdivision Application**

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. CCS206 List of Accounts Paid Under Delegation August 2016**

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

16 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Cr Keemink asked the Mayor for an update on the recent China delegation visit.

The Mayor gave an update to the meeting on his trip to China to attend the 2016 International Islands Tourism Conference in Zhoushan (IITCZS), where the City had a booth, held on 21-23 September 2016 and also a Mayoral visit to Zhanjiang. The Mayor and Cr Douglas attended various meetings during their trip to continue the relationships that have been developed during previous visits.

Cr Douglas also thanked Ms Han Jie Davis for her invaluable assistance during their time in China and thanked Council for the opportunity to attend on their behalf.

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

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR DOUGLAS

That Council by Simple Majority **RESOLVES** to **MOVE** behind Closed doors in accordance with section 5.23(2) of the Local Government Act 1995 and section 5.2(i) of Meeting Procedures Local Law, that the following report is confidential as it contains information relating to a member of Council.

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

The Gallery left Chambers at 2:47pm.

Cr Keemink left Chambers at 2:48pm

Cr Keemink returned to Chambers at 2:49pm

| |
|--|
| NOTICE OF MOTION – CONFIDENTIAL |
|--|

| | |
|-------------------------------|---------------------------|
| AGENDA REFERENCE: | D-16-61030 |
| AUTHOR: | Cr Michael Reymond |
| DATE OF REPORT: | 27 September 2016 |
| FILE REFERENCE: | GO/6/0008 |
| APPLICANT / PROPONENT: | Council |
| ATTACHMENTS: | Yes |

The item was provided to Council under separate cover

COUNCIL DECISION

MOVED REYMOND, SECONDED TANTI

That Council by Simple Majority **RESOLVES** to:

1. **EXPRESS** that it is losing confidence in Cr Ellis due to her lack of attendance;
2. **CALL** on Cr Ellis to improve attendance and/or to reconsider her position on Council;
3. **MAKES** the determination on the following grounds:
 - a. To ensure ratepayers are represented by Councillors in accordance with community expectations.

CARRIED 10/0

| | |
|-----------------------|------------|
| Mayor Van Styn | YES |
| Cr. Douglas | YES |
| Cr. Bylund | YES |
| Cr. Ellis | N/V |
| Cr. Keemink | YES |
| Cr. Hall | N/V |

| | |
|----------------------|------------|
| Cr. Critch | N/V |
| Cr. Graham | YES |
| Cr. Tanti | YES |
| Cr. Reymond | YES |
| Cr. Mcllwaine | YES |
| Cr. Freer | YES |
| Cr. Colliver | YES |
| Cr. Caudwell | N/V |
| Cr. Thomas | N/V |

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

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

CARRIED 10/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

The Gallery were invited to return to the meeting at 3.03pm

19 CLOSURE

There being no further business the Presiding Member closed the meeting at 3:03pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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