ORDINARY MEETING OF COUNCIL
AGENDA

23 January 2018
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CITY OF GREATER GERALDTON

ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 23 JANUARY 2018 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

AGENDA

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

1 DECLARATION OF OPENING

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 Yamaji people.

3 ATTENDANCE
   Present:
   Officers:
   Others:
   Members of Public:
   Members of Press:
   Apologies:
   Cr S Douglas*
   Noted as an apology until Leave of Absence is approved.
   Leave of Absence:
   Cr S Keemink
   Cr J Critch
   Cr V Tanti**
4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There are no questions from previous meetings.

5 PUBLIC QUESTION TIME

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

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

6 APPLICATIONS FOR LEAVE OF ABSENCE

<table>
<thead>
<tr>
<th>Existing Approved Leave</th>
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<tr>
<td>Councillor</td>
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<tr>
<td>Cr S Keemink</td>
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<tr>
<td>Cr J Critch</td>
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<tr>
<td>Cr V Tanti**</td>
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<tr>
<td>Cr M Reymond</td>
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<tr>
<td>Cr L Freer</td>
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<tr>
<td>Cr S Douglas</td>
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</tbody>
</table>

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

**Note: Cr V Tanti advised he will be in attendance at the Council Meeting of 23 January 2018.

Cr S Douglas requests leave of absence for the period 23 January 2018 to 26 January 2018 be approved.

Cr R Hall requests leave of absence for the period 2 February 2018 to 5 February 2018 be approved.

Cr R Hall requests leave of absence for the period 4 March 2018 to 10 March 2018 be approved.

Cr G Bylund requests leave of absence for the period 15 February 2018 to 26 February 2018 be approved.

Cr N McIlwaine requests leave of absence for the period 5 February 2018 to 8 February 2018 be approved.

Cr N McIlwaine requests leave of absence for the period 16 April 2018 to 25 April 2018 be approved.

Cr N McIlwaine requests leave of absence for the period 16 November 2018 to 30 November 2018 be approved.
7  PETITIONS, DEPUTATIONS OR PRESENTATIONS

8  DECLARATIONS OF CONFLICTS OF INTEREST

9  CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated
RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 19 December 2017, as previously circulated, be adopted as a true and correct record of proceedings.
### 10 ANNOUNCEMENTS BY THE CHAIR

*Events attended by the Mayor or his representative*

<table>
<thead>
<tr>
<th>DATE</th>
<th>FUNCTION</th>
<th>REPRESENTATIVE</th>
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<tbody>
<tr>
<td>20 December 2017</td>
<td>Spirit Radio – Council Matters</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>20 December 2017</td>
<td>ABC Radio – Council Matters</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>20 December 2017</td>
<td>GWN7 Interview – Corella Control Program</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>20 December 2017</td>
<td>Gerald Apartment Hotel Launch</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>21 December 2017</td>
<td>Progress Mid West Establish Board Meeting</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>21 December 2017</td>
<td>Site Inspection – Rock's Building</td>
<td>Mayor Shane Van Styn</td>
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<td>21 December 2017</td>
<td>Regular Catch up – Mayor &amp; CEO</td>
<td>Mayor Shane Van Styn</td>
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<td>21 December 2017</td>
<td>Regular Catch up – Marketing &amp; Media</td>
<td>Mayor Shane Van Styn</td>
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<td>2 January 2018</td>
<td>ABC Interview – HMAS Sydney Memorial Amenities</td>
<td>Mayor Shane Van Styn</td>
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<td>7 January 2018</td>
<td>Toyota Australian Country Cricket Championships Final</td>
<td>Mayor Shane Van Styn</td>
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<td>8 January 2018</td>
<td>Regular Catch up – Mayor &amp; CEO</td>
<td>Mayor Shane Van Styn</td>
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<td>8 January 2018</td>
<td>Regular Catch up – Marketing &amp; Media</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>8 January 2018</td>
<td>HMAS Sydney Memorial Amenities – Ray Underwood</td>
<td>Mayor Shane Van Styn</td>
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<td>9 January 2018</td>
<td>Geraldton RSL - Discussion on Geraldton hosting next RSLWA Board Meeting</td>
<td>Mayor Shane Van Styn</td>
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<td>9 January 2018</td>
<td>Concept Forum</td>
<td>Mayor Shane Van Styn</td>
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<td>10 January 2018</td>
<td>GWN7 Interview – Visiting cruise ships and Minister Saffioti’s announcement on the future of Geraldton port</td>
<td>Mayor Shane Van Styn</td>
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<td>11 January 2018</td>
<td>ABC TV Interview – Corellas</td>
<td>Mayor Shane Van Styn</td>
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<td>11 January 2018</td>
<td>Bendigo Bank – Current status and future plans</td>
<td>Mayor Shane Van Styn</td>
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<td>11 January 2018</td>
<td>HMAS Sydney Memorial Committee – Cr Bylund &amp; Cr Hall</td>
<td>Mayor Shane Van Styn</td>
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<td>11 January 2018</td>
<td>Food Safety Awards - Promotion of Category Winners</td>
<td>Mayor Shane Van Styn</td>
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<td>12 January 2018</td>
<td>WACA Board Meeting</td>
<td>Mayor Shane Van Styn</td>
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<td>12 January 2018</td>
<td>Leases – Multicultural Association Site Visit</td>
<td>Mayor Shane Van Styn</td>
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<td>13 January 2018</td>
<td>Toyota Australian Country Cricket Championships 2018 – Sponsor &amp; Dignitaries Dinner</td>
<td>Mayor Shane Van Styn</td>
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<td>15 January 2018</td>
<td>Regular Catch up – Marketing &amp; Media</td>
<td>Mayor Shane Van Styn</td>
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<td>15 January 2018</td>
<td>Regular Catch up – Mayor &amp; CEO</td>
<td>Mayor Shane Van Styn</td>
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<td>15 January 2018</td>
<td>CBD Master Plan Update</td>
<td>Mayor Shane Van Styn</td>
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<td>16 January 2018</td>
<td>ABC Phone Interview – Roadworks at Chapman Rd/ Durlacher St</td>
<td>Mayor Shane Van Styn</td>
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<td>16 January 2018</td>
<td>Agenda Forum</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>Date</td>
<td>Event Description</td>
<td>Organizer</td>
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<tr>
<td>18 January 2018</td>
<td>Site Inspection – Rock’s Building</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>18 January 2018</td>
<td>Public Lecture - Batavia</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>19 January 2018</td>
<td>ABC Interview – Regional Growth Fund, RCA</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>19 January 2018</td>
<td>Art Gallery Exhibition Opening – Batavia: Giving voice to the voiceless; Trespasses and Collisions</td>
<td>Deputy Mayor Neil McIwaine</td>
</tr>
<tr>
<td>22 January 2018</td>
<td>Regular Catch up – Marketing &amp; Media</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>22 January 2018</td>
<td>Regular Catch up – Mayor &amp; CEO</td>
<td>Mayor Shane Van Styn</td>
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<td>22 January 2018</td>
<td>Beresford Foreshore - Ground Breaking Promotion</td>
<td>Mayor Shane Van Styn</td>
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<td>22 January 2018</td>
<td>Regular Meeting with Hon. Laurie Graham MLC, Member for the Agricultural Region - Local Matters</td>
<td>Mayor Shane Van Styn</td>
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<td>23 January 2018</td>
<td>Spirit Radio – Australia Day Celebrations</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>23 January 2018</td>
<td>St John of God – Meet &amp; Greet new CEO</td>
<td>Mayor Shane Van Styn</td>
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<tr>
<td>23 January 2018</td>
<td>Ordinary Meeting of Council</td>
<td>Mayor Shane Van Styn</td>
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</table>
11 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS356  PROPOSED LOCAL PLANNING SCHEME AMENDMENT – SERVICE COMMERCIAL REZONING, WONTHELLA

AGENDA REFERENCE: D-18-000894
AUTHOR: K Elder, Coordinator Strategic Planning
EXECUTIVE: P Melling, Director Development & Community Services
DATE OF REPORT: 21 December 2017
FILE REFERENCE: LP/14/0005
ATTACHMENTS: Yes (x1)
Scheme Amendment Report

EXECUTIVE SUMMARY:
An application has been received to initiate a Local Planning Scheme Amendment (‘amendment’) to rezone Lot 60 First Street and a portion of Lot 61 First Street and Lot 64 North West Coastal Highway, Wonthella from ‘Residential R30’ and ‘Primary Distributor’ local scheme reserve to ‘Service Commercial’.

This report recommends that Council initiate the amendment and determine that the rezoning is a ‘standard’ amendment.

EXECUTIVE RECOMMENDATION:

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

1. AMEND Local Planning Scheme No.1 by:
   a. Rezoning Lot 60 First Street, Wonthella from ‘Residential R30’ to ‘Service Commercial’; and
   b. Rezoning a portion of Lot 61 First Street and a portion of Lot 64 North West Coastal Highway, Wonthella from ‘Primary Distributor’ local scheme reserve to ‘Service Commercial’.

Part B:
That Council by Simple Majority, pursuant to Part 5, Division 1, Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES to:

1. DETERMINE that the rezoning is a ‘standard’ amendment.
2. MAKE the determination on the following grounds:
   a. The amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
   b. The amendment is to correct an administrative error.

PROPONEENT:
The proponent is HTD on behalf of Roland Prinzen.
BACKGROUND:
The land subject to this amendment comprises of 3 lots in a block located on the eastern side of North West Costal Highway between the intersections of First Street and Place Road.

Lot 60 First Street is currently zoned ‘Residential R30’ while Lot 61 First Street and Lot 64 North West Coastal Highway are zoned ‘Service Commercial’ with the western portion zoned ‘Primary Distributor’ Local Scheme Reserve. The following land uses exist on site:

- Lot 60 (No. 203) First Street – Dwelling;
- Lot 61 (No. 201) First Street – Domino’s Pizza; and
- Lot 64 (No. 184-186) North West Coastal Highway – Subway and Chicken Treat.

Adjacent to the subject land area is Bunnings to the west while the north side of Place Road is zoned ‘Service Commercial’ and contains associated uses. The lots abutting to the east are zoned ‘Residential R30’ and are used for residential purposes.

There are two components to the amendment:

1. To rezone Lot 60 First Street, Wonthella from ‘Residential R30’ to ‘Service Commercial’. This will enable the lot to be developed in accordance with the land uses prescribed the Scheme for the ‘Service Commercial’ zone.

2. To amend a minor zoning anomaly over Lot 64 North West Coastal Highway and Lot 61 First Street, Wonthella. This anomaly was caused by a drafting error in the mapping of Local Planning Scheme No. 1. This has resulted in the ‘Primary Distributor’ reservation depicting the North West Coastal Highway alignment being incorrectly extended over small portions of Lot 64 North West Coastal Highway and Lot 61 First Street, Wonthella.

The amendment therefore proposes to rezone the affected portions of Lot 61 and 64 from ‘Primary Distributor’ Local Scheme Reserve back to the ‘Service Commercial’ zone.

This proposed modification will not affect any on-ground development and will simply ensure that the future North West Coastal Highway alignment is appropriately reflected on the scheme map.

It is worthwhile to note that the amendment was initiated by the owner of Lot 60 First Street. The additional two lots (being Lot 61 First Street and Lot 64 North West Coastal Highway) were included at the request of the City in order to rectify the zoning anomaly at the same time.

Lot 60 has previously been subject to an amendment to rezone the lot to ‘Highway Commercial’ under the then Town Planning Scheme No. 3
(Geraldton) (“TPS 3”). At that time, the then owner objected to the inclusion of the lot within the rezoning as they had no desire to redevelop the site for any service commercial purposes. The new owner however is now keen to pursue a rezoning of the lot to allow for future development.

The scheme amendment report is included as Attachment No. DCS356 - Scheme Amendment Report.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

**Community:**
There are no community issues.

**Environment:**
As part of the amendment process, and prior to public advertising, the Environmental Protection Authority is required to assess the amendment under Part IV of the *Environmental Protection Act 1986*.

**Economy:**
The amendment will facilitate the expansion of the ‘Service Commercial’ development along North West Coastal Highway.

**Governance:**
There are no governance issues.

RELEVANT PRECEDENTS:
Council at its meeting held on 24 February 2009 resolved to give final approval to Scheme Amendment No. 47 which proposed to introduce the ‘Highway Commercial’ zone into the then TPS 3 and rezone an area of land on the western side of the North West Coastal Highway between Phelps Street and Critch Place to the ‘Highway Commercial’ zone. The Minister gave final endorsement of the amendment on 26 November 2009.

Council at its meeting held on 10 November 2009 resolved to give final approval to Scheme Amendment No. 53 to TPS 3 which proposed to rezone Lots 274, 275 and 278 – 281 Fourth Street, Wonthella to the ‘Highway Commercial’ zone. The Minister gave final endorsement of the amendment on 11 March 2010.

Council at its meeting held on 22 February 2011 resolved to give final approval to Scheme Amendment No. 58 to TPS 3 which proposed to rezone Lots 30 and 31 North West Costal Highway and Lot 32 Wittenoom Street, Wonthella to the ‘Highway Commercial’ zone. The Minister gave final endorsement of the amendment on 29 June 2011.

Council at its meeting held on 28 February 2012 resolved to give final approval to Scheme Amendment No. 65 to TPS 3 which proposed to rezone Lots 62, 63, 74, 82, 83 North Coastal Highway, Wonthella (between Duke and Houtman Streets) to the ‘Highway Commercial’ zone. The Minister gave final endorsement of the amendment on 11 April 2012.
Council at its meeting held on 22 July 2014 resolved to initiate Scheme Amendment No. 72 to TPS 3 which proposed to rezone Lot 3 Place Road, Lots 59, 60 & 61 First Street and Lot 64 North West Coastal Highway to the ‘Highway Commercial’ zone.

Following consultation with the affected landowners, Council at its meeting held on 16 December 2014 resolved to give final approval to the amendment subject to the removal of Lot 3 Place Road and Lots 59 & 60 First Street. The landowners at the time had no desire to redevelop the lots for any service commercial purposes.

The Minister gave final endorsement of the amendment as per Council’s resolution on 6 May 2015.

COMMUNITY/COUNCILLOR CONSULTATION:
Should Council initiate the amendment it is required to be publicly advertised for a period of not less than 42 days in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

There has been no Councillor consultation, however, at the conclusion of public advertising period the matter must be presented back to Council which will include a schedule of submissions received. A resolution must then be passed to either support the amendment (with or without modification) or not support the amendment.

LEGISLATIVE/POLICY IMPLICATIONS:

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.

Planning and Development (Local Planning Schemes) Regulations 2015:

Standard Amendment:
Part 5, Division 1, Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 requires that the local government resolution must specify whether, in the opinion of the local government the amendment is a basic, standard or complex amendment.

In essence a ‘basic’ amendment is one that corrects an administrative error in the scheme or rectifies a zoning anomaly.

A ‘standard’ amendment is one that is consistent with a local planning strategy, would have minimal impact on land in the area and does not result in any significant impacts on the land.

A ‘complex’ amendment is one that is not consistent with a local planning strategy and is of a scale that will have an impact that is significant relative to the development in the locality.
This amendment is considered to be a ‘standard’ amendment under the above criteria.

City of Greater Geraldton Local Planning Scheme No. 1:
The amendment proposes to rezone Lot 60 First Street, and portions of Lot 61 First Street and Lot 64 North West Coastal Highway to ‘Service Commercial’.

The objectives of the ‘Service Commercial’ zone are to:

a) Accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.

b) Provide for a range of wholesale sales, showrooms, trades and services, which by reason of their scale, character, operational or land requirements, are not appropriate for industrial or commercial zones; and

c) Ensure development achieves relatively high amenity standards based on the level of exposure of the site and proximity to residential areas.

This proposal is consistent with these objectives, as the subject lots are located on sites with good vehicular access and provides appropriate land for a mix of uses proposed within the ‘Service Commercial’ zone.

The provisions of the scheme, along with the objectives of the ‘Service Commercial’ zone will ensure that any future development, or redevelopment proposed on the lots will achieve relatively high amenity standards based on exposure and proximity to residential areas.

FINANCIAL AND RESOURCE IMPLICATIONS:
There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Governance</th>
<th>4.2 Planning and Policy</th>
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</thead>
<tbody>
<tr>
<td>Strategy: 4.2.2</td>
<td>Responding to community aspirations by providing planning and zoning for future development.</td>
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</table>

REGIONAL OUTCOMES:

Geraldton Regional 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 industrial and service commercial’ on the structure plan.

Geraldton Regional Centre Strategy:
The Geraldton Regional Centre Strategy was endorsed by the WA Planning Commission in 2005, with the purpose of providing ‘a comprehensive
framework for detailed planning and strategic actions to ensure the future growth of Geraldton as the regional centre [for the Midwest]'.

The subject lots are located within the ‘Highway Commercial’ precinct of the Strategy. Section 11.2.8 of the Strategy states the following in relation to the Highway Commercial Precinct:

*The extent of this precinct along the North-West Coastal Highway is restricted under the strategy to largely recognise sites that are already zoned or developed for commercial activities. However, there is considered to be sufficient under-used land in the precinct to facilitate expansion of service commercial activities, including bulky goods retailing.*

This amendment is consistent with the intent of this Strategy.

**Local Planning Strategy 2015:**
The Strategy represents the land use planning response to the City's strategic community vision based on an aspirational population of 100,000. The Strategy will guide long-term land use planning and provide the rationale for land use and development controls.

The subject lots are identified as ‘Service Commercial’ on the Geraldton Urban Area Strategy Plan. The Strategy states the following in relation to ‘Service Commercial’ areas:

*Service commercial areas capitalise on the movement economy, are predominately car-based and provide a transition between busy roads and industrial areas, adjoining residential and commercial areas. Service commercial areas are generally not appropriate within activity centres, being car based and therefore easily accessible from major traffic routes. Existing service commercial areas have developed adjacent to North West Coastal Highway. This form of development provides an important component of the Commercial Activity Centres Strategy accommodating a range of large format / bulky goods businesses.*

The amendment is consistent with the Local Planning Strategy given not only are they indicated within the service commercial expansion area, but the lots are located on prime transportation routes and will provide a transition area from the impacts of North West Coastal Highway to the established residential areas.

**Commercial Activities Centres Strategy:**
The purpose of this strategy is to provide a framework for the location and development of shopping and activity centres in the City of Greater Geraldton region. Under the strategy, the subject area is classified under the hierarchy as ‘Highway Commercial’.
The Strategy identified the role of the ‘highway commercial’ zone (termed ‘Service Commercial’ under the Scheme) as:

_The primary function of the Highway Commercial Area is for forms of retail (such as large showrooms or bulky goods displays) whose floor space requirements make them unsuited to locate in other areas of commercial development. Generally, office uses, or shopping uses of less than 300m² should not be supported in these areas. The number and smaller size of the existing land parcels along the North-West Coastal Highway may make this difficult to achieve, however preference will be given to larger forms of retail as the primary intent is to ensure that pedestrian-based shopping and uses are located in a pedestrian friendly urban environment in the core of the activity centres._

This amendment is consistent with the intent of this Strategy.

**RISK MANAGEMENT:**
There are no inherent risks to the City in initiating this amendment.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**
It is considered that the proposed amendment is consistent with the local planning framework and direction for commercial activity in Greater Geraldton. Lot 60 is directly abutting Lots 61 and 64 which are already zoned ‘Service Commercial’ and serves as a logical extension of the zone. The proposed rezoning on Lots 61 and 64 is a simple correction to a zoning anomaly. The option to refuse is therefore not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter.
12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

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<tr>
<th>CCS305</th>
<th>RATES EXEMPTION – NGALA CHILDREN’S SERVICES</th>
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<tbody>
<tr>
<td>AGENDA REFERENCE:</td>
<td>D-18-001445</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>S Russell, Rates Coordinator</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>B Davis, Director Corporate &amp; Commercial Services</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>19 December 2017</td>
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<tr>
<td>FILE REFERENCE:</td>
<td>RV/4/0003</td>
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<td>ATTACHMENTS:</td>
<td>Yes (x3) Confidential x1</td>
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<tr>
<td></td>
<td>A. Ngala Organisational Statement</td>
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<td>B. Ngala Charity Registration</td>
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<td>C. Confidential Attachment - Legal Advice from McLeod’s Barristers &amp; Solicitors</td>
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EXECUTIVE SUMMARY:
Ngala Children Services have submitted four applications for rates exemption to Council to be deemed as 'non-rateable' land by reason of section 6.26(2)(g) of the Local Government Act 1995 (“LGA”) (being land used exclusively for charitable purposes) and therefore exempt from paying rates for the following properties which are currently leased from the City:

- A10740 – 29 Whitfield Street, Beachlands;
- A66665 – 34 Paringa Street, Mt Tarcoola;
- A15403 – 208 Eighth Street, Wonthella; and
- A478 – 20 Jose Street, Mullewa.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 6.26(2)(g) of the Local Government Act 1995 RESOLVES to:

1. APPROVE a rates exemption for Ngala Children Services on the following properties on the basis that the properties are being used exclusively for a charitable purpose:
   a. A10740 – 29 Whitfield Street, Beachlands;
   b. A66665 – 34 Paringa Street, Mt Tarcoola;
   c. A15403 – 208 Eighth Street, Wonthella; and
2. REJECT the rates exemption application for 20 Jose Street, Mullewa on the basis that the property is not being used exclusively for a charitable purpose.

PROPOINENT:
The proponent is Ngala Children Services.

BACKGROUND:
Ngala leases each of these four properties from the City under ‘peppercorn’ lease agreements which permit Ngala to use each property for the purpose of family day care and under which Ngala is obliged to, among other things, pay local government rates.
Ngala Children Services is a not for profit organisation which provides non-profit child care facilities, including but not limited to long day care (full-time and part-time), casual care, before and after school care to persons unable to afford fees for childcare.

Four different educators who all hold a Service Membership with Ngala Bright Stars are operating from each of the Geraldton properties offering the following services:

A10740 – 29 Whitfield Street, Beachlands operating four days per week and caring for four children on any given day.

A66665 – 34 Paringa Street, Mt Tarcoola is operated by two educators on a job share arrangement providing care for four children each day and offer after school care for two additional children.

A15403 – 208 Eighth Street, Wonthella operating four days per week and caring for four children each day and offers after school care for three additional children.

A478 – 20 Jose Street, Mullewa currently does not have anyone working from this building.

The educators pay a small weekly rent to the service to offset the cost of the buildings utilities. The educators charge the families a fee to use the service and can have up to four children under four at any time, and three children out of school hours, charged at an hourly rate. The fee paid to the educators goes towards providing transport, food and essentials to the children while they are in care and remuneration to the educators for providing the care.

All educators are required to work with the National Quality Framework and deliver educational programs using the Early Years Learning Framework.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
There are no community impacts.

Environment:
There are no environmental impacts.

Economy:
There are no economic impacts.

Governance:
There are no governance impacts.
RELEVANT PRECEDENTS:
This Council and its predecessor Councils have previously approved rate exemptions for property utilised exclusively for charitable purposes, consistent with section 6.26(2)(g) of the Local Government Act 1995.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no Community/Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:
Legal advice on this matter has been obtained and is provided to Councillors as a confidential attachment.

Section 6.26 of the Local Government Act provides broad definitions for rateable and non-rateable land. Section 6.26(2)(g) states that land is not rateable if it is “used exclusively for charitable purposes”. Based on legal advice, Ngala meets the criteria for the ‘advancement of education’ category of charitable purpose.

‘Charitable purposes’ is not currently defined in the Local Government Act 1995 or other statutes; rather charity is defined at common law. The definition of a charitable purpose is largely based on the preamble to the Statute of Elizabeth enacted by the English Parliament in 1601 and the judgment of Lord Macnaghten in Commissioners for Special Purposes of Income Tax v Pemsel. Lord Macnaghten classified the categories of charitable as trusts for one of the following:

- the relief of poverty;
- the advancement of education;
- the advancement of religion; and
- other purposes beneficial to the community.

The High Court of Australia incorporated the Statute of Elizabeth into Australian law, finding that in order for an institution to be charitable, it must be:

(a) within the spirit and intendment of the Preamble to the Statute Elizabeth; and
(b) For the public benefit.

The Western Australian case law (arising from both the Courts and the State Administrative Tribunal) summarise that for a purpose to be charitable:

(a) it must fall within the purposes set out in the Statute of Elizabeth, or by Lord Macnaghten (above); and
(b) There must be a public benefit, being a benefit directed to the general community, or to a sufficient section of the community to amount to the public.
FINANCIAL AND RESOURCE IMPLICATIONS:
The annual value of the exemption based on the 2017-18 rates billing is estimated to be $7,092.61.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community</td>
<td>1.5 Recognise, value and support everyone</td>
</tr>
<tr>
<td>Strategy 1.5.1</td>
<td>Supporting and strengthening community groups, organisations and volunteer services</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
There are no regional outcomes.

RISK MANAGEMENT:
Based on legal advice if Council declines this application then the City would likely be unsuccessful in defending its position to the State Administrative Tribunal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
Council may decline the application for rate exemption on the basis that it considers Ngala Children Services is not providing a charitable purpose to the community or that such charitable use relating to the property is not considered an exclusive use.
EXECUTIVE SUMMARY:
The attached financial reports provide a comprehensive report on the City’s finances to 31 December 2017. The statements in this report include no matters of variance considered to be of concern.

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

1. RECEIVE the monthly financial statements of activity dated 31 December 2017, as attached.

PROPOONENT:
The proponent is the City of Greater Geraldton.

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>% Difference</th>
<th>Budget Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Income</td>
<td>$171,275</td>
<td>0.3%</td>
<td>Over YTD Budget</td>
</tr>
<tr>
<td>Operating Expenditure</td>
<td>$1,404,862</td>
<td>3.3%</td>
<td>Under YTD Budget</td>
</tr>
<tr>
<td>Net Operating</td>
<td>$1,576,137</td>
<td>7.8%</td>
<td>Positive variance</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>$3,009,369</td>
<td>10.8%</td>
<td>Under YTD Budget</td>
</tr>
<tr>
<td>Capital Revenue</td>
<td>$13,525</td>
<td>0.7%</td>
<td>Under YTD Budget</td>
</tr>
<tr>
<td>Cash at Bank – Municipal</td>
<td>$25,466,884</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash at Bank – Reserve</td>
<td>$22,378,512</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Funds Invested</td>
<td>$46,730,294</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Rates Collected</td>
<td>82.23%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Rates Collected in November 2016</td>
<td>83.53%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 December financials shows a variance of $1,576,137 in the net operating result (this takes into account commitments).

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
There are no community impacts.

Environment:
There are no environmental impacts.

Economy:
There are no economic impacts.

Governance:
There are no governance impacts.

RELEVANT PRECEDENTS:
Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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:

<table>
<thead>
<tr>
<th>Title</th>
<th>4.4 Financial Sustainability and Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 4.4.1</td>
<td>Preparing and implementing short to long term financial plans</td>
</tr>
<tr>
<td>Strategy 4.4.3</td>
<td>Delivering and ensuring business systems and services support cost effective Council operations and service delivery.</td>
</tr>
<tr>
<td>Strategy 4.5.2</td>
<td>Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice.</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
There are no regional outcomes.

RISK MANAGEMENT:
There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
There are no alternative options to consider.
EXECUTIVE SUMMARY:
This report seeks Council approval of economic development concessions, in the form of waiving of 2017-18 Rates for Megara Sixteen Pty Ltd, developers of the ex-City depot site in Eastwood Rd, Wonthella.

EXECUTIVE RECOMMENDATION:
That Council by Absolute Majority pursuant to Section 6.47 of the Local Government Act 1995 RESOLVES to:

1. WAIVE rates for the 2017-18 financial year to the value of $15,932.56 on the property located at Lot 3123 No 17 Eastwood Road, Wonthella;
2. NOTE that the proponent must still pay the State Government Emergency Services Levy of $296 on the property for 2017-18; and
3. REQUIRE the Chief Executive Officer to initiate a review of Council policies and strategies related to incentives and concessions designed to stimulate investment in local economic development and employment growth projects, in Greater Geraldton, for Council consideration.

PROPOONENT:
The proponent is Megara Sixteen Pty Ltd.

BACKGROUND:
Megara Sixteen Pty Ltd (Megara) acquired the ex-Depot site from the City. Foundation tenants for the proposed supermarket complex will include Aldi.

Costs of development on this site were escalated significantly by legacy infrastructure issues, including location of water mains, discovery of unknown Telstra services running through the site and requiring relocation, and need to lower ATCO gas mains. Costs also escalated due to Western Power requirements. Project works were delayed significantly by works required by these other parties to resolve infrastructure service issues. The confidential attachment to this report details the commercial impacts of these issues on the project.

In their submission, Megara make reference to Council’s current strategy of concessions for CBD development, noting Council may approve rates concession for a maximum of two years. However, Megara only seeks waiving of rates for a single year. While their initial reference was to 2016-17,
the financial year in which the land subdivision commenced, the project is ongoing during 2017-18, and Councillors will have noted the major road works most recently undertaken to create the NWCH frontage entrance for the site, to meet Main Roads requirements for anticipated supermarket traffic.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
There are no community wide impacts from this decision.

Environment:
There are no environmental impacts from this decision.

Economy:
Acquisition of the ex-Depot site from the State Government, to enable it to be subdivided and sold as freehold land for commercial uses along North West Coastal Highway (NWCH), was a City initiative aiming to stimulate local investment and economic development. Megara subsequently acquired the site from the City, undertook head works and subdivision works, with a new Service Station already constructed and in operation, and development progressing on the adjacent site for an Aldi Supermarket. These new businesses will grow employment and economic activity.

Governance:
There are no governance impacts.

RELEVANT PRECEDENTS:
Council has previously approved concessions including waiving of planning and building fees, and waiving of rates during construction periods, for commercial building refurbishment and construction projects in the City Centre, consistent with Council’s City centre Revitalisation strategy. See further discussion under the Legislative/Policy Implications section of this report.

COMMUNITY/COUNCILLOR CONSULTATION:
There has been no community or Councillor consultation on this matter.

LEGISLATIVE/POLICY IMPLICATIONS:
Section 6.47 of the Local Government Act 1995 empowers a local government to waive a rate or service charge or grant other concessions in relation to a rate or service charge, at the time of imposing the rate or service charge, or at a later date.

Currently, Council’s approach to provision of incentives/concessions designed to stimulate investment in local economic development and employment growth is confined to City Centre revitalisation. The ‘city centre’ is as defined in the local planning policy, and includes the coloured areas in the diagram below. Council’s current strategy (since 2013-14) is as follows, for City Centre Revitalisation:
The City may provide a concession on rates in the core area of the CBD (as defined in the City Centre Planning Policy) during the construction phase of a project, subject to:

- The value of the building permit works exceeding $500,000;
- The development is for a land use in accordance with the City Centre Planning Policy;
- The concession applies only from the date construction has commenced on-site as determined by the City;
- The concession applies only until a Notice of Completion is given OR for a maximum of 2 years, whichever is sooner;
- The construction must be on-going, as determined by the City; and
- Where the value of the building permit works exceeds $7 million, the City may negotiate a longer period of rates concessions.

The current CBD-specific strategy adopted in 2013-14 was formulated prior to development and adoption by Council in 2017 of the *Growing Greater Geraldton Plan*, the growth plan for the whole of the Greater Geraldton city district.

The CBD-focused strategy is not exclusive, and does not constrain Council’s prerogatives to resolve to grant similar concessions under section 6.47 of the Act for commercial building developments, representing economic development and employment growth initiatives in other parts of the City.

However, a broader strategy is now required, and this report recommends that Council direct the CEO to frame a City-wide policy/strategy framework for Council consideration, to guide provision by Council of future economic development incentives across the whole of the City. The City centre strategy establishes a useful precedent for reference in the framing of a City-wide policy/strategy framework.
FINANCIAL AND RESOURCE IMPLICATIONS:
Waiving rates on the Megara property for 2017-18, as an economic development concession, will involve a loss to Council of $15,932.56 in rates revenue. The City will subsequently gain substantial additional rates revenue from the commercial building developments on the site, most notably from the planned Supermarket.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title</th>
<th>3.1 Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 3.1.1</td>
<td>Promoting Greater Geraldton and its potential business opportunities to facilitate targeted economic development</td>
</tr>
<tr>
<td>Strategy 3.1.4</td>
<td>Supporting and facilitating implementation of the Growing Greater Geraldton Plan</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
Acquisition by the City of the ex-Depot site from the State, and its subsequent sale in freehold to enable commercial business development fronting the NWCH, was an economic development initiative by the City. Provision of a concession in the form of waiving rates on the site for one year, is consistent with the goals of Growing Greater Geraldton Plan, and aligns with Council precedents related to similar concessions in the City centre. Commercial business development in Greater Geraldton provides multiplier effects in economic activity and employment beyond the City boundaries, with regional benefits.

RISK MANAGEMENT:
There are no significant risks associated with waiving rates on this site for a single financial year.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
This report recommends that, consistent with the request received from Megara, Council waive rates on the Megara property for one financial year.

The option of waiving rates for up to two years, aligning with precedents under the City centre strategy, was not considered as the proponent specifically requested waiving rates for only one year.

The option of recommending that Council not waive rates for a year on this site was not pursued, because it would have been inconsistent with the thrusts of the Growing Greater Geraldton Plan, and would send an inappropriate signal to the market that Council is exclusively interested in commercial business development in the CBD, and nowhere else in the City.
EXECUTIVE SUMMARY:
The City of Greater Geraldton’s Council Policy manual identifies that Council Policies are to be reviewed on a biennial basis from the date of last review, unless statutory requirements provide for an annual review. The City’s Towards Sustainable Decisions has been through this biennial review process and updated in accordance with the Community Strategic Plan 2017-2027. The reviewed policy is presented to Council with a recommendation for adoption.

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

1. ADOPT Council Policy 1.1 Towards Sustainable Decisions; and
2. UPDATE the City’s Council Policy Manual.

PROPONEENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The purpose of this policy is to establish an understanding of the four dimensions of sustainability for developing and making sustainable decisions. Three questions are presented for each dimension to test if decisions are taking the City towards or away from sustainability. Towards sustainable decisions will guide development of future policies, strategies, actions, and operations.

The City’s Strategic Community Plan is committed to the vision of “a prosperous, diverse, vibrant and sustainable community”. The Towards Sustainable Decision Framework Policy was originally adopted by Council at its Ordinary Meeting of Council of 20 December 2011 (SC023). In line with the Council Policy Manual the Policy has been reviewed and updated.
COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
The policy promotes an effective sustainable society and culture system where services are resilient to change.

Environment:
The Policy advocates for an effective sustainable environmental system that does not systematically degrade the environment through over-extraction, pollution or physical means.

Economy:
The Policy focusses on ensuring diversity and local productivity to create a flourishing and diverse economy.

Governance:
The Policy will provide transparent, collaborative, and inclusive decision-making ensures both representation and leadership are accountable to the community.

RELEVANT PRECEDENTS:
Council Policy CP030 Towards Sustainability Policy Framework was originally adopted by Council at its Ordinary Meeting of 20 December 2011 (SC023).

COMMUNITY/COUNCILLOR CONSULTATION:
The draft policy was distributed to the Executive Management Team, Mayor and Councillors on 28 September 2017. A two-week consultation period closed on 16 October 2017. The Executive Management Team endorsed progressing the policy to Council on 15 November 2017.

LEGISLATIVE/POLICY IMPLICATIONS:
There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:
There are no direct financial or resource implications associated with adopting the policy. The policy will guide sustainable decision-making in the provisions of City services and operations.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title: Governance</th>
<th>4.4 Financial Sustainability and Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 4.4.2</td>
<td>Ensuring the City’s long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title: Governance</th>
<th>4.5 Good Governance and Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 4.5.2</td>
<td>Ensuring finance and governance policies, procedures and activities align with legislative requirements and best practice</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
There are no regional outcomes.
RISK MANAGEMENT:
Adopting this Council Policy provide the necessary guidance for decisions and activities of Council, employees and those with delegated authority to meet the City’s Strategic Community Plan commitment to “a prosperous, diverse, vibrant and sustainable community”.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
No other options were considered.
EXECUTIVE SUMMARY:
The purpose of this report is to seek a Council resolution on the reviewed Council Policy 3.1 Climate Change.

The existing Council Policy 3.1 Climate Change was included in the City of Greater Geraldton’s Council Policy manual, approved by Council on 24 January 2017. The Policy Manual identifies that Council Policies are to be reviewed on a biennial bases from the date of last review, unless statutory requirements provide for an annual review. The City’s Climate Change Policy was last updated in 2012.

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

1. ADOPT Council Policy 3.1 Climate Change; and
2. UPDATE the City’s Council Policy Manual.

PROPONEENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Local Government Act 1995 states “In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity”. The Climate Change Policy was originally adopted by Council at its Ordinary Meeting of Council in December 2011. In line with the Council Policy Manual the Policy has been reviewed and updated.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
The policy promotes developing individuals and communities to understand and adapt to the impacts of climate change.

Environment:
The policy is designed to drive a positive outcome for the environment through reducing the City’s greenhouse gas emissions.
**Economy:**
The Policy seeks to encourage and support community and businesses in the transition towards sustainable lifestyles that reduce greenhouse impact.

**Governance:**
The Policy promotes the development of policies and strategies that identify and minimise the impacts of climate change.

**RELEVANT PRECEDENTS:**
Council Policy CP029 Climate Change was originally adopted by Council at its Ordinary Meeting of 20 December 2011 (SC023).

**COMMUNITY/COUNCILLOR CONSULTATION:**
The draft policy was distributed to the Executive Management Team, Mayor and Councillors on 28 September 2017. A two-week consultation period closed on 16 October 2017. The Executive Management Team endorsed progressing the policy to Council on 15 November 2017.

**LEGISLATIVE/POLICY IMPLICATIONS:**
The policy will assist the City in demonstrating its obligation to section 1.3 of the Local Government Act 1995.

**FINANCIAL AND RESOURCE IMPLICATIONS:**
There are no direct financial or resource implications associated with adopting the policy. The policy will inform environmentally prudent and economically sustainable decision-making.

**INTEGRATED PLANNING LINKS:**

<table>
<thead>
<tr>
<th>Title: Environment</th>
<th>2.2 Sustainability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 2.2.2</td>
<td>Researching, promoting and providing sustainable infrastructure, services and utilities</td>
</tr>
<tr>
<td>Title: Governance</td>
<td>4.5 Good Governance and Leadership</td>
</tr>
<tr>
<td>Strategy 4.5.3</td>
<td>Providing leadership for the community in sustainability issues and local government reform matters</td>
</tr>
</tbody>
</table>

**REGIONAL OUTCOMES:**
The Policy advocates cooperative regional climate change management across the political and operational areas under its jurisdiction.

**RISK MANAGEMENT:**
Adopting Council Policy 3.1 Climate Change will ensure that the City maintains a contemporary position to addressing the impacts of climate change. By not adopting this policy the City may not be able to demonstrate its obligation to section 1.3 of the Local Government Act 1995.

**ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:**
No other options were considered.
**EXECUTIVE SUMMARY:**
A list of signatures was received by the City on 7 December 2017 requesting the construction of a footpath along the south side of Barrett Drive between Winnetta Ridge and Ocean Queen Drive.

The purpose of this report is to present the request to Council and seek direction.

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

1. CONSTRUCT the requested footpath in the current financial year using Dual Use Path (DUP) funding.

**PROPOSIENT:**
The proponent is Sophie Thompson as the promoter of the signature list.

**BACKGROUND:**
On 7 December 2017 a list of signatures was received requesting a footpath along the south side of Barrett Drive between Winnetta Ridge and Ocean Queen Drive (refer Attachment A). The reason provided for the request is to provide safe access to the Seacrest Shopping Centre, especially for wheelchair and mobility scooter access, people with prams and those compromised in their walking ability.

On 16 August 2017, the Wandina Shopping Centre was opened for business. This development has increased traffic flows and pedestrian movements in the vicinity including along Barrett Drive (refer to Attachment B and C). Data from a traffic counter placed on Barrett Drive near the Brand Highway suggests that traffic volumes on Barrett Drive have increased by 20% from March 2017 to September 2017. This equates to approximately 600 additional vehicles per day. The traffic counter also detected a mean traffic speed of 47kph.

There is an existing footpath along the northern side of Barrett Drive Winnetta Ridge and Ocean Queen Drive. A ‘wombat’ crossing to the southern side of Barrett Drive has been provided by the developer, but there is currently no

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<table>
<thead>
<tr>
<th>IS165</th>
<th>BARRETT DRIVE FOOTPATH REQUEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGENDA REFERENCE:</td>
<td>D-17-96508</td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>C Lee, Director Infrastructure Services</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>C Lee, Director Infrastructure Services</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>9 January 2018</td>
</tr>
<tr>
<td>FILE REFERENCE:</td>
<td>GO/6/0012-05</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td>Yes (x3)</td>
</tr>
<tr>
<td>A.</td>
<td>List of Signatures</td>
</tr>
<tr>
<td>B.</td>
<td>Location Map</td>
</tr>
<tr>
<td>C.</td>
<td>Barrett Drive Traffic Data</td>
</tr>
</tbody>
</table>
footpath for it to tie into. The Arcadia Waters Retirement Centre is located on the corner of Barrett Drive and Winnetta Ridge (southern side). A short length of footpath services the existing bus stop.

Historically, the City has received requests for the proposed footpath from Arcadia Waters. The pathway would improve access for retirement village residents living along Barrett Drive by providing a pathway along their property fronts rather than having to walk on the verge.

Whilst there is path on the north side of Barrett Drive, because the road is a reasonably busy access road, it can be difficult to cross the road to access this path then re-cross the road further down to get back to their residences.

A portion of the proposed footpath near the new shopping centre is outside a vacant property owned by Arcadia Waters. No development applications have been received for the property and hence no Council conditions set.

The length of the requested footpath is approximately 225m. As a preliminary estimate, a 2m pathway in this location would cost approximately $45,000.

The City has received a large number of requests for new concrete footpaths. These requests are prioritised and provided to Councillors for consideration as part of their annual budget deliberations. Priority is given to footpaths adjacent to pedestrian attractors such as schools and shops, where there are missing links and where there are high volumes of pedestrian movements. Achieving low rate increases and returning the City to a financially sustainable position (operational surplus), means there are limited funds available for new capital works projects.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
A well-planned and maintained footpath network contributes significantly to a community’s social wellbeing.

Environment:
There are no environmental impacts.

Economy:
There are no economic impacts.

Governance:
There are no Governance impacts.

RELEVANT PRECEDENTS:
There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:
Community and Councillor Consultation occurs as part of individual road construction projects and as part of the annual budget deliberations. Approximately 111 people signed the document.
LEGISLATIVE/POLICY IMPLICATIONS:
The City’s Governance team reviewed the list of signatures and advised that the list of signatures does not comply with the City’s petition requirements as per Meeting Procedure Local Law 2011 S5.10 – Petitions. The Law requires:

5.10 Petitions

(1) A petition is to—
(a) be addressed to the Mayor or CEO;
(b) be made by at least 50 electors of the district;
(c) state the request on each page of the petition;
(d) contain the name, address and signature of each elector making the request, and the date each elector signed;
(e) contain a summary of the reasons for the request; and
(f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

The list of signatures received was not in compliance because it did not meet criteria (a), (d) or (f).

Instead of asking the promoter to ask residents to resign a compliant document, the executive determined to present the document to the Council as a list of signatures.

FINANCIAL AND RESOURCE IMPLICATIONS:
The length of the requested footpath is approximately 225m. As a preliminary estimate, a two (2) meter wide pathway in this location would cost approximately $45,000.

This vicinity has approximately $100,000 in reserves for Dual Use Paths (DUP) contributed by local developers.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title: Community</th>
<th>1.2 Recreation and Sport</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.2.2</td>
<td>Encouraging informal recreation through well planned and developed public open space, cycle/walk paths and green streetscapes</td>
</tr>
<tr>
<td>Title: Environment</td>
<td>2.3 Built Environment</td>
</tr>
<tr>
<td>Strategy 2.3.3</td>
<td>Provide a fit for purpose, safe and efficient infrastructure network</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
There are no regional outcomes.

RISK MANAGEMENT:
The risks associated with the construction phase of the project would be managed through the City’s Project Management Framework. The concrete contractor would be engaged via the City’s existing annual supply tenders eliminating procurement risks.
Officers intend to prioritise the project in the capital works schedule based on Council approved criteria. The Council can then consider this ranking as part of its future budget deliberations.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
City Officers considered the following options:

1. List the proposed footpath in the 2018-19 capital works programme.
2. List the project in the capital works programme but in an outer year.
3. List the portion of footpath outside the developed stages of Arcadia Waters in the capital works programme and require the developer to construct the remainder as part of their development conditions.
EXECUTIVE SUMMARY:
This report seeks Council approval on the appointment of the HMAS Sydney II Memorial Warden and Sub-Warden based on recommendations by the HMAS Sydney II Memorial Advisory Committee.

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

1. APPOINT Don Rolston to the role of HMAS Sydney II Memorial Warden;
2. APPOINT Steven Butler to the role of HMAS Sydney II Memorial Sub-Warden;
3. COMMENCE both appointments on 19 November 2017 and cease on 19 November 2018; and
4. SET the role and responsibilities of the Warden and Sub-Warden as per the HMAS Sydney II Memorial Conservation Framework.

PROONENT:
The proponent is the HMAS Sydney II Memorial Advisory Committee.

BACKGROUND:
At the Ordinary Meeting of Council on 27 August 2013, Council resolved to adopt the HMAS Sydney II Memorial Conservation Framework. One of the recommendations of the Conservation Framework was that the City appoint a Warden. The Warden’s role is confined to the commemorative space as defined in the Conservation Framework and is to offer the following support and advice to City staff;

a. attend to all matters of customs, traditions and protocols for the overall conduct of commemorative ceremonies;
b. consult with the City on any concerns regarding maintenance or any significant issues arising from daily care; and
c. assist in determining approval for any requests from ex-service organisations wishing to honour the men of HMAS Sydney II.

The Conservation Framework allows for any number of Sub-Wardens to assist the Warden and the Advisory Committee recommends the appointment
of one Sub-Warden. The role of the Sub-Warden is similarly confined to the commemorative space and in assisting the Warden in carrying out his/her duties as specified above.

The Conservation Framework recommends a 12-month appointment period for the Warden and Sub-Warden and that the handover occurs as part of the HMAS Sydney II Commemorative Service held annually on 19 November.

The Conservation Framework clearly articulates that the City retains primary responsibility for the overall care, control and management of the Mount Scott site and all areas of the Memorial including the commemorative space. Appointment of a Warden and Sub-Warden in no way negates or dilutes management control and responsibility.

COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
The HMAS Sydney II Memorial is a source of great pride in the community. There is strong level of community ownership and therefore interest. The Conservation Framework acknowledges the social value of the Memorial and includes avenues for continued community involvement, one such avenue being the appointment of a Warden and Sub-Warden.

Environment:
The Memorial is a significant heritage site with significant military reverence.

Economy:
The economic value of heritage tourism is recognised globally. The HMAS Sydney II Memorial attracts large numbers of visitors to our City.

Governance:
The HMAS Sydney II Memorial Conservation Framework governs the protocols for the appointment of the Warden and Sub Warden.

RELEVANT PRECEDENTS:
At the Ordinary Meeting of Council on 27 August 2013, Council resolved to adopt the HMAS Sydney II Memorial Conservation Framework, Council has annually adopted the appointment of the warden and sub-warden since this resolution.

Page 11 of the Framework states:

“The HMAS Sydney II Memorial Conservation Framework outlines the appoint of Wardens at the memorial with the City of Greater Geraldton to appoint a Warden of the HMAS Sydney II Memorial annually, selected from eminent Citizens of Geraldton and representatives from organisations who have assisted servicemen and women in war and peace.

The Memorial commemorates the loss of sailors, airmen and civilians who were the Ship’s Company of HMAS Sydney, so appointment of Wardens will be from ex-Service persons from the Navy and Air Force or a suitably
experienced non-Service person, either to be drawn from the Geraldton community. Wardens may be re-appointed at the discretion of City of Greater Geraldton.

In selecting a Warden for appointment, the City of Greater Geraldton will consult with the Naval Association of Australia, Geraldton Sub Section (NAA) and the Returned and Services League, Geraldton Sub Branch (RSL).”

COMMUNITY/COUNCILLOR CONSULTATION:
The Conservation Framework recommends that the City consult with the Naval Association of Australia, Geraldton Sub Section and the Returned and Services League (RSL), both these organisations are represented on the HMAS Sydney II Memorial Advisory Committee.

Councillors M Reymond, G Bylund, N Colliver and L Freer are the elected members on the HMAS Sydney II Memorial Advisory Committee, established on 14 December 2017. Other key stakeholder organisations represented on this Committee are the Rotary Club of Geraldton and the Volunteer Tour Guide Association.

LEGISLATIVE/POLICY IMPLICATIONS:
There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:
There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title: Governance</th>
<th>4.1 Community Engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 4.1.1</td>
<td>Continuing to engage broadly and proactively with the community</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
The HMAS Sydney II Memorial is recognised as a significant national asset. It attracts attention to the Mid West and Geraldton bringing tourism and associated benefits to the Region.

RISK MANAGEMENT:
Not approving the appointment of the Warden and Sub-Warden as recommended by the HMAS Sydney II Memorial Advisory Committee carries a risk of alienating individuals and organisations who volunteer their time.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
The Council could chose to appoint a different Warden and/or Sub-Warden or could chose not to appoint to these positions.
EXECUTIVE SUMMARY:
The purpose of this report is to provide Council with an update on the work being undertaken by City Officers with respect to the renewal and management of the City’s Sporting Light Tower infrastructure, and to seek Council direction.

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

1. NOTE the SAGE lighting report and the actions taken to date to renew the City’s Sporting Light Towers;
2. REQUIRE officers develop a draft Sporting Flood Lighting Policy to improve management of these assets;
3. PROCEED to tender for the replacement of the Greenough Oval Sporting towers with a design lux of 100 to 150;
4. PROCEED to tender for the replacement of the Alexander Park Sporting towers with a design lux of 100 to 150;
5. CONDUCT a further review of the remaining sporting leased light towers; and
6. CONSIDER provision of additional funding in the 2018-19 capital works renewal budget to continue this project.

PROPOINENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
With the exception of the recently constructed Wonthella Oval Tower Lights, the City undertook a review and audit of all sporting tower floodlighting at non-leased grounds.

These grounds included:

a. Eadon Clarke Oval (GBSC Sports Park)
b. Recreation Ground (Geraldton)
c. Little Athletics Oval
d. Alexander Park
e. Greenough Oval  
f. Utakarra Ball Park  
g. Woorree Park  
h. Woorree BMX  
i. Recreation Ground (Mullewa)

Whilst the City was auditing these non-leased grounds, the City reviewed several leased facilities with tower floodlighting. These included:

a. Wonthella Bowling club  
b. Netball club  
c. Wonthella Soccer (La Fiamma)  
d. Wonthella Tennis Club  
e. Mullewa Bowling Club  
f. Mullewa Tennis Club

To its credit, the Council has been taking measures to improve the financial position of the City through reduced spending and concentrating on the renewal of its existing asset infrastructure. A part of this endeavour was the completion of the Sporting Facilities Support Review adopted by Council at its April 2016 Ordinary meeting (IS118, D-16-23453). One of the recommendations adopted by Council was as follows:

“4. ARENA FLOODLIGHTING  
a. INVESTIGATE responsibility for arena floodlighting on non-leased grounds and conduct a detailed analysis of costs.”

In response to this resolution, and as part of the City’s ongoing focus on asset renewal, Council officers engaged electricians and lighting experts to review arena floodlighting.

Because of the significant safety issues associated with the structural and electrical components of these assets, some immediate actions have been taken within budgetary constraints to ensure community safety and ongoing service provision where possible. Some of the actions already undertaken include:

1. Replacement of the two Mullewa Recreation Ground tower lights: During the recent football season, the two towers were non-operational. A subsequent inspection by an electrical firm and structural engineer resulted in the towers being condemned as unsafe from an electrical and structural perspective. To allow the local club to continue to train, these towers were replaced.

2. The Greenough Oval is serviced by six towers. A preliminary inspection undertaken as part of the review identified one light tower as being structurally unsound. As such this tower was taken down.

3. The Eadon Clark lighting towers were installed approximately five years ago. It was identified that these towers were starting to show signs of corrosion which could be treated if addressed directly. As such, these works were undertaken.
4. Lighting Specialists were engaged to review the City’s light towers. A copy of the resulting Sage Consulting Engineer’s Sporting Facilities Lighting Audit Report, Nov 2017 (SAGE) has been provided to Councillors. Officers met with the consultants to ensure an understanding of the risks. Subsequently, Earth Continuity tests and Earth Resistance Tests were undertaken by a local electrical firm and the following additional observations made and actions taken:

**Wonthella Little Athletics** - Exposed cables through deteriorated conduits on the two Eastern most poles. One cable had cores exposed in South East corner. There is no RCD and cables do not meet earth loop impedance testing minimum requirements. Needs to be rewired in its entirety. Hence locked out the circuits so they cannot be energised.

**Wonthella Soccer** - Found four cabinets installed on poles which were not locked and had live terminals inside. There is severe corrosion to the internals of these cabinets and the hinges snapped on one when opening. All boxes need to be replaced. The cabling is okay but need to put the lights on RCD Protection. Circuits disconnected so they cannot be energised.

**Wonthella Bowling Club** - Found six light poles in good condition, however the problem is the cabling. It is undersized for the size of the breaker protecting it. The lights will also need to be installed on an RCD of 16Amp. The lights to the entry awning have been fed off the pole lights. This cabling has been installed at only 300mm (minimum 500mm required). It is also cabled in light duty extension lead and bare cables are run through a metal pipe which has no earthing and the potential to become live.

**Woorree BMX** - Eight (8) RCD’s installed with earthing upgrade to be compliant. The lights on the pole are in poor condition.

**Utakarra Ball Park** - Poles in fair condition. Installed RCD protection to all pole lights and repairs to breakers to meet the Earth Loop Impedance requirements.

**Geraldton Recreation Ground** – Two poles failed to meet volt drop requirements and hence RCD’s installed and board upgraded. The pole on southern most end had no earth bond. Mortar installed between the base plate and the concrete footing to prevent moisture build up around rag bolts and increase life of asset. Site voltage at mains was low so this could explain the voltage drop failure. There is also a concern with the structural integrity of the Northern most pole due to the corrosion on the rag bolt nuts repair works undertaken.

**Alexander Park** - All poles fail to meet earth loop impedance and are structurally in very poor condition. Hence two light towers were removed and the system disconnected. The entire system needs to be replaced.

In addition to these structural and electrical issues that have been identified, other issues have been identified with respect to the management and
charging for the use of light towers. It is proposed to prepare a Lighting Tower Policy for Council’s consideration to address all of the issues identified with the management of these assets.

Refer to Attachment (B) which identifies and highlights elements of the audit which were found non-compliant.

City Officers have analysed the Sage Engineer Consulting report and provide in attachment (C) the priority evaluation based on following selection criteria:

- Community Impact – Availability of use, whether alternative facilities or ground time change for users to accommodate needs.
- Level of usage - i.e. number of active members using facility; seasonal use vs 12 month use.
- Life expectancy – how soon the asset requires replacement.
- Safety – immediate concerns for community safety.
- Strategic alignment – Alignment with council adopted strategies i.e. sporting futures and sporting facilities support review.

With respect to specific sporting impacts, City Officers identify that tower lighting at the following grounds have been highly impacted for their users and required an increased priority for renewal works that being:

1. Greenough Oval – is a tier 2 facility that is used by Rovers Football Club. Rovers Football Club offer registrations to junior and seniors with 154 registered junior members and 42 registered seniors’ members. These towers were installed prior to amalgamation. In addition the Geraldton Tee-Ball and Baseball Association have communicated with City Officers that they wish to approach the Greenough Oval Ground Management Committee to investigate the opportunity of using the surface for their competitions. Greenough Oval is also home to the AFL 9’s competition delivered by the Western Australian Football Competition that engages both women and children in the sport.

2. Alexander Park – This location plays home to Rovers Soccer Club, Chapman Athletics Soccer Club and Marconi Soccer Club. In all there are four senior teams and 15 junior teams. Soccer at this park offers team registrations and games from the age of five until seniors. The clubs have a substantial member base and is also regularly used by the Geraldton Junior Soccer Association to run programs in conjunction with Football West (State Sporting Association). The club’s seasonal training requirements are reliant on lighting for its evening training with the club using lights more than three nights a week during the season, (March to October approximately) lighting allows the Clubs to provide adequate training times to all of its teams and members. The park is considered a Tier 3 facility as it is a single use sport with City Officers of the belief the renewal of its light would be necessary as community expectation of the facilities commensurate with being a regional hub for soccer.
COMMUNITY, ENVIRONMENT, ECONOMY AND GOVERNANCE ISSUES:

Community:
The Geraldton community prides itself on the range, diversity and quality of its sporting facilities. These sporting facilities are valued and appreciated by the community and the City and add significantly to the social fabric of Geraldton.

Many of these facilities have been developed by the clubs and associations associated to their individual sport through the efforts of dedicated volunteers over many years. In more recent times the sustainable efforts of volunteers has diminished contributing towards the maintenance of assets becoming either financially not viable for clubs or the assets becoming non-compliant and a safety hazard.

Environment:
All proposed renewal and maintenance activities will be undertaken with care for the environment in mind.

Economy:
The provision of sporting facilities enhances the local economy through the attraction of regional and State wide sporting events to the City.

Governance:
The Governing documents are detailed below. This report seeks to improve the governance associated with Sporting Tower Lighting.

RELEVANT PRECEDENTS:
There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:
Councillors have been consulted on this matter through Council reports, Councillor Update emails, presentation at Concept Forums and reports provided electronically.

Individual Sporting clubs and Ground Management Committees (GMC’s) were consulted through the development of the Sporting Facilities Support Review and are regularly updated via the City’s Club Development Officer.

LEGISLATIVE/POLICY IMPLICATIONS:
City of Greater Geraldton Public Open Space Strategy, 2015 - The Strategy seeks to develop and manage the City’s extensive public open space network in an efficient and equitable manner so that all residents may enjoy its many benefits, whilst not placing an unsustainable burden on the City’s public resources. The Strategy aims to provide a clear direction on the level of open space provision currently experienced in the urban areas of the City and also to provide minimum standards for the development of public open space. The Strategy adopted a 5 tiered hierarchy system for open space and this hierarchy was one component of the criteria used to rank each sporting ground.
FINANCIAL AND RESOURCE IMPLICATIONS:
The Council has provided $700,000 to renewal sporting tower lighting in the current budget (2017-18). It is estimated that these funds are sufficient to allow for the replacement of the Greenough Oval Light Towers and the Alexander Park Light Towers and to undertake minor works at other identified locations. Additional funds will need to be provided in the 2018-19 capital works renewal budget to continue this project.

INTEGRATED PLANNING LINKS:

<table>
<thead>
<tr>
<th>Title: Community</th>
<th>1.2 Recreation and Sport</th>
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<tbody>
<tr>
<td>Strategy 1.2.1</td>
<td>Supporting the strong sporting culture that has shaped Greater Geraldton’s identity.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Title: Environment</th>
<th>2.4 Asset Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 2.4.1</td>
<td>Applying financial sustainability principles to ensure a coordinated and integrated approach to infrastructure planning, implementation, maintenance and renewal</td>
</tr>
</tbody>
</table>

REGIONAL OUTCOMES:
There are no regional outcomes.

RISK MANAGEMENT:
Sporting Lighting Towers need to be well maintained and in good condition to minimise the following risks to the City and associated users:

1. Community Safety – A risk to the City and associated users of injury or death through falling over (structural) and electrocution.

2. Reputational Damage – Poorly maintained Lighting Towers represent a reputational risk to the City thorough the cancellation of training and sporting activities.

One of the reasons for conducting the Sporting Facilities Support Review was to improve the equitable distribution of Council support to various local sporting endeavours. Council needs to be mindful of this concern within the community when making its decision.

As detailed in the SAGE report, the cost of renewing and maintaining these assets is considerable. Council should be aware of the City’s long term financial commitment when developing its Sporting Lighting Tower Policy.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:
With respect to Sporting Light Towers, the City has the option to provide these assets or not provide these assets. Where the City determines to provide these assets, they need to be well maintained so that they provide the community with the required level of service and are safe.

With respect to the detailed management of these assets, this will be considered as part of the development of the proposed Sporting Tower Lighting Policy.
14 REPORTS OF OFFICE OF THE CEO

Nil
15 REPORTS TO BE RECEIVED

JANUARY 2018 - REPORTS TO BE RECEIVED

<table>
<thead>
<tr>
<th>AGENDA REFERENCE:</th>
<th>D-18-001712</th>
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<tbody>
<tr>
<td>AUTHOR:</td>
<td>R McKim, Chief Executive Officer</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>R McKim, Chief Executive Officer</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>8 January 2018</td>
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<tr>
<td>FILE REFERENCE:</td>
<td>GO/6/0012-04</td>
</tr>
<tr>
<td>ATTACHMENTS:</td>
<td>Yes (x2) Confidential x1</td>
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<tr>
<td></td>
<td>A. DCSDD130 - Delegating Town Planning Determinations</td>
</tr>
<tr>
<td></td>
<td>B. CCS307 – Confidential Report – List of Accounts to be Paid Under Delegations December 2017</td>
</tr>
</tbody>
</table>

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. DCSDD130 – Report – Delegated Determinations and Subdivision Applications

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. CCS307 - Confidential Report – List of Accounts to be Paid Under Delegations December 2017

PROPONEENT:
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.
16 Elected Members Motions of which Previous Notice has Been Given

NM02 - Notice of Motion – St Georges Close Gate

<table>
<thead>
<tr>
<th>Agenda Reference:</th>
<th>D-18-000023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author:</td>
<td>Cr V Tanti</td>
</tr>
<tr>
<td>Date of Report:</td>
<td>2 January 2018</td>
</tr>
<tr>
<td>File Reference:</td>
<td>GO/6/0008</td>
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<tr>
<td>Applicant / PropONENT:</td>
<td>Council</td>
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<tr>
<td>Attachments:</td>
<td>Yes (x1)</td>
</tr>
<tr>
<td></td>
<td>St Georges Close Plebiscite Report</td>
</tr>
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Councillor Comment

I move that the Council decision of 17 October 2017 to retain public pedestrian access into the eastern end of St Georges Close (Item DCS347), located in an area known as Bluff Point Estate, be revoked.

I further move this issue again be debated by Council and consideration given to permanently closing the access point as there is no question it causes problems with regard to lawbreaking and other anti-social activities. There is sufficient evidence of burglaries and theft to support this contention.

In addition, while the intent of the access point is to promote connectivity in line with the WA State Planning Commission’s ‘Liveable Neighbourhoods’ Policy and the City of Geraldton’s Public Open Space Strategy, the reality is it has also created an on-going security issue for St Georges Close residents and for residents in adjoining and nearby streets.

These streets should see little traffic of any kind other than from those living there or with business in that area, most of which is conducted during daylight hours. The fact is streets designed to be quiet and safe residential areas have become active thoroughfares and some non-residents using these streets have targeted homes and other private property for opportunistic and sometimes planned crime.

Executive Comment

At the August 2017 meeting, Council received a community petition with respect to this matter. The petition contained 76 signatures and requested that the pedestrian access through St Georges Close be closed (please refer CCS278, item 7). At the October 2017 meeting, Council considered this matter and adopted an amended motion as follows:

1. NOT APPROVE the closure of the cul-de-sac end of St Georges Close, Bluff Point;
2. ADVISE the petitioners of Council’s decision and that it may be willing to consider other options including the installation of a visibly permeable fence and pedestrian access gate(s); and
3. MONITOR and report back to Council the outcomes of what is in place in six months’ time.
In response to point 3 of the Council decision, Council’s Communication Officer conducted a plebiscite of residents in the area (refer to the attached report). This document was presented to Councillors at their January 2018 Concept Forum.

Officer’s recommendation to Council is contained within the October 2017 report on this matter.

Point 2 of Council’s Decision of October 2017 cannot be revoked as it has been enacted.

COUNCILLOR MOTION:
PART A:
That Council by 1/3rd Majority pursuant to Section 5.25 of the Local Government Act 1995 and Regulation 10 of the Local Government (Administration) Regulations 1996 RESOLVES to CONSIDER to REVOKE Points 1 and 3 of the Council Decision DCS347 made at the Ordinary Meeting of Council on 17 October 2017:

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

1. NOT APPROVE the closure of the cul-de-sac end of St Georges Close, Bluff Point; and
2. MONITOR and report back to Council the outcomes of what is in place in six months’ time.

PART B:
That Council by Absolute Majority pursuant to Section 5.25 of the Local Government Act 1995 and Regulation 10 of the Local Government (Administration) Regulations 1996 RESOLVES to REVOKE Points 1 and 3 of the Council Decision DCS347 made at the Ordinary Meeting of Council on 17 October 2017:

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

1. NOT APPROVE the closure of the cul-de-sac end of St Georges Close, Bluff Point; and
2. MONITOR and report back to Council the outcomes of what is in place in six months’ time.

PART C:
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 and Regulation 10 of the Local Government (Administration) Regulations 1996 RESOLVES to:

1. APPROVE the permanent closure of pedestrian access at the cul-de-sac end of St Georges Close, Bluff Point; and
2. ADVISE the residents and petitioners of Council’s decision.
17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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

19 CONFIDENTIAL MATTERS

Pursuant to Section 5.2 (i) of the Meeting Procedures Local Law February 2011, please note this part of the meeting will be closed to the public, if applicable, where confidential discussion is required.

Livestreaming will be turned off.

20 CLOSURE
APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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