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CITY OF GREATER GERALDTON

ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 26 JUNE 2012 AT 5.30PM
CHAMBERS, EDWARD ROAD

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 ACKNOWLEDGEMENT OF COUNTRY
I would like to acknowledge the traditional owners of the land on which we meet, and pay respect to the Elders and to knowledge embedded forever within the Aboriginal Custodianship of Country.

2 DECLARATION OF OPENING
The Presiding Member declared the meeting open at 5.30pm.

3 ATTENDANCE

Present:
Mayor I Carpenter
Cr N McIlwaine
Cr R Ashplant
Cr D Brick
Cr C Gabelish
Cr J Clune
Cr P Fiorenza
Cr R D Hall
Cr N Messina
Cr I Middleton
Cr R Ramage
Cr T Thomas
Cr S Van Styn

Officers:
A Brun, Chief Executive Officer
P Melling, Director of Sustainable Communities
C Wood, Director of Organisational Performance
B Davis, Director of Treasury & Finance
A Selvey, Director of Creative Communities
N Arbuthnot, Director of Community Infrastructure
S Moulds, PA to the Chief Executive Officer
S Chiera, Coordinator Marketing & Media
C Budhan, Manager Arts, Culture & Heritage
J Rolston, Manager Customer Relations
M DuFour, Project Coordinator
K Seidl, Manager Community Law & Safety

Others:
Members of Public: 18
Members of Press: 3

Apologies:
Cr N Bennett

Leave of Absence:
Cr G Bylund

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Ray McNaught, 19 Mark Court, Geraldton

Question
21 D.E.Cs Kelly Gillan and Harry Butler (on two occasions) suggest it is imperative that Spalding park be connected to the ranges with or by 500m whole corridors would council consider the above in their latest planning strategy?

Response
The City acknowledges the importance of establishing wildlife corridors through its Strategic Community Plan 2012 – 2021 and the 2029 and Beyond Community Charter. Additionally, the City is progressing a Local Biodiversity Strategy which is envisaged to further give guidance in terms of ecological linkages.

Simon Keemink, via e-mail

Question
Can all sporting grounds be smoke-free? I have been campaigning for this over the past few months and would like you to discuss the issue.

Response
The state law is clear on where smoking is prohibited. Clubs can implement policies for areas not in laws and the City could also make local laws for public areas including leased reserves where clubs operate.
All local law measures would be difficult to enforce as would be imposition on club officials to effectively police these areas and the City does not have resources to monitor smoking compliance. Education would be the best way to combat this.

5 **PUBLIC QUESTION TIME**

*Questions provided in writing prior to the meeting or at the meeting will receive a formal response.*

**Ashley Robb, Tarcoola Beach, Geraldton, via e-mail**

**Question**
The City officer in charge of this project recently advised on ABC radio that the City was unsure of the cause of the erosion at Beresford Foreshore. Can Council confidently support the expenditure of $20 million to solve a problem that is not yet properly understood or confirmed? It seems the impact is being addressed but not the problem.

**Response**
The question misquotes the officer. The City in conjunction with multiple agencies has undertaken studies and investigations into the coastal erosion processes. These are understood.

The City Officer talked about the erosion issue and that it was caused by a combination of natural variations in coastal processes and impacts caused by coastal infrastructure. The Minister for Environment has stated that sufficient modelling has been undertaken with regard this project.

The project focusses on the coastal management of this section of coastline which is currently in sediment deficit and will be for the foreseeable future.

**Question**
City staff refer to the Worley Parsons Coastal Processes Study to justify the design option proposed in the Current Proposal. However the Worley Parsons Report (2010) recommends a markedly different design than that proposed in the Current Proposal. Why is the design in the Current Proposal markedly more elaborate and cost prohibitive than the design recommended in the Worley Parsons Report and endorsed by the community in 2010?

**Response**
The Worley Parsons report identifies an option based on a mix of sea walls and groynes. The current concept developed through Cardno is based on that.

Cardno investigated three variations of the Coastal Processes Study recommendations for this section of coastline. The design was referred
to the community through an engagement process and a similar level of support has been received for the concept design developed by Cardno

**Question**
Will there be more, less or the same amount of sand carted by truck on City roads if the Current Proposal is endorsed by Council?

**Response**
It is expected that a similar amount of sand will have to be carted, which is currently 12,500 m$^3$ per annum. Although it is noted that this level should actually be 25,000 m$^3$ per annum – hence the erosion problems we are experiencing.

However in terms of the method to transfer sand, it is wrong to assume that this will in future be done purely through road transport. Once the protected cells are created within the headlands it may be feasible to implement direct sand placement from the port channel dredging program (that occurs every 4-5 years).

In line with the Coastal Processes Study, on-going sand by-passing will be required.

**Question**
Cardno comments in the Current Proposal that “Based on the modelling undertaken, annual volumes for replenishment of sand are insufficient to warrant the expense of a sand by-pass pipe.” However, costs for a sand bypass pipe have not been provided in the current Proposal. Have they been provided to Council? If not, why not?

**Response**
It is well known that industry standards assume an annual level of approximately 100,000 m$^3$ per annum is required to justify the capital and operating costs of a fixed sand bypassing system.

**Question**
City staff refer to the successful use of coastal headlands (large rock groynes) for coastal protection in Townsville. If headlands have been so successful in Townsville, does Council understand why the Townsville City Council is not using headlands for new coastal protection work in the bay north of their existing headlands?

**Response**
The reference to the groyne in Townsville relates not to their role for coastal protect, but rather how they perform a public amenity outcome. That is their coastal protection function is determined by their length. However rather than building a long thin rock structure out to sea – by creating a wider space an artificial headland is created which provides greater public amenity.
The community member will be aware that the foreshore beaches at Townsville successfully rode out a category 5 cyclone event and this can be attributed to the careful and considerate coastal protection design implemented.

**Question**
If the City endorses the Current Proposal, is the City resourced to also address infrastructure at risk from erosion at Grey’s Beach, Sunset Beach and Drummond’s Cove within the next twelve months?

**Response**
The consideration by Council tonight relates purely to the adoption of a preferred concept. There is still considerable work to be done in finalizing the plans and securing external funding for this project.

With respect to the other coastal erosion examples provided – the City has an annual $150,000 coastal erosion allocation.

**Question**
Engineers Australia recommend that 35 years of wave climate data is required to design significant coastal protection works with confidence. The available wave climate data set for the Beresford Foreshore is approximately 10 years long.

**Response**
The City, including conjunction with the respective State authorities including Department of Transport and the Geraldton Port Authority have engage properly qualified and independent engineering consultants.

The Minister for Environment has stated that sufficient modelling has been undertaken with regard to this project.

**Question**
Can Council confidently endorse a $20 million proposal when industry standards confirm that available data is insufficient for confidently designing significant protection works?

**Response**
The question is misleading as it questions the competence and integrity of Cardno and Worley Parsons. The City acknowledges both as internationally recognized engineering consultancies suitably qualified to undertake the projects.

Refer to previous response.

**Question**
How confident is Council that the Current Proposal will not result in significant down-drift impacts that may require further investment following construction of the Current Proposal?
Response
There is always a risk that any coastal works will cause down-drift impacts. However it is noted that this proposal will ensure a stabilization of the coastal shoreline and with the required continuance of some sand replenishment it will provide a level a surety to down-drift areas.

The project focus is for better coastal management of the sediment deficit for this section of coastline – which will continue for the foreseeable future.

Question
Has the Current Proposal been peer reviewed by an independent, qualified and well-credentialed coastal engineer who has no interest in tendering for the construction of the Current Proposal (if endorsed by Council)?

Response
The question implies a direct criticism on the competence and integrity of both Cardno and Worley Parsons. The City acknowledges both as internationally recognized engineering consultancies suitably qualified to undertake the projects. Their work has been extensively reviewed by professionals within the City, the Geraldton Port Authority and the Department of Transport.

The Port Authority has independently reviewed the Coastal Processes Study through a third party coastal engineering consultant. Cardno have modeled data independently of Worley Parsons

Question
Has a detailed cost benefit analysis comparing a range of options been undertaken and presented to Council?

Response
The Worley parsons report included detailed consideration of various options and assessment of costs versus benefits.

Statement
As a resident of Geraldton I request that Council considers Option 3 as the preferred Recommendation as per Agenda Item CI016, that is to DEFER the report and make a determination to:
1. Investigate and conclusively determine the cause of erosion along the Beresford Foreshore. This would allow Council to develop a range of options that address the erosion problem rather than the erosion impact.
2. Investigate a range of options to be presented to Council that have a lower economic, visual and environmental impact than the proposed solution. Consider all of Geraldton’s northern beaches in the development of options, as opposed to considering Beresford only and risk moving the issue from Beresford further north.
3. Investigate a range of options for coastal protection works in the interim that are alternative to dumping rocks on the beach scarp. Rocks are highly dangerous for beach users, unsightly, and extremely expensive to remove. Other options include a range of sand nourishment approaches, or geotextile sand bags that are being effectively used at Horrocks Beach and in other areas.

Mr Colin Dymond, 65 Chapman Road, Geraldton

Question
I recently asked about the box thorn removal programme being conducted by the city, and was lead to believe that it had recently taken place in the Beresford foreshore.

Subsequently I have been advised there has been no use of the machinery especially purchased for the removal of the box thorn undertaken since 2010.

This is due to no funding available for the use of the specific machine. My question is that if there is no funding for a purpose built machinery item, why is it not being used under a normal maintenance programme paid for by our taxes? Is this not what rates are paid for so the capital purchased machinery is able to be used to better the community, not wait on grant funding?

Response
A works programme is being developed for this machinery.

Question
I asked a question of the council on the 4th April 2010 as to servicing costings of staffing as against rate collection this was stated to be collections $23 million expenditure $25 million, this two was years who and was worryingly enough.

Now it is understood that collections for rates are approx. $25million and expenditure still well exceeds this figure on staff servicing cost to approx. $27million.

Within that same question I asked when the talk about synergies and rationalisations and cost savings will occur after the amalgamations that have taken place. We were advised verbally at that meeting that these will not show for approx. 4-5years, Council we have come to the end of this period and nothing has been achieved.

Further to this I ask the question then is the council then based upon the above information close to unsustainable?

Response
Firstly a clarification and correction is required. The City budget for 2011/12 highlights a total rate collection of $29.09 million, and not $23
million or $25 million as stated. The City’s budgeted employment costs for 2011/12 budget was $24.87 million.

On the basis of the facts the City does not spend more of employment costs than rates collected. However further to that, such a comparison assumes the City is solely based on rate income. In 2011/12 its operating and capital position equated to $66.08 million.

In terms of employment cost management, there is a staff cap in place and has been for three years. This has been done as part of the financial sustainability planning principles for the City. It is noted that on a comparison of all local governments across Western Australia, the City of Greater Geraldton’s staffing ratios are below the industry trend when compared against operating revenue or rate collected.

Notwithstanding this staffing constraint and cap, since the merger in 2007 and during the subsequent period has provided additional services including:

- Considerably expanding the professional staffing capacity in the areas planning, engineering and financial management through the funding of professionally qualified (and certified) staff;
- Additional services such as environmental planning and sustainability, economic development, market and the full funding and operation of the visitor information centre (including tourism strategy and marketing).

In response the claim the City as being ‘close to unsustainable”. This statement is not supported by the various independent audit undertaken by the City and also the independent review by the Department of Local Government has assessed a level 1 rating of sustainability.

Further to evidence the financial and capacity sustainability of the organisation the City can be evidenced through the sample of projects listed below, which have been undertaken since the merger:-

- Provided far more services and took on additional services with the amalgamation with Mullewa;
- Extended the airport at a cost of $3.45 m;
- $3 million upgrade to Eadon Clarke sportsfields;
- $5.8m development of a new library in Marine Terrace;
- The investment of $4.5m to resolve the Flores & Place Road intersection problems; and
- Completed the Foreshore project with local funds amounting to $11.2M (of Council Funds) out of the total $33.2 million project.

On the basis of the City’s financial position and the overwhelming delivery of major new capital projects and services provided it is clear that the statement made in the Question that “Council we have come to
the end of this period and nothing has been achieved” is clearly not supported by any evidence or the facts.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

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<thead>
<tr>
<th>June</th>
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<th>To (inclusive)</th>
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<tr>
<td>Cr G Bylund</td>
<td>25 April</td>
<td>31 July 2012</td>
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<tr>
<td>Mayor I Carpenter</td>
<td>16 June</td>
<td>21 June 2012</td>
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<tr>
<td>Cr C Gabelish</td>
<td>18 June</td>
<td>24 June 2012</td>
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COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MESSINA
Mayor I Carpenter request for Leave of Absence for the period 10 July 2010 to 22 August 2012, be approved.

CARRIED 13/0

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MESSINA
Cr D Brick request for Leave of Absence for the period 11 July to 16 July; and 29 July to 4 August 2012 be approved.

CARRIED 13/0

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MESSINA
Cr T Thomas request for Leave of Absence for the period 2 July 2012 to 4 July 2012, be approved.

CARRIED 13/0

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MESSINA
Cr C Gabelish request for Leave of Absence for the period 22 July 2012 to 29 July 2012, be approved.

CARRIED 13/0

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

The Mayor announced the City had received a ‘WA Clean Beaches Award – 2012 Environmental Protection Drummond Cove’. The Drummond Cove Progress Association grant funded project was key in achieving this award. Mr Michael DuFour received the Award on their behalf and will forward on the Council’s thanks and congratulations to the Progress Association.
8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr T Thomas has declared an indirect interest in TF001 Triennial Recurrent Grant Allocations, as her husband is chairperson of NEFF.

Cr S Van Styn declared a financial proximity interest in TF003 EOI Geraldton Airport Hotel Development – as competitor motel owner.

Cr R Ramage declared an impartiality interest in TF003 EOI Geraldton Airport Hotel Development, as he has same business.

Cr I Middleton declared a proximity interest in TF001 Triennial Recurrent Grant Allocations as her daughter is a member of the Mid-West Hockey Academy, and her son is a financial member of the Batavia Coast Veteran & Classic Vehicle Club.

Cr B Hall declared a direct interest in Item SC049 MOU WA Police (CCTV) and Fire and Emergency Services Authority as he is an employee of WAPOL.

Cr C Gabelish declared an impartiality interest in TF001 Triennial Recurrent Grant Allocations as he is the Chairperson of Chrysalis Support Services Inc.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the ordinary meeting of Council of the City of Greater Geraldton held on 22 May 2012 as previously circulated, be adopted as a true and correct record of proceedings.

COUNCIL DECISION

MOVED CR HALL, SECONDED CR BRICK

RECOMMENDED that the minutes of the ordinary meeting of Council of the City of Greater Geraldton held on 22 May 2012 as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 13/0
## 10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)

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<tr>
<th>DATE</th>
<th>FUNCTION</th>
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<tbody>
<tr>
<td>22nd May 2012</td>
<td>Ordinary Meeting of Council</td>
<td>All Councillors</td>
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<tr>
<td>24th May 2012</td>
<td>Meeting with Elaine Patterson and Chris Sumner from Ex-Victoria District Hospital Staff Association Inc.</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>24th May 2012</td>
<td>GHD Geraldton's 25th Anniversary</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>25th May 2012</td>
<td>Regular Meeting with Hon Brian Ellis MLC and Mr Ian Blayney MLA</td>
<td>Mayor Ian Carpenter &amp; CEO Tony Brun</td>
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<tr>
<td>25th May 2012</td>
<td>Tour of the St Francis Xavier Cathedral followed by Wine &amp; Cheese in the Crypt</td>
<td>Mayor Ian Carpenter</td>
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<td>25th May 2012</td>
<td>Closing Function of the 2012 Mid West Art Prize</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>26th May 2012</td>
<td>Installation of the Right Reverend Gary Neville Nelson</td>
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<td>26th May 2012</td>
<td>Business Excellence Awards</td>
<td>Mayor Ian Carpenter &amp; CEO Tony Brun</td>
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<td>30th May 2012</td>
<td>Grants Commission Meeting</td>
<td>Mayor Ian Carpenter</td>
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<td>31st May 2012</td>
<td>Citizenship Ceremony</td>
<td>Mayor Ian Carpenter</td>
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<td>31st May 2012</td>
<td>WA Museum Geraldton - Advisory Committee meeting</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>1st June 2012</td>
<td>Better Beginnings Presentation</td>
<td>Mayor Ian Carpenter</td>
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<td>5th June 2012</td>
<td>City Facility and Asset Induction Tour – 2. Outer City</td>
<td>All Councillors</td>
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<td>5th June 2012</td>
<td>Concept Forum</td>
<td>All Councillors</td>
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<td>6th June 2012</td>
<td>Senator Penny Wright visit, Senator for South Australia</td>
<td>Mayor Ian Carpenter &amp; CEO Tony Brun</td>
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<td>6th June 2012</td>
<td>Private Dinner by RAC with State Opposition Leader Mark McGowan MLA</td>
<td>Mayor Ian Carpenter</td>
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<tr>
<td>8th June 2012</td>
<td>Midwest Independent Retirees Meeting - Mayor to give update on City/China Trip and answer questions</td>
<td>Mayor Ian Carpenter</td>
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<td>12th June 2012</td>
<td>Citizenship Ceremony</td>
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<td>Budget Workshop</td>
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<td>13th June 2012</td>
<td>Grants Commission Meeting</td>
<td>Mayor Ian Carpenter</td>
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<td>17th-20th June 2012</td>
<td>National General Assembly Conference 2012 Canberra</td>
<td>Mayor Ian Carpenter &amp; CEO Tony Brun</td>
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<tr>
<td>20th June 2012</td>
<td>Regional Capitals Australia Meeting</td>
<td>Mayor Ian Carpenter &amp; CEO Tony Brun</td>
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11 SIGNIFICANT STRATEGIC MATTERS
Nil.
12 STRATEGIC & POLICY MATTERS

CEO005 BATAVIA REGIONAL ORGANISATION OF COUNCIL (BROC)

<table>
<thead>
<tr>
<th>AGENDA REFERENCE:</th>
<th>D-12-26615</th>
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<tbody>
<tr>
<td>AUTHOR:</td>
<td>S Moulds, PA to the Chief Executive Officer</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>T Brun, Chief Executive Officer</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>8 June 2012</td>
</tr>
<tr>
<td>FILE REFERENCE:</td>
<td>ER/5/0002</td>
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<tr>
<td>APPLICANT / PROPONENT:</td>
<td>The City of Greater Geraldton; Shire of Chapman Valley; Shire of Irwin; Shire of Northampton</td>
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<tr>
<td>ATTACHMENTS:</td>
<td>Yes</td>
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SUMMARY:
Council to determine disbanding Batavia Regional Organisation of Council (BROC).

PROPOSENT:
The proponents are The City of Greater Geraldton; Shire of Chapman Valley; Shire of Irwin; Shire of Northampton.

BACKGROUND:
The purpose of BROC is to address potential area of resource sharing whether it be through employers, equipment and general services.

Its members are:

- City of Greater Geraldton;
- Shire of Northampton;
- Shire of Chapman Valley; and
- Shire of Irwin.

At the BROC meeting held on 23 March 2012, a discussion on the effectiveness of this committee was held and whether this committee should continue. BROC members were asked to discuss this with their respective Councils and advise the City, as secretariat, of their positions.

Each Council have now advised that, by Council Resolution, they no longer support the continuation of BROC.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
The Mayor advised Council at the Concept Forum held on 3 April 2012, that the BROC members resolved to go back to their respective Councils and discuss if this Committee should continue.
STATUTORY IMPLICATIONS:
There are no statutory implications.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial or budget implications

STRATEGIC & REGIONAL OUTCOMES:

**Strategic Community Plan Outcomes:**
Goal 5: Leading the Opportunities.
Outcome 5.2: Citizen and stakeholder focus.
Strategy 5.2.4: Facilitate partnerships for collaborative governance and delivery.

**Regional Outcomes:**
The City explores funding opportunities directly with State and Federal Government and therefore dissolving its membership will not present any issues.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

**Economic:**
There is no economic impacts.

**Social:**
There is no social impacts.

**Environmental:**
There is no environmental impacts

**Cultural & Heritage:**
There is no cultural and heritage impacts.

RELEVANT PRECEDENTS:
There are no relevant precedents associated with this matter.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority
OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to Section 5.11 of the Local Government Act 1995 RESOLVES to:

1. CONTINUE with Batavia Regional Organisation of Councils:
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to Section 5.11 of the Local Government Act 1995 RESOLVES to:

1. DEFER consideration of this matter for the following reasons:
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
Each Council have their own plans for their region and their respective priorities do not line up. The City is recommending it dissolves BROC, but keep close relations with the associated Councils to discuss issues in common on an as need basis.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 5.11 of the Local Government Act 1995 RESOLVES to:

1. NOTES the Council Resolutions of the Batavia Regional Organisation of Councils members:
   a. Shire of Northampton – 20 April 2012
   b. Shire of Chapman Valley – 16 May 2012
   c. Shire of Irwin – 22 May 2012
2. RECOMMENDS that the Batavia Regional Organisation of Councils be disbanded; and
3. CONTINUE to meet with the Shire of Chapman Valley, Shire of Irwin and Shire of Northampton on an as need basis to discuss issues in common.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MCILWAINE
That Council by Simple Majority pursuant to Section 5.11 of the Local Government Act 1995 RESOLVES to:

1. NOTES the Council Resolutions of the Batavia Regional Organisation of Councils members:
   a. Shire of Northampton – 20 April 2012
   b. Shire of Chapman Valley – 16 May 2012
c. Shire of Irwin – 22 May 2012
2. RECOMMENDS that the Batavia Regional Organisation of Councils be disbanded; and
3. CONTINUE to meet with the Shire of Chapman Valley, Shire of Irwin and Shire of Northampton on an as need basis to discuss issues in common.

CARRIED 13/0
Applications for recurrent grants opened early January and closed early March with Twenty eight (28) applications having been received and assessed. The total amount of funding subscribed to was $542,875 which represents $3.25m in total project costs.

The Community Grants Advisory Committee convened on the 3rd May to review and assess each project. The Committee recommended (see attached) to allocate $860,160 for distribution to eighteen (18) projects over the triennial period.

**PROPOSANT:**
The Proposant is the City of Greater Geraldton.

**BACKGROUND:**
Council on 28th February (Item CS049) endorsed and approved a new Community Funding Policy (see attachments). As part of this policy, Council resolved the following:

- Set the triennial allocation at 1.25% of the budgeted rates revenue to be raised in the initial financial year incorporated within the triennial period.
- Allocate 75% of the budgeted Recurrent funding in year one of the triennial period, with the remaining 25% being held in the Restricted Grant Reserve for distribution within the triennial period to fund any new applications endorsed by Council.

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

a) Recurrent Grants will be offered once every three years with applications opening at the beginning of the calendar year for commitments for the next triennial period.

b) 75% of the budget allocation for the first year will be allocated to projects. The remaining 25% budget allocation will be made available for new applications that arise throughout years 2 and 3.

c) Funding for each project will be capped at $50,000.

d) The City will fund up to 50% of the total project cost with the remaining 50% being made up of the applicant’s own sources and other funding including “in kind” labor and materials.
e) For projects with a total value no greater than $2,000, the City will consider funding 100% of the project cost.
f) The City will fund up to 75% of the project if the organisation can justify the need for additional funds.
g) Recurrent grants will be split into the five categories which align the City’s Strategic Community Plan and the 2029 & Beyond Community Values, Visions & Directions. These Categories are:
   • Cultural & Heritage
   • Economic & Tourism
   • Environmental
   • Social
   • Governance
h) The applications for this program will be assessed by the Community Grants Advisory Committee which will make recommendations to Council.
i) Council will consider the recommendations of the Committee at the next available ordinary council meeting after the notification of the Committee’s recommendations.

The Committee assessed each project individually (see attached Summary sheet) and determined an overall rating on a priority basis (high, medium & low) that also included a plus/minus factor and allocated amounts according to their prioritised rating. Projects with a rating of medium to low did not receive any allocation. The following is a list of unsuccessful applicants:

1. Geraldton Regional Community Education Centre Inc.
2. Rainbow Playgroup & Learning Tree Community School.
4. Batavia Coast Veteran and Classic Vehicle Club Inc.
5. Geraldton City Band.
7. Mid West Show & Shine.
8. North East Farming Futures Group Inc.
9. Mid West Charity Begins at Home
10. Geraldton Hot Rod & Country Club

COMMUNITY CONSULTATION:
Not applicable

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

STATUTORY IMPLICATIONS:
Not applicable

POLICY IMPLICATIONS:
Council Policy CP033 endorsed and approved 28th February 2012.
FINANCIAL AND BUDGET IMPLICATIONS:
Based on 1.25% of the estimated rates revenue for 2012-13 the overall dollar allocation for this triennial period will be set at $381,000 per annum. As per Council resolution, 75% of the overall allocation or $286,000 is available for distribution in this funding round. The remaining 25% or $95,000 (per annum) is to be held in the Restricted Grant Reserve for distribution within the triennial period to fund any new applications endorsed by Council. The Community Grants Advisory Committee has endorsed an overall allocation of $860,160 for the triennial period.

STRATEGIC & REGIONAL OUTCOMES:
All projects have been assessed and evaluated based on the following:

- Linkage to the 2029 and Beyond Community Direction and / or the City of Greater Geraldton's Strategic Community Plan; and
- The benefit to the people of the Greater Geraldton region.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic implications.

Social:
There are no social implications.

Environmental:
There are no environmental implications.

Cultural & Heritage:
There are no cultural & heritage.

RELEVANT PRECEDENTS:
Council in 2008 allocated funds under the heading of Recurrent Donations for a triennial period. The 2008 allocation did not capture all recurrent community funding support provided by Council.

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

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Absolute Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.
Option 2:
That Council by Absolute Majority Pursuant to Section 6.2 of the Local Government Act 1995 RESOLVES to:

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

Option 3:
That Council by Simple Majority Pursuant to Section 5.20 of the Local Government Act 1995 RESOLVES to:

1. DEFER consideration of this matter; and
2. MAKES the determination to redistribute funds as follows:
   a. To be determined by council.

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

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

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

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

<table>
<thead>
<tr>
<th>Group</th>
<th>12/13</th>
<th>13/14</th>
<th>14/15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mid West Sports Federation (Mid West Sports Academy)</td>
<td>32,500</td>
<td>32,500</td>
<td>32,500</td>
</tr>
<tr>
<td>2</td>
<td>Mid West Men's Health</td>
<td>5,744</td>
<td>5,744</td>
<td>5,744</td>
</tr>
<tr>
<td>3</td>
<td>Centacare Family Services</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>4</td>
<td>Soldiers, Sailors &amp; Airmen's Trust</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>5</td>
<td>Arts &amp; Cultural Development Council of Geraldton</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>6</td>
<td>Aidan's Place Inc.</td>
<td>6,636</td>
<td>6,636</td>
<td>6,636</td>
</tr>
<tr>
<td>7</td>
<td>Geraldton Surf Lifesaving Club Inc.</td>
<td>21,000</td>
<td>21,000</td>
<td>21,000</td>
</tr>
<tr>
<td>8</td>
<td>Batavia Coast Replica Boat Association Inc.</td>
<td>3,150</td>
<td>3,150</td>
<td>3,150</td>
</tr>
<tr>
<td>9</td>
<td>Mid West Disaster Relief Inc.</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>10</td>
<td>Pollinators Inc.</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>11</td>
<td>St John Ambulance (WA) Inc.</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
</tbody>
</table>
Cr T Thomas has declared an indirect interest in TF001 Triennial Recurrent Grant Allocations, as her husband is chairperson of NEFF, and left Chambers at 5.43pm.

Cr I Middleton declared a proximity interest in TF001 Triennial Recurrent Grant Allocations as her daughter is a member of the Mid-West Hockey Academy, and her son is a financial member of the Batavia Coast Veteran & Classic Vehicle Club, and left Chambers at 5.43pm.

Cr C Gabelish declared an impartiality interest in TF001 Triennial Recurrent Grant Allocations as he is the Chairperson of Chrysalis Support Services Inc, but this did not affect the vote.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR HALL
That Council by Absolute Majority Pursuant to Section 6.2 of the Local Government Act 1995 RESOLVES to:

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

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<td>20,000</td>
</tr>
<tr>
<td>11</td>
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<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>12</td>
<td>Women’s Health Resource Centre</td>
<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
</tr>
<tr>
<td>13</td>
<td>Cancer Council Western Australia</td>
<td>4,190</td>
<td>4,190</td>
<td>4,190</td>
</tr>
<tr>
<td>Group</td>
<td>12/13</td>
<td>13/14</td>
<td>14/15</td>
<td>Total</td>
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<tr>
<td>-------------------------------------------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>--------</td>
</tr>
<tr>
<td>14 Gay Midwest/Pride Midwest</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
<td>60,000</td>
</tr>
<tr>
<td>15 Chrysalis Support Services</td>
<td>30,000</td>
<td>30,000</td>
<td>30,000</td>
<td>90,000</td>
</tr>
<tr>
<td>16 Geraldton Sunshine Festival Inc.</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>120,000</td>
</tr>
<tr>
<td>17 Geraldton Cemetery Board</td>
<td>35,000</td>
<td>35,000</td>
<td>35,000</td>
<td>105,000</td>
</tr>
<tr>
<td>18 Geraldton City Band</td>
<td>7,500</td>
<td>7,500</td>
<td>7,500</td>
<td>22,500</td>
</tr>
<tr>
<td></td>
<td>294,220</td>
<td>294,220</td>
<td>294,220</td>
<td>882,660</td>
</tr>
</tbody>
</table>

**CARRIED BY ABSOLUTE MAJORITY 11/0**

**REASON FOR VARIATION TO EXECUTIVE RECOMMENDATION:** it is considered by council that the Geraldton City Band provides a necessary civic function and it is therefore considered important to retain their operations.

_Cr Middleton and Cr Thomas returned to Chambers at 5.48pm_
SC050 PROPOSED TOWN PLANNING SCHEME AMENDMENT – ‘CHILD CARE PREMISES’ SPECIAL USE, GLENFIELD

AGENDA REFERENCE: D-12-26373
AUTHOR: M Connell, Manager Town Planning Services
EXECUTIVE: P Melling, Director Sustainable Communities
DATE OF REPORT: 01 June 2012
FILE REFERENCE: LP/15/0005
APPLICANT / PROPOSED: Dynamic Planning and Developments
ATTACHMENTS: Yes x2 (1 Confidential)

SUMMARY:
An application has been received to initiate a scheme amendment to amend the current ‘Special Use – SU2’ zoning of Lot 55 Chapman Road, Glenfield to include the use ‘Child Care Premises’ as a permitted use.

This report recommends that Council initiate the amendment subject to modifying the ‘Child Care Premises’ to a use that requires advertising (an ‘A’ use).

PROPOSED:
The proponent is Dynamic Planning and Developments on behalf of the owner ASDC Pty Ltd.

Council is advised that City staff have been made aware that there is some form of legal agreement in place between the owner of Lot 55 and the owner of Lot 9000 to the north. Details are provided in the Confidential Attachment No. SC050A.

BACKGROUND:
The subject land is located approximately 9 kilometres north of the Geraldton City Centre. It is provided efficient access to the local road network and Geraldton City Centre via Chapman Road and the North West Coastal Highway, both of which are located within close proximity of the site.

The subject land has frontage to Chapman Road and is currently vacant. The environment of the subject land and the majority of its surrounding hinterland can generally be described as vegetated coastal dune.

The subject land is located within proximity of the Sunset Water Corporation Wastewater Treatment Plant (WWTP). A portion of the subject site falls within the buffer of the WWTP, however this is not anticipated to affect the proposed amendment as the future of the WWTP in its current location is anticipated to be short term, given its likely relocation to the proposed Oakajee Industrial Area to the north.

The amendment seeks to amend the text provisions of Local Planning Scheme No. 5 (Greenough) contained within Schedule 4 that are applicable to
the portion of the subject site zoned ‘Special Use – SU2’ to include a ‘Child Care Premises’ use class as a permitted ‘P’ use.

The amendment is intended to facilitate the future commercial development of a ‘Child Care Premises’ on the subject site, subject to separate application and approval, in line with the future ‘District Centre’ development earmarked for the subject site’s general location and as a means to service the needs of the planned residential population surrounding the site.

Extracts from the Amendment document are included as Attachment No. SC050B and a full copy of the amendment document is available to Council upon request.

COMMUNITY CONSULTATION:
Should Council initiate a scheme amendment, it is required to be publicly advertised in accordance with the requirements of the Planning and Development Act 2005.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
The subject land is currently zoned ‘Special Use – SU2’ under Local Planning Scheme No. 5 (Greenough). Special use zones apply to special categories of land use, which do not comfortably sit within any other zone in the Scheme. For Special Use zones the Scheme states:

4.7.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

For the subject land the special uses are currently as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of land</th>
<th>Special use</th>
<th>Conditions</th>
</tr>
</thead>
</table>
| SU2 | Glenfield Service Trade Area shown on Scheme Map 2/12 and 3/12 as SU2 | The following uses are listed as “D” uses:  
• Motor Vehicle, Boat and Caravan sales;  
• Showroom;  
• Telecommunications Infrastructure;  
• Trade Display; and  
• Industry Service.  
The following uses are listed as “A” uses:  
• Industrial Light; | Prior to any further subdivision or approval of any development on the land a structure plan in accordance with the provisions of Part 4.8 of the Scheme shall be prepared and endorsed. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Description of land</th>
<th>Special use</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• Motor Vehicle Repairs; and • Warehouse.</td>
<td></td>
</tr>
</tbody>
</table>

The primary intent behind the amendment is to allow the use ‘Child Care Premises’ to be listed as a permitted ‘P’ use.

A permitted ‘P’ use means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.

It should also be noted that the local government cannot refuse a ‘P’ use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme.

Given the location of the site (refer to the Environmental Issues section of this report) it is considered more appropriate that the ‘Child Care Premises’ use be classified as an ‘A’ use meaning that the use is not permitted unless the local government has exercised its discretion by granting planning approval after formally advertising the application.

This approach would mandate that any application for a child care premises would require formal referral to relevant government agencies (such as the Water Corporation and the Department of Environment and Conservation) and that any issues raised from that referral process could be taken into consideration. It would also allow the local government the flexibility to potentially refuse an application if issues cannot be suitably addressed.

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

**POLICY IMPLICATIONS:**
There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**
There are no financial and budget implications.

**STRATEGIC & REGIONAL OUTCOMES:**

**Strategic Community Plan Outcomes:**

**Goal 1:** Opportunities for Lifestyle.

**Outcome 1.1:** Accessible health, family, youth, aged and disability support services.

**Strategy 1.1.3:** Provide child-care and family support services.
Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

Regional Outcomes:
Interim Commercial Activity Centres Strategy 2011:

This Strategy provides an interim broad regional planning framework to coordinate the location and development of shopping and associated commercial activities. The subject land is within close proximity to the “Proposed District Centre’ Area”.

As such a Child Care Premises on the subject land would be ideally located to benefit from, and compliment, the future ‘District Centre’ development, as well as service the existing and future planned residential population within the surrounding hinterland.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic and Social:
A detailed market potential investigation has been prepared to provide an assessment of the market scope for a child care centre at the subject land.

The key findings of the investigation are summarised as follows:

- The predominant family structure in the Glenfield catchment is couples with dependent children, which is the type of household most likely to require paid child care services;
- Demand analysis indicates that there is currently a demand for some 55 child care premises within the Glenfield catchment, increasing to 68 premises in 2016 and around 80 premises in 2021;
- The above demand is not currently being met within the Glenfield catchment, with the existing child care premises all located beyond the catchment, within the Geraldton urban area to the south. The closest existing facility is situated more than 5km from the Glenfield site; and
- There is sufficient demand for a child care premises to be developed at Glenfield, particularly given the expected growth in the market, and as such a centre with a licence for around 50-55 child care places would be supported at Glenfield over the medium term.

Environmental:
An environmental assessment report has been prepared consisting primarily of a desktop review of all available information relating to the environmental values and attributes associated with the subject site.

Key outcomes and findings of the environmental assessment are as follows:
• The majority of the site has ‘no known risk’ of Acid Sulfate Soils (ASS) within 3m of the ground surface, however the eastern portion of the site is mapped as having ‘high to moderate risk’ of ASS;
• ASS can be managed through the subdivision process, when detailed site information is available on the location and extent of excavation below the natural ground surface;
• The site contains no surface water features;
• The majority of the site contains remnant vegetation except areas that have been cleared for vehicle tracks, however the vegetation condition within the site is likely to be ‘Degraded’ based on the presence of invasive weed species;
• No wetlands are mapped as occurring within the site;
• A wastewater treatment facility is located adjacent to the western boundary of the site, however it is understood that this facility is likely to be decommissioned and relocated to the Oakajee Industrial Area in the medium term, so will only pose a constraint to sensitive uses in the short term; and
• No indigenous or non-indigenous heritage sites were identified.

As part of the scheme amendment process, prior to public advertising, the Environmental Protection Authority is required to assess the amendment under Part IV of the Environmental Protection Act.

Cultural & Heritage:
There are no cultural and heritage issues.

RELEVANT PRECEDENTS:
Council at its meeting held on 24 April 2012 initiated a scheme amendment over Lot 9000 to rezone the land to the ‘Development’ zone.

The author is not aware of any other relevant precedent set by previous Council or Executive, however it should not be construed that there are no other relevant precedents.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.
Option 2:
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005 RESOLVES to:

1. REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to include the use ‘Child Care Premises’ as a ‘P’ use for the Special Use zone SU2; and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. AMEND Local Planning Scheme No. 5 (Greenough) by including the use ‘Child Care Premises’ as a ‘P’ use for the Special Use zone SU2; and
2. PROCEED with advertising the scheme amendment in accordance with the requirements of the Planning and Development Act 2005.

Option 4:
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. DEFER the application; and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

CONCLUSION:
Given the subject land is within close proximity to a future northern district centre, a Child Care Premises on the subject land would be ideally located to benefit from, and compliment, the future ‘District Centre’ development, as well as service the existing and future planned residential population within the surrounding hinterland.

Demand analysis indicates that there is currently a demand for some 55 child care premises within the Glenfield catchment and this demand is not currently being met within the Glenfield catchment. There is sufficient demand for a child care premises to be developed at Glenfield, particularly given the expected growth in the market, and as such a centre with a licence for around 50-55 child care places would be supported at Glenfield over the medium term.

Overall it is unlikely that the development of the site will result in significant environmental impacts, and given that the Waste Water Treatment Facility is likely to be decommissioned and relocated to the Oakajee Industrial Area in the medium term, Option 2 is not supported.
Option 3 is not supported as the local government cannot refuse a ‘P’ use because of the unsuitability of the use for the zone. Given the environmental issues associated with the location of the site (refer to the Environmental Issues section of this report) it is considered more appropriate that the ‘Child Care Premises’ use be classified as an ‘A’ use, thereby allowing the local government the flexibility to potentially refuse an application if environmental or other issues cannot be suitably addressed.

There is considered sufficient information for Council to determine the matter and therefore Option 4 is not supported.

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

1. AMEND Local Planning Scheme No. 5 (Greenough) by including the use ‘Child Care Premises’ as an ‘A’ use for the Special Use zone SU2; and
2. PROCEED with advertising the scheme amendment in accordance with the requirements of the Planning and Development Act 2005.

COUNCIL DECISION
MOVED CR RAMAGE, SECONDED CR MCILWAINE
That Council by Simple Majority, pursuant to Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. AMEND Local Planning Scheme No. 5 (Greenough) by including the use ‘Child Care Premises’ as an ‘A’ use for the Special Use zone SU2; and
2. PROCEED with advertising the scheme amendment in accordance with the requirements of the Planning and Development Act 2005.

CARRIED 13/0
SUMMARY:
A request has been received for endorsement of the Bill Sewell Complex Master Plan via the City’s Town Planning Scheme mechanisms. The preferred approach for this Master Plan (and indeed any Master Plan or design guidelines within the city centre) is to attach them as an addendum to the City Centre Planning Policy.

Essentially, the purpose of the Master Plan is to act as a guiding document for a major heritage precinct in the regional centre and incorporates design guidelines to provide more detailed design indicators and parameters for the site.

This report recommends the adoption of the Master Plan as a draft for the purpose of public advertising.

PROPOSER:
The proponent is the National Trust of Australia (WA).

BACKGROUND:
The Bill Sewell Complex represents an intact legacy of the early Colonial settlement period of the Central Midwest area of Western Australia. The Complex is located on a 3 hectare site fronting Chapman Road to the west, and on the corner of Bayly Street to the north and Lewis Street to the south. The front two thirds of the site is relatively flat but the rest rises steeply to the east at the rear.

The Master Plan has been prepared to maximise the opportunities of the site by:

- Improving and conserving the existing fabric;
- Accommodating a range of existing and new uses;
- Revitalisation of activity across the Complex;
- Improving site cohesion using landscape strategies;
- Providing education and an interpretation framework to communicate the meaning of the place to a wider audience; and
- Prudent asset management to achieve economic and environmental sustainability.
The Master Plan has also addressed opportunities to integrate a range of uses into the existing heritage buildings, to adaptively reuse these existing buildings as appropriate and to identify commercial opportunities as a financial resource that can be used in support of ongoing heritage conservation and management of the place.

To that end, the plan reflects a number of key structural and design initiatives, including:

- The conservation, adaptive reuse and interpretation of heritage buildings on the site to evoke the story of their past in the context of Geraldton and its role in the region;
- The interpretation of the various phases of history, building purposes and their spatial context in a landscape structure which both links and subtly divides key open spaces across the complex;
- The location of key pedestrian routes and alignments which build on the above structure as well as facilitate pedestrian connections to the surrounding street and spaces; and
- The introduction of new development opportunities within contained central courtyard spaces for uses that will attract regular visitors to the site.

Key features of the Master Plan include:

- The possible adaptive reuse of the former maximum security prison as the Geraldton Visitors Centre;
- The potential creation of separately titled land parcels on the eastern, undeveloped portion of the site fronting George Road, for residential and commercial purposes; and
- The provision of car parking between ‘Crowley House’ and the above land parcels for tourists and visitors to the site.

Relevant extracts from the Master Plan are included as Attachment No. SC051, and a full copy of the Master Plan is available to Council upon request.

COMMUNITY CONSULTATION:
The preparation of the Master Plan has been influenced and informed by a number of stakeholders and in particular, the National Trust, the City and the Mid West Development Commission.

Policies are required to be advertised for a period of 21 days with a notice in a newspaper for 2 consecutive weeks.

COUNCILLOR CONSULTATION:
The consultant (Hassell) presented the Master Plan to Councillors at the Concept Forum meeting held on 6 March 2012.
STATUTORY IMPLICATIONS:
The site is zoned ‘City Centre’ with a residential density coding of ‘R50’ under Town Planning Scheme No. 3 (Geraldton).

Clause 2.1 of the Scheme details the general objectives and the following are considered relevant to this application.

- to secure and enhance the role of the City as the primary centre of the Mid-West region for commercial, industrial, residential and civic activity;
- to ensure a satisfactory diversity of urban character in all aspects of the City’s development, which recognises and, where desirable, takes advantage of established aspects of the natural and built environment;
- preservation of the City’s landscape setting and environmentally significant elements;
- protection of buildings, places and streetscapes considered to be of significance to the City’s heritage and urban character;

For the ‘City Centre’ zone the Scheme states:

The zone objective is to ensure that development of the City Centre’s commercial, civic and residential components is implemented in a manner which will secure the status and attraction of the City as the primary centre for the region. Council policies will therefore be to:

- permit a wide range of uses appropriate to achieving the objective;
- implement the City Centre Planning Policy in order to guide and control development, and provide a basis for the exercise of discretionary powers and conditions of planning consent;
- prepare and progressively implement strategies to improve accessibility, car parking, streetscape and internal movement within the centre;
- ensure that buildings and streetscapes which impart some distinctive character to the centre are utilised to the fullest extent possible in order to increase the attraction of the centre for residents and visitors.

Clause 2.2 of the Scheme provides for the power to make polices relating to parts of the Scheme and relating to aspects of the control of development.

POLICY IMPLICATIONS:
The preferred approach for this Master Plan (and indeed any Master Plan or design guidelines within the city centre) is to attach them as an addendum to the City Centre Planning Policy. The Planning Policy allows for addendums and states:

Addendums
It is likely (given the diversity of the city centre) that specific sites will require more detailed design indicators and parameters to provide
further guidance. In these instances site specific design guidelines will be attached to this Planning Policy.

A Local Planning Policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no financial and budget implications.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:
Goal 2: Opportunities for Prosperity.
Outcome 2.2: Greater Geraldton as a leading regional and rural destination.
Strategy 2.2.4: Facilitate the Geraldton City Centre as the heart of the region.

Goal 3: Opportunities for Creativity.
Outcome 3.1: A community that embraces and celebrates diversity.
Strategy 3.1.4: Preserve and activate the heritage of our community.

Goal 4: Opportunities for Sustainability.
Outcome 4.1: Vibrant and sustainable urban and rural development.
Strategy 4.1.4: Develop, apply and regulate effective planning schemes, building regulations and policies.

Regional Outcomes:
Geraldton Region Plan 1999:
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 recommendations for the "Commercial Areas" (including the city centre) contained within the Greater Geraldton Structure Plan identify a need to prepare a CBD Development Strategy and townscape strategy. The Master Plan addresses a number of development and townscape issues relevant to the site.

Geraldton Regional Centre Strategy 2005:
This Strategy developed a long-term strategic plan to secure the viability and attraction of the Geraldton Regional Centre as the primary commercial, community and tourist focus for the Mid West region. The subject land is located within the ‘New CBD’ Precinct where it is proposed that the precinct
will be an entertainment, tourist and mixed use area with additional retail and office uses encouraged.

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

**Economic:**
The range of opportunities reflected in the Master Plan have been reviewed from heritage conservation, ongoing maintenance/management, commercial and economic perspectives. Key to ongoing funding of the Complex will be revenue opportunities, provided by the medium and long term leasing of commercial, hospitality, festival, retail, tourism and civic leases. The site contains land that is surplus to the core context and purpose of the heritage buildings. This land is unlikely to provide an ongoing source of recurrent, lease based income, but provides a good opportunity as a one-off source of revenue through sale and development in accordance with site specific design guidelines.

An analysis of the financial viability of proposed redevelopment options has been undertaken. As a base case, consideration has been given to the redevelopment of the Bill Sewell Complex as an integrated mixed use development, incorporating tourist, hospitality, retail, commercial and residential uses. The site itself will be an integral part of a future thriving activity centre at the northern end of the Geraldton CBD, incorporating Batavia Coast Marina and Northgate Plaza Shopping Centre.

**Social:**
The Complex is in the ‘City Centre’ zone and accordingly should be an important local community and visitor focal point that performs a vital role in the Geraldton economy, and provides a focus for community life.

**Environmental:**
There are no environmental issues.

**Cultural & Heritage:**
The Bill Sewell Complex has high aesthetic, historic, scientific and social cultural heritage significance as a place prominent in Western Australia’s history. In particular, in relation to the regional development of the Victoria District (early convict hiring depot and early hospital) and as evidenced by the large number of relatively intact building types in their original context, and individually of a relatively moderate to high degree of authenticity.

The site is listed (place 056) on the Municipal Inventory as follows:

*Management Category:* 1X

*Level of Significance:* EXCEPTIONAL SIGNIFICANCE: Essential to the heritage of the locality.

*Management Recommendation:* Conservation of the place is considered essential. Any proposed change should not unduly impact on the
significance of the place and be in accordance with either a Conservation Plan or Heritage Impact Statement.

RELEVANT PRECEDENTS:
Council at its meeting held on 13 October 2009 resolved to contribute $50,000 towards the Master Plan project.

Council at its meeting held on 15 April 2009 adopted the ‘Durlacher Precinct – (former PTA site)’ design guidelines as an addendum to the City Centre Planning Policy.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. REFUSE to adopt the ‘Bill Sewell Complex Master Plan’ as an addendum to the City Centre Planning Policy; and
2. MAKES the determination on the grounds that:
   a. To be determined by Councillors.

Option 3:
That Council by Simple Majority pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. DEFER the matter; and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

CONCLUSION:
The Master Plan identifies how the Bill Sewell Complex can be developed to:

- conserve significant heritage values;
- accommodate a range of existing and potential new tenants as part of a regional centre;
- generate income for the long term conservation and maintenance of the heritage values of the place; and
- exhibit a high standard of culturally sensitive and environmentally sustainable development of a heritage place that can be used by the National Trust and the region as an example for community
education and to assist in attracting support for other developments in the future.

The Master Plan envisages the Bill Sewell Complex providing an enhanced and enriched appreciation of the unique history of the site, its occupants, the stories associated with its past and its role in the broader community. It will be further developed to play a significant ongoing role in the evolving culture of Geraldton and the Mid-West region. As a significant heritage asset, its active and integrated conservation will provide a landmark case study for the viable management of other significant heritage assets in Australia.

Option 2 is not supported as the Master Plan is a critical step in the process of ensuring the ongoing maintenance and conservation of the Complex. The City has also financially contributed to the project and in order to fully implement its recommendations there needs to be formal adoption of the Master Plan.

Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the matter.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority, pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. ADOPT the ‘Bill Sewell Complex Master Plan’ as a draft addendum to the City Centre Planning Policy and advertise it for a period of 21 days;
2. ADOPT for final approval the Master Plan should no objections be received during the advertising period; and
3. REQUIRE a further report to Council should there be any objections received during the advertising period.

COUNCIL DECISION
MOVED CR HALL, SECONDED CR MIDDLETON
That Council by Simple Majority, pursuant to clause 2.2 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. ADOPT the ‘Bill Sewell Complex Master Plan’ as a draft addendum to the City Centre Planning Policy and advertise it for a period of 21 days;
2. ADOPT for final approval the Master Plan should no objections be received during the advertising period; and
3. REQUIRE a further report to Council should there be any objections received during the advertising period.

CARRIED 13/0
13 OPERATIONAL MATTERS

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<th>TF002</th>
<th>LEASE – SHINE AVIATION SERVICES - AMSAR STORE GENERAL AVIATION TERMINAL</th>
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<tr>
<td>AGENDA REFERENCE:</td>
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</tr>
<tr>
<td>AUTHOR:</td>
<td>L Richards, Airport Coordinator</td>
</tr>
<tr>
<td>EXECUTIVE:</td>
<td>B Davis, Director Treasury and Finance</td>
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<td>Shine Aviation Services</td>
</tr>
<tr>
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SUMMARY:
The purpose of this report is to seek Council approval to lease the AMSAR store located in the General Aviation Terminal to Shine Aviation Services for the purpose of storage.

PROPOSENT:
The proponent is Shine Aviation Services.

BACKGROUND:
Shine Aviation Services is a commercial general aviation business based at the Geraldton Airport servicing the mining and corporate markets, offering charter and regular fly-in fly-out (FIFO) services. Shine Aviation also conduct modest pilot training operations, scenic tours and a range of other services. They are experiencing rapid expansion of their FIFO business, and have recently acquired additional aircraft.

Shine Aviation Services currently lease office space at the General Aviation Terminal and land adjacent to the terminal for the construction of offices and briefing space for aircrew. These two leases are due to expire on 31 July 2015. The lease for the AMSAR store will be for a period of three years and one month to bring this lease in line with other two and enable the three leases to be amalgamated into one upon their expiry on 31 July 2015.

COMMUNITY CONSULTATION:
Should Council grant approval to enter into a lease agreement with Shine Aviation Services, that intention will be advertised and public submissions will be invited for a period of not less than 14 days pursuant to Section 3.58 of the Local Government Act 1995.

COUNCILLOR CONSULTATION:
There has been no prior consultation with elected members on this matter.

STATUTORY IMPLICATIONS:
Section 3.58 of the Local Government Act 1995 (as amended) – Disposing of Property

Section 3.58:
(1) In this section –
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –
   (a) it gives local public notice of the proposed disposition –
      (i) describing the property concerned; and
      (ii) giving details of the proposed disposition; and
      (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
   (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
   (a) the names of all other parties concerned; and
   (b) the consideration to be received by the local government for the disposition; and
   (c) the market value of the disposition —
      (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
      (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
A lease fee of $100.00 per square metre plus GST is based on previous market valuations at the Geraldton Airport. The application for an area of 23m² would equate to $2,300.00 plus GST per annum. CPI will be applied annually and the lessee will be responsible for paying all rates, taxes and utilities.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 2: Opportunities for prosperity
Outcome 2.1: A diverse sustainable, economic and employment base.
Strategy 2.1.4: Establish Greater Geraldton as a service and population base for fly in / fly out (FIFO) operations.

**Regional Outcomes:**
There are no regional outcomes.

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

**Economic:**
There are no economic impacts with this proposal.

**Social:**
There are no social impacts with this proposal.

**Environmental:**
There are no environmental impacts with this proposal.

**Cultural & Heritage:**
There are no cultural, heritage or indigenous impacts with this proposal.

**RELEVANT PRECEDENTS:**
The City currently leases land at the Geraldton Airport to individuals and companies for aviation related purposes.

**DELEGATED AUTHORITY:**
There is no delegated authority existing related to this proposal.

**VOTING REQUIREMENTS:**
Simple majority is required.

**OPTIONS:**

**Option 1:**
As per Executive Recommendation in this report.

**Option 2:**
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. DEFER this item;
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

**Option 3:**
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. REJECT this item;
2. MAKES the determination based on the following reason:
   a. To be determined by Council.
CONCLUSION:
Support for this proposal will enable Shine Aviation Services to continue to utilise the AMSAR store in the General Aviation Terminal.

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 intent to lease 23m² of the General Aviation Terminal being portion of Lot 363 Geraldton Mount-Magnet Road, Moonyoonooka to Shine Aviation Services for the purpose of the AMSAR store;
2. MAKE the determination subject to:
   a. advertising notice period of not less than 14 days inviting public submissions;
   b. any works being subject to, and compliant with any necessary town planning, building compliance
3. SET the proposed conditions as:
   a. enter into a 3 year 1 month lease agreement to commence 1 July 2012 and to conclude in line with the two current lease agreements with Shine Aviation Services for the General Aviation Terminal being 31 July 2015;
   b. a ground lease fee of $100.00 per square metre plus GST per annum;
   c. adjust the lease fees annually as at 1 July in line with the preceding March Perth Consumer Price Index;
   d. the lessee being responsible for separately paying all applicable rates, taxes and other utilities;
4. DELEGATE authority to the CEO to grant approval subject to there being no objecting submissions received; and
5. REFER the matter back to Council for final consideration if any objecting submissions are received.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR BRICK
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 intent to lease 23m² of the General Aviation Terminal being portion of Lot 363 Geraldton Mount-Magnet Road, Moonyoonooka to Shine Aviation Services for the purpose of the AMSAR store;
2. MAKE the determination subject to:
   a. advertising notice period of not less than 14 days inviting public submissions;
   b. any works being subject to, and compliant with any necessary town planning, building compliance
3. SET the proposed conditions as:
a. enter into a 3 year 1 month lease agreement to commence 1 July 2012 and to conclude in line with the two current lease agreements with Shine Aviation Services for the General Aviation Terminal being 31 July 2015;
b. a ground lease fee of $100.00 per square metre plus GST per annum;
c. adjust the lease fees annually as at 1 July in line with the preceding March Perth Consumer Price Index;
d. the lessee being responsible for separately paying all applicable rates, taxes and other utilities;

4. DELEGATE authority to the CEO to grant approval subject to there being no objecting submissions received; and

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

CARRIED 13/0
SUMMARY:
This report seeks Council endorsement of the Saraceno Group and APPD Pty Ltd as preferred developer of a hotel at the Geraldton Airport, following conduct of a public Expression of Interest (EOI) process, seeks Council approval to progress subdivision of airport land to enable creation of the necessary freehold land parcel required for the project, and delegation of authority to the CEO to progress negotiations with the Saraceno Group and APPD Pty Ltd to enable the hotel development to materialize.

PROPOSENT:
The proponent is the Saraceno Group/APPD Pty Ltd, following conduct of a public Expression of Interest process for development of a Hotel complex at the Geraldton Airport.

BACKGROUND:
An EOI was called by public advertisement for the development of an airport hotel at the Geraldton Airport incorporating meeting and conference rooms, retail and food and beverage outlet/s.

Development of the Geraldton Airport envisages a sophisticated technology and business park that diversifies business activity in the airport precinct, supports a strategic aviation hub and provides a range of aviation and non-aviation services and employment opportunities to the Greater Geraldton area and beyond. Master planning of the land-side area includes provision for development of a hotel, west of the terminal car parks. The development is required to be consistent with the City’s Airport Technology Park Design Guidelines.

The expression of interest process sought to:

- gauge commercial interest for the development of a hotel;
- gain an understanding of the proposed development opportunities and parameters;
- gain information on industry preferences regarding land tenure;
- provide feedback on the development potential, expectations and costs to the Council; and
- identify a preferred developer to design and construct a hotel at the Geraldton Airport to provide accommodation options for business and government travellers, general airport patrons, tourists and fly-in/fly-out personnel.
Lot 1 Gordon Garratt Drive, located adjacent to the Airport Terminal has been earmarked for this intended use, consistent with allowed uses envisaged in the Geraldton Airport Technology Park Design Guidelines formally adopted by Council. The land size is about 11,712 square metres and – under current arrangements - offers lease tenure of up to 50 years pending WAPC approval.

At the closure of the advertising period one EOI was received from Saraceno Group in conjunction with APPD Pty Ltd. The submission is separately provided as a confidential attachment.
The EOI submission received indicates that the proponents believe the project is viable and sustainable. The Saraceno Group is a major property developer in Melbourne, and their past projects include the Tullamarine Mantra Airport Hotel.

The proponents have proposed a two stage hotel complex development:
- Stage 1 - 176 double bed rooms, built on eight levels; and
- Stage 2 – an additional 60 double bed rooms across six levels.

Ultimate development will include 150 seat restaurant, business centre, ballroom/conventional facility and a health centre.

Following closure of EOI submissions and subsequent telephone discussions with the proponents, the Director of Treasury & Finance and the Manager of Land & Property Services travelled to Melbourne to meet with the proponents to discuss the project and to provide them with information to enhance their understanding of the City’s proposed developments at the airport.

The proponents were provided with copies of the Mid West Invest-ability Study report, the Mid West Investment Plan, the most recent MWDC regional projects report, and the new City of Greater Geraldton Investment brochure.

During discussions, the proponents affirmed the view stated in their EOI that viability is dependent upon having freehold ownership of the hotel site. The project cost estimates included in their EOI submission do not include costs of land acquisition, or headworks contributions.

Should the project progress, and the Council agrees to authorise subdivision of the City freehold land, to create freehold title for land for the hotel development site, it would be in the City's interests to put in place appropriate conditions of sale requiring substantial project construction commencement within a designated period, to mitigate risks of land-banking. Sale of land would be on the basis of commercial valuation at the time of proposed sale.

If the project proceeds, that matter will be brought to Council for determination at a future time, when a specific land disposal proposal eventuates.

Discussions with the proponents centred on their utility needs for the site, and they have sought additional information, in relation to matters such as construction costs in Geraldton, and availability of materials. The proponents have undertaken to provide the City with utility service assessments, enabling the City to ensure that capacity is available to the site. Provision of utility services to the site is planned as part of the development of the Technology Park. An appropriate contribution towards headworks would be negotiated between the City and the proponents in the normal manner for the project.

During discussions, the proponents indicated potential for additional land being required, depending on the detailed design process. City officers advised them that additional adjacent land is available, and that Council can consider a larger land area, as the negotiation process progresses.
The proponents took City officers on a tour of previous and current project sites in Melbourne, details of several of which are set out in their EOI submission. The proponents have an impressive record of success in the financing and delivery of very large property development and construction projects.

The proponents have commenced further research and assessment into the project and the Principals propose to visit Geraldton during July/August to meet with the City.

As a result of information provided in their EOI submission, and subsequent discussions with the proponents, the Director Treasury & Finance, and Manager Land and Property Services, have formed the view that the proponents have very strong interest in development of the hotel at Geraldton Airport, and that they have the proven financial and project delivery capacity to bring the project to fruition.

COMMUNITY CONSULTATION:
Not applicable. This report follows a public process calling Expressions of Interest. Intention to develop a hotel on the site in question was included in the draft Airport Master Plan released for public comment in late 2011. No public or airport stakeholder submissions were received on this matter.

COUNCILLOR CONSULTATION:
Not applicable. This report follows a public process calling Expressions of Interest.

STATUTORY IMPLICATIONS:
Section 3.58 of the Local Government Act 1995 (as amended) – Disposing of Property

Section 3.58:

(2) In this section –
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
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(4) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –
(a) it gives local public notice of the proposed disposition –
(iv) describing the property concerned; and
(v) giving details of the proposed disposition; and
(vi) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

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

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
(a) the names of all other parties concerned; and
(b) the consideration to be received by the local government for the disposition; and
(c) the market value of the disposition —
   (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
   (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

POLICY IMPLICATIONS:
There are no policy implications. Development of a hotel complex at the Geraldton Airport is consistent with and specifically provided for in Airport master planning.

FINANCIAL AND BUDGET IMPLICATIONS:
Costs of the development of the entire complex as proposed in the EOI submission will be borne by the proponent. The City will provide a fully serviced lot with water and energy utility services establishment costs being met as part of the construction costs of the technology park. The indicative construction cost of the proposed Geraldton airport hotel is highlighted in the confidential attachment. The proponents will purchase freehold title to the land from the City, based on commercial land valuation, with proceeds going to the capital assets development reserve, and will make a negotiated contribution towards headworks, offsetting capital costs of development of the Technology Park.

Establishment of an airport hotel complex as envisaged in the EOI will create a valuable property, generating significant Rates income to the City. It is not possible to estimate value of annual Rates, until the construction is completed, the hotel is commissioned, and the new property is valued by the Valuer-General. However, as an indicator of revenue potential, two existing hotel properties within the City produce rates revenues in the range $90,000 - $120,000 per year.

STRATEGIC & REGIONAL OUTCOMES:

**Strategic Community Plan Outcomes:**

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<tr>
<th>Goal 1</th>
<th>Opportunities for Lifestyle</th>
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<tr>
<td>Outcome 1.2:</td>
<td>Infrastructure which provides a foundation for the community's needs.</td>
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<tr>
<td>Strategy 1.2.4:</td>
<td>Provide accessible active and passive recreational spaces.</td>
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Regional Outcomes:
The proposed new Geraldton Airport Master Plan provides a planning framework for future development of the Airport precinct to enable long-term operational objectives to be met. The plan identifies an area of 24 hectares for commercial development in the form of a technology/business park. It proposes that high quality development should be encouraged and identifies a site for an airport hotel/motel.

The City (and its predecessor Councils) has invested substantially in the Airport since it was acquired from the Commonwealth, investing in additional land to future-proof the Airport as an essential regional transport asset. The Airport precinct comprised some 289HA on acquisition from the Commonwealth. Council land purchases have grown the Airport precinct to over 530HA.

The additional land protects the Regional airport, but also enables the City to leverage the non-aviation portion to generate revenue. In a capital-constrained world, this enables the Council to better service the funding needs of both airport growth, and broader City growth, in the regional interest. Ownership of the land west of the airport terminals has enabled the Council to plan and control the nature of developments on land-side areas, consistent with preservation of the operational needs of the airport.

Having determined the land uses and appropriate development controls via airport master planning over the owned airport land, and formal technology park guidelines, the Council is now positioned to determine areas of the land that may be disposed of, to facilitate the developments it desires.

Development of a hotel complex incorporating conference and business meeting facilities will assist in overcoming the serious shortage of good quality hotel accommodation in the Mid West region generally, and Geraldton in particular, stimulating both business and tourism travel.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The proposed Technology Park identifies the following specific economic objectives within the design guidelines:

- To foster and sustain a high level of innovation, economic activity and create significant local, permanent employment opportunities.
- To provide a suitable location for a wide range of different commercial activities that compliment and do not compromise the functionality of the Geraldton Airport.
- To create an appropriate commercial return for the landowners that will, in turn, assist in sustaining aviation and other commercial uses at the Technology Park.
Developed to ultimate form as set out in the EOI submission, the proposed hotel complex will create 100-150 new permanent jobs in the City region. At this early stage, no estimate has been formulated of employment levels during the construction and development period – but Council may safely assume that several hundred personnel will be required for such a significant construction project.

**Social:**
The associated Technology Park design guidelines identify the following specific social objectives:

- To encourage a healthy and active working environment that promotes physical and mental wellbeing.
- To create place that promote the development of social capital where occupants of the development can interact with each other.
- To minimize potential amenity impacts from surrounding industrial, transport and aviation activities on future occupants.
- To reduce barriers to disabled or disadvantaged groups using the facilities.

The proposed development submitted via the EOI reflects consideration of these social requirements, and they will be incorporated during the detailed design process, with specific matters to be assessed through development and building approval processes.

**Environmental:**
The associated Technology Park design guidelines identify the following specific environmental objectives:

- To move towards self-sufficiency in energy and water through no-site harvesting, reduced consumption and water reuse whenever feasible.
- To reduce waste going to landfill from construction and operations through intelligent selection of products, consuming less and recycling more.
- To reduce the energy requirement and pollutants related to construction by selecting appropriate construction materials.
- To reduce private car use and encourage movement by public transport and pedestrian and bicycle movement.
- To incorporate endemic local species vegetation in the landscape theme.

The proposed development submitted via the EOI reflects consideration of these environmental requirements, with particular reference to smart energy and water design features, and they will be incorporated during the detailed design process, with specific matters to be assessed through development and building approval processes.
Cultural & Heritage:
The Geraldton Airport has been identified as having cultural heritage significance. It is the site of RAAF No. 4 Service Flying Training School which operated under the Empire Air Training Scheme. The place played a significant role in the training and provision of aircrew to bolster the strength of the Royal Air Force during World War Two. The place is associated with Sir Norman Brearley the founder of the first commercial airline in Australia (Western Australian Airways in 1921).

The place is classified by the National Trust of Australia (Western Australia). The conservation recommendations contained in the Classification Assessment state that the remaining WWII infrastructure located at various places on the airfield should be documented, conserved and interpreted. The place is also included in the Shire of Greenough Municipal Inventory of Heritage Places (Place No. 217) wherein it has been allocated a Management Category 2 indicating the place is highly significant at a local level with a high level of protection appropriate.

There are no significant heritage issues arising from this proposal.

RELEVANT PRECEDENTS:
The City has current precedents of endorsing EOI’s for contracts for services, in particular construction and civil works, and in relation to land development projects (such as the Back beach caravan park site), with Council providing delegated authority to the CEO to progress negotiations with preferred developers, to bring projects to fruition. In all cases, where required by statute or regulation, matters requiring resolution by Council are brought back to Council for determination.

DELEGATED AUTHORITY:
There is no delegated authority existing related to this proposal.

VOTING REQUIREMENTS:
Absolute majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Absolute Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REJECT the recommendation; and
2. MAKES the determination on the following reason:
   a. To be determined by Council.
**Option 3:**
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 (as amended) RESOLVES to:

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

**CONCLUSION:**
The public EOI process resulted in a detailed submission from a major, demonstrably successful property developer, with directly relevant experience in the development of Airport hotels.

Council support for the Executive Recommendation will allow the CEO to progress negotiations with the proponent to enable full detailed feasibility analysis to be undertaken by the proponent with the City’s involvement and support.

Development of the proposed hotel complex at the Geraldton Airport will provide much needed additional high quality hotel accommodation in Geraldton, and will significantly enhance the standard of conference and business facilities available in Geraldton, adding substantial value to the functionality and amenity of the Geraldton Airport. It will also provide additional employment and training opportunities for the Geraldton community.

**EXECUTIVE RECOMMENDATION:**
That Council by Absolute Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. APPOINT Saraceno Group and APPD Pty Ltd as the preferred developer of the Geraldton Airport Hotel;
2. AUTHORISE required action for subdivision of City owned airport land to enable issue of freehold title for the land required for the proposed Airport Hotel development;
3. NOTE that the Airport Hotel development will be subject to normal development and building control application assessment processes;
4. DELEGATE authority to the CEO to undertake negotiations with Saraceno Group and APPD Pty Ltd to bring the airport hotel project to fruition;
5. REQUIRE the actual sale of land for the proposed hotel development be subject to future Council determination in compliance with section 3.58 of the Local Government Act 1995; and
6. REQUIRE the project to be referred to Council for authorisation to proceed.

*Cr S Van Styn declared a financial proximity interest in TF003 EOI Geraldton Airport Hotel Development – as competitor motel owner, and left Chambers at 5.52pm.*
Cr R Ramage declared an impartiality interest in TF003 EOI Geraldton Airport Hotel Development, as he has same business, and left Chambers at 5.52pm.

COUNCIL DECISION
MOVED CR HALL, SECONDED CR MESSINA
That Council by Absolute Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. APPOINT Saraceno Group and APPD Pty Ltd as the preferred developer of the Geraldton Airport Hotel;
2. AUTHORISE required action for subdivision of City owned airport land to enable issue of freehold title for the land required for the proposed Airport Hotel development;
3. NOTE that the Airport Hotel development will be subject to normal development and building control application assessment processes;
4. DELEGATE authority to the CEO to undertake negotiations with Saraceno Group and APPD Pty Ltd to bring the airport hotel project to fruition;
5. REQUIRE the actual sale of land for the proposed hotel development be subject to future Council determination in compliance with section 3.58 of the Local Government Act 1995; and
6. REQUIRE the project to be referred to Council for authorisation to proceed.

CARRIED BY ABSOLUTE MAJORITY 11/0

Cr Ramage and Cr Van Styn returned to Chambers at 5.53pm
SUMMARY:
This report seeks Council endorsement of an additional full time employee for Geraldton Airport, in addition to the existing 4 Airport staff members included in the City of Greater Geraldton current staffing level, to ensure the safe and compliant operation, maintenance and ongoing functionality of the Geraldton Airport. Costs of the additional employee will be fully funded from Airport revenue, and not from other Ratepayer funds.

PROPOSED BY:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The current organisation structure at the Geraldton Airport comprises an Airport Manager, Airport Coordinator and two Aerodrome Reporting Officers.

In June 2011 Geraldton Airport was authorised as a Security Screening Authority. Passenger and checked baggage security screening operations are contracted to Skywest Security, however the Airport team remains responsible for ensuring compliance and security management, and maintenance and support of security screening equipment. The security screening equipment is owned and maintained by the City of Greater Geraldton and is the responsibility of the Airport team.

During November 2011 Qantas commenced operations at the Geraldton Airport and together with Skywest and Skippers passenger movements have increased by approximately 40% and aircraft landings by approximately 18% (see table below).

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<tbody>
<tr>
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<td>46,248</td>
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For many years, the approach at Geraldton Airport has been to employ qualified Aerodrome Reporting Officers (AROs), but to multi-skill them so that,
in addition to their regulatory functions of safety inspections of runways, taxiways, aprons, aerodrome lighting, aircraft incident response and so on, they have also been utilised for general airport maintenance and ground keeping. However, regulatory workloads have increased, with passenger movement increases exceeding 5% on average over the past 5 years, but now increasing steeply since late 2011 as a result of airport deregulation and entry of additional air transport operators into the Geraldton market.

Increasingly, as a consequence of Geraldton Airport becoming a secured airport, and with increasing aviation activity, capacity of the existing two AROs to undertake general airport maintenance and support activities has decreased, with consequent the need to utilise other service providers. That trend will continue, as aviation activity continues to grow, requiring increasing emphasis on regulatory ARO functions, and on Security functions.

Relocation of the City Depot to the airport provides opportunities to have a range of services – particularly for landside areas - provided by the City works and parks and gardens teams. This will enable more appropriate ARO focus on airside areas, and their regulatory duties. The rate of growth of aviation activities at the airport is such that – if the old approach was to be continued, having AROs continue to deliver all landside maintenance and ground-keeping functions, in addition to performing their regulatory airside functions – this submission would be seeking two (2) additional AROs, rather than one. The old approach cannot be continued. The airport has simply grown (and matured) beyond a point where AROs can spend a significant part of their day on landside maintenance, away from aviation and airside functions.

For 365 days per year operations of the airport, staff must be rostered for weekends and public holidays to undertake mandatory airport inspections throughout the day, and be on-call for any airport operational problems or aviation incidents. With a total of only four staff, and only two AROs, that creates difficulties, exacerbated by need to provide cover in the event of unscheduled absences (e.g. sick leave), or long scheduled absences such as long service leave. This is an unacceptable risk exposure in terms of maintaining regulatory compliance – but more importantly, in terms of aviation safety and airport operations.

Geraldton Airport growth has now reached the stage where airside aviation functions and facilities must be the priority focus for AROs, and mainstream ARO workloads now require addition of at least one additional full time employee to the airport establishment. The position of ARO / Technical Officer will allow scope to perform ARO responsibilities and specific technical duties associated with security and airport operations.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.
STATUTORY IMPLICATIONS:
There are no statutory implications.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
It is proposed to fund the additional staff member from the increase in revenue from passenger service and aircraft landing fees. A conservative estimate of new business income, should current passenger movement levels be sustained, will be in excess of $1m per year.

It is proposed that Council endorsement of an additional full time employee at the Geraldton Airport be included as part of the 2012/13 budget process.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 2: Opportunities for Prosperity

Outcome 2.1: A diverse sustainable, economic and employment base.

Strategy 2.1.4: Establish Greater Geraldton as a service and population base for fly in / fly out (FIFO) operations.

Regional Outcomes:
The Geraldton Airport provides major transport links to regional Western Australia.

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:
There are no relevant precedents.

DELEGATED AUTHORITY:
There is no specific delegated authority.
VOTING REQUIREMENTS:
Simple majority.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to Section 5.36 of the Local Government Act 1995 RESOLVES to:

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

Option 3:
That Council by Simple Majority pursuant to Section 5.36 of the Local Government Act 1995 RESOLVES to:

1. REJECT the endorsement of an increase to the City of Greater Geraldton Full Time Employee Levels by one at the Geraldton Airport;
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
The current staffing establishment of the Airport is already overloaded. Statutory regulations, compliance and security issues have increased, placing additional demands on staff. The lack of resources to meet statutory obligations exposes the City to risk and could result in non-compliance or airside incidents with serious ramifications / penalties. The increased aircraft and passenger movement levels and Federal Government regulatory obligations at the Airport place further demands on both airside and landside operations. Ongoing aviation infrastructure and facilities maintenance, and the regulatory aviation functions of AROs, must take precedence.

Approval of this proposal will mitigate risks of non-compliance with statutory obligations, and enable essential operational functions, and airport security functions, to be delivered for the benefit of all users of the Geraldton Airport. The increased capacity of the ARO team with technical specific duties will enhance the development and structure of the team, enable more appropriate focus on aviation and airport security activities, and ensure available coverage when staff are absent or in training.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 5.36 of the Local Government Act 1995 RESOLVES to:
1. ENDORSE an increase to the City of Greater Geraldton Full Time Employee numbers by one (1) at the Geraldton Airport; and
2. INCLUDE for consideration in the 2012/13 City of Greater Geraldton budget provision for an additional Aerodrome Reporting Officer / Technical Officer at the Geraldton Airport.

COUNCIL DECISION
MOVED CR MIDDLETON, SECONDED CR THOMAS
That Council by Simple Majority pursuant to Section 5.36 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE an increase to the City of Greater Geraldton Full Time Employee numbers by one (1) at the Geraldton Airport; and
2. INCLUDE for consideration in the 2012/13 City of Greater Geraldton budget provision for an additional Aerodrome Reporting Officer / Technical Officer at the Geraldton Airport.

CARRIED 13/0
SUMMARY:
This report seeks Council approval to approve the tender received for the construction of Stage 1 Geraldton Airport Technology Park and award the contract to WBHO/CIVIL.

PROPOSER:
The proponent is the City of Greater Geraldton.

BACKGROUND:
Tenders were called by public advertisement, for the construction of Stage 1 of the Geraldton Airport Technology Park. Stage 1 includes Civil Work, Road Works and Utility Services to 20 lots.

In addition, Stage 1 includes the upgrade of the water service from the Mount Magnet Road and the power supply from Deepdale Road to the Geraldton Regional Airport.

Tenders closed on 20 March 2012 and tenders were received from five contractors. There was a large variation between the lowest and highest tenders. A breakdown of the tenders is shown in Confidential Attachment TF005. The tenders of the lowest two tenderers (WBHO/Civil and EDI Downer) were scrutinised in detail by the City’s appointed engineering consultant Aurecon.

Both of these contractors are qualified to perform the construction described in the contract documentation. A letter was sent to each of the two lowest tenderers requesting clarification on various points, some being quantity or price related and others of a contractual nature. Both tenderers have submitted their clarifications.

The total for each of the two lowest tenders is below the pre-tender estimate of $5.5m.
Stage 1 – Geraldton Airport Technology Park

COMMUNITY CONSULTATION:
Not applicable.

COUNCILLOR CONSULTATION:
Not applicable.
STATUTORY IMPLICATIONS:
Section 3.57 (1) of the Local Government Act 1995 requires a local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

Sub section (2) makes provision about tenders.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
The proposed budget for 2012-13 incorporates the establishment of a credit facility that will be used to fund the various stages of the development. Additionally, the City has submitted a business case to access funds from the Mid-West Investment Plan which if successful, will reduce the amount of debt financing that is to be applied in stage 1. Revenue generated from the staged progression of this commercial development will be used initially to service and finally, extinguish the credit facility debt. The Executive recommendation makes issue of contracts explicitly subject to availability of funding.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes

Goal 1: Opportunities for Lifestyle

Outcome 1.2: Infrastructure which provides a foundation for the Community's needs.

Strategy 1.2.4: Provide accessible active and passive recreational spaces.

Regional Outcomes:
The proposed new Geraldton Airport Master Plan provides a planning framework for future development of the Airport precinct to enable long-term operational objectives to be met. The plan identifies an area of 24 hectares for commercial development in the form of a technology/business park. It proposes that high quality development should be encouraged and identifies a site for an airport hotel/motel. These needs are accommodated in the new lease guide plan.

The City (and its predecessor Councils) has invested substantially in the Airport since it was acquired from the Commonwealth, investing in additional land to future-proof the Airport as an essential regional transport asset. The Airport precinct comprised some 289HA on acquisition from the Commonwealth. Council land purchases have grown the Airport precinct to over 530HA. The additional land protects the Regional airport, but also enables the City to leverage the non-aviation portion to generate revenue. In a capital-constrained world, this enables the Council to better service the
funding needs of both airport growth, and broader City growth, in the regional interest.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The proposed Technology Park identifies the following specific economic objectives within the design guidelines:
- To foster and sustain a high level of innovation, economic activity and create significant local, permanent employment opportunities.
- To provide a suitable location for a wide range of different commercial activities that compliment and do not compromise the functionality of the Geraldton Airport.
- To support the growth of new and existing aviation activities.
- To create an appropriate commercial return for the landowners that will, in turn, assist in sustaining aviation and other commercial uses at the Technology Park.

Social:
The associated Technology Park design guidelines identify the following specific social objectives:
- To encourage a healthy and active working environment that promotes physical and mental wellbeing.
- To create place that promote the development of social capital where occupants of the development can interact with each other.
- To minimize potential amenity impacts from surrounding industrial, transport and aviation activities on future occupants.
- To reduce barriers to disabled or disadvantaged groups using the facilities.

Environmental:
The associated Technology Park design guidelines identify the following specific environmental objectives:
- To move towards self-sufficiency in energy and water through no-site harvesting, reduced consumption and water reuse whenever feasible.
- To reduce waste going to landfill from construction and operations through intelligent selection of products, consuming less and recycling more.
- To reduce the energy requirement and pollutants related to construction by selecting appropriate construction materials.
- To reduce private car use and encourage movement by public transport and pedestrian and bicycle movement.
- To incorporate endemic local species vegetation in the landscape theme.

Cultural & Heritage:
The Geraldton Airport has been identified as having cultural heritage significance. It is the site of RAAF No. 4 Service Flying Training School which
operated under the Empire Air Training Scheme. The place played a significant role in the training and provision of aircrew to bolster the strength of the Royal Air Force during World War Two. The place is associated with Sir Norman Brearley the founder of the first commercial airline in Australia (Western Australian Airways in 1921).

The place is classified by the National Trust of Australia (Western Australia). The conservation recommendations contained in the Classification Assessment state that the remaining WWII infrastructure located at various places on the airfield should be documented, conserved and interpreted. The place is also included in the Shire of Greenough Municipal Inventory of Heritage Places (Place No. 217) wherein it has been allocated a Management Category 2 indicating the place is highly significant at a local level with a high level of protection appropriate.

RELEVANT PRECEDENTS:
The City has current precedents of awarding contracts for services, in particular construction and civil works.

DELEGATED AUTHORITY:
There is no delegated authority existing related to this proposal.

VOTING REQUIREMENTS:
Absolute majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. REJECT the recommendation; and
2. MAKES the determination on the following reason:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act 1995 (as amended) RESOLVES to:

1. DEFER the recommendation; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.
CONCLUSION:
Council endorsement to accept the tender for the development and construction of Stage 1 of the Geraldton Airport Technology Park will enable the construction of the critical stage 1 of the project to commence that includes the civil work, road works and utility services to 20 lots over the whole technology park.

In addition, Stage 1 includes the upgrade of the water service from the Mount Magnet Road and the power supply from Deepdale Road to the Geraldton Regional Airport

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:

1. DELEGATE authority to the CEO to enter into a contract with the WBHO/CIVIL on behalf of Council for the construction of the Stage 1 of the Geraldton Airport Technology Park subject to:
   a. confirmation of funds to complete the project through the Mid-West Investment Plan;
   b. any escalation in price due to elapsed time from calling of tenders is in accordance with industry movements in materials, labour and plant price indices for the region; and
2. RECORD the tendered amount in the minutes.

COUNCIL DECISION
MOVED CR HALL, SECONDED CR THOMAS
That Council by Absolute Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:

1. DELEGATE authority to the CEO to enter into a contract with the WBHO/CIVIL on behalf of Council for the construction of the Stage 1 of the Geraldton Airport Technology Park subject to:
   a. confirmation of funds to complete the project through the Mid-West Investment Plan;
   b. any escalation in price due to elapsed time from calling of tenders is in accordance with industry movements in materials, labour and plant price indices for the region; and
2. RECORD the tendered amount in the minutes being $5,323,573.88.

CARRIED BY ABSOLUTE MAJORITY 13/0
This report seeks Council authorisation to request Ministerial approval for the imposition of differential general rates and minimum rates.

**PROPOONENT:**
The proponent is the City of Greater Geraldton.

**BACKGROUND:**
At the time of amalgamation between the City of Geraldton-Greenough and the Shire of Mullewa, to form the City of Greater Geraldton, there were considerable differences in the pre-merger final annual budgets between rates in the dollar levied by the separate Councils. For the amalgamation, the Minister for Local Government agreed that the different levels of rates should be brought into alignment over a five (5) year period. In each of the intervening years, Ministerial approval remains required for compliance with particular sections of the Local Government Act 1995:

- **Section 6.33(3) of the Local Government Act 1995** states “...in imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.” This is applicable to both GRV and UV properties. In the application of this Act, GRV and UV are grouped as two separate categories.
- **The 2011-12 Mullewa UV Mining rate** was 22.7136 cents in the dollar compared to Geraldton’s 0.5389 cents, with Mullewa’s rate about 42 times higher than Geraldton’s mining and all other UV rates in the 2011-12 Budget.
- **The draft intended UV Mining rates** publicised for 2012-13 are 24.2354 and 0.5750 respectively for Mullewa and Geraldton. In addition, Geraldton UV General Farming and Geraldton UV Urban are both at 0.5750 cents in the dollar with Mullewa UV Agriculture at 0.9575 cents in the dollar.
- **Section 6.35(3) states** “...in applying minimum rate the local government is to ensure the general minimum is imposed on not less than (a) 50% of the total number of separate rated properties in the district; or (b) 50% of the number of properties in each category referred to.”
• In the draft budget prepared for the purposes of publicising intended rates for 2012-13, only 1,690 (38%) vacant blocks out of a total of 4,408 will pay a minimum rate of $900 and as such, Ministerial approval will also be required.

• Note that the City has published a set of intended rates for 2012-13, based on draft budget assessments, to ensure compliance with the Local Government Act. The process required under the Act is that Council will consider all ratepayer and elector submissions received in relation to the published intended rates before adopting its Budget and Council may determine rates different from those published for the purposes of inviting ratepayer and elector submissions.

COMMUNITY CONSULTATION:
The City has publicly advertised a set of intended rates for the purposes of the 2012-13 Budget, inviting submissions from electors and ratepayers.

COUNCILLOR CONSULTATION:
A briefing note on this matter was sent to all Councillors on 12 June 2012.

STATUTORY IMPLICATIONS:
Council requires Ministerial approval to comply with sections 6.33 and 6.35 of the Local Government Act in respect of the levying and collection of rates as described herein. The requirements are described in Background above.

POLICY IMPLICATIONS:
There are no policy implications with this matter.

FINANCIAL AND BUDGET IMPLICATIONS:
The revenue from Mullewa mining in the draft 2012-13 Budget is approximately $97,000 and from Geraldton mining, $10,000. Geraldton UV Farming will generate about $1.4M and UV Agriculture Mullewa will generate about $1.5M.

Without Ministerial approval, the rate Minimums would have to be reduced to the levels of two years ago at around $772 with a reduction in revenue of approximately $275,000.

STRATEGIC & REGIONAL OUTCOMES:
There are no strategic and regional outcomes associated with this matter.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic issues.
Social:
There are no social issues.

Environmental:
There are no environmental issues.

Cultural & Heritage:
There are no cultural or heritage issues.

RELEVANT PRECEDENTS:
There are no relevant precedents.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority, pursuant to Section 5.20 of the Local Government Act 1995, RESOLVES to:

1. DEFER this item;
2. MAKE the determination based on the following reasons:
   a. To be determined by Council

Option 3:
That Council by Simple Majority, pursuant to Section 5.20 of the Local Government Act 1995, RESOLVES to:

1. NOT seek Ministerial approvals under sections 6.33 and 6.35 of the Local Government Act 1995 for the purposes of the 2012-13 Budget;
2. MAKE the determination based on the following reasons:
   a. To be determined by Council

CONCLUSION:
A five year period of transition for alignment of rates was agreed by the Minister for Local Government when the City of Geraldton-Greenough and Shire of Mullewa were merged to create City of Greater Geraldton. Because of the transition provision for alignment of levels of rates between the pre-merger local government districts:
• the highest differential rate proposed by the City for 2012-13 will be more than twice the lowest differential general rate levied, and that requires Ministerial approval; and
• the minimum rate applicable to vacant land will apply to less than 50% of the vacant land lots within the new local government area – and that requires Ministerial approval.
• Ministerial approvals under sections 6.33 and 6.35 of the Local Government Act 1995 will allow the Council to levy and collect rates in compliance with the Local Government Act 1995 for the 2012-13 financial year.

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

1. NOTE that 2012-13 will be the second annual budget for City of Greater Geraldton following merger of the City of Geraldton-Greenough and Shire of Mullewa, with agreement by the Minister for Local Government to a five year period of transition for the new City Council to align levels of rates levied on the pre-merger local government districts;
2. NOTE that during the 5 year transition period for alignment of rates, because of the different differential and minimum rating provisions of the respective pre-merger Councils, Ministerial approvals are required for compliance with sections 6.33 and 6.35 of the Local Government Act 1995;
3. SEEK approval consistent with section 6.33 of the Local Government Act 1995 from the Minister for Local Government to impose in 2012-13 a differential general rate which is more than twice the lowest differential general rate imposed by it; and
4. SEEK approval consistent with section 6.35 of the Local Government Act 1995 to apply a minimum rate on less than 50% of the total number of separate rated properties in the district or on less than 50% of the number of properties in a category, with particular reference to minimum rates on vacant land.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR HALL
That Council by Simple Majority, pursuant to Section 5.20 of the Local Government Act 1995, RESOLVES to:

1. NOTE that 2012-13 will be the second annual budget for City of Greater Geraldton following merger of the City of Geraldton-Greenough and Shire of Mullewa, with agreement by the Minister for Local Government to a five year period of transition for the new City Council to align levels of rates levied on the pre-merger local government districts;
2. NOTE that during the 5 year transition period for alignment of rates, because of the different differential and minimum rating provisions of the respective pre-merger Councils, Ministerial
approvals are required for compliance with sections 6.33 and 6.35 of the Local Government Act 1995;

3. SEEK approval consistent with section 6.33 of the Local Government Act 1995 from the Minister for Local Government to impose in 2012-13 a differential general rate which is more than twice the lowest differential general rate imposed by it; and

4. SEEK approval consistent with section 6.35 of the Local Government Act 1995 to apply a minimum rate on less than 50% of the total number of separate rated properties in the district or on less than 50% of the number of properties in a category, with particular reference to minimum rates on vacant land.

CARRIED 13/0
SUMMARY:
The City of Greater Geraldton has a significant length of coastline that is influenced by natural coastal processes of erosion and accretion. Infrastructure developments along the coastline have impacted the natural changes in these coastal processes. Previous research has looked at the dynamic nature of the coastal processes and the impact of natural change and human-induced change to these processes and made recommendations for coastal monitoring and protection for sections of the Geraldton coastline.

The City, Geraldton Port Authority, Department of Transport and the Northern Agricultural Catchments Council have worked together with respect to developing a concept design for the protection of the Beresford Foreshore – based on the recommendations made within the Coastal Processes Study.

This report presents a concept design and cost plan for the coastal protection and enhancement of the Beresford Foreshore.

Through the Royalties for Regions programme $4.3M has recently been awarded to progress this project.

PROPOSENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Beresford Foreshore Coastal Protection and Enhancement Project has been a partnership between the City of Greater Geraldton, Department of Transport, Geraldton Port Authority and the Northern Agricultural Catchments Council, designed to progress recommendations regarding the Beresford Foreshore made within the Coastal Processes Study.

COMMUNITY CONSULTATION:
Members of the community and stakeholders were invited to two Community Consultations with City officers and the project consultants. These took place on 6 November 2011 and 8 December 2011 respectfully. Invitations were sent by mail, email and through the media. More than ninety participants attended and were presented with the background to the consultants brief, the preferred concept design and information supporting the concept. Feedback from these sessions has been incorporated into the final report.
COUNCILLOR CONSULTATION:
Updates on the project were presented at Concept Forum on 6 December 2011 and 1 May 2012.

STATUTORY IMPLICATIONS:
The Environment Protection Authority has made a decision not to assess the project under Section 39A(3) of the Environment Protection Act 1986. This is currently being reviewed by the Office of the Appeals Convenor since an objection to this decision has been lodged. The timeframe for the Office of the Appeals Convenor’s review at the time of writing this report is not known. Until this process has reached a conclusion implementation of the concept will be delayed.

POLICY IMPLICATIONS:
The report addresses the most recent State Planning Policy position statement with regards to climate change and sea-level rise predictions. This report provides a preferred concept design that acknowledges impacts of climate change and recommends committing to action in line with Council Policy CP029 – Climate Change. The report aligns with the sustainability principles of governance, culture, economy, environment and society presented in Council Policy CP030 - Towards Sustainability Policy Framework.

FINANCIAL AND BUDGET IMPLICATIONS:
Adopting the Concept Design has no direct financial implications to Council. However, there will be a significant implication should the preferred concept design be progressed to a detailed design and construction.

Net Present Value analysis presented in the Coastal Processes Study and Cost Plan estimated indicate that if the City:

1. does nothing, the costs incurred in infrastructure damage and remedial works using a 4% discount rate will be approximately $61M over a 20 year period; and
2. undertakes the detailed design and construction the costs will be $25m to complete.

Through the Royalties for Regions programme $4.3M has recently been awarded to progress the project.

City Officers are pursuing additional funding through the Department of Transport Coastal Protection Grant Programme 2012/2013 and are seeking contributions towards the project from the Geraldton Port Authority as part of the Ports on-going contribution to Coastal Protection works.
STRATEGIC & REGIONAL OUTCOMES:

**Strategic Community Plan Outcomes:**

Goal 1: Opportunities for Lifestyle.

Outcome 1.2: A healthy community through sport, recreation and leisure opportunities.

Strategy 1.2.1: Provide accessible active and passive recreational spaces.

Goal 3: Opportunities for Creativity.

Outcome 3.1: A community that embraces and celebrates diversity.

Strategy 3.1.1 Create vibrant and diverse neighbourhoods that meet local and regional needs.

Goal 4: Opportunities for Sustainability.

Outcome 4.4: Infrastructure that meets community growth needs and aspirations.

Strategy 4.4.3 Effectively plan and prioritise investment in capital expenditure to ensure an appropriate balance across economic, environmental, social, recreational and cultural assets.

**Regional Outcomes:**

The report progresses recommendations made within existing or in-preparation plans, policies and reports including, but not limited to:

- Coastal Vulnerability and Risk Assessment Programme (2010, ongoing). A series of projects identified to assess and make recommendations regarding coastal vulnerability and risk assessment.
ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:  
The concept design, provides a level of certainty for existing community infrastructure (roads, utility services, recreational services), businesses and home-owners through the protection of the Beresford coastline.

Social:  
The design concept ensures the preservation of recreational public open space and shared pathway connecting the Central Business District (CBD) with the northern suburbs.

Environmental:  
The concept design is based on recommendations made within the Coastal Processes Study that adopts a precautionary approach through a long term perspective on coastal processes and management within the context of sea-level rise predictions.

Cultural & Heritage:  
In liaison with the Regional Heritage Advisory Officer the concept design takes into consideration cultural and heritage sites of interest. Within the coastal reserve the Geraldton Stock Fence (Bicentennial Heritage Trail) and the site of the Chapman Smelting Works (Municipal Inventory Item 067) are located. In addition there are seven properties listed in the Municipal Inventory located along Chapman Road in Beresford.

RELEVANT PRECEDENTS:  
The concept design is an outcome from recommendations made within the Coastal Processes Study which was received by Council on 23 November 2010.

DELEGATED AUTHORITY:  
There is no delegated authority relating to this matter.

VOTING REQUIREMENTS:  
Simple majority is required.

OPTIONS:  

Option 1:  
As per Executive Recommendation in this report.

Option 2:  
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. NOT ADOPT the Beresford Foreshore Coastal Protection and Enhancement Project Design Report; and  
2. MAKES the determination based on the following reason:  
a. To be determined by Council.
Option 3: That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

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

CONCLUSION:
The City of Greater Geraldton has implemented the recommendation made within the Coastal Processes Study for the protection of the Beresford Foreshore and progressed it to a preferred concept design. It has used the most recent data sets available and the performance of the preferred concept design has been modelled using real-time storm data collected from the significant Geraldton storm event of July 2010. Two community consultation events have provided community members with information on the decision-making processes and science behind the preferred concept design.

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

1. ADOPT the Beresford Foreshore Coastal Protection and Enhancement Project Report prepared by Cardno (March 2012) as the preferred concept for the development of the Beresford Foreshore;
2. SEEK additional funding for the implementation of the project from the State and Federal Governments and government agencies as appropriate;
3. FORWARD the report to the Minister for Transport, as the responsible Minister for the Geraldton Port Authority and Department of Transport, and seek commitment for the preferred concept and for both authorities to provide initial funding for the detailed design and a commitment to the implementation of the project in recognition of their impact on the northern beaches coastal foreshore; and
4. PROCEED to detailed design and documentation for the entire project in accordance with the preferred concept plan subject to availability of funding.

COUNCIL DECISION
MOVED CR ASHPLANT, SECONDED CR MIDDLETON
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ADOPT the Beresford Foreshore Coastal Protection and Enhancement Project Report prepared by Cardno (March 2012) as the preferred concept for the development of the Beresford Foreshore;
2. SEEK additional funding for the implementation of the project from the State and Federal Governments and government agencies as appropriate;

3. FORWARD the report to the Minister for Transport, as the responsible Minister for the Geraldton Port Authority and Department of Transport, and seek commitment for the preferred concept and for both authorities to provide initial funding for the detailed design and a commitment to the implementation of the project in recognition of their impact on the northern beaches coastal foreshore; and

4. PROCEED to detailed design and documentation for the entire project in accordance with the preferred concept plan subject to availability of funding.

CARRIED 13/0
SUMMARY:
The objective of this report is to seek Council endorsement of the updated Land Development Guidelines for the City of Greater Geraldton.

PROPOSED:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Department of Community Infrastructure identified the need for a revised version of the Land Development Guidelines following the amalgamation with Mullewa.

This document provides a guide to the engineering requirements for land being subdivided and developed in the City of Greater Geraldton with reference to:

- Western Australian Planning Commission - Liveable Neighbourhoods;
- Institute of Public Works Engineers- (IPWEA) Local Government Guidelines for Subdivisional Development Edition 2 – 2009; and
- Department of Water, Better Urban Stormwater Management.

The revised document is user-friendly and will facilitate a consistent high standard of development throughout the City. It will also be dynamic, in order to adapt to changes in construction and development best practice over time.

The document assists applicants in understanding all aspects of City requirements for land development and the specifications for assets to be donated through the development of land within the City.

The guidelines intend to set the development standard in order to achieve sustainable outcomes for the City as it continues to grow.

COMMUNITY CONSULTATION:
The document has been advertised in state and local newspapers, emailed to all developers and project engineering companies known to the City of Greater Geraldton and placed on the City’s website for twenty-one (21) days seeking submissions. No submissions were received.
COUNCILLOR CONSULTATION:
A Briefing Note providing an update on the Guidelines was despatched to Councillors on the 1 June 2012.

STATUTORY IMPLICATIONS:
There are no statutory implications in endorsing the Land Development Guidelines.

POLICY IMPLICATIONS:
There are no policy implications in endorsing the Land Development Guidelines.

FINANCIAL AND BUDGET IMPLICATIONS:
There are no adverse financial implications in endorsing the Land Development Guidelines.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

Strategy 4.1.1: Lead the development of innovative, strategic and sustainable urban, rural and regional planning.

Regional Outcomes:
There are no foreseen negative impacts in endorsing the Land Development Guidelines. There are however a variety of positive outcomes for the City. The document has been updated to reference best municipal design practice and includes a significantly revised section on road pavements, which collectively form a major component of the City's total assets.

For developers, there is the convenience of having an up to date reference document that specifies a consistent minimum standard of development that applies across the City. This provides the developer with certainty of the City’s expectations with regard to new development and investment.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
The revised document incorporates best practice associated with land development. The two major economic benefits are that attractive and functional developments are created to stimulate investment within the City and those developments provide assets to the City that are of an appropriate standard to facilitate sustainable whole-of-life management.
Social:
New developments compliant with the Land Development Guidelines provide social amenity and encourage social interaction. All new developments will be provided with a shared path on each street which promotes a healthy lifestyle and general wellbeing. All new allotments will be within 400 metres of public open space to encourage exercise and family activity.

Environmental:
New development in accordance with the guidelines requires stormwater runoff to be retained on site to maximise infiltration, and reduce peak flows in local waterways. Street trees will be provided on both sides of the road at 20m spacing for shade and amenity. Footpaths will encourage the community to walk and cycle as opposed to vehicle use.

Cultural & Heritage:
The document does not relieve the developer of any cultural and heritage obligations.

RELEVANT PRECEDENTS:
There are no relevant precedents.

DELEGATED AUTHORITY:
There is no delegated authority associated with this proposal.

VOTING REQUIREMENTS:
Simple majority.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

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

CONCLUSION:
The revised City of Greater Geraldton Land Development Guidelines document clearly establishes the community’s minimum expectation of developers proposing new land development within the City. The Land Development Guidelines will be used by City engineering staff to assess engineering designs and compliance of works on site.

The new guidelines have social, environmental and economic benefits for the City and are in accordance with engineering best practice. Developers also
benefit with the knowledge that the standard set applies consistently across all land development within the City.

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

1. ENDORSE the Land Development Guidelines Document; and
2. GIVE public notice to the effect.

COUNCIL DECISION
MOVED CR BRICK, SECONDED CR VAN STYN
That Council by Simple Majority pursuant to Section 5.20 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ENDORSE the Land Development Guidelines Document; and
2. GIVE public notice to the effect.

CARRIED 13/0
This report seeks Council approval to appoint new Rangers and other identified staff as Bush Fire Control Officers.

The proponent is the City of Greater Geraldton.

As the City of Greater Geraldton is a new Local Government it is required that Bush Fire Control Officers are appointed for the control of bush fire and the issuing of fire permits.

The Officers presented within the item are current Bush Fire Control Officers or have recently completed training to issue permits and their appointments have been endorsed by their respective bush fire advisory committees.

There has been no community consultation in relation to this report.

No Councillors have been consulted with respect to this report.

The Bush Fires Act 1954 Part IV Division 1 s.38 (1) states a local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the provisions of this Act, and of those officers shall subject to section 38A appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

The Officers presented within the item are current Bush Fire Control Officers or have recently completed training to issue permits and their appointments have been endorsed by their respective bush fire advisory committees.

There has been no community consultation in relation to this report.

No Councillors have been consulted with respect to this report.

The Bush Fires Act 1954 Part IV Division 1 s.38 (1) states a local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the provisions of this Act, and of those officers shall subject to section 38A appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
There are not financial or budget implications.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 1: Opportunities for lifestyle.
Outcome 1.3: A safe, secure and supportive community.
Strategy 1.3.1: Support effective community emergency services and animal management.

Regional Outcomes:
There are no regional outcomes.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic issues.

Social:
In providing for a safe and secure community the appointment of the positions of Bush Fire Control Officers add to the acknowledgement from the community that the City of Geraldton-Greenough has an effective structure for response to bush fire.

Environmental:
There are no environmental issues.

Cultural & Heritage:
There are no cultural and heritage issues.

RELEVANT PRECEDENTS:
At the Ordinary Meeting of the City of Greater Geraldton Council on 12 October 2011, Council by Simple Majority appointed Bush Fire Control officers for the newly merged Local Authority.

DELEGATED AUTHORITY:
Positions of Fire Control Officer are appointed by Local Government and the functions of the said positions are carried out as per the Bush Fires Act 1954 Part IV Division 1 s.38 (1).
VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to s3.18 of the Local Government Act 1995 (as amended) RESOLVES to:

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

CONCLUSION:
The appointment of these nominated Fire Control Officers will assist Council in attending to its responsibilities under the Bush Fire Act 1954. The executive recommendation outlines the newly appointed Rangers and Customer Service Officers that are to be considered for appointment. Option two allows for a deferral and there is no third option.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to the Bush Fires Act 1954 Part V s.67 and the Bush Fires Act Part IV Division 1 s.38 RESOLVES to:

1. APPOINT the following Bush Fire Control Officers and positions:
   a. Fire Control Officers:
      i. Lara Brownley (Ranger);
      ii. Neil Ferridge (Ranger);
      iii. Christopher Dawson (Ranger); and
   b. Fire Control Officers for Permit Issuing Duties only:
      i. Ranelle Clarke (Civic Centre Customer Service).

COUNCIL DECISION
MOVED CR MESSINA, SECONDED CR MIDDLETON
That Council by Simple Majority pursuant to the Bush Fires Act 1954 Part V s.67 and the Bush Fires Act Part IV Division 1 s.38 RESOLVES to:

1. APPOINT the following Bush Fire Control Officers and positions:
   a. Fire Control Officers:
      i. Lara Brownley (Ranger);
      ii. Neil Ferridge (Ranger);
      iii. Christopher Dawson (Ranger); and
   b. Fire Control Officers for Permit Issuing Duties only:
      i. Ranelle Clarke (Civic Centre Customer Service).

CARRIED 13/0
SUMMARY:
This report provides information regarding Council enforcement of the Control of Vehicles (Off-road Areas) Act 1978 and seeks a Council resolution to appoint authorised persons.

PROPOINENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
Section 38(3) of the Control of Vehicles (Off-road Areas) Act 1978 states that a Local Government shall in writing, appoint persons to exercise on behalf of the Local Government the powers conferred on an authorised person by the Act.

Much of previous attention to Off Road Vehicle complaints has been under powers outlined in Local Laws. The Control of Vehicles (Off road Areas) Act will enhance the powers of Rangers in attending to complaints or issues in relation to Off Road Vehicles.

COMMUNITY CONSULTATION:
There has been no community consultation.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
Section 38 (3) of the Control of Vehicles (Off-road Areas) 1978 states that a Local Government may by resolution, appoint employees of the local government to be an authorised officer for the purposes of the Act in respect to the whole of its district or part thereof as defined in the appointment.

Penalties for non-compliance for the Control of Vehicles (Off-road Areas) Act 1978 range from $50.00 - $1,000.00. Rangers can issue infringements of $50.00 and offences prosecuted in a Magistrate Court can attract penalties of up to $1,000.00.

POLICY IMPLICATIONS:
There are no policy implications.
FINANCIAL AND BUDGET IMPLICATIONS:
A greater attention to Off Road Vehicles has a potential to decrease land management expenses associated with erosion.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:
Goal 1: Opportunities for lifestyle.
Outcome 2: A safe, secure and supportive community.
Strategy 1.3.3: Support effective community safety and crime prevention.

Regional Outcomes:
There are no regional outcomes.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic issues.

Social:
It is important that Council has Officers that are appropriately authorised under the Control of Vehicles (Off-road Areas) Act 1978 to ensure a safe community.

Environmental:
Some users of Off Road Vehicles cause considerable damage to the environment. The application of this law will deter behaviours such as this that impact on the environment.

Cultural & Heritage:
There are no cultural or heritage issues.

RELEVANT PRECEDENTS:
There are no relevant precedents with respect to this report.

DELEGATED AUTHORITY:
Council can appoint Officers to be authorised under Section 38 (1) (3) of the Control of Vehicles (Off-road Areas) Act 1978.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.
Option 2:
That Council by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:

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

CONCLUSION:
It is recommended that Council staff are duly authorised under the Control of Vehicles (Off-road Areas) Act 1978. This report is presented to Council to enable the respective appointments of Rangers following a resolution of Council. There is no third option for this report.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority as per Section 38 (1) (3) of the Control of Vehicles (Off-road Areas) Act 1978 RESOLVES to:

1. APPOINT the following persons as an authorised officer for the period of their employment at the City of Greater Geraldton:
   a. Chris Dawson;
   b. Neil Ferridge;
   c. Lara Brownley;
   d. Judith Clarke;
   e. Cole Tanner;
   f. Archie Brown;
   g. Douglas Brennan;
   h. Ben Tomasino;
   i. Bill Currans;
   j. Craig Wing;
   k. Peter Smith; and
   l. Konrad Seidl.

COUNCIL DECISION
MOVED CR BRICK, SECONDED CR HALL
That Council by Simple Majority as per Section 38 (1) (3) of the Control of Vehicles (Off-road Areas) Act 1978 RESOLVES to:

1. APPOINT the following persons as an authorised officer for the period of their employment at the City of Greater Geraldton:
   a. Chris Dawson;
   b. Neil Ferridge;
   c. Lara Brownley;
   d. Judith Clarke;
   e. Cole Tanner;
   f. Archie Brown;
   g. Douglas Brennan;
   h. Ben Tomasino;
   i. Bill Currans;
j. Craig Wing;
k. Peter Smith; and
l. Konrad Seidl.

CARRIED 13/0
SUMMARY:
The attached City of Greater Geraldton Parking and Parking Facilities local law is provided for consideration by the Council to adopt under section 3f.12 of the Local Government Act 1995 (the Act).

PROPOONENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The Council at its meeting on 13 July 2011 resolved as follows:

Part A
That the Council of Commissioners by Simple Majority in accordance with s.3.12 of the Local Government 1995 RESOLVES to:

1. APPROVE the state-wide public notice of the following local laws in order to seek public comment:
   a. Activities in Thoroughfares and Public Place and Trading Local Law 2011;
   b. Animals, Environment and Nuisance Local Law 2011;
   c. Bush Fire Brigades Local Law 2011;
   d. Cemeteries Local Law 2011;
   e. Dogs Local Law 2011;
   f. Fencing Local Law 2011;
   g. Health Local Law 2011;
   h. Local Government Property Local Law 2011;
   i. Parking and Parking Facilities Local Law 2011;
   j. Pest Plants Local Law 2011; and
   k. Meeting Procedures Local Law 2011.

2. SUBMIT to the Minister for Local Government a copy of all proposed local laws;
3. SUBMIT to the Minister for Emergency Services a copy of the Bush Fire Brigades Local Law 2011;
4. SUBMIT to the Minister for Health a copy of the Health Local Law 2011; and
5. SUBMIT to the Minister for Agriculture a copy of the Pest Plants Local Law 2011.

The Council at its meeting on Wednesday 12 October 2011 resolved to adopt the following local laws:

- Activities in Thoroughfares and Public Place and Trading Local Law 2011;
- Bush Fire Brigades Local Law 2011;
• Cemeteries Local Law 2011;
• Dogs Local Law 2011;
• Health Local Law 2011;
• Pest Plants Local Law 2011; and
• Meeting Procedures Local Law 2011

The Council at its meeting on Wednesday 10 August 2011 resolved to advertise the Repeal Local Law 2011 for community comment.

As the Department of Local Government (DLG) had not finalised a review of the Animals, Environment and Nuisance Local Law 2011, Fencing Local Law 2011, Parking and Parking Facilities Local Law 2011 and Repeal Local Law 2011 these were not adopted by the Council on Wednesday 12 October 2011. These Local laws were presented to Council at the Agenda Forum on the 21 February 2012. It was identified that further work was required with the Animals, Environment and nuisance Local Law 2011 and the Fencing Local Law 2011 and the item was deferred.

This item presents the Parking and Parking Facilities Local Law 2011. The following Local Laws:
• Animals Environment and Nuisance Local Law 2011;
• Fencing Local Law 2011;
• Local Government Property Local Law 2011; and
• the Repeal Local Law 2011;
are to be considered by Council at a future meeting.

COMMUNITY CONSULTATION:
The advertising was undertaken in the local media during July to September 2011.

At the close of the submission period only one submission has been received regarding this proposed local law.

The submission was from the DLG on behalf of the Minister for Local Government provided comments.

The comments received from the DLG covered a number of aspects including general typographical and formatting issues. These changes, which have not affected the intent of the proposed local laws, have been incorporated into the final documents. Other comments from the DLG that may affect the intent of the proposed local laws is detailed in this report.

COUNCILLOR CONSULTATION:
No further consultation has been undertaken with Councillors other than as part of the community workshop.

STATUTORY IMPLICATIONS:
Section 3.12 of the Act outlines the procedure for making local laws as attached. See Attachment No. SC048B.
The proposed local law is outlined below together with comments from the DLG along with the purpose and effect for each local law.

**Parking and Parking Facilities Local Law 2012**

It is proposed to change the date of the local law to read 2012 in lieu of 2011 to reflect the date of adoption.

The DLG proposed some general typographical and formatting issues to the Parking and Parking Facilities Local Law 2012 as well as an amendment to clause 2.1 as it was the view of the DLG that the wording included in the local law may not be acceptable to the Joint Standing Committee on Delegated Legislation. The City is currently at steps 5 & 6 in this existing process.

In addition at the request of the City the following changes have been made to the local law. The changes have been incorporated into the local law submitted for adoption.

1. Added a definition for “parking permit” with consequential changes to clauses 2.3 and 2.4 relating to displaying a parking permit; and
2. Amended a number of penalties identified by the City that had been included in the proposed local law at a lesser amount than the current City of Geraldton-Greenough Parking and Parking Facilities Local Law 2008. The proposed penalties were increased from $100 to $150 in line with the escalation applied to all other penalties.

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

**Purpose:**
The purpose of this local law is to:

- constitute a parking region;
- enable the local government to regulate the parking of vehicles within the parking region; and
- provide for the management and operation of parking facilities occupied by the local government.

**Effect:**
A person parking a vehicle within the parking region is to comply with the provisions of this local law.

**POLICY IMPLICATIONS:**
There are no policy implications.

**FINANCIAL AND BUDGET IMPLICATIONS:**
The costs of the consultant and the advertising and publication of the local laws in the Government Gazette have been allowed for in the amalgamation budget. Implementation of the local law does set fine schedules etc. for the enforcement of the local law.
STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes
Goal 5: Leading the Opportunities.

Outcome 5.1: Leadership and good governance.

Strategy 5.1.3: Implement business, governance, legislative and compliance frameworks.

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

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
There are no economic issues.

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

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

Cultural & Heritage:
There are no cultural and heritage issues.

RELEVANT PRECEDENTS:
There are no relevant precedents.

DELEGATED AUTHORITY:
The Chief Executive Officer has the Delegated Authority to enforce local laws as per section 5.2 of the Local Government Act, outlined in the Instrument of Delegation signed on the 1 July 2011.

VOTING REQUIREMENTS:
Absolute majority is required.

Option 1:
As per Executive Recommendation in this report.

Option 2:
That the Council by Simple Majority pursuant to section 3.12 of the Local Government Act 1995 RESOLVES to:

1. DEFER a decision on:
   a. Parking and Parking Facilities Local Law 2012; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

Option 3:
That the Council by Simple Majority pursuant to section 3.12 of the Local Government Act 1995 RESOLVES to:

1. NOT ADOPT the Parking and parking Facilities Local Law 2011; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
The creation of the City of Greater Geraldton requires new local laws to be drafted to cover the whole district. Until the new local laws have been gazetted the existing local laws remain in place. Option one is recommended as it has followed due process and will allow for a Parking and parking Facilities Local Law specific to Greater Geraldton.

EXECUTIVE RECOMMENDATION:
That the Council by Absolute Majority pursuant to section 3.12 of the Local Government Act 1995 RESOLVES to:

1. NOTE that no community submissions were received in regard to the Parking and Parking Facilities Local Law 2012;
2. DETERMINE that:
   a. the proposed changes outlined in the report and included in Parking;
   b. Parking Facilities Local Law 2012 which are not considered significantly different to that which originally advertised;
3. DETERMINE to accept all changes proposed; and
4. ADOPT the Parking and Parking Facilities Local Law 2012.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MCILWAINE
That the Council by Absolute Majority pursuant to section 3.12 of the Local Government Act 1995 RESOLVES to:

1. NOTE that no community submissions were received in regard to the Parking and Parking Facilities Local Law 2012;
2. DETERMINE that:
   a. the proposed changes outlined in the report and included in Parking;
   b. Parking Facilities Local Law 2012 which are not considered significantly different to that which originally advertised;
3. DETERMINE to accept all changes proposed; and
4. ADOPT the Parking and Parking Facilities Local Law 2012.

CARRIED BY ABSOLUTE MAJORITY 13/0
SUMMARY:
To provide Council the opportunity to consider and endorse an updated Memorandum of Understanding (MOU) with the WA Police and Fire and Emergency Services Authority, based upon the previous MOU with the City of Greater Geraldton.

PROponent:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The City of Greater Geraldton was proclaimed and became a Local Government Authority on the 1 July 2011. The former Local Government Authority of the City of Geraldton Greenough had existing Memorandum of Understandings (MOU's) with external agencies. Two of these MOU's were with the WA Police and the Fire and Emergency Services Authority.

The MOU with the WA Police relates to the management and operations of the City of Greater Geraldton CCTV network (Safety Camera Strategy). The MOU and supporting document (Code of Practice) has been reviewed by both parties and no amendments are required.

The MOU with the Fire and Emergency Services Authority relates to the position of the Community Emergency Services Manager. This is a shared position and outlines the relationship, management and communication with regard to the expected outcomes. The MOU has been reviewed by both parties and minor amendments to the MOU and its supporting Business Plan have been submitted.

The MOU's have served respective agencies well in managing the operations of the Community Emergency Services Manager and the City CCTV network. To date no issues have arisen due to the respective agreements. Both MOU's are essential for the ongoing management of both the CCTV network and Community Emergency Services Manager.
COMMUNITY CONSULTATION: Representatives from both the WA Police and Fire and Emergency Services Authority have been consulted with regard to their respective MOU’s. There has been no other community consultation.

COUNCILLOR CONSULTATION: There has been no consultation with Councillors with respect to this report.

STATUTORY IMPLICATIONS: There are no statutory implications with regard to the signing of the Memorandum of Understandings.

POLICY IMPLICATIONS: There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS: The 2011/12 budget for expenses related to the Community Emergency Services Manager is $76,076.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 1: Opportunities for Lifestyle
Outcome 1.3: A safe, secure and supportive community
Strategy 1.3.3: Supportive, effective community safety and crime prevention.

Regional Outcomes: There are no regional outcomes.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic: There are no economic issues.

Social: Both of the Memorandum of Understanding’s contribute to Greater Geraldton as being a safe and secure community.

Environmental: There are no environmental issues.

Cultural & Heritage: There are no Cultural or Heritage issues.
RELEVANT PRECEDENTS:
The City of Geraldton-Greenough Council adopted the MOU’s on the following dates:
WA Police (Safety Camera Strategy) 9 February 2010
Fire and Emergency Services Authority 19 October 2010

DELEGATED AUTHORITY:
The Code of Practice for CCTV and Business Plan for the Community Emergency Services Officer makes reference to the management and City contact being the Manager of Community Law and Safety.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority pursuant to s3.18 of the Local Government Act 1995 (as amended) RESOLVES to:

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

CONCLUSION:
The report provides Council the opportunity to review and potentially endorse existing partnerships with the WA Police and the Fire and Emergency Services Authority (FESA). The MOU in relation to the CCTV ensures the effective management in relation the system and its use. The MOU in relation to the Community Emergency Services Manager ensures the effective management of the position which is shared between FESA and the City of Greater Geraldton.

Officers from both parties have reviewed the documents and are presenting these to Council. Option 2 allows for a deferral and there are no other options.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority pursuant to s3.18 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ENDORSE the Community Emergency Services Manager Memorandum of Understanding and Business Plan with the Fire and Emergency Services Authority of Western Australia;
2. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding between the City of Greater Geraldton
and the Western Australian Fire and Emergency Services Authority (Community Emergency Services Manager);
3. ENDORSE the Memorandum of Understanding between the City of Greater Geraldton and the WA Police (Safety Camera Strategy); and
4. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding between the City of Greater Geraldton and the WA Police (Safety Camera Strategy).

Cr B Hall declared a direct interest in Item SC049 MOU WA Police (CCTV) and Fire and Emergency Services Authority as he is an employee of WAPO, but this did not affect the vote.

COUNCIL DECISION
MOVED CR MESSINA, SECONDED CR RAMAGE
That Council by Simple Majority pursuant to s3.18 of the Local Government Act 1995 (as amended) RESOLVES to:

1. ENDORSE the Community Emergency Services Manager Memorandum of Understanding and Business Plan with the Fire and Emergency Services Authority of Western Australia;
2. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding between the City of Greater Geraldton and the Western Australian Fire and Emergency Services Authority (Community Emergency Services Manager);
3. ENDORSE the Memorandum of Understanding between the City of Greater Geraldton and the WA Police (Safety Camera Strategy); and
4. AUTHORISE the Mayor and Chief Executive Officer to sign the Memorandum of Understanding between the City of Greater Geraldton and the WA Police (Safety Camera Strategy).

CARRIED 13/0
SUMMARY:
An application has been received for an outdoor cinema business on the Geraldton Foreshore on the southern side of the Dome Café building.

The application was received on 06 March 2012 and hence can be deemed refused on 07 May 2012.

Although staff have delegation to deal with planning applications, it is considered appropriate, given the proposed location is on the Geraldton Foreshore, that Council determine the matter.

This report recommends conditional approval of the application.

PROONENT:
The proponent is George Scicluna.

BACKGROUND:

The Site:
The intended site for the proposed business is the foreshore grassed area on the southern side of the Dome Café (portion Reserve 50100), Geraldton. The area of the site is approximately 528m²

This location has formalised recreational facilities within proximity, inclusive of ablutions, shelters, barbeques, play equipment and reticulated lawn areas. The applicant also has an agreement with Dome Café for patrons to utilise the facilities of the Café.

The applicant has chosen the site due to it having good access for the public and parking facilities available.

As part of the development approval for the Dome Café, there was a requirement for the provision of a Public Art component. Dome Café therefore provided a dropdown movie screen on the southern wall of the building, which the proponent intends to utilise.

A site location and plan of the proposal are included as Attachment No. SC052A.
The Proposal:
The applicant is proposing to establish an outdoor cinema including live entertainment before the screening of a film. All films and music will be organised with family entertainment in mind. Participants will be requested to make payment to utilise the area during the showing times, however this is purely voluntary and is more of a donation situation.

The equipment that will be used on-site will consist of:

- 1 x mobile trolley including, projector, mixing desk, DVD player, laptop on stand (14 metres from screen on a trolley);
- 1 x PA System (speakers against Dome Café wall);
- Leads to connect projector to PA System; and
- Numerous luminous plastic bollards with banners in between.

The equipment is delivered in a van which will be parked on the grass area near the table/trolley setup area for approximately 45 minutes. After the setup the van will be removed from the grass area and parked in one of the formal public parking bays. If no parking bays are available the proponent has an arrangement with the Freemasons Hotel for the use of a car bay.

At the end of the operation the van will return for approximately 15 minutes to pack and load all equipment. At the end of the operation all equipment will be removed and stored off site.

Three staff will be involved with the operation of the proposed business, this includes two staff to setup technical equipment and one staff to setup cordoned area (i.e. putting up bollards and signage).

Details and pictures of the equipment are included as Attachment No. SC052B.

The applicant initially intends to operate on Saturday evenings from 6:45 – 9:30pm, however during holidays, festivals and long weekends the proponent wishes to have the option to operate on other evenings.

The public will be encouraged to bring their own fold up chairs and/or blankets and rugs to sit on. There are also some existing public benches within the area that can be utilised.

The applicant intends on having sponsorship signage printed on the banners that will be utilised for cordonning off the area to be utilised for the business.

In the case of an emergency evacuation the proponent advises that there are numerous areas for easy exit and the plan of the area shows the exit and entrance that will be sign posted for the public. The area where people will be sitting will only be sectioned by removable bollards, rope and banners and therefore the risk of people being trapped or prevented from moving safely away is minimised.
If crowd controllers are required or employed at any particular time during larger showings, they will be briefed on the evacuation route and plan.

All employees of the business will be briefed on the evacuation plan and a public information slide will be shown before the main film and during the live entertainment to further inform the public.

First Aid will be available from Dome Café and emergency services can be contacted using Dome Café facilities and cinema staff phones. The proponent advises that the Police will also be informed of presentation dates and asked to provide a drive by presence.

COMMUNITY CONSULTATION:
The proposal was advertised for a period of 21 days and a notice was placed in the Midwest Times. No submissions were received.

A Community Foreshore Development Forum was held in January 2008. The survey results specifically identified “movies” as a preferred land based activity on the foreshore.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
The Geraldton Foreshore (Reserve 50100) is vested with the City for the purpose of “Foreshore Reserve”.

The land is shown as a “Local Scheme Reserve” under Town Planning Scheme No. 3 (Geraldton). When considering planning applications made with respect to a Local Scheme Reserve, clause 3.2 of the Scheme states:

“Where an application for Planning Consent is made with respect to land within a Local Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its consent.”

The City has power to lease the Reserve.

POLICY IMPLICATIONS:
The Commercial Recreational Tourism Activity on Crown Land Policy advocates that applicants for commercial recreational tourism activities/hire sites are to apply for an Agreement to use the Crown Land as opposed to being granted a formal lease.

An Agreement allows the Council to issue a shorter term “use approval” to an applicant and eliminates the issue of exclusivity for an area, whilst still maintaining a level of control over the activities. The Agreement also provides a greater level of flexibility should there be a need to alter locations and provides Council with the opportunity to cancel or not renew Agreements if the
applicant is not complying with the terms of the Agreement. In essence the Agreement has similar wording to that of a formal lease and covers other issues such as public liability.

A Local Planning Policy does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. Objectives of the Policy are:

- To ensure that commercial activities on reserves do not diminish the recreational amenity of residents or visitors who are attracted to the municipality for its natural beauty and environment.
- To ensure ecologically sustainable use and protection of reserves for the benefit and enjoyment of future generations.
- To retain reserves (where appropriate) as places for passive and/or active recreation for residents & visitors.
- To regulate the level of intensity of commercial activities on reserves as necessary to ensure that it does not destroy the value and nature of the activity and the resource on which it is based.
- To enable appropriate (limited) opportunities for commercial tourism operators to provide services and facilities to the public to enhance their visit to the municipality.
- To provide criteria for assessing and determining applications.

Cinema staff will ensure that rubbish and the area will be cleaned up after each presentation.

The purpose of issuing an Agreement as opposed to a lease, allows the City greater flexibility to allow the use of Crown land without the applicant retaining exclusive use of a site at all times whether they are utilising it or not.

It is considered that the proposed location and the nature of the proposal are in accordance with the policy.

**FINANCIAL AND BUDGET IMPLICATIONS:**

As per the Commercial Recreational Tourism Activity on Crown Land policy a $500 annual user fee is applicable to approvals for use of Crown Land.

In addition condition 3 of the Management Order for the Foreshore Reserve 50100 states:

*Funds generated from the leasing of any part of the Reserve for Commercial purposes, acceptable to the Minister for Lands, shall be expended by Council on the maintenance and/or improvement of the*
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Geraldton Foreshore and an annual audited statement shall be provided to State Lands Services.

Although the approval is not a formal lease, the funds derived should be redirected back into the maintenance of the foreshore reserve.

Strategic & Regional Outcomes:

Strategic Community Plan Outcomes:
Goal 1: Opportunities for Lifestyle
Outcome 1.2: A Healthy community through sport, recreation and leisure opportunities
Strategy 1.2.4: Support live performance, exhibitions and other arts opportunities.

Regional Outcomes:
Geraldton – Greenough Coastal Strategy & Foreshore Management Plan
This Strategy guides decision making in relation to the management, protection and planning of the foreshore and coastal areas. The management priority for the area is conservation and recreation.

Economic, Social, Environmental & Cultural Issues:

Economic:
There are no economic issues.

Social:
It is considered that this type of activity would enhance the tourism experience in Geraldton.

Environmental:
The Agreement that the applicant is required to enter into pursuant to this approval requires the applicant to covenant with the City:

Not to cause damage or permit damage to be caused to vegetation on the Permitted Area, the Reserve, UCL or the Foreshore Area while using the Permitted Area for the Permitted Use.

Cultural & Heritage:
The subject land contains no sites listed within the City’s Municipal Inventory.

The Agreement that the applicant is required to enter into pursuant to this approval has a specific condition requiring compliance with the Aboriginal Heritage Act 1972.
RELEVANT PRECEDENTS:
Council at its meeting held on 11 August 2009 granted approval for a water craft (stand up paddle boards, kayaks and windsurfers) hire business on the Geraldton Foreshore reserve in front of the yacht Club.

Council at its meeting held on 02 March 2010 approved an aquafun park on the Geraldton Foreshore area and ocean area in front of Edith Cowan Square.

DELEGATED AUTHORITY:
Although staff have delegation to deal with planning applications, it is considered appropriate, given the proposed location is on the Geraldton Foreshore, that Council determine the matter.

VOTING REQUIREMENTS:
Simple Majority required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority, pursuant clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. REFUSE planning approval for an experiential use (outdoor cinema) on portion of Reserve 50100 Foreshore Drive, Geraldton; and
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

Option 3:
That Council by Simple Majority, pursuant clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. DEFER the application;
2. MAKES the determination on the grounds that:
   a. To be determined by Council.

CONCLUSION:
The area is well used by the general public and as such an exclusive lease is not considered appropriate. An Agreement and temporary use approval are considered more desirable in accordance with the local planning policy.

It is considered that the proposal will enhance the vibrancy and attraction of the Foreshore area without compromising its recreational amenity for the general public.

Option 2 is not supported as it is considered that the operations will have no detrimental impact on the amenity or environmental values of the area and this type of activity would enhance the tourism experience in Geraldton.
Option 3 is not supported as it is considered that sufficient information has been provided in order to determine the application. In any event a deferral may trigger a review right under Part 14, Division 2 of the Planning and Development Act 2005 which states that the local government is to be taken to have refused an application if it has not given its decision within a period of 60 days after receipt of the application.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority, pursuant to clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. GRANT planning approval for an experiential use (Outdoor Cinema) on portion of Reserve 50100 Foreshore Drive, Geraldton;
2. MAKES the determination subject to the following conditions:
   a. This approval is for Unallocated Crown Land and Reserves vested with the Local Government only and does not extend into any freehold or other forms of Crown Land;
   b. An Agreement being entered into by the applicant and the Local Government in accordance with the ‘Commercial Recreational Activity on Crown Land’ local planning policy;
   c. This planning consent shall remain valid while the Agreement required by this planning consent remains current and valid, and on the expiration or earlier termination of the Agreement, the planning consent shall cease to be valid; and
3. DEVELOP a Policy to be presented to Council for matters in this regard.

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR HALL
That Council by Simple Majority, pursuant to clause 7.3 of Town Planning Scheme No. 3 (Geraldton), RESOLVES to:

1. GRANT planning approval for an experiential use (Outdoor Cinema) on portion of Reserve 50100 Foreshore Drive, Geraldton;
2. MAKES the determination subject to the following conditions:
   a. This approval is for Unallocated Crown Land and Reserves vested with the Local Government only and does not extend into any freehold or other forms of Crown Land;
   b. An Agreement being entered into by the applicant and the Local Government in accordance with the ‘Commercial Recreational Activity on Crown Land’ local planning policy;
   c. This planning consent shall remain valid while the Agreement required by this planning consent remains current and valid, and on the expiration or earlier termination of the Agreement, the planning consent shall cease to be valid; and
3. DEVELOP a Policy to be presented to Council for matters in this regard.

CARRIED 13/0
SUMMARY:
The draft Memorandum of Understanding (MOU) with Country Arts WA for the “CircuitWest Audience Development Project” is presented to Council, seeking Council endorsement of the MOU.

PROPOUNENT:
The proponent is the City of Greater Geraldton.

BACKGROUND:
The City of Greater Geraldton is a member of Country Arts WA and CircuitWest. Country Arts WA is an independent not-for-profit organisation that ensures regional communities are able to use culture and the arts as part of their community’s development and celebrations. CircuitWest is the Western Australian state network for performing arts centres, which supports and promotes its membership, drives policy and actively participates in the development of the performing arts throughout Western Australia.

Country Arts WA, in partnership with CircuitWest, has undertaken the CircuitWest Audience Development Project. The aim of this project is to provide CircuitWest venues (including Queens Park Theatre) with the skills, resources and support that they need to build audiences within their regions with focus on marginalised and disadvantaged audiences. To administer this project, Country Arts WA has received a grant from Lotterywest to fund the position of Audience Development Project Co-ordinator (ADPC) for three years.

The outcomes of the project are expected to include:

- Greater access to the performing arts by regional community audiences;
- Increased frequency of attendance by new and existing audiences;
- More efficient and effective use of audience development resources by regional presenters and venues; and
- Skills development across CircuitWest venues and a tool kit for new and developing presenters and managers.

To successfully complete this project, the ADPC requires access information from CircuitWest venues (including Queens Park Theatre). This may include
customer information from the ticketing systems to analyse past, current and prospective audiences.

COMMUNITY CONSULTATION:
There has been no communication consultation. However, a key component of this project is the identification of Queens Park Theatre’s current audience patterns and participation, which will inform future community consultation and engagement.

COUNCILLOR CONSULTATION:
There has been no Councillor consultation.

STATUTORY IMPLICATIONS:
There are no statutory implications.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
This project is being undertaken by Country Arts WA in partnership with CircuitWest, and is being funded by Lotterywest. It has no direct financial implication for the City of Greater Geraldton.

There is a resource requirement in the form of staff time to respond to requests for information. However, it is expected that this will constitute less than one hour per week for the life of the project, and can be accommodated within existing capacity.

In the long term, it is expected that this project will increase access to the performing arts by regional audiences, which will result in increased revenue for Queens Park Theatre.

STRATEGIC & REGIONAL OUTCOMES:

**Strategic Community Plan Outcomes:**

Goal 3: Opportunities for Creativity.

Strategy 3.1.2: Develop and promote services, facilities, events and activities that support our cultural diversity.

Outcome 3.2: A community that attracts creative people through nurturing creative industries.

Strategy 3.2.2: Facilitate and support Aboriginal, cultural and arts and technology-based creative industries.
Regional Outcomes:
This project will increase access to the performing arts by regional community audiences.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
This project will increase access to the performing arts by regional community audiences, which will result in increased opportunity in the performing arts industry.

Social:
This project will increase access to the performing arts by regional community audiences with focus on marginalised and disadvantaged audiences. This increased access will in turn have upward effects on health, engagement and capacity.

Environmental:
There are no environmental outcomes associated with this project.

Cultural & Heritage:
This project will increase access to the performing arts by regional community audiences; and performing arts are integral to celebration of culture and the activation of heritage.

RELEVANT PRECEDENTS:
There are no relevant precedents.

DELEGATED AUTHORITY:
There is no delegated authority.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.

Option 2:
That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DEFER the endorsement of the Memorandum of Understanding with Country Arts WA for the “CircuitWest Audience Development Project”; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.
Option 3:
That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DECLINE the endorsement of Memorandum of Understanding with Country Arts WA for the “CircuitWest Audience Development Project”; and
2. MAKES the determination based on the following reason:
   a. To be determined by Council.

CONCLUSION:
This exciting project in partnership with Country Arts WA and CircuitWest will increase access to the performing arts by regional community audiences. This will result in increased community engagement in Queens Park Theatre, as well as increased revenue.

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

1. ENDORSE the Memorandum of Understanding with Country Arts WA for the “CircuitWest Audience Development Project”.

COUNCIL DECISION
MOVED CR GABELISH, SECONDED CR MIDDLETON
That Council by Simple Majority under Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. ENDORSE the Memorandum of Understanding with Country Arts WA for the “CircuitWest Audience Development Project”.

CARRIED 13/0
SUMMARY:
The purpose of this report is to establish the lease fee and term for the three lease agreements with:

1. The Walkaway Station Museum Incorporated (WSM) for the Walkaway Station Museum building and grounds;
2. The Geraldton-Greenough Historical Society Inc (GGHS) for the Greenough Pioneer Museum building and grounds;

PROPOSER:
The proponent is the City of Greater Geraldton.

BACKGROUND:
At the Ordinary Meeting of Council held on 28 February 2012, Council considered item CC033 (see Attachment No. CC068) which sought a resolution to offer lease agreements for each of the three Museums in the City of Greater Geraldton locality.

Council resolved the following:

COUNCIL DECISION
MOVED CR GABELISH, SECONDED CR ASHPLANT
PART C
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a lease agreement with Walkaway Station Museum Inc. for the Walkaway Station Museum Building and grounds;
2. ENTER into a lease agreement with the Geraldton-Greenough Historical Society Inc. for the lease of the Greenough Pioneer Museum buildings and grounds, and include as an addendum to the lease the attached Management Agreement;
3. OFFER a renewed lease to the Geraldton-Greenough Historical Society Inc. for the Light House Keepers Cottage building and grounds; and
4. INCLUDE with each lease the attached Schedule A outlining the curatorial standards and activities as required by Council.

CARRIED 14/0
REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION: That Council include “buildings and grounds” in the lease agreement for the Greenough Pioneer Museum.

Since the above-mentioned Council resolution, there has been a breakdown in the collaborative approach to the management of the Greenough Pioneer Museum which has resulted in the withdrawal of the Community Group of Greenough (CGOG) from the City facilitated mediation process resulting in a request from the CGOG that Council re-open the call for Expressions of Interest for the lease of the Greenough Pioneer Museum see Attachment No CC068 - 1. Extract of email follows;

“2. Motion moved by Alex McKinnon, 2nd Gary Martin – That CGOG write to the CEO of the City of Greater Geraldton informing that CGOG will be withdrawing from the mediation process forthwith, and requesting that council re-open the lease of the Greenough Pioneer Museum for public tender. Motion was passed unanimously.”

The Greenough Pioneer Museum is located at Lot 1 Phillips Road Greenough Volume 507 Folio 63A and is owned in fee simple by the City of Greater Geraldon.

The Walkaway Station Museum is located on Reserve 46610 and vested in the City by way of Management Order for the purpose of Heritage and Railway Precinct with the power to lease for up to 21 years with Ministerial consent.

The Light House Keepers Cottage is located on Reserve 27234 and Reserve 31162 which is vested in the City by way of a Management Order for the purpose of Historical Purposes with the power to lease for up to 21 years with Ministerial consent.

COMMUNITY CONSULTATION:
Consultation and mediation with primary stakeholders (i.e. Walkaway Station Museum Inc., Geraldton Greenough Historical Society and the Community Group of Greenough, has been thorough and exhaustive. These stakeholders have been kept advised of all progress and invited to provide input at every stage of this two year negotiation. Preliminary draft leases were provided to GGHS, WSM and the CGOG on 3 May 2012 and feedback from the groups was incorporated into the new leases as far as practicable – see Attachment No. CC068 - 3.

COUNCILLOR CONSULTATION:
A briefing note which provided background and progress of the leases was provided to Councillors on 23 May 2012 and a further update provided at the Council Concept Forum on 5 June 2012. An email to Councillors dated 7 June 2012 provided further advice on the current status of mediation between the CGOG and GGHS.
STATUTORY IMPLICATIONS:
Section 3.58(1) of the Local Government Act 1995 (as amended) – Disposing of Property:

(1) In this section –
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money.

Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 gives exemption to dispositions of property to which Section 3.58 of the Local Government Act 1995 (as amended) does not apply. In this regulation a disposition of land is an exempt disposition if:

(b) the land is disposed of to a body, whether incorporated or not –
   (i) the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
   (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions.

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:
The City is proposing an annual payment of $8,000 to each Museum to allow the lease holder to progress the requirement of the lease being more accountable collection management. The total financial implication is $24,000 and this amount has been proposed in the 2012/13 which is still subject to a Council decision.

STRATEGIC & REGIONAL OUTCOMES:

Strategic Community Plan Outcomes:

Goal 3 Opportunities for Creativity.
Outcome 3.1 A community that embraces and celebrates diversity.
Strategy 3.1.4 Preserve and activate the heritage of our community.

Regional Outcomes:
There are no regional outcomes related to this proposal.
ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:
Cultural and Heritage Tourism has a significant economic impact.

Social:
Regional museums are valued for their links back to the community which include opportunities for people to visit, to attend events, and to work in a paid or unpaid capacity.
In a broader sense, museums develop an appreciation of place and culture, community pride and opportunities for learning across all age levels (Kelly, L 2006 Measuring the impact of museums on their communities).

Museums are an integral to community social wellbeing. They support and encourage lifelong learning. In 2001 the UK Museums Libraries and Archives Council (MLA) noted that museums “can make a real difference to people’s lives by using their collections for inspiration, learning and enjoyment” and that “Museums are being reinvented as physical and virtual spaces in which people engage and learn, interacting with objects and discovering their stories. Good governance is fundamental to allow Museums to achieve these goals and this agenda item seeks to establish strong foundations upon which the three volunteer run Museums housed in City owned building can deliver on their mandate and encourage and support broader community ownership.

Environmental:
There are no environmental impacts with this proposal.

Cultural & Heritage:
The formation of an agreed Board of Management for the Greenough Pioneer Museum improves the governance of the Museum which will result in heritage outcomes – e.g. improved governance of museums will result in protection of invaluable community heritage.

RELEVANT PRECEDENTS:
The City has current precedents regarding leasing of Crown Reserves vested by way of management order and land held in fee simple for designated purposes.

DELEGATED AUTHORITY:
There is no delegated authority existing with this proposal.

VOTING REQUIREMENTS:
Simple Majority is required.

OPTIONS:

Option 1:
As per Executive Recommendation in this report.
Option 2:
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. DEFER consideration of this item; and
2. MAKES the determination based on the following reason:
   a. to be determined by Council.

Option 3:
PART A
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a _____ year lease agreement with the Walkaway Station Museum Committee (Incorporated) for the Walkaway Station Museum building and grounds being all of Reserve 46610; (Period of lease to be determined by Council);
2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities; and
      ii. legal expenses associated with the preparation, execution and registration of the lease.

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

1. ENTER into a _____ year lease agreement with the Geraldton-Greenough Historical Society (Inc) for the Greenough Pioneer Museum building and grounds being Lot 1 Phillips road Greenough Volume 507 Folio 63A; (Period of lease to be determined by Council)
2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease; and
   d. include as an addendum to the lease the attached Management Agreement.
PART C
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a _____ year lease agreement with the Geraldton-Greenough Historical Society (Inc) for the Light House Keepers Cottage buildings and grounds being all of Reserve 27234 and Reserve 31162; (Period of lease to be determined by Council);
2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease.
3. SURRENDER the current lease agreement expiring on 30 June 2015 between the Geraldton-Greenough Historical Society and the former City of Geraldton (City of Greater Geraldton); and
4. MAKES the determination based on the following reason:
   a. to be determined by Council.

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

1. ADVISE all parties that they have to completely and unconditionally execute their leases and relevant management agreement within 28 days noting that failure to do so will result in the matter being referred back to Council to consider calling for Expressions of Interest.

CONCLUSION:
The Executive Recommendation acknowledges that the proposed leases for the Walkaway Station Museum and the Lighthouse Keepers Cottage to the Walkaway Station Museum Inc., and the Geraldton Greenough History Society respectively is accepted as the most satisfactory arrangement for the continued good management of these two Museums. It is also acknowledged that the arrangements for the Greenough Pioneer Museum are complex and the current level of acrimony between the GGHS and the CGOG has led to a breakdown in mediation and attempts at collaborative management and a request from the CGOG that the Council reopens the EOI process for the lease of buildings and grounds of the Greenough Pioneer Museum. However, advice from WALGA is that the Council resolution of 28 February 2012 must be adhered to. This advice from WALGA is consistent with the Executive Recommendation.
EXECUTIVE RECOMMENDATION:

PART A

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

1. ENTER into a twenty one (21) year lease agreement with the Walkaway Station Museum Committee (Incorporated) for the Walkaway Station Museum building and grounds being all of Reserve 46610; and

2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease.

COUNCIL DECISION

MOVED CR ASHPLANT, SECONDED CR BRICK

PART A

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

1. ENTER into a twenty one (21) year lease agreement with the Walkaway Station Museum Committee (Incorporated) for the Walkaway Station Museum building and grounds being all of Reserve 46610; and

2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease.

CARRIED 13/0

PART B

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

1. ENTER into a twenty one (21) year lease agreement with the Geraldton-Greenough Historical Society (Inc) for the Greenough Pioneer Museum building and grounds being Lot 1 Phillips road Greenough Volume 507 Folio 63A; and

2. SET the proposed lease conditions as:
a. a lease fee of $1.00 per annum including GST paid annually in advance;
b. commence the lease agreement on 1 July 2012;
c. the lessee being responsible for separately paying:
   iii. all applicable rates, charges and utilities;
   iv. legal expenses associated with the preparation, execution and registration of the lease; and
d. include as an addendum to the lease the attached Management Agreement.

MOTION
MOVED CR ASHPLANT, SECONDED CR BRICK
PART B
That Council by Simple Majority RESOLVES to:

1. DEFER the matter relating to the Greenough Pioneer Museum building lease and associated matters until the August meeting of Council;
2. MAKES the determination on the following grounds:
   a. There is a need for further engagement with various stakeholders including the National Trust of WA; and
   b. The need to review the best management solutions for the Greenough Pioneer Museum Buildings and grounds.

CARRIED 13/0

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

1. ENTER into a twenty one (21) year lease agreement with the Geraldton-Greenough Historical Society (Inc) for the Light House Keepers Cottage buildings and grounds being all of Reserve 27234 and Reserve 31162;
2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease; and
3. SURRENDER the current lease agreement expiring on 30 June 2015 between the Geraldton-Greenough Historical Society and the former City of Geraldton (City of Greater Geraldton).
COUNCIL DECISION
MOVED CR ASHPLANT, SECONDED CR BRICK
PART C
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ENTER into a twenty one (21) year lease agreement with the Geraldton-Greenough Historical Society (Inc) for the Light House Keepers Cottage buildings and grounds being all of Reserve 27234 and Reserve 31162;

2. SET the proposed lease conditions as:
   a. a lease fee of $1.00 per annum including GST paid annually in advance;
   b. commence the lease agreement on 1 July 2012;
   c. the lease being subject to Ministerial consent;
   d. the lessee being responsible for separately paying:
      i. all applicable rates, charges and utilities;
      ii. legal expenses associated with the preparation, execution and registration of the lease; and

3. SURRENDER the current lease agreement expiring on 30 June 2015 between the Geraldton-Greenough Historical Society and the former City of Geraldton (City of Greater Geraldton).

CARRIED 13/0
PART D
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ADVISE all parties that they have to completely and unconditionally execute their leases and relevant management agreement within 28 days noting that failure to do so will result in the matter being referred back to Council to consider calling for Expressions of Interest.

COUNCIL DECISION
MOVED CR ASHPLANT, SECONDED CR BRICK
PART D
That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:

1. ADVISE all parties that they have to completely and unconditionally execute their leases and relevant management agreement within 28 days noting that failure to do so will result in the matter being referred back to Council to consider calling for Expressions of Interest.

CARRIED 13/0
14 REPORTS TO BE RECEIVED

REPORTS TO BE RECEIVED

<table>
<thead>
<tr>
<th>AGENDA REFERENCE:</th>
<th>D-12-26832</th>
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<tbody>
<tr>
<td>AUTHOR:</td>
<td>A Brun, Chief Executive Officer</td>
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<tr>
<td>DISCLOSURE OF INTEREST:</td>
<td>No</td>
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<tr>
<td>FILE REFERENCE:</td>
<td>GO/6/0002</td>
</tr>
<tr>
<td>DATE OF REPORT:</td>
<td>12 June 2012</td>
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BACKGROUND:
Information and items for noting or receiving (i.e. periodic reports, minutes of other meetings) are to be included in an appendix attached to the Council agenda.

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

ADMINISTRATIVE COMMENT:
The following reports are attached in the Appendix to this agenda:

<table>
<thead>
<tr>
<th>Reports of Office of the CEO</th>
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<tr>
<td>CEO006 Sister City Meeting Minutes 12 April 2012</td>
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<th>Reports of Treasury &amp; Finance</th>
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<tr>
<td>TF006 Minutes of Community Grants Advisory Committee Meeting 3 May 2012</td>
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<tr>
<td>TF007 (CONFIDENTIAL) Accounts Paid Under Delegation</td>
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<td>TF008 Financial Statements to May 2012</td>
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<th>Reports of Sustainable Communities</th>
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<td>SCDD064 Delegated Determinations</td>
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<td>CC069 HMAS Sydney II Memorial Advisory Committee Meeting Minutes</td>
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<td>CC070 National Youth Week 2012 Evaluation Report</td>
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<td>CC071 QEII Advisory Committee</td>
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<tr>
<th>Reports of Community Infrastructure</th>
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<tr>
<td>CI019 FORC Minutes 16 April 2012</td>
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CONSULTATION:
Not applicable.

STATUTORY ENVIRONMENT:
Not applicable.
VOTING REQUIREMENTS:
Simple majority is required.

EXECUTIVE RECOMMENDATION:
That Council by Simple Majority RESOLVES to RECEIVE the appended reports attached to this agenda.

PART A
That Council by Simple Majority pursuant to Section 22.(2) of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
   a. Reports – Office of the CEO
      i. CEO006 Sister City Meeting Minutes 12 April 2012
   b. Reports – Department of Creative Communities
      i. CC069 HMAS Sydney II Memorial Advisory Committee Meeting Minutes
      ii. CC070 National Youth Week 2012 Evaluation Report
      iii. CC071 QEII Advisory Committee
   c. Reports – Department of Community Infrastructure
      i. CI019 FORC Meeting Minutes 16 April 2012

COUNCIL DECISION
MOVED CR VAN STYN, SECONDED CR MCILWAINE
PART A
That Council by Simple Majority pursuant to Section 22.(2) of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
   a. Reports – Office of the CEO;
      i. CEO006 Sister City Meeting Minutes 12 April 2012
   b. Reports – Department of Creative Communities
      i. CC069 HMAS Sydney II Memorial Advisory Committee Meeting Minutes;
      ii. CC070 National Youth Week 2012 Evaluation Report
      iii. CC071 QEII Advisory Committee; and
   c. Reports – Department of Community Infrastructure;
      i. CI019 FORC Meeting Minutes 16 April 2012.

CARRIED 13/0
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 – Department of Treasury and Finance;
      i. TF006 Minutes of Community Grants Advisory Committee Meeting 3 May 2012;
      iii. TF007 (CONFIDENTIAL) Accounts paid under delegation
   b. Reports – Department of Sustainable Communities; and
      i. SCDD064 Delegated Determinations.

COUNCIL DECISION
MOVED CR GABELISH, SECONDED CR MCILWAINE
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 – Department of Treasury and Finance
      i. TF006 Minutes of Community Grants Advisory Committee Meeting 3 May 2012
      ii. TF007 (CONFIDENTIAL) Accounts paid under delegation
      iii. TF008 Financial Statements to May 2012
   b. Reports – Department of Sustainable Communities
      i. SCDD064 Delegated Determinations

CARRIED 13/0
15 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

CE007 PROPOSED ESTABLISHMENT OF BANKING FACILITIES IN MULLEWA

AGENDA REFERENCE: D-12-27461  
AUTHOR: Cr C Gabelish  
DATE OF REPORT: 11 June 2012  
FILE REFERENCE: GO/6/0012  
APPLICANT/ PROPOSED: Council  
ATTACHMENTS: NO

Councillor Comment
I seek support in-principle for the development and facilitation of banking services in Mullewa. This proposal is about building capacity to generate new business in Mullewa. It will also provide choice to the local businesses and community members to conduct their banking requirements in the Town. Obviously many locals would have to travel into Geraldton to do their banking, or even withdraw funds, and while in the City they are likely to spend money that may have been spent in Mullewa. There is also a social aspect that needs to be considered.

The provision of an ATM will assist Mullewa’s disadvantaged to better manage their finances. Some local people have to pay a fee every time they get an account balance using EFTPOS system, this checking could occur a number of times and be an added cost. This is the disadvantaged being disadvantaged again.

Recently the Financial Association of Australia and the Federal Government developed an agreement to install ATM’s into remote Aboriginal communities. Mullewa would probably not be included in this program; however, it highlights the concern the higher level of Government has for this service to be provided.

Executive Comment
This proposal gives credence to the intent of the Memorandum of Understanding endorsed by the City of Geraldton Greenough and the Shire of Mullewa which was to “recognise the importance of a strong working relationship for the benefit of the region’s economy and the wellbeing of the community.”

Having banking facilities would not only assist existing local businesses, it encourages potential enterprises to establish in Towns. This could involve “niche” businesses or services to local industries i.e. mining.

The development of banking facilities would also support concepts around identifying suitable vacant land and advertising to trades people to set up operations in the town. The land could be sold at nominal costs with conditions requiring building and commencement of operations within a time period. The concept could also include a rate incentive once set up as a further attraction.
Another concept could include the development of “units” similar to what has happened in Morawa.

**VOTING REQUIREMENTS:**
Simple Majority

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

1. SUPPORT in-principle the development and facilitation of banking services in Mullewa based on;
   a. acquisition of the former bank building and land on Jose Street, Mullewa;
   b. provision and refurbishment of the building to a suitable banking services provider with the requirement that they provide;
      i. a minimum of 3 days (5 hours per day) banking services per week;
      ii. a publicly accessible 24 hours per day / 7 days per week automatic teller machine;
2. REFER the proposal to the 2012/13 budget deliberation process for consideration; and
3. MAKES the determination on the following grounds:
   a. that the provision and access of banking facilities provides the means to stimulate economic activity and provide improved services to the community in Mullewa.

**COUNCIL DECISION**
MOVED CR GABELISH, SECONDED CR THOMAS
That Council by Simple Majority RESOLVES to:

1. SUPPORT in-principle the development and facilitation of banking services in Mullewa based on;
   a. acquisition of the former bank building and land on Jose Street, Mullewa;
   b. provision and refurbishment of the building to a suitable banking services provider with the requirement that they provide;
      i. a minimum of 3 days (5 hours per day) banking services per week;
      ii. a publicly accessible 24 hours per day / 7 days per week automatic teller machine;
2. REFER the proposal to the 2012/13 budget deliberation process for consideration; and
3. MAKES the determination on the following grounds:
   a. that the provision and access of banking facilities provides the means to stimulate economic activity and provide improved services to the community in Mullewa.

**CARRIED 13/0**
16 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil.

17 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING
Nil.

18 DEFERRED MATTERS
Nil.

19 CLOSURE
There being no further business the presiding member closed the meeting at 6.18pm.
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.