



ORDINARY MEETING OF COUNCIL

AGENDA

22 NOVEMBER 2011

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
BEING HELD ON WEDNESDAY, 22 NOVEMBER 2011 AT 5.30PM
CHAMBERS, EDWARD ROAD

A G E N D A

DISCLAIMER:

The City of Greater Geraldton advises that persons interested in any topics raised in this Agenda should wait for formal written advice from the City before taking any action on an application that is listed for consideration.

1 **ACKNOWLEDGEMENT OF COUNTRY**

2 **DECLARATION OF OPENING**

3 **ATTENDANCE**

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Leave of Absence:

4 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

5 **PUBLIC QUESTION TIME**

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

6 APPLICATIONS FOR LEAVE OF ABSENCE**Existing Approved Leave**

November 2011		
Nil.		

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS**8 DECLARATIONS OF CONFLICTS OF INTEREST**

Mayor I Carpenter has declared a direct financial Interest in Item SC017, Rezoning – Fifth Street Wonthella, as a proponent is a client of the Company he manages.

Cr Robert Ramage has declared a Interest in Item CEO20, Purchase of Property

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 12 October 2011 and Special meeting of Council held on the 18 October 2011 as previously circulated, be adopted as a true and correct record of proceedings.

10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)

DATE	FUNCTION	REPRESENTATIVE
12th October 2011	Ordinary Meeting of Council	All Councillors
13th October 2011	HMAS Sydney II 70th Anniversary Commemorative Service Working Group Meeting	Mayor Ian Carpenter
13th October 2011	Meeting with Minister Collier	Mayor Ian Carpenter
14 th -15 th October 2011	Lock up your Boss Fundraiser	Mayor Ian Carpenter
16th October 2011	Opening Day of The Geraldton Yacht Club	Mayor Ian Carpenter
17th October 2011	Meeting with District Superintendent Andy Greatwood	Mayor Ian Carpenter
18th October 2011	Breast Cancer Morning Tea	Mayor Ian Carpenter
18th October 2011	Councillor Induction	Mayor Ian Carpenter
18th October 2011	Special Meeting of Council to swear in Councillors	Mayor Ian Carpenter
19th October 2011	Greater Geraldton Economic Alliance Workshop - Crafting a Strategic Direction for a Regional Alliance of Stakeholder	Mayor Ian Carpenter
20 th October 2011	Midwest Aero Club – Greg Fletcher	Mayor Ian Carpenter
20 th October 2011	Bob Urquhart, Bob Davis at Airport	Mayor Ian Carpenter
20th October 2011	Citizenship Ceremony	Mayor Ian Carpenter
21st October 2011	Meeting with Rotary Club Geraldton - HMAS Sydney Memorial	Mayor Ian Carpenter
22 nd October 2011	Attended Scout Hall for Presentations	Mayor Ian Carpenter
22 nd October 2011	Midwest Aero Club Annual Dinner	Mayor Ian Carpenter
22nd October 2011	Cancer Council WA Relay for Life	Mayor Ian Carpenter
24th October 2011	Global New Wording Release & Lunch	Mayor Ian Carpenter
24th October 2011	Opening of Sports power	Mayor Ian Carpenter
24th October 2011	Alliance Governance Group Meeting	Mayor Ian Carpenter
24 th October 2011	Tom Davis Geraldton Guardian Re: Sporting futures	Mayor Ian Carpenter
25th October 2011	Crime Prevention Meeting Mullewa	Mayor Ian Carpenter
26th October 2011	Meeting with Barry Haase MP	Mayor Ian Carpenter
26 th October 2011	Jenny Rolston – Licence Plates Auction	Mayor Ian Carpenter
26 th October 2011	Swearing in of New Councillors – Ramage Bylund	Mayor Ian Carpenter
27th October - 2nd November 2011	LivCom Awards - South Korea	Mayor Ian Carpenter
28 th October 2011	Dsme Construction & Hyundai Development Co-op	Mayor Ian Carpenter
29 th October 2011	Travel to Jeju Island Re: Smart	Mayor Ian Carpenter

	Grid	
2nd November 2011	Clipper Parade	Mayor Ian Carpenter
3 rd October 2011	Midwest Energy Strategy Workshop	Mayor Ian Carpenter
4th November 2011	Farewell Civic Reception for the Clipper	Mayor Ian Carpenter
6th November 2011	Community Farewell for the Clipper	Mayor Ian Carpenter
6 th November 2011	Opening Seniors Week - Seniors Concert	Mayor Ian Carpenter
7 th November 2011	Mayors Mystery Bus Tour	Mayor Ian Carpenter
7th November 2011	Airport User Group Meeting	Mayor Ian Carpenter
9 th November 2011	Brian Lumley – Re: Geraldton Bell	Mayor Ian Carpenter
11th November 2011	WA Regional Cities Alliance Meeting	Mayor Ian Carpenter
11 th November 2011	Regional Achievement Awards	Mayor Ian Carpenter
12th November 2011	Wonthella Skate Park Stage 2 - Community Group Launch of the Intention	Mayor Ian Carpenter
14th November 2011	2011 Premier's Awards for Excellence in Public Sector Management	Mayor Ian Carpenter
15th November 2011	Elected members Workshop - hosted by WALGA	Mayor Ian Carpenter
15th November 2011	Agenda Forum	Mayor Ian Carpenter
16th November 2011	Greater Geraldton Economic Alliance - Tour of Geraldton	Mayor Ian Carpenter
17 th November 2011	Corrective Services Meeting	Mayor Ian Carpenter
17th November 2011	Regular Meeting with Hon Matt Benson	Mayor Ian Carpenter
18 th November 2011	5 th Element – Sydney Memorial Hand Over	Mayor Ian Carpenter
18 th November 2011	Sydney Memorial Rehearsal	Mayor Ian Carpenter
18 th November 2011	Dinner with Finding Sydney Foundation	Mayor Ian Carpenter
18th November 2011	Mayor's Reception for the Corvette Association	Mayor Ian Carpenter
19th November 2011	HMAS Sydney II Commemorative Sunset Service	Mayor Ian Carpenter
19 th November 2011	Mayors Function – Sydney Memorial	Mayor Ian Carpenter
21 st November 2011	Launch of Qantas Link Services	Mayor Ian Carpenter
22nd November 2011	Ordinary Meeting of Council	Mayor Ian Carpenter

11 REPORTS OF COMMITTEES AND OFFICERS

11.1 *Reports of the Chief Executive Officer*

CEO002 IMPROVEMENTS TO DOCTOR HOUSING MULLEWA	
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AGENDA REFERENCE:	D-11-21492
AUTHOR:	T Hartman, Manager Mullewa District Office
EXECUTIVE:	T Brun, Chief Executive Officer
DATE OF REPORT:	4 November 2011
FILE REFERENCE:	GO/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The purpose of this item is to seek Council's consideration of improvements to the Doctors' housing in Mullewa and to fund these improvements from the Medical Centre Reserve.

PROPONENT:

City of Greater Geraldton

BACKGROUND:

In April, 2011, the Shire of Mullewa received the attached letter from Dr Graham Finlay, who is providing a General Practitioner Medical service in Mullewa.

This matter regarding upgrading the housing situation in Mullewa was considered at the council meeting held 20 April, 2011 and the report and resolution is attached.

In June, 2011, the Shire of Mullewa considered the matter further at the meeting held 15 June, 2011 and the report and resolution is attached.

Since amalgamation this matter has been further considered and different options investigated. A recent meeting between Dr Finlay, Tony Brun, Brian Robertson and Tom Hartman discussed these options and there was consensus that the existing Council owned unit at 1A Burgess Street, he is currently accommodated in, is adequate for him and the second unit could be fitted out for the extra accommodation he requires for visiting training staff, locums or relief Doctors. It was agreed that both these units required improvements relating to furnishing, floor coverings and air-conditioning.

In return Dr Finlay has indicated that he would be willing to enter into agreement to provide the service in Mullewa for 10 years. This agreement will be subject to a further report to be presented to Council at a later date.

Please see the attached photo and plan of units

Also attached are quotes that have been obtained to fit out both units for a total \$33,675.

COMMUNITY CONSULTATION:

There has been no community consultation.

COUNCILLOR CONSULTATION:

This matter has been discussed at meetings of the Shire of Mullewa prior to amalgamation.

STATUTORY IMPLICATIONS:

There are no statutory implications.

POLICY IMPLICATIONS:

There are no Council Policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

The Executive recommendation will have the following financial implications:

The capital expenditure of \$16,723 for unit 1A and \$16,952 for unit 1B, totalling \$33,675 can be accommodated by a transfer from the Mullewa Medical Centre Reserve (current balance \$55,900). This proposal will have a zero impact on the budget.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:

Goal 1:	Opportunities for lifestyle
Outcome 1.1:	Accessible health, family, youth, aged and disability support services
Strategy1.1.1:	Advocate and promote access to high quality medical and other health facilities and services for the people of Greater Geraldton

Regional Outcomes:

It is important for the City of Greater Geraldton to support an effective and efficient provision of service to ensure a healthy community.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There should be a positive impact of having a medical service in Mullewa.

Social:

There will be a direct positive impact on the Mullewa community.

Environmental:

There are no impacts of the proposal.

Cultural & Heritage:

There are no cultural, heritage or indigenous impacts of the proposal}.

RELEVANT PRECEDENTS:

There are no known relevant precedent set by previous Council or Executive decisions.

DELEGATED AUTHORITY:

There are 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 by virtue of section 6.8 of the Local Government Act RESOLVES to:

1. Defer the matter;
2. MAKES the determination based on the following reason:
 - a. Require further information.

Option 3:

That Council by Absolute Majority by virtue of section 6.8 of the Local Government Act RESOLVES to:

1. NOT ENDORSE the upgrade of Unit 1A and Unit 1B Burgess Street Mullewa as detailed in the proposal attached, for the use of Dr Finlay in providing a General Practitioner service in Mullewa;
2. MAKE the determination based on the following reason:
 - a. to be determined by Councillors.

CONCLUSION:

Option 1 is recommended to ensure that a medical service is provided in Mullewa. Many small rural communities are suffering from the lack of regular or stable General Practitioner service or the costs are a burden. This proposal also offers a guaranteed service for at least 10 years at a very attractive cost and should be supported.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority virtue of section 6.8 of the Local Government Act RESOLVES to:

1. ENDORSE the upgrade of Unit 1A and Unit 1B Burgess Street Mullewa as detailed in the proposal attached, subject to Dr Finlay agreeing to signing an Agreement with the City committing to provide a service in Mullewa for a period of 10 years;
2. AUTHORISE the Chief of Executive Officer to negotiate and enter into an Agreement with Dr Finlay for the provision of accommodation in return for medical service within Mullewa;
3. AMEND the City of Greater Geraldton budget for 2011-12 to include an addition expense of :
 - a. \$16,723 for refurbishment to 1A Burgess Street Mullewa;
 - b. \$16,952 for refurbishment to 1B Burgess Street Mullewa, and
4. APPROVE the transfer of \$33,675 from the Mullewa Medical Centre Reserve fund.

11.2 Reports of Corporate Services

CS035 RE-ESTABLISHMENT OF COUNCIL CHAMPIONS	
AGENDA REFERENCE:	D-11-21837
AUTHOR:	C Wood, Director Corporate Services
EXECUTIVE:	C Wood, Director Corporate Services
DATE OF REPORT:	4 November 2011
FILE REFERENCE:	GO/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	yes

SUMMARY:

The purpose of this report is to re-establish Councillor Champions to enable Councillors, as policy makers, to work more efficiently and effectively in achieving Council's strategic direction, and adopt the Policy.

PROPONENT:

The Proponent is the City of Greater Geraldton

BACKGROUND:

Community champions were established by the [then] City of Greater Geraldton as a recommendation from the joint Councillor/Executive workshop held in November 2010 to become more involved in the Strategic direction of Council.

COMMUNITY CONSULTATION:

There has been no community consultation

COUNCILLOR CONSULTATION:

There has been no Councillor consultation

STATUTORY IMPLICATIONS:

Section 3.18 of the Local Government Act 1995.

POLICY IMPLICATIONS:

The attached policy is the preferred direction for the City of Greater Geraldton and will be applied to assist in its governance.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no cost implications in the establishment.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:

Goal 1 – Opportunities for Lifestyle.

Goal 2 – Opportunities for Prosperity.

Goal 3 – Opportunities for Creativity.

Goal 4 – Opportunities for Sustainability.

Goal 5 – Leading the Opportunities

These Goals encompasses all the Outcomes and strategies listed in the Strategic Community Plan.

Regional Outcomes:

This Policy will facilitate increased Councillor involvement in the strategic directions for the City.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Policy will not have any direct economic impact; however it will facilitate more robust discussions with City Councillors and staff in the Economic Development area.

Social:

The Policy will not have any direct social impact; however it will facilitate more robust discussions with City Councillors and staff in the Social Development area.

Environmental:

The Policy will not have a direct environmental impact; however it will facilitate more robust discussions with City Councillors and staff in the Environmental area.

Cultural & Heritage:

The Policy will not have any direct Cultural or Heritage impact; however it will facilitate more robust discussions with City Councillors and staff in the Cultural & Heritage area.

RELEVANT PRECEDENTS:

These Council policy has been endorsed by the former City of Greater Geraldton at its meeting on the 21 December 2010.

DELEGATED AUTHORITY:

Section 2.10(c) of the Act mentions that a Councillor's role is "to facilitate communication between the Community and the Council".

The intent of the Champions will be the communicator of information on an issue or project being advanced or considered by the Council, as opposed to the Mayor's role under s2.8(1)(d) as "speaking on behalf of the Local Government".

VOTING REQUIREMENTS:

Simple Majority is required.

CONCLUSION:

The establishment the Councillors Champion Policy is to enable individual Councillors to develop an in depth understanding of the circumstances influencing Council decisions in relation to their specific themes.

The Policy is not intended to detract from any Councillors responsibility to represent their constituents on day to day issues. Themes are focused at the strategic level of Council Policy.

This will allow Councillors to work more efficiently and effectively in achieving Council's strategic direction.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

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

1. ENDORSE the Council Policy with the following changes:
 - a. To be determined by Council.
2. MAKE the determination based on the following reason:
 - a. To be determined by Councillors.

Option 3:

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

1. NOT ENDORSE the Council Policy;
2. MAKE the determination based on the following reason:
 - a. To be determined by Councillors.

EXECUTIVE RECOMMENDATION:

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

1. ADOPTS the Councillors Champion Policy; and
2. APPOINTS the following Champions (*to be determined at the meeting*):
 - a. Green Infrastructure & Coastal;
Nominations Received From:

Cr Desmond Brick
Cr Tarleah Thomas
Green Infrastructure & Coastal;
Election Required

- b. Land Use & Built Environment;
Cr _____ - Champion for Materials –
and Cr _____ as a proxy
- c. Cr Robert Ramage - Champion for Infrastructure & Transport;
and Cr _____ as a proxy
- d. Cr Chris Gabelish - Champion for Science, Education & Innovation;
and Cr _____ as a proxy
- e. Economic Development & Diversification;
Nominations Received From:

Cr Peter Fiorenza Cr Ron Ashplant <i>Election Required</i>
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Cr _____ - Champion for Economic Development & Diversification
and Cr _____ as a proxy
- f. Heritage, Culture & the Arts
Nominations Received From:

Cr Tarleah Thomas Cr N Bennett <i>Election Required</i>

Cr _____ - Champion for Heritage, Culture & the Arts;
and Cr _____ as a proxy
- g. Cr _____ - Champion for Human Services Infrastructure Form; and Cr _____ as a proxy
- h. Champion for Sports & Recreation
Nominations Received From:

Cr Peter Fiorenza Cr C Gabelish <i>Election Required</i>
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Cr _____ - Champion for Sports & Recreation;
and Cr _____ as a proxy
- i. Cr _____ - Champion for Energy;
and Cr _____ as a proxy
- j. Materials-Waste
Nominations Received From:

Cr Ron Ashplant Cr Desmond Brick <i>Election Required</i>

Cr _____ - Champion for Materials - Waste;

and Cr _____ as a proxy

k. Natural Resources Management

Nominations Received From:

Cr Ron Ashplant

Cr Tarleah Thomas

Election Required

Cr _____ - Champion for Natural Resources Management (NRM), Water, Biodiversity & Climate Change;
and Cr _____ as a proxy

l. Regional Development, Identify & Empowerment

Nominations Received From:

Cr Robert Ramage

Cr Tarleah Thomas

Election Required

Cr _____ - Champion for Regional Development, Identify & Empowerment; and Cr _____ as a proxy

m. Cr Chris Gabelish - Champion for Community Visioning, Engagement;
and Cr _____ as a proxy

n. Cr Chris Gabelish - Champion for National & International Partnerships;
and Cr _____ as a proxy

CS033	RE-ESTABLISHMENT OF COUNCIL COMMITTEES
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AGENDA REFERENCE:	D-11-21854
AUTHOR:	C Wood, Director Corporate Services
EXECUTIVE:	C Wood, Director Corporate Services
DATE OF REPORT:	4 November 2011
FILE REFERENCE:	GO/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The purpose of this report is to re-establish Council committees and delegates for the City of Greater Geraldton.

PROPONENT:

The Proponent is the City of Greater Geraldton

BACKGROUND:

Section 5.8 of the Local Government Act 1995 allows Council to establish, by absolute majority, committees of three or more persons to assist Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

The City of Greater Geraldton is required to re-establish the committees and delegates after the inaugural election.

The following committees have been addressed in this item:

- a. CEO Performance Review Committee
- b. City of Greater Geraldton/Geraldton Port Authority Liaison Committee
- c. City of Greater Geraldton Audit Committee
- d. Bushfire Advisory Committee
- e. City of Greater Geraldton Local Emergency Management Committee
- f. Greater Geraldton Australia Day Committee
- g. Greater Geraldton Crime Prevention Committee
- h. Greater Geraldton Community Grants Committee
- i. Greater Geraldton Reconciliation Committee
- j. Public Arts Advisory Committee
- k. Greater Geraldton Regional Art Gallery Management Committee
- l. Queen Elizabeth II Seniors and Community Centre Advisory Committee
- m. Sister City Economic and Cultural Development Advisory Committee
- n. Greater Geraldton Roadwise Committee
- o. Heritage Advisory Committee
- p. Western Australian Regional Cities Alliance Committee
- q. Mullewa Tourist Committee
- r. Mullewa Community Trust

Terms of Reference for each of these committees are attached for Councillor's information.

COMMUNITY CONSULTATION:

Where appropriate, each committee has existing community representation.

COUNCILLOR CONSULTATION:

There is no requirement for councillor/officer consultation.

STATUTORY IMPLICATIONS:

Section 5.8 of the Local Government Act 1995 allows Council to establish committees to assist it in discharging its duties under the Act.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL AND BUDGET IMPLICATIONS:

There are no cost implications in the establishment of these committees.

STRATEGIC & REGIONAL OUTCOMES:**Strategic & Plan for the Future Outcomes:**

Goal 5: Leading the Opportunities

Outcome 5.1: Leadership and good governance.

Strategy 5.1.2: Develop and empower the Council.

Regional Outcomes:

The establishment of these committees provides for regional issues to be addressed in a consultative manner.

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

The re-establishment of these committees may provide economic benefits to the community.

Social:

The re-establishment of these committees may provide social benefits to the community.

Environmental:

The re-establishment of these committees may provide environmental benefits to the community.

Cultural & Heritage:

The re-establishment of these committees may provide cultural and heritage benefits to the community.

RELEVANT PRECEDENTS:

There are no relevant precedents associated with this item.

DELEGATED AUTHORITY:

Delegations to the committees have been stated in their Terms of Reference.

VOTING REQUIREMENTS:

Absolute Majority is required.

CONCLUSION:

The re-establishment of Council committees will assist Council in the discharge of its duties to the community and provide a platform for input into Council's direction by the community.

Part A – CEO Performance Review Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the CEO Performance Review Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the CEO Performance Review Committee with the following changes;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the CEO Performance Review Committee;
2. ADOPT the Terms of Reference of the Committee as denoted in the attachment;
3. APPOINT as members of the Committee:
 - a. Mayor I Carpenter (Chair)
 - b. Councillor N McIlwaine (Deputy Chair)
 - c. Councillor D Brick
 - d. Councillor T Thomas
 - e. Councillor R Ramage
4. SET the Terms of Reference of the CEO Performance Review Committee to be:
 - a. appoint an independent facilitator to assist the Committee and Council to undertake the ongoing performance review of the Chief Executive Officer;
 - b. develop annual performance indicators and measures for the Chief Executive Officer;
 - c. undertake 6 monthly and annual performance reviews of the Chief Executive Officer;
 - d. undertake consultation of Council as a whole and individual Councillors in addressing points b and c above; and

- e. report findings and recommendations to Council for consideration.
- 5. DEFINE Council delegations as Nil.
- 6. APPOINT the Manager Human Resources as the Executive Support and Coordinator of the Committee;
- 7. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
- 8. HOLD meetings as required.

Part B – City of Greater Geraldton and Geraldton Port Authority Liaison Committee

OPTIONS:

Option 1:

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the City of Greater Geraldton/Geraldton Port Authority Liaison Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the City of Greater Geraldton/Geraldton Port Authority Liaison Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the City of Greater Geraldton and Geraldton Port Authority Liaison Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____

Two Vacant Positions

Nominations received from:

Mayor I Carpenter

Councillor N McIlwaine

Councillor R Ramage

Councillor P Fiorenza

Councillor C Gabelish

Election Required

- c. Reappoint the External Members which are:
 - Ian King, Geraldton Port Authority
 - Bill Perry, Geraldton Port Authority
 - Peter Klein, Geraldton Port Authority

Peter Duplex, Geraldton Port Authority

3. SET the Terms of Reference of the City of Greater Geraldton and Geraldton Port Authority Liaison committee to be to:
 - a. facilitate a strong working relationship between the City and the Port;
 - b. provide a framework for the ongoing operation of the Memorandum;
 - c. provide a framework for the effective communication and engagement between the City and the Port; and
 - d. report annually to the respective Port Board and the City Council on the status and outcomes of the Memorandum.
4. DEFINE Council delegations as Nil.
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
7. HOLD meetings every three months.

Part C – City of Greater Geraldton Audit Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

That the Council by Absolute Majority under Section 7.1A of the Local Government Act 1995 RESOLVES to:

1. Not RE-ESTABLISH the City of Greater Geraldton Audit Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

That the Council by Absolute Majority under Section 7.1A of the Local Government Act RESOLVES to:

1. RE-ESTABLISH the City of Greater Geraldton Audit Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

That the Council by Absolute Majority under Section 7.1A of the Local Government Act 1995 RESOLVES to:

1. RE-ESTABLISH the City of Greater Geraldton Audit Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____
 - b. Councillor _____
 - c. Councillor _____

<p>Three Vacant Positions</p>

<p><i>Nominations received from:</i></p>
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<p>Mayor I Carpenter</p>

<p>Councillor D Brick</p>

<p>Councillor T Thomas</p>

<p>Councillor S Van Styn</p>

3. SET the Terms of Reference of the Audit Committee to be:
 - a. provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits;
 - b. develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor;
 - c. develop and recommend to Council:

- i. a list of those matters to be audited; and
 - ii. the scope of the audit to be undertaken;
- d. recommend to Council the person or persons to be appointed as auditor;
- e. develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include:
 - i. the objectives of the audit;
 - ii. the scope of the audit;
 - iii. a plan of the audit;
 - iv. details of the remuneration and expenses to be paid to the auditor; and
 - v. the method to be used by the local government to communicate with, and supply information to, the auditor;
- f. meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
- g. liaise with the CEO to ensure that the local government does everything in its power to:
 - i. assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ii. ensure that audits are conducted successfully and expeditiously;
- h. examine the reports of the auditor after receiving a report from the CEO on the matters and:
 - i. determine if any matters raised require action to be taken by the local government; and
 - ii. ensure that appropriate action is taken in respect of those matters;
- i. review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;
- j. review the scope of the audit plan and program and its effectiveness;
- k. review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO;
- l. review the level of resources allocated to internal audit and the scope of its authority;
- m. review reports of internal audits and by monitoring the implementation of recommendations made by the audit and reviewing the extent to which Council and management reacts to matters raised;
- n. facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;
- o. review the local government's draft annual financial report, focusing on:
 - i. accounting policies and practices;

- ii. changes to accounting policies and practices;
 - iii. the process used in making significant accounting estimates;
 - iv. significant adjustments to the financial report (if any) arising from the audit process;
 - v. compliance with accounting standards and other reporting requirements; and
 - vi. significant variances from prior years;
- p. consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
 - q. address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference;
 - r. seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council; and
 - s. review the Statutory Compliance Return and make a recommendation on its adoption to Council.
4. DEFINE Council delegations as Nil.
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 7. HOLD meetings as required.

Part D – Bushfire Advisory Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Bushfire Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. RE-ESTABLISH the Bushfire Advisory Committee with the following changes;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:**PART A:**

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

1. RE-ESTABLISH the Greater Geraldton Coastal Bush Fire Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor N Messina
 - b. Councillor _____
 - c. Reappoint the External Members which are:
Community Fire Manager, Chief Bushfire Control Officer – Chair – City of Greater Geraldton/FESA
 - Deputy Chair– Senior Ranger Fire Prevention City of Greater Geraldton
 - 2 nominated Fire Control Officers or 1 Cape Burney Brigade captain and 1 FCO
 - 2 nominated Fire Control Officers or 1 Moonoonooka Brigade captain and 1 FCO
 - 2 nominated Fire Control Officers or 1 Waggrakine Brigade captain and 1 FCO
 - Captain and or 2 nominated Fire Control Officers Walkaway Brigade or 1 captain and 1 FCO
3. SET the terms of reference of the Bush Fire Advisory Committee to act as an advisory body to Council on matters of Bush Fire.
4. DEFINE Council delegations as Nil.

5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 15 October 2011 or as determined by Council; and
7. HOLD meetings as required.

PART B:

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

1. RE-ESTABLISH the Mullewa Bush Fire Advisory Committee;
2. APPOINT as members of the Committee:
 - d. Councillor Messina
 - e. Councillor _____
 - f. Reappoint the External Members which are:

Position of	District manager Mullewa -
Position of	Community Fire Manager, Chief
	Bushfire Control Officer City of
	Greater Geraldton/FESA
Position of	Senior Ranger – Fire Control
	Casuarinas Brigade
• 2 nominated Fire Control	
Officers or 1 Captain and 1	
FCO	
• 2 nominated Fire Control	Eradu Brigade
Officers or 1 captain and 1	
FCO	
• 2 nominated Fire Control	Mullewa Central Brigade
Officers or 1 captain and 1	
FCO	
• nominated Fire Control	Mullewa South Brigade
Officers	
• 2 nominated Fire Control	Pindar/Tardun Brigade
Officers or 1 captain and 1	
FCO	
• 2 nominated Fire Control	Tenindewa North Brigade
Officers or 1 captain and 1	
FCO	
• 2 nominated Fire Control	Tenndewa South Brigade
Officers or 1 captain and 1	
FCO	
3. SET the terms of reference of the Bush Fire Advisory Committee to act as an advisory body to Council on matters of Bush Fire for the Mullewa Ward.
4. DEFINE Council delegations as Nil;
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 15 October 2011 or as determined by Council; and
7. HOLD meetings as required.

Part E – Greater Geraldton Local Emergency Management Advisory Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Greater Geraldton Local Emergency Management Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Greater Geraldton Local Emergency Management Advisory Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Local Emergency Management Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor N Messina
 - b. Mayor I Carpenter
 - c. Reappoint the External Members which are:
 - Manager from Community Law and Safety
 - Manager from Geraldton Airport
 - Nominee from Department of Transport
 - Nominee from Abrolhos Island Council
 - Nominee from Geraldton Professional Fisherman's Association
 - Nominee from Geraldton Volunteer Sea Rescue
 - Nominee BFB's from Chief Bushfire Control Officer
 - Nominee from Telstra
 - Nominee from DEC
 - Nominee from Bureau of Meteorology
 - Nominee from St John Ambulance
 - Nominee from Australian Red Cross

- Nominee from Geraldton Port Authority
 - Nominee from Department Child Protection
 - Nominee from Water Corporation
 - Nominee from FESA
 - Nominee from FESA (CEMO)
 - Nominee from Department of Agriculture and Food;
 - Representative from the Department of Child Protection
 - Nominee from Department of Environment and Conservation;
 - Nominee from Department of Fisheries;
 - Nominee from Department of Water;
 - Nominee from Greenough Regional Prison;
 - Nominee from Fire and Rescue Services;
 - Nominee from State Emergency Services;
 - Nominee from Centrecare;
 - Nominee from Main Roads;
 - Nominee from Geraldton Regional Hospital;
 - Nominee from Geraldton Surf Life Saving Club;
 - Nominee from Australian Federal Police;
 - Nominee from Volunteer Marine Rescue;
 - Nominee from Centrelink;
 - WA Police (Geraldton Station Local Emergency Coordinator); and;
 - WA Police (Geraldton Police Station Assistant Local
3. SET the Terms of Reference of the Greater Geraldton Local Emergency Management Advisory Committee that the City is to administer the Local Emergency Management Committee and to ensure that quarterly meetings are held;
 4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 7. HOLD meetings as required.

Part F – City of Greater Geraldton Australia Day Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the City of Greater Geraldton Australia Day Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the City of Greater Geraldton Australia Day Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the City of Greater Geraldton Australia Day Committee;
2. APPOINT as members of the Committee
 - a. Councillor N Messina
 - b. Councillor P Fiorenza
 - c. Reappoint the External Members which are:
 - To be advertised Community Representative
 - Peter Nelson Champion Bay Surf Life Saving Club
 - Derek Fraser Rotary Club of Geraldton
3. SET the Terms of Reference of the Greater Geraldton Australia Day Committee to be:
 - i. Oversee the Planning of events associated with the Australia Day Festival;
 - ii. Liase with stakeholders and community;
 - iii. Monitor the effectiveness and success of the event and provide a report to Council with 60 Days of the event detailing expenditure and activities held;
 - iv. Seek and commit sponsors and supporters for the event, and

- v. Provide advice to Council in terms of planning, opportunities and budget requirements.
4. DEFINE Council delegations as Nil;
5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
7. HOLD meetings as required.

Part G – Greater Geraldton Crime Prevention Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. Not RE-ESTABLISH the Greater Geraldton Crime Prevention Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Greater Geraldton Crime Prevention Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Community Safety Crime Prevention Committee;
2. APPOINT as members of the Committee:
 - a. Councillor D Brick
 - b. Councillor S Van Styn (Proxy)
 - c. Councillor P Fiorenza
 - d. Councillor T Thomas
 - e. Reappoint the External Members which are:
 - Ian Blayney MLA, Member of Geraldton
 - Grant Woodhams MLA, Member for Moore
 - Nominee from Greater Geraldton Community
 - Nominee from Mullewa Community Member
 - Nominee from Department of Education and Training
 - Nominee from Geraldton Community Patrol
 - Nominee from Population Health Directorate
 - Nominee from Department of Indigenous Affairs
 - Nominee from Geraldton Regional Community Education Centre
 - Nominee from Geraldton Police

- Nominee from Mullewa Police
 - Nominee from Geraldton Police Crime Prevention and Diversity
 - Nominee from Midwest Chamber of Commerce and Industry
 - Nominee from Mid West Gascoyne District Police Office
 - Nominee from Geraldton Streetwork Aboriginal Corporation
 - Nominee from Department of Child Protection
 - Nominee from Corrective Services
 - Nominee from Gunnado Farm
 - Nominee from Health Department
 - Nominee from Geraldton Regional Community Educational Centre
 - Nominee from MEEDAC
3. SET the Terms of Reference of the Greater Geraldton Crime Prevention Committee to;
 - i. follow the Community Safety Crime Prevention Plan;
 - ii. work on the listed priorities; and;
 - iii. Provide advise to Council on matters relating to community safety and crime prevention.
 4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 7. HOLD meetings as required.

Part H – Greater Geraldton Community Grants Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Greater Geraldton Community Grants Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Greater Geraldton Community Grants Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Community Grants Committee;
2. APPOINT as members of the Committee:
 - a. Councillor M Messina;
 - b. Councillor N Bennett;
 - c. Councillor C Gabelish;
 - d. Reappoint the External Members which are:
 - Gordon Gray Indigenous Community
 - Bill Headley MidWest Chamber of Commerce & Industry
 - Richard Malacari Broader Community
3. SET the Terms of the Committee to ensure that funds are allocated in accordance to the following criteria which forms the major criteria of the community grants guidelines:
 - a. must be a not for profit incorporated body or be supported by an incorporated body;
 - b. the applicants must also contribute cash or in kind to the project;
 - c. must demonstrate achievable outcomes and clear benefits for the City of Greater Geraldton community from the investment;
 - d. the applicants must be residents of Greater Geraldton;
 - e. appropriate accountability processes are in place to satisfy an audit;

- f. projects have not commenced;
 - g. the committee consisting of 2 Councillors and representatives from Chamber of Commerce, Indigenous Community and broader Community are elected for 2 year period.
4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council;
 7. HOLD meetings as required.

Part I – Greater Geraldton Reconciliation Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Greater Geraldton Reconciliation Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Greater Geraldton Reconciliation Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Reconciliation Committee;
2. APPOINT as members of the Committee:
 - a. Councillor D Brick;
 - b. Councillor N Bennett;
 - c. Councillor P Fiorenza;
 - d. Councillor C Gabelish
 - e. Reappoint the External Members which are:

• Jacqueline McGowan-Jones	Department of Indigenous Affairs
• Jamie Strickland	Department of Indigenous Affairs
• Kevin Merritt	
• Leza Radcliffe	Geraldton Streetwork Aboriginal Corporation
• Lou Tatsciore	Department of Child Services
• Marie Patten	Geraldton Streetwork Aboriginal Corporation
• Miranda Rounsevell	Department of Housing & Works
• Paul Ihanimo	Yamatji News
• Ronald Shepherd	Injury Control Council

- Simon Forrest Department of Education and Training
 - Teneale Derschow
 - Yvonne Radcliff
 - Vacant Geraldton Streetwork Aboriginal
 Corporation
3. SET the Terms of Reference of the Greater Geraldton Reconciliation Committee to be:
 - a. the Committee has been working towards developing:
 - i. A vision and mission statement;
 - ii. Welcome to Country protocol, procedure and signage;
 - iii. Indigenous Employment Policy;
 - iv. Reconciliation Action Plan;
 4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 7. HOLD meetings as required.

Part J – Public Arts Advisory Committee

OPTIONS:

Option 1:

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Public Arts Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Public Arts Advisory Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Public Arts Advisory Committee;
2. ADOPT the Terms of Reference of the Committee as denoted in the attachment;
3. APPOINT as members of the Committee:

Two Vacant Positions

Nominations received from:

- a. Councillor T Thomas;
- b. Councillor N Bennett;
- c. Councillor P Fiorenza

- d. Re-appoint External Members which are:
 - Helen Clarke Community Artist
 - James Davies Regional Art Gallery
 - Paige Finci ACDC
 - Rick McCracken Senior Community Development Officer
4. SET the Terms of Reference of the Public Arts Advisory Committee to be:
 - a. the role of the Public Art Advisory Committee includes:
 - i. The provision of expert advice to Council; and
 - ii. Identification of opportunities for projects within the:
 - annual City budget;

- development application to Council;
 - through public and community involvement;
 - partnerships within the community and other agencies; and
 - identification of appropriate grant programs;
- iii. where appropriate, the Committee will make determinations about the style and scope of a project and will provide advice to Council;
 - iv. the Committee will provide advice regarding the need or otherwise to contract an art consultant to undertake some or all of the work associated with a project and will prepare scoping documents for the art coordination component; and
 - v. the Committee may sometimes resolve to undertake the coordination of a project from within their ranks. In this case, the coordination of a project from within their ranks. In this case, the committee will be responsible for scoping, budgeting, developing an artwork brief, managing the advertising and selection process, and ensuring a quality outcome is achieved on time and on budget.
5. DEFINE Council delegations as Nil;
 6. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 7. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 8. HOLD meetings as required.

Part K – Greater Geraldton Regional Art Gallery Management Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. Not RE-ESTABLISH the representation and appointment of delegates to the Greater Geraldton Regional Art Gallery Management Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Greater Geraldton Regional Art Gallery Management Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Greater Geraldton Regional Art Gallery Management Committee;
2. APPOINT the following delegates to the Greater Geraldton Regional Art Gallery Management Committee:
 - a. Councillor N Bennett;
 - b. Councillor _____;
 - c. Re-appoint External members which are:
 - Jo Bunker Community Member
 - Brian Stewart Art Gallery WA
 - Julie Sproule Art Gallery WA
3. SET the Terms of Reference of the Greater Geraldton Regional Art Gallery Management Committee to be:
 - a. to support and promote the Geraldton Regional Art Gallery's vision and mission statements. These are:
 - i. To be a leading regional art gallery in Western Australia and a centre of artistic excellence accessible to all in the Region; and
 - ii. To enrich people's lives by providing a diverse high quality visual arts program that is vibrant, thought-

provoking and relevant to the people of the region and its visitors.

- b. through the Geraldton Regional Art Management Committee, ensure that the strategic and operational plans of the Geraldton Regional Art Gallery align with its key stakeholders and consider the expectations of relevant regional communities;
 - c. to provide for the safety and well being of the staff of the Geraldton Regional Art Gallery including visitors and contractors;
4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
 6. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
 7. ATTEND meetings as required.

Part L – Queen Elizabeth II Seniors and Community Centre Advisory Committee

OPTIONS:

Option 1:

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Queen Elizabeth II Seniors and Community Centre Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. RE-ESTABLISH the Queen Elizabeth II Seniors and Community Centre Advisory Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Queen Elizabeth II Seniors and Community Centre Advisory Committee;
2. APPOINT as members of the Committee
 - a. Councillor N Bennett
 - b. Councillor C Gabelish
 - c. Reappoint External Members which are:
 - Sue Hunter Piccadilly Dance Club
 - Edna Freeman Over 50's Gentle Gym
 - Verna Scully Pensioner Social Club
 - Eric Shields Geraldton Probus Club
 - Diana Keighran Friendly Squares Dance Club
 - Beryl Scott Association of Independent Retirees
3. SET and define the Terms of Reference of the Queen Elizabeth II Seniors and Community Centre Advisory Committee to be:
 - a. in the first instance, to provide a facility to accommodate services as required by primary user groups and provide a facility to accommodate primary and secondary user groups who use the Centre to meet at regular intervals to discuss their common and particular needs and interests in the Centre;

- b. to develop community awareness of the potential and limitations of these facilities;
 - c. to encourage a co-operative attitude among people who use the facilities so that the most effective use is obtained to the satisfaction of the community generally. To coordinate the use of facilities by all user groups, and to endeavour to provide for requested activities;
 - d. to make recommendations to Council on modifications to and development of these facilities in line with changing community and user needs;
 - e. to provide a means of communication between The City Greater Geraldton and the people who use the Queen Elizabeth II Seniors & Community Centre; and
 - f. to promote the general good of users of the Centre by providing the building and general environment for their promotion of health and well being;
- 4. DEFINE Council delegations as Nil;
 - 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 - 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 - 7. HOLD meetings as required.

Part M – Sister City Economic and Cultural Development Advisory Committee

OPTIONS:

Option 1:

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Sister City Economic and Cultural Development Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. RE-ESTABLISH the Sister City Economic and Cultural Development Advisory Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Sister City Economic and Cultural Development Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Councillor _____;
 - b. Councillor _____;
 - c. Councillor _____ proxy ;

Three Vacant Positions

Nominations received from:

Councillor R Ashplant;
Councillor P Fiorenza
Councillor C Gabelish

- Reappoint the External Members which are:
- Representative from Geraldton University Centre
- Representative from Durack Institute of Technology
- Representative from Geraldton Port Authority
- Representative from Combined University Centre for Rural Health
- Representative from the Mid West Chamber of Commerce & Industry
- Representative from the Mid West Development Commission

- Further representatives can be co-opted to the committee at any time, if the Committee sees fit
 - 3. SETS the Terms of Reference of the Sister City Economic and Cultural Development Advisory Committee to be:
 - a. identifies preferred Sister City candidates, based on the following Principles:
 - i. The proposed Sister City must be in a country with which the Federal Government of Australia and/or Government of Western Australia has some form of relationship;
 - ii. The City of Greater Geraldton will add a maximum of one Sister City each year with a maximum of six ongoing Sister City relationships at any one time;
 - iii. Geographic concentration of Sister Cities in one region should be avoided;
 - iv. Following analysis by the City of Greater Geraldton, proposals must be submitted to the Sister City Economic & Cultural Development Advisory Committee for final approval; and
 - v. Sister City relationships should take into account cultural, ethical and/or moral issues pertinent to the community at the time.
 - b. every Sister City relationship under consideration should have a separate Relationship Plan outlining:
 - i. **The key objectives of the relationship.** For example, encouraging and facilitating economic, social-cultural and environmental exchanges, developing networks;
 - ii. **Long-term goals** should also be articulated in the plan;
 - iii. **Key focus areas** for the Sister City relationship;
 - iv. **The main stakeholders;**
 - v. **Key performance indicators** to measure benefits/outcomes; and
 - vi. **Annual reporting and review** of relationship activities and the relationship plan including an audit of key performance indicators to ensure that the City of Greater Geraldton is benefitting from the alliance.
 - c. prior to entering into any official Sister City relationship, the Sister City Economic & Cultural Development Advisory Committee to submit to Council for formal endorsement.
 - d. where a new Sister City relationship is identified, a budget proposal to be developed containing all costs and resource commitments associated with the new relationship, to be submitted to the annual budget process. This should be subject to the annual budget allocation processes of the City of Greater Geraldton and treated as a new proposal to be judged on merit alongside all other projects competing for funding through the annual budget process.
 - 4. DEFINE Council delegations as Nil;
 - 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee; and
 - 6. HOLD meetings as required.
-

Part N – Greater Geraldton Roadwise Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Greater Geraldton Roadwise Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council

Option 3:

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

1. RE-ESTABLISH the Greater Geraldton Roadwise Committee with the following changes ;
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Greater Geraldton Roadwise Committee;
2. APPOINT as members of the Committee:
 - a. Councillor Cr T Thomas;
 - b. Councillor _____;
 - c. Reappoint External Members which are:
 - Samantha Adams Regional Road Safety Officer – Western Australian Local Government (WALGA) Midwest Region
 - Peter Herbert Network Operation Manager, Main Roads Western Australia (MRWA) Midwest Region
 - Craig Martin Owner, Martins Motorcycle & Driver Training Geraldton
 - Valma McCrory Customer Service Manager, Department of Transport
 - Kay Creasy Representative, Country Women’s Association (CWA)
 - Helen Harrison Representative, Country Women’s Association (CWA)
 - Kate McConkey Midwest Officer, Department of Education – SDERA
 - Russel Hayes Midwest Regional Manager, Fire and Emergency Services Authority of WA (FESA)
 - Ian Blayney MLA Member for Geraldton, Parliament of Western Australia

- Inspector Cyril Geraldton Police Complex, Midwest-Gascoyne Traffic
Larent Enforcement Group
3. ABIDE by the Terms of Reference as set by the RoadWise Committee to be:
 - a. the Western Australian Local Government Associations RoadWise programs' main objective is to prevent and reduce deaths and serious injuries on local roads;
 - b. the quorum for any meeting of the RoadWise Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not;
 - c. frequency of RoadWise Committee meetings is a matter for determination by the Committee;
 4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
 6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
 7. HOLD meetings as required.

Part O – Heritage Advisory Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the Heritage Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. RE-ESTABLISH the Heritage Advisory Committee with the following changes:
 - a. To be determined by Council.
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the Heritage Advisory Committee;
2. APPOINT as members of the Committee:
 - a. Mayor I Carpenter
 - b. Councillor N Bennett
 - c. Reappoint the External Members which are:
 - 1 x representative from each community museum, with no individual to represent more than one museum;
 - 2 x Community Representatives;
 - 1 x Mid West Heritage Advisor (ex-officio);
 - 1 x Aboriginal Heritage Representative (ex-officio);
 - 1 x Manager, WA Museum, Geraldton (ex-officio);
 - 1 x National Trust Representative (ex-officio);
 - City of Greater Geraldton staff as required (they would be ex-officio);
 - 1 x member from the Geraldton Greenough Historical Society;
3. ABIDE by the Terms of Reference as set by the Heritage Advisory Committee to be:
 - a. Oversee the Heritage Policy;
 - b. Report to Council on matters relating to the Heritage Policy; and
 - c. Advise Council on Heritage Matters;
4. DEFINE Council delegations as Nil;

5. APPOINT the Chief Executive Officer or his delegate as the Executive Support and Coordinator of the Committee;
6. DEFINE the tenure of the Committee as expiring on the 15 October 2013 or as determined by Council; and
7. HOLD meetings as required.

Part P – West Australian Regional Cities Alliance Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the West Australian Regional Cities Alliance Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the West Australian Regional Cities Alliance Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the West Australian Regional Cities Alliance Committee;
2. APPOINT the following delegates to the West Australian Regional Cities Alliance Committee:
 - a. Mayor I Carpenter;
 - b. Councillor N McIlwaine (Proxy);
 - c. Reappoint External Members which are:
 - Mayor of the City of Albany
 - Mayor of the City of Bunbury
 - Mayor of the City of Kalgoorlie-Boulder
 - Mayor of the Town of Port Hedland
 - President of Shire of Broome
3. SET the terms of Reference of the Committee as being:
 - d. The Alliance parties work collaboratively to achieve the future sustainable development of the State of Western Australia;
 - e. The Alliance is accepted as a legitimate and respected grouping within the arrangements resulting from the current Local Government Structural Reform process;
 - f. All significant matters impacting upon regional cities are referred to the Western Australian State Cabinet for review;

- g. That appropriate allocations will be directed to regional cities in Roads to Recovery (R2R) funding in recognition of their higher infrastructure and service provision requirements;
 - h. That the emergence of the Alliance Cities occurs in a balanced fashion, recognising the infrastructure needs and associated funding requirements of sub-regional centres within their hinterlands;
 - i. The Alliance Cities evolve into fully-fledged alternatives to the Perth Metropolitan Area as locations for the growing population of the State;
 - j. The State's future population growth and its associated demands for social, economic and environmental amenity are distributed in a sustainable fashion. The Alliance believes that a realistic target is for 50% of the projected population growth to occur in regional areas, with 25% to be located in regional cities;
 - k. The Alliance is positioned and resourced to represent the interests of its members and to enable synergies at operational and strategic levels;
 - l. There is the capability for two further regional cities from the Pilbara and/or the Kimberley regions respectively to join the Alliance;
 - m. There are regular opportunities for engagement, representation and dialogue with and between:
 - i. The Premier, the Minister for Regional Development, other Ministers as relevant and Mayors of the Alliance member Cities;
 - ii. Senior Government Officers and Ministerial Advisors, and Chief Executive Officers of the Alliance member Cities;
4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
 6. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
 7. ATTEND meetings as required.

Part Q – Mullewa Resource Centre & Tourist Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Mullewa Resource Centre & Tourist Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Mullewa Resource Centre & Tourist Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Mullewa Resource Centre & Tourist Committee;
2. APPOINT the following delegates to the Mullewa Resource Centre & Tourist Committee:
 - a. Councillor T Thomas;
 - b. Councillor N Messina (Proxy);
 - c. Reappoint the External Members which are:
 - Chairperson—Glenn Bryant
 - Secretary– Shirley Flynn
 - Treasurer—Bev Crudeli
 - Barb Thomas
 - Tony Fraser
 - Heather Reynolds
 - Josephine Docherty
 - Dolores Bone
3. SET the Terms of Reference of the Mullewa Resource Centre & Tourist Committee to be:
 - a. providing visitors and members of the community access to the a variety of information technology and office equipment and room hire options;
 - b. providing access to Computer and Internet;

- c. provide free access to online Government services as well as a selection of brochures on Government services;
 - d. providing access to TransWA Agent;
 - e. providing access to Medicare easyclaim service;
 - f. providing access to Educational and lifestyle courses;
 - g. producing the local monthly newspaper 'Mullewa Mail';
 - h. providing access to tourist information;
- 4. DEFINE Council delegations as Nil;
 - 5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
 - 6. DEFINE the appointment of delegates as expiring on the 15 October 2011 or as determined by Council; and
 - 7. ATTEND meetings as required.

Part R – Mullewa Community Trust**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Mullewa Community Trust; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Mullewa Community Trust; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Mullewa Community Trust;
2. APPOINT the following delegates to the Mullewa Community Trust:
 - a. Councillor N Messina (Chair);
 - b. Councillor T Thomas (Proxy);
 - c. Reappoint the external members which are:
 - Mullewa Community member
 - Mount Gibson Iron Representative
3. SET the Terms of Reference of the Mullewa Community Trust to be:
 - a. Disbursement from the Structural Adjustment Fund shall only be made for public benefit of the Mullewa District, by resolution of Council;
4. DEFINE Council delegations as Nil;
5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
6. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
7. ATTEND meetings as required.

CS034 APPOINTMENT OF DELEGATES TO EXTERNAL COMMITTEES

AGENDA REFERENCE:	D-11-21862
AUTHOR:	C Wood, Director Corporate Services
EXECUTIVE:	C Wood, Director Corporate Services
DATE OF REPORT:	7 November 2011
FILE REFERENCE:	GR/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

SUMMARY:

The purpose of this report is to appoint City of Greater Geraldton Council delegates to external committees.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

In order to ensure that Council's position on different aspects of its business is understood, Council appoints delegates to committees external to Council. These delegates are to represent Council's views on relevant topics and to report back to Council on the outcomes of meetings held.

Appointments to the following external committees have been addressed in this item:

- a. Batavia Regional Organisation of Councils
- b. WA Museum Geraldton Advisory Committee
- c. Kalbarri Airport Joint Venture Committee
- d. Forum of Regional Councils: Waste Management
- e. Mid West Regional Road Group
- f. WALGA – Northern Zone WA Local Government Association
- g. WALGA – Municipal Waste Advisory Council
- h. Northern Barrier Fence Committee
- i. Greater Geraldton Sunshine Festival Inc
- j. Wildflower and Tourism Committee

Terms of Reference for each of these committees are attached for the Councillors' information.

COMMUNITY CONSULTATION:

There is not requirement for community consultation on this matter.

COUNCILLOR/OFFICER CONSULTATION:

There is no requirement for councillor/officer consultation.

STATUTORY IMPLICATIONS:

There are no statutory implications with this matter.

POLICY IMPLICATIONS:

There are no policy implications

FINANCIAL AND BUDGET IMPLICATIONS:

There are minor travel cost implications in the appointment of delegates to external committees. Such costs are contained within the 2011/12 budget.

STRATEGIC & REGIONAL OUTCOMES:

Strategic & Plan for the Future Outcomes:

Goal 5: Leading the Opportunities

Outcome 5.1: Leadership and good governance.

Strategy 5.1.2: Develop and empower the Council.

Regional Outcomes:

Appointees to these committees provide a regional voice to issues affecting the region and the State.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic issues associated with this item.

Social:

There are no social issues associated with this item.

Environmental:

There are no environmental issues associated with this item.

Cultural & Heritage:

There are no cultural or heritage issues associated with this item.

RELEVANT PRECEDENTS:

There are no relevant precedents associated with this item.

DELEGATED AUTHORITY:

Appointees to external committees do not have any delegations associated with the appointment.

VOTING REQUIREMENTS:

Simple Majority is required.

CONCLUSION:

The appointment of delegates to external committees ensures that Council has an input to issues of importance affecting the community.

Part A – Batavia Regional Organisation of Councils

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Batavia Regional Organisation of Councils; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Batavia Regional Organisation of Councils; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Batavia Regional Organisation of Councils;
2. APPOINT the following delegates to the Batavia Regional Organisation of Councils:
 - a. Councillor _____;
 - b. Councillor _____;
 - c. Councillor _____ proxy

<p>Two Vacant Positions, Proxy</p>

<p><i>Nominations received from:</i></p>
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<p>Mayor I Carpenter; Councillor N McIlwaine; Councillor N Messina;</p>

3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part B – WA Museum Geraldton Advisory Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the WA Museum Geraldton Advisory Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the WA Museum Geraldton Advisory Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the WA Museum Geraldton Advisory Committee;
2. APPOINT the following delegates to the WA Museum Geraldton Advisory Committee:
 - a. Councillor C Gabelish
 - b. Councillor T Thomas
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part C – Kalbarri Airport Joint Venture Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. Not RE-ESTABLISH the representation and appointment of delegates to the Kalbarri Airport Joint Venture Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Kalbarri Airport Joint Venture Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Kalbarri Airport Joint Venture Committee;
2. APPOINT the following delegates to the Kalbarri Airport Joint Venture Committee:
 - a. Councillor N McIlwaine;
 - b. Councillor _____ Proxy;
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part D – Forum of Regional Councils: Waste Management**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. Not RE-ESTABLISH the representation and appointment of delegates to the Forum of Regional Councils: Waste Management; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Forum of Regional Councils: Waste Management; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Forum of Regional Councils: Waste Management;
2. APPOINT the following delegates to the Forum of Regional Councils: Waste Management:
 - a. Councillor R Ashplant;
 - b. Councillor _____;
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part E – Mid West Regional Road Group

OPTIONS:

Option 1:

As per Executive Recommendation.

Option 2:

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

- 1. NOT RE-ESTABLISH the representation and appointment of delegates to the Regional Road Group; and
- 2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

- 1. DEFER the re-establishment of representation and appointment of delegates to the Regional Road Group; and
- 2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

- 1. RE-ESTABLISH the representation on the Regional Road Group;
- 2. APPOINT the following delegates to the Regional Road Group:
 - a. Councillor _____;
 - b. Councillor _____;

Two Vacant Positions
Nominations received from:
 Councillor N Messina
 Councillor T Thomas
 Councillor N Bennett
Election Required

- 3. DEFINE Council delegations as Nil;
- 4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
- 5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
- 6. ATTEND meetings as required.

Part F – WALGA Northern Zone WA Local Government Association

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Northern Zone WA Local Government Association; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

That the Council of Commissioners by Simple Majority under Section 5.20 of the Local Government Act RESOLVES to:

1. DEFER the re-establishment of representation and appointment of delegates to the Northern Zone WA Local Government Association; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Northern Zone WA Local Government Association;
2. APPOINT the following delegates to the Northern Zone WA Local Government Association:
 - a. Councillor _____;
 - b. Councillor _____;

Mayor Ian Carpenter;
 Councillor N Messina;
 Councillor C Gabelish
 Councillor T Thomas
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part G – WALGA Municipal Waste Advisory Council**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the WALGA Municipal Waste Advisory Council; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

That the Council of Commissioners by Simple Majority under Section 5.20 of the Local Government Act RESOLVES to:

1. DEFER the re-establishment of representation and appointment of delegates to the WALGA Municipal Waste Advisory Council; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the WALGA Municipal Waste Advisory Council;
2. APPOINT the following delegates to the WALGA Municipal Waste Advisory Council:
 - a. Councillor R Ashplant;
 - b. Councillor _____;
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2011 or as determined by Council; and
6. ATTEND meetings as required.

Part H – Northern Barrier Fence Committee**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Northern Barrier Fence Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Northern Barrier Fence Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Northern Barrier Fence Committee;
2. APPOINT the following delegates to the Northern Barrier Fence Committee:
 - a. Councillor N Messina;
 - b. Councillor T Thomas;
3. SET the Terms of Reference of the Northern Barrier Fence Committee to be:
 - a. To stimulate discussion on the Northern Barrier Fence with a view to ensuring that it remains a high priority of Government.
 - b. To establish the extent of current and proposed maintenance and upgrading programmes and determine if such programmes are sufficient to maintain viability of the fence
 - c. Determine if value for money with fencing maintenance and upgrading is occurring, and if not, how can it be achieved, and what role does local government, and interested community persons/organisations have in maintaining and upgrading of the fence.
4. DEFINE Council delegations as Nil;
5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;

6. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
7. ATTEND meetings as required.

Part I – Geraldton-Greenough Sunshine Festival Inc**OPTIONS:****Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Geraldton-Greenough Sunshine Festival Inc; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Geraldton-Greenough Sunshine Festival Inc; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Geraldton-Greenough Sunshine Festival Inc;
2. APPOINT the following delegates to the Geraldton-Greenough Sunshine Festival Inc:
 - a. Councillor P Fiorenza;
 - b. Councillor C Gabelish;
3. DEFINE Council delegations as Nil;
4. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
5. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
6. ATTEND meetings as required.

Part J – Wildflower Country Tourism Committee

OPTIONS:**Option 1:**

As per Executive Recommendation.

Option 2:

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

1. NOT RE-ESTABLISH the representation and appointment of delegates to the Wildflower Country Tourism Committee; and
2. MAKES the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

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

1. DEFER the re-establishment of representation and appointment of delegates to the Wildflower Country Tourism Committee; and
2. MAKES the determination based on the following reason:
 - a. To be determined by Council.

EXECUTIVE RECOMMENDATION:

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

1. RE-ESTABLISH the representation on the Wildflower Country Tourism Committee;
2. APPOINT the following delegates to the Wildflower Country Tourism Committee:
 - a. Councillor T Thomas;
 - b. Councillor _____ (Proxy);
 - c. Reappoint the External Members which are:
 - Chairperson—Rebecca McCall (Shire of Moora)
 - Secretary– Left of Centre Concepts & Events
 - Shire of Coorow representative
 - Shire of Carnamah representative
 - Shire of Three Springs representative
 - Shire of Mingenew representative
 - Shire of Morawa representative
 - Shire of Perenjori representative
 - Shire of Dalwallinu representative
3. SET the Terms of Reference of the Wildflower Country Tourism Committee to be:
 - a. To build tourism partnerships within the communities;
 - b. To encourage cooperative funding across the region;
 - c. To encourage co-operative tourism across the region;

- d. To improve infrastructure across the region;
 - e. To improve accommodation across the region;
 - f. To improve tourism product across the region;
 - g. To improve information for Visitors across the region;
 - h. To expand the regions routes, trails and events;
 - i. To penetrate target and niche markets;
 - j. To increase visitors levels across the region;
4. DEFINE Council delegations as Nil;
 5. APPOINT the Chief Executive Officer or his delegate as the City of Greater Geraldton support staff;
 6. DEFINE the appointment of delegates as expiring on the 15 October 2013 or as determined by Council; and
 7. ATTEND meetings as required.

11.3 Reports of Sustainable Communities

SC017	FINAL ADOPTION OF TOWN PLANNING SCHEME AMENDMENT NO. 60 – LOCAL CENTRE REZONING FIFTH STREET, WONTHELLA
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AGENDA REFERENCE:	D-11-21186
AUTHOR:	M Thomson, Planning Officer
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	03 November 2011
FILE REFERENCE:	LP/7/0025
APPLICANT / PROPONENT:	HTD Surveyors and Planners
ATTACHMENTS:	Yes (x2)

SUMMARY:

The advertising period has concluded for Scheme Amendment No. 60 which proposes to rezone Lot 381 (No. 242) Fifth Street, Wonthella, from 'Residential' R12.5/40/50 to 'Local Centre' in order to expand the car park.

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

PROponent:

The proponent is HTD Surveyors and Planners on behalf of the owner Dunmurra Pty. Ltd.

BACKGROUND:

The subject property is located to the west of Howard Street, Wonthella and is approximately 2.7 kilometres from the Geraldton CBD. The subject property is presently vacant and is directly adjoining the Fifth Street IGA Supermarket car park.

The subject property is currently surrounded by residential land on the north, west and southern boundaries. The eastern boundary abuts 'Local Centre' zoned land for the provision of a supermarket and variety stores.

The subject property is currently being used as unsealed car parking facilities in conjunction with the Fifth Street IGA Supermarket; therefore the Amendment will formalise the zoning for the use of this lot.

The Scheme Amendment document is included as Attachment No. SC017A.

The Site:

Lot Size	1,012m ²
Existing Development	Vacant.
Access and Frontage	20.12m frontage to Fifth Street (sealed).
Existing Services	Reticulated sewer, water and underground power.
Topography	Flat.
Vegetation	Cleared.
Surrounding Land uses	Residential with eastern boundary of property abutting Local Centre.

Locality Plan:**COMMUNITY CONSULTATION:**

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

The advertising period commenced on 12 August 2011 and concluded on 23 September 2011 and involved the following:

1. All landowners within 100m radius were written to and advised of the proposed amendment;
2. A public notice appeared in the Geraldton Guardian on Friday 12 August 2011 and the Midwest Times on Wednesday 31 August 2011;
3. A sign was placed on site;
4. The amendment details were available on the City's website;
5. The amendment details were publicly displayed at the Civic Centre;
6. The amendment was included as an item in YourView; and
7. The amendment was referred to the following:
 - Australia Post
 - Department of Education
 - Department of Indigenous Affairs
 - Fire and Emergency Services Authority
 - Midwest Development Commission
 - Telstra
 - WA Gas Networks
 - Water Corporation

- Western Power
- Department of Environment and Conservation

Submissions:

As a result of the advertising, a total of 7 submissions were received (6 in support and 1 objecting to the application). Listed below is a summation of the comments/concerns raised from the public comment period:

- Currently being used as a car park;
- Construction of a suitable dividing fence to alleviate noise which is generated from the Local Centre;
- Increase safety of pedestrians to the car park and street.

A 'Schedule of Submissions' is included as Attachment No. SC017B and copies of the actual submission are available to Council upon request.

COUNCILLOR CONSULTATION:

There has been no Councillor consultation.

STATUTORY IMPLICATIONS:

The subject property is currently zoned "Residential" R12.5/40/50 under Town Planning Scheme No. 3 (Geraldton). The use car park is not permitted on land zoned 'Residential'.

The proposed Scheme Amendment will rezone the land to 'Local Centre' consistent with adjoining compatible zoning, thus allowing local centre uses and car parking on the property.

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 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:**

This Strategy provides an interim broad regional planning framework to coordinate the location and development of shopping and associated commercial activities. The Fifth Street IGA Supermarket is designated as a “Neighbourhood Centre”.

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 & heritage issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedent set by previous Council or Executive, however it should not be construed that there are no 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, Part 5 of the Planning and Development Act 2005, RESOLVES to:

1. REFUSE to adopt for final approval Scheme Amendment No. 60 to Town Planning Scheme No. 3 (Geraldton);
2. MAKES the determination on the grounds that approval of the amendment would create an undesirable precedent and compromise the orderly and proper planning of the locality.

Option 3:

That Council by Simple Majority RESOLVES to DEFER the application.

CONCLUSION:

The property is adjacent to the existing 'Local Centre' zone and the rezoning will formalise the existing use of a car park on the property via a development application once final approval to the rezoning is granted. This will improve on-site traffic flow and decrease the likelihood of vehicle/pedestrian conflict.

Option 2 is not supported as the proposal will be complementary and integrate with the existing supermarket development adjacent and the site has been identified in the City's Interim Commercial Activity Centres Strategy as a Neighbourhood Centre.

There is considered sufficient information for Council to determine the matter and therefore Option 3 is not supported.

EXECUTIVE RECOMMENDATION:

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

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT for final approval Scheme Amendment No. 60 to Town Planning Scheme No. 3 (Geraldton); and
3. SEEK final approval of the Scheme Amendment from Minister for Planning.

SC018	NOMINATIONS FOR DEVELOPMENT ASSESSMENT PANEL MEMBERSHIP
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AGENDA REFERENCE:	D-11-21189		
AUTHOR:	P Melling,	Director	Sustainable
	Communities		
EXECUTIVE:	P Melling,	Director	Sustainable
	Communities		
DATE OF REPORT:	14 October 2011		
FILE REFERENCE:	LP/9/0017		
APPLICANT / PROPONENT:	WA Planning Commission		
ATTACHMENTS:	No		

SUMMARY:

A report outlining the need to nominate representatives to the Joint Development Assessment Panel which has been established covering the City of Greater Geraldton applications above the nominated thresholds.

PROponent:

The proponent is the WA Planning Commission.

BACKGROUND:

The establishing of Development Assessment Panels (DAP'S) are part of the State Government's planning reform process and commenced on the 1 July 2011. Each DAP consists of five panel members consisting of three technical panel members appointed by the Hon. Minister for Planning and two local members from the Council of the Local Government concerned.

Given that the City of Greater Geraldton commenced on the 1 July 2011, it is necessary to submit to the Hon Minister the nominees from the City of Greater Geraldton. Two nominees are required for the positions on the panel and up to two alternate nominees are also required.

The panel will meet as required should development applications be received (above the thresholds nominated under the legislation), currently expected to be once a month. The two members from Local Government will only be present to discuss and assist in determining development applications received within their local government area.

COMMUNITY CONSULTATION:

The State Government via the Department of Planning/W A Planning Commission undertook various consultation processes during the development of the DAP concept.

COUNCILLOR CONSULTATION:

No consultation has occurred with the current Councillors on this item although former Councillors at the respective Local Authorities were briefed on the establishing of Development Assessment Panels.

STATUTORY IMPLICATIONS:

Part 11A of the Planning & Development Act (2005) introduces Development Assessment Panels into the Act and this is supported by the Planning and Development (Development Assessment Panels) Regulations 2011.

POLICY IMPLICATIONS:

Council policies and Town Planning Schemes will be utilised by the Development Assessment Panel to determine applications.

FINANCIAL AND BUDGET IMPLICATIONS:

Some cost recovery is possible, but it is expected that staff may have to attend at the City of Greater Geraldton's cost.

STRATEGIC & REGIONAL OUTCOMES:**Strategic Community Plan Outcomes:**

Goal 4: Opportunities for Sustainability.

Outcome 4.1: Vibrant and sustainable urban and rural development.

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

Regional Outcomes:

There are no regional outcomes.

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

This will be dependent on the specifics of each application and resultant decision.

Social:

This will be dependent on the specifics of each application and resultant decision.

Environmental:

This will be dependent on the specifics of each application and resultant decision.

Cultural & Heritage:

This will be dependent on the specifics of each application and resultant decision.

RELEVANT PRECEDENTS:

The Development Assessment Panel process is new to the W.A. Planning System but it is known that in other States, they are under review or have been abolished.

DELEGATED AUTHORITY:

There is no delegated authority.

State Legislation has been established that has stripped local authority powers to deal with development applications above nominated thresholds.

VOTING REQUIREMENTS:

Simple Majority required.

OPTIONS:**Option 1:**

As per Executive Recommendation in this report.

Option 2:

That Council by Simple Majority in accordance with Part 11A of the Planning & Development Act (2005) RESOLVES to:

1. DEFER nominating any City of Greater Geraldton representatives to the Joint Midwest Development Assessment Panel; and
2. MAKE the determination based on the following reasons:
 - a. To be determined by Council.

Option 3:

That Council by Simple Majority in accordance with Part 11A of the Planning & Development Act (2005) RESOLVES to:

1. DECLINE to nominate to the Hon Minister for Planning any City of Greater Geraldton representatives to the Joint Midwest Development Assessment Panel; and
2. MAKE the determination based on the following reason:
 - a. To be determined by Council.

CONCLUSION:

The City is required to nominate two Local Government Elected Member representatives to the Joint Development Assessment Panel for the Midwest. Should Council decline to nominate any representation the Minister is empowered to appoint suitable persons. Given this position it is recommended that Council nominate two panel members, and if it so decides, up to two proxy representatives.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority in accordance with Part 11A of the Planning and Development Act (2005) RESOLVES to:

1. ADVISE the Hon Minister for Planning that it nominates Councillor _____ and Councillor _____ as the City of Greater Geraldton local government representatives on the Joint Midwest Development Assessment Panel; and

2. ADVISE the Hon Minister for Planning that it nominates Councillor _____ and Councillor _____ as the City of Greater Geraldton alternate local government representatives on the Joint Midwest Development Assessment Panel.

11.4 *Reports of Creative Communities*

Nil.

11.5 Reports of Community Infrastructure

Nil.

11.6 Reports of Commercial Enterprises

CE019 LEASE OF LAND – GERALDTON AIRPORT TO SHINE AVIATION

AGENDA REFERENCE:	D-11 21181
AUTHOR:	L MacLeod, Land and Leasing Facilitator
EXECUTIVE:	B Davis, Director Commercial Enterprises
DATE OF REPORT:	26 October 2011
FILE REFERENCE:	PM/6/0006
APPLICANT / PROPONENT:	Shine Aviation Services
ATTACHMENTS:	No

SUMMARY:

The purpose of this report is to seek Council approval to lease 124 square metres of land adjacent to the General Aviation Terminal to Shine Aviation Services for the purpose of a transportable office.

PROPONENT:

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. That lease will expire in 2015. Due to the growth of their business, Shine Aviation has outgrown their available office space, requiring more offices and briefing space for aircrew. They have requested to lease 124 square metres of land immediately adjacent to the northern end of the Terminal to place a suitable transportable office building. Placement of a suitable transportable building, designed to meet the requirements of the Technology park development standards approved by Council, would have no detrimental effect on either airport functionality or aesthetics.



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:

Lease fees are based on the current ground market valuation of \$13.50 per square metre plus GST. The application for an area of 124m² would equate to \$1674.00 plus GST per annum. CPI will be applied annually and the lessee will be responsible for paying all rates, taxes and utilities associated with this land.

STRATEGIC & REGIONAL OUTCOMES:**Strategic & Plan for the Future 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.
Goal 4:	Opportunities for Sustainability
Outcome 4.2	Improved Transport and accessibility
Strategy 4.2.3	Develop Regional Air Services

Regional Outcomes:

This proposal will enable expansion of FIFO operations based in Geraldton, contributing to establishment of Geraldton Airport as a transport hub for the Mid West and will stimulate related economic activity in the services and tourism industries

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

Regional outcomes above are relevant. There are no other significant implications for the City or regional economy.

Social:

There are no social impacts with the proposal.

Environmental:

There are no environmental impacts with the proposal.

Cultural & Heritage:

There is no cultural, heritage or indigenous impacts with the 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 the expansion of air services based at the Geraldton Airport, supporting a local commercial general aviation company experiencing growth. This proposal warrants City support.

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 124m² of the land being portion of Lot 363 Geraldton Mount-Magnet Road, Moonyoonooka to Shine Aviation Services for the purpose of office space;
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; and
 - c. the proponent obtaining the relevant statutory approvals within six (6) months from the approval date of the lease;
3. SET the proposed conditions as:
 - a. enter into a 3 year 7 month lease agreement to commence 1 January 2012 and to conclude in line with the current lease agreement with Shine Aviation Services for the General Aviation Terminal being 31 July 2015;

- b. a ground lease fee of \$13.50 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; and
 - 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.

CE020 CONFIDENTIAL - PURCHASE OF PROPERTY

AGENDA REFERENCE:	D-11 21537
AUTHOR:	B Robartson, Manager Land & Property Services
EXECUTIVE:	B Davis, Director of Commercial Enterprises
DATE OF REPORT:	4 November 2011
FILE REFERENCE:	A11498
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

Confidential Item, which has been circulated to the Councillors separately.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority RESOLVES to DEFER to the end of the meeting.

11.7 Reports to be Received**REPORTS TO BE RECEIVED**

AGENDA REFERENCE:	D-11-21875
AUTHOR:	A Brun, Chief Executive Officer
DISCLOSURE OF INTEREST:	No
FILE REFERENCE:	GO/6/0002
DATE OF REPORT:	8 November 2011

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.

ADMINISTRATIVE COMMENT:

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

CS036	List Of Accounts Paid Under CEO Delegation
CS037	Financial Statements to October 2011
SCDD058	Delegated Determinations.
CC022	Report - Mid West Procurement Officer - Quarterly Report - September 11 Q2
CC023	Report - 111005 Minutes Australia Day

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.

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr Gabelish requests a motion to be considered in relation to Councillors seating arrangements at council meetings. The Standing Orders Local Law 2007 under Part 7 No. 7.2 provides the following;

7.2 Members to occupy own seats

At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each councillor and the councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions.

At the council meeting held on the 18th October 2011, the process above as followed and councillors were allocated seats by random draw accordingly. However, Cr Gabelish is of the view that the current arrangements do not make the most of the opportunity of experienced councillors sitting alongside new councillors.

Cr Gabelish is of the view that the seating arrangements would be more beneficial if they were on the basis of alternating experienced Councillors and newly elected Councillors, as opposed to random selection.

Notice of Motion – Cr C Gabelish

That Council pursuant to Part 7 No. 7.2 Standing Orders Local Law 2007 resolves to;

1. Endorse the principle that the Council meeting seating arrangement for the term December 2011 to October 2013 should be on the basis of alternating experienced Councillors and newly elected Councillors;
2. Define the term experienced Councillor to mean any elected member who was a councillor as at amalgamation in June 2011 for either City of Geraldton-Greenough and the Shire of Mullewa; and
3. Direct the Chief Executive Officer to undertake a random selection of councillor seating arrangements based on alternating experienced councillors and newly elected councillors in time for the December meeting of Council.

- 13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

- 14 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING**

- 15 DEFERRED MATTERS**

- 16 CLOSURE**

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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

ANNEX 1 - CITY OF GREATER GERALDTON STANDING ORDERS LOCAL LAW 2007

LOCAL GOVERNMENT ACT 1995

CITY OF GREATER GERALDTON

STANDING ORDERS LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Greater Geraldton, resolved on the 27 November 2007 to make the following local law.

PART 1-PRELIMINARY

1.1 Citation

(1) This Local Law may be cited as the *City of Greater Geraldton Standing Orders Local Law 2007*.

(2) In the clauses to follow, this Local Law is referred to as "the Standing Orders."

1.2 Application

All meetings of the Council or a committee and other matters as prescribed are to be conducted in accordance with the Act, the Regulations and these Standing Orders.

1.3 Interpretation

(1) In these Standing Orders unless the context otherwise requires:

"**Act**" means the *Local Government Act 1995* as amended;

"**CEO**" means the Chief Executive Officer or Acting Chief Executive Officer for the time being of the City of Greater Geraldton;

"**committee**" means a committee of Council described in section 5.9 of the Act and appointed under section 5.10 of the Act;

"**conflict of interest**" means any conflict between the performance of public duty and private or personal interests that may be described in the *Local Government (Rules of Conduct) Regulations 2007*;

"**Council**" means the Council of the City of Greater Geraldton;

"**presiding member**" means the presiding member of a Council committee or meeting, or the deputy presiding member or a member of the committee when performing a function of the presiding member in accordance with the Act;

"**Regulations**" means the *Local Government (Administration) Regulations 1996*; and

"**substantive motion**" means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

(2) Unless otherwise defined herein the terms and expressions used in the Standing Orders are to have the meaning given to them in the Act and Regulations.

1.4 Repeal

The *City of Geraldton Standing Orders Local Law* as published in the *Government Gazette* on 22 June 1999 and as amended and published in the *Government Gazette* on the 1 April 2005 is repealed.

PART 2-BUSINESS OF THE MEETING

2.1 Business to be specified on notice paper

(1) No business is to be transacted at any ordinary meeting of the Council or committee other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.

(2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

(3) No business is to be transacted at an adjourned meeting of the Council or a committee other than that –

(a) specified in the notice of the meeting which had been adjourned; and

(b) which remains unresolved; except in the case of an adjournment to the next ordinary meeting of the Council or the committee, when the business unresolved at the adjourned meeting is to have precedence at that ordinary meeting.

2.2 Order of business

(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows –

(a) Declaration of opening;

(b) Record of attendance/apologies/leave of absence (previously approved);

(c) Response to previous public questions taken on notice;

(d) Public question time;

(e) Applications for leave of absence;

(f) Petitions, deputations or presentations;

(g) Declarations of conflicts of interest;

(h) Confirmation of minutes of previous meetings;

(i) Announcements by presiding member without discussion;

(j) Reports of committee and officers;

(k) Elected members motions of which previous notice has been given;

(l) Questions by members of which due notice has been given;

(m) New business of an urgent nature authorised by the presiding member;

(n) Closure of meeting.

(2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the agenda of the meeting.

(3) Notwithstanding subclauses (1) and (2) in the order of business for any meeting of the Council or a committee, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

(4) Notwithstanding subclause (1), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriately decided, by that meeting.

(5) Notwithstanding subclause (1), the Council may include on the agenda of a Council or committee meeting in an appropriate place within the order of business provision for matters which it considers appropriate for a committee or Council to deal with at its meetings.

2.3 Public question time

(1) A member of the public who raises a question during question time is to state his or her name and address.

(2) A question may be taken on notice by the Council or committee for later response.

(3) When a question is taken on notice under subclause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.

2.4 Petitions

A petition, in order to be effective, is to -

- (a) be addressed to the Mayor;
- (b) be made by electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the names, addresses and signatures of the electors making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
- (g) be in the form prescribed by the Act and *Local Government (Constitution) Regulations 1996* if it is -
 - (i) a proposal to change the method of filling the office of Mayor;
 - (ii) a proposal to create a new district or the boundaries of the Local Government;
 - (iii) a request for a poll on a recommended amalgamation;
 - (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.

2.5 Deputations

(1) A deputation requesting to meet the Council or a committee is to apply in writing to the CEO who is to forward the written request to the Mayor or the Presiding Member as the case may be.

(2) The Mayor if the request is to attend a Council meeting, or the Presiding Member of the committee, if the request is to attend a meeting of a committee, may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be, or may instruct the CEO to refer the request to the Council or committee to decide by simple majority whether or not to receive the deputation.

(3) A deputation invited to attend a Council or committee meeting;

- (a) is not to exceed three persons, only two of whom may address the Council or committee, although others may respond to specific questions from the members; and
- (b) is not to address the Council or committee for a period exceeding 10 minutes without the agreement of the Council or the committee as the case requires.

(4) Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or that committee until the deputation has completed its presentation.

2.6 Confirmation of minutes

(1) When minutes of a meeting are submitted to an ordinary meeting of the Council or committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, then he or she is to -

(a) state the item or items with which he or she is dissatisfied; and

(b) propose a motion clearly outlining the alternative wording to amend the minutes.

(2) Discussion of any minutes, other than discussion as to their accuracy as a record of the proceedings, is not permitted.

2.7 Announcements by the presiding member without discussion

(1) At any meeting of the Council or a committee the presiding member may announce or raise any matter of interest or relevance to the business of the Council or committee, or propose a change to the order of business.

(2) Any member may move that a change in order of business proposed by the presiding member not be accepted and if carried by a majority of members present, the proposed change in order is not to take place.

2.8 Motions of which previous notice has been given

(1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.

(2) A notice of motion under subclause (1) is to be given at least four (4) clear working days before the meeting at which the motion is moved.

(3) A notice of motion is to relate to the good government of persons in the district.

(4) The CEO may under his or her own name provide relevant and material facts, circumstances and professional advice pertaining to the notice of motion and may provide recommendations to Council or committee on how it should deal with these matters.

(5) No notice of motion is to be out of order because the policy involved is considered to be objectionable.

(6) A motion of which notice has been given is to lapse unless -

(a) the member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or

(b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

(7) If a notice of motion is given and lapses in the circumstances referred to in subclause (6)(a), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse unless supported by an absolute majority of Council.

2.9 Questions by members of which due notice has been given.

(1) A question on notice is to be given by a member in writing to the CEO at least four (4) clear working days before the meeting at which it is raised.

(2) If the question referred to in subclause (1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at that meeting.

(3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the presiding member.

2.10 Urgent business approved by the presiding member or by decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the presiding member, or by decision of the members

present, be raised without notice and decided by the meeting.

2.11 Matters for which meeting may be closed

Any matter on the agenda of the meeting to be discussed "behind closed doors" is to be deferred for consideration as the last item of the meeting unless otherwise resolved by Council.

PART 3-PUBLIC ACCESS TO AGENDA MATERIAL

3.1 Inspection entitlement

Members of the public have access to agenda material in the terms set out in Regulation 14 of the Regulations.

3.2 Confidentiality of information withheld

(1) Information withheld by the CEO from members of the public under Regulation 14.2, of the Regulations, is to be -

- (a) identified in the agenda of a Council or committee meeting under the item "Matters for which meeting may be closed to the public";
- (b) marked "confidential" in the agenda; and
- (c) recorded in the minutes that, "a decision was reached which being confidential in nature will be considered separately in full Council."

(2) A member of the Council or a committee or an employee of the Council in receipt of confidential information is not to disclose such information to any person other than a member of the Council or the committee or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

Penalty \$5,000

PART 4-DISCLOSURES OF CONFLICTS OF INTERESTS

4.1 Separation of committee recommendations

Where a member of the Council has disclosed an interest in a matter, at a committee meeting, and the matter is contained in the recommendations of the committee to an ordinary meeting of Council or to another committee meeting that will be attended by the member, the recommendation concerned is to be separated on the agenda of that ordinary meeting or other committee meeting, from other recommendations of the committee, to enable the member concerned to declare the interest and leave the room prior to consideration of that matter only.

4.2 Member with an interest may ask to be present

(1) Where a member has disclosed the nature of his or her interest in a matter, immediately before the matter is considered by the meeting, he or she may, without disclosing the extent of the interest, request that he or she be allowed to be present during any discussion or decision making procedure related to the matter.

(2) If such a request is made, the member is to leave the room while the request is considered. If the request is allowed by the members, the member may return to the meeting and be present during the discussion or decision making procedure related to that matter, but is not permitted to participate in any way.

4.3 Member with an interest may ask permission to participate

(1) A member who discloses both the nature and extent of an interest, may request permission to take part in the consideration or discussion of the matter, or to vote on the matter.

(2) If such a request is made, the member is to leave the room while the request is considered. If it is decided at a meeting that a member who has disclosed both the nature and extent of an interest in a matter, be permitted to participate in the consideration and discussion of the matter or to vote on the matter, or both, then the member may return to participate to the extent permitted.

4.4 Invitation to return to provide information

Where a member has disclosed an interest in a matter and has left the room in accordance with the Act, the meeting may resolve to invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter and in such case the member is to withdraw after providing the information.

4.5 Disclosures by employees

(1) If an employee within the meaning of section 5.70 of the Act, presents a written report to a meeting, on a matter in which the employee has an interest, the nature of the interest is to be disclosed at the commencement of the report.

(2) If such an employee makes a verbal report to a meeting on a matter in which the employee has an interest, the employee is to preface his or her advice to the meeting by verbally disclosing the nature of the interest.

PART 5-QUORUM

5.1 Quorum to be Present

The Council or a committee is not to transact business at a meeting unless a quorum is present.

5.2 Loss of quorum during a meeting

(1) If at any time during the course of a meeting of the Council or a committee a quorum is not present -

(a) in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until either -

(i) a quorum is present to decide the matter; or

(ii) the Minister allows a disclosing member or members to preside at the meeting or to participate in discussions or the decision making procedures relating to the matter under section 5.69 of the Act; or

(b) because of a member or members leaving the meeting for reasons other than disclosure of a financial interest, the presiding member is to suspend the proceedings of the meeting for a period of up to thirty minutes, and if a quorum is not present at the end of that time, the meeting is deemed to have been adjourned and the presiding member is to reschedule it to some future time or date having regard to the period of notice which needs to be given under the Act, Regulations, or the Standing Orders when calling a meeting of that type.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1)(b) -

(a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and

- (b) in the case of a Council meeting
- (i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
 - (ii) the provisions of clause 8.5 apply when the debate is resumed.

PART 6-KEEPING OF MINUTES

6.1 Content of minutes

In addition to the matters contained in Regulation 11 of the Regulations, the content of minutes of a meeting of the Council or a committee is to include, where an application for approval is declined or the authorisation of a licence, permit, or certificate is otherwise withheld or cancelled, the reasons for the decision.

6.2 Preservation of minutes

Minutes including the agenda of each Council and committee meeting are to be kept as a permanent record of the activities of the local government and are to be transferred to the State Records Office, being a directorate of the Library and Information Service of Western Australia, in accordance with the retention and disposal policy determined by that office from time to time.

PART 7-CONDUCT OF PERSONS AT COUNCIL AND COMMITTEE MEETINGS

7.1 Official titles to be used

Members of the Council are to speak of each other in the Council or committee by their respective titles of Mayor or councillor. Members of the Council, in speaking of or addressing employees, are to designate them by their respective official titles.

7.2 Members to occupy own seats

At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each councillor and the councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions.

7.3 Leaving meetings

During the course of a meeting of the Council or a committee no member is to enter or leave the meeting without first advising the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Adverse reflection

(1) No member of the Council or a committee is to reflect adversely upon a decision of the Council or committee except on a motion that the decision be revoked or changed. Penalty \$1,000

(2) No member of the Council or a committee is to use offensive or objectionable expressions in reference to any member, employee of the Council, or any other person.

(3) If a member of the Council or committee specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the presiding member is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in the minutes.

7.5 Recording of proceedings

(1) No person is to use any electronic, visual or vocal recording device or instrument to record the

proceedings of the Council or a committee without the written permission of the Council.

(2) Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

7.6 Prevention of disturbance

(1) Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the presiding member whenever called upon to do so. Penalty \$1,000

(2) No person observing a meeting, is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means. Penalty \$1,000

(3) Members and members of the public are not to use or have turned on mobile phones or paging devices without the approval of the presiding member.

PART 8-CONDUCT OF MEMBERS DURING DEBATE

8.1 Members to indicate they wish to speak

Every member of the Council wishing to speak is to indicate by a show of hands or other method agreed upon by the Council. When invited by the presiding member to speak, members are to address the Council through the presiding member.

8.2 Priority

In the event of two or more members of the Council or a committee wishing to speak at the same time, the presiding member is to decide which member is entitled to be heard first. The decision is not open to discussion or dissent.

8.3 The presiding member to take part in debates

Unless otherwise prohibited by the Act, and subject to compliance with procedures for the debate of motions contained in these Standing Orders, the presiding member may take part in a discussion of any matter before the Council or committee as the case may be.

8.4 Relevance

Every member of the Council or a committee is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

8.5 Limitation of number of speeches

No member of the Council is to address the Council more than once on any motion or amendment before the Council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

8.6 Limitation of duration of speeches

All addresses are to be limited to a maximum of five minutes. Extension of time is permissible only with the agreement of the presiding member.

8.7 Members not to speak after conclusion of debate

No member of the Council or a committee is to speak to any question after the right of reply has been exercised or declined.

8.8 Members not to interrupt

No member of the Council or a committee is to interrupt another member of the Council or committee whilst speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 9.14; or
- (d) to move a motion under clause 10(1)(f).

8.9 Re-opening discussion on decisions

No member of the Council or a committee is to re-open discussion on any decision of the Council or committee, except for the purpose of moving that the decision be revoked or changed.

PART 9-PROCEDURES FOR DEBATE OF MOTIONS

9.1 Motions to be stated

Any member of the Council or a committee who moves a substantive motion or amendment to a substantive motion is to state the substance of the motion before speaking to it.

9.2 Motions to be supported

No motion or amendment to a substantive motion is open to debate until it has been seconded, or, in the case of a motion to revoke or change the decision made at a Council or a committee meeting, unless the motion has the support required under Regulation 10 of the Regulations.

9.3 Unopposed business

- (1) Upon a motion being moved and seconded, the presiding member may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the presiding member may declare the motion in subclause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

9.4 Only one substantive motion considered

When a substantive motion is under debate at any meeting of the Council or a committee, no further substantive motion is to be accepted.

9.5 Breaking down of complex questions

The presiding member may order a complex question to be broken down and put in the form of several motions, which are to be put in sequence.

9.6 Order of call in debate

The presiding member is to call speakers to a substantive motion in the following order:

- (a) The mover to state the motion;
- (b) A seconder to the motion;
- (c) The mover to speak to the motion;
- (d) The seconder to speak to, or reserve the right to speak to the motion;
- (e) A speaker against the motion;
- (f) A speaker for the motion;
- (g) Other speakers against and for the motion, alternating in view, if any;

- (h) Mover takes right of reply which closes debate.

9.7 Member may require questions to be read

Any member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member whilst speaking.

9.8 Consent of member required to accept alteration of wording

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

9.9 Order of amendments

Any number of amendments may be proposed to a motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn or lost.

9.10 Amendments must not negate original motion

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

9.11 Substantive motion

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

9.12 Withdrawal of motion and amendments

Council or a committee may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment is to continue.

9.13 Limitation of withdrawal

Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

9.14 Personal explanation

No member is to speak at any meeting of the Council or a committee, except upon the matter before the Council or committee, unless it is to make a personal explanation. Any member of the Council or committee who is permitted to speak under these circumstances is to confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When a member of the Council or committee rises to explain, no reference is to be made to matters unnecessary for that purpose.

9.15 Personal explanation - when heard

A member of the Council or a committee wishing to make a personal explanation of matters referred to by any member of the Council or committee then speaking, is entitled to be heard immediately, if the member of the Council or committee then speaking consents at the time, but if the member of the Council or committee who is speaking declines to give way, the explanation is to be offered at the conclusion of that speech.

9.16 Ruling on questions of personal explanation

The ruling of the presiding member on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

9.17 Right of reply

(1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other member is to speak on the question.

(2) The right of reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.

9.18 Right of reply provisions

The right of reply is governed by the following provisions:

- (a) if no amendment is moved to the substantive motion, the mover may reply at the conclusion of the discussion on the motion;
- (b) if an amendment is moved to the substantive motion the mover of the substantive motion is to take the right of reply at the conclusion of the vote on any amendments;
- (c) the mover of any amendment does not have a right of reply;
- (d) once the right of reply has been taken, there can be no further discussion, nor any other amendment and the original motion or the original motion as amended is immediately put to the vote.

9.19 En bloc motions

When dealing with each report in Council, the presiding member shall highlight items within the reports that require absolute or special majority approvals or are items where members or attending officers have declared an interest.

The presiding member then invites members to identify other items they wish to deal with individually including items they wish to have amended or may want clarification on.

The presiding member then invites an en bloc motion to adopt the recommendations for the remaining items. The minutes shall record at the end of each report item that they were adopted by the en bloc method.

PART 10-PROCEDURAL MOTIONS**10.1 Permissible procedural motions**

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member to move the following procedural motions:

- (a) that the matter be moved back to Committee;
- (b) that the Council (or committee) proceed to the next business;
- (c) that the question be adjourned;
- (d) that the Council (or committee) now adjourn;
- (e) that the question be now put;
- (f) that the member be no longer heard;
- (g) that the ruling of the presiding member be disagreed with;
- (h) that the Council (or committee) meet behind closed doors, if the meeting or part of the meeting to which the motion relates is a matter in respect of which the meeting may be closed to members of the public under section 5.23 of the Act.
- (i) that the council move to committee

10.2 No debate on procedural motions

(1) The mover of a motion stated in each of paragraphs (a), (b), (c), (d), (g), (h) and (i) of clause 10.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion stated in each of paragraphs (e) and (f) of Clause 10.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

10.3 Procedural motions - closing debate - who may move

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

10.4 Procedural motions - right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

PART 11-EFFECT OF PROCEDURAL MOTIONS**11.1 Matter be moved back to committee – effect of motion**

The motion "that the matter be moved back to Committee," if carried, causes the debate to cease immediately and for the Council (or Committee) to move to the next business of the meeting enables the matter to be addressed by originating committee.

11.2 Council move to committee – effect of motion

The motion "that Council move back to committee" enables the matter to be discussed without the limitation on the number of speeches.

11.3 Council (or committee) to proceed to the next business - effect of motion

The motion "that the Council (or committee) proceed to the next business", if carried, causes the debate to cease immediately and for the Council (or committee) to move to the next business of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be again raised for consideration.

11.4 Question to be adjourned - effect of motion

(1) The motion "that the question be adjourned", if carried, causes all debate on the substantive motion or amendment to cease but to continue at a time stated in the motion.

- (2) If the motion is carried at a meeting of the Council -
- (a) the names of members who have spoken on the matter are to be recorded in the minutes; and
 - (b) the provisions of clause 8.5 apply when the debate is resumed.

11.5 Council (or committee) to now adjourn - effect of motion

(1) The motion "that the Council (or committee) now adjourn", if carried, causes the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was

adjourned, unless the presiding member or a simple majority of members upon vote, determine otherwise.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1) -

(a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and

(b) in the case of a Council meeting

(i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and

(ii) the provisions of clause 8.5 apply when the debate is resumed.

11.6 Question to be put - effect of motion

(1) The motion "that the question be now put", if carried during discussion of a substantive motion without amendment, causes the presiding member to offer the right of reply and then immediately put the matter under consideration without further debate.

(2) This motion, if carried during discussion of an amendment, causes the presiding member to put the amendment to the vote without further debate.

(3) This motion, if lost, causes debate to continue.

11.7 Member to be no longer heard - effect of motion

The motion "that the member be no longer heard", if carried, causes the presiding member to not allow the speaker against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

11.8 Ruling of the presiding member disagreed with - effect of motion

The motion "that the ruling of the presiding member be disagreed with", if carried, causes the ruling of the presiding member about which this motion was moved, to have no effect and for the meeting to proceed accordingly.

11.9 Council (or committee) to meet behind closed doors - effect of motion

(1) Subject to any deferral under clause 2.11 or other decision of the Council or committee, this motion, if carried, causes the general public and any officer or employee the Council or committee determines, to leave the room.

(2) While a decision made under this clause is in force the operation of clause 8.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.

(3) Upon the public again being admitted to the meeting the presiding member, unless the Council or committee decides otherwise, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

(4) A person who is a Council member, a committee member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes.

Penalty \$5,000

11.10 Question - when put

When the debate upon any question is concluded and the right of reply has been exercised the presiding member shall immediately put the question to the Council or the committee, and, if so desired by any member of the Council or committee, shall again state it.

11.11 Question - method of putting

If a decision of the Council or a committee is unclear or in doubt, the presiding member shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter's vote is secret, before declaring the decision.

PART 12-MAKING DECISIONS

12.1 Question – when put

When the debate upon any question is concluded and the right of reply has been exercised the presiding member shall immediately put the question to the Council or the committee, and, if so desired by any member of the Council or committee, shall again state it.

12.2 Question – method of putting

If a decision of the Council or a committee is unclear or in doubt, the presiding member shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter's vote is secret, before declaring the decision.

PART 13-IMPLEMENTING DECISIONS

13.1 Implementation of a decision

(1) If a notice of motion to revoke or change a decision of the Council or a committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that -

(a) if a notice of motion to revoke or change a decision of the Council or a committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under Regulation 10 of the Regulations indicate their support for the notice of motion at that meeting; and

(b) if a notice of motion to revoke or change a decision of the Council or a committee is received after the closure of the meeting at which the decision was made, implementation of the decision is not to be withheld unless the notice of motion has the support in writing, of the number of members required to support the motion under Regulation 10 of the Regulations; and

(c) if a motion to the same effect as any motion which has been negated by the Council shall not again be entertained within a period of three months, except with the consent of an absolute majority.

(2) Implementation of a decision is only to be withheld under subclause (1) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.

(3) The Council or a committee shall not vote on a motion to revoke or change a decision of the

Council or committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given:-

- (a) action has been taken to implement the decision; or
- (b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate, and where that approval or authorisation of a licence, permit or certificate has been put into effect by the Council in writing to the applicant or the applicant's agent by an employee of the Council authorised to do so; without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.

(4) Where a motion or amendment would have the effect of incurring expenditure not provided for in the budget, that motion or amendment shall not be moved other than in the form of a reference of the question to the Committee whose responsibilities include Finance, unless by absolute majority or Council resolves otherwise.

(5) If new written information is introduced at a meeting which materially affects an item of business to which a recommendation of any Committee has been made, then that item of business shall be referred back to the Committee for further investigation, unless by absolute majority Council decides otherwise.

PART 14-PRESERVING ORDER

14.1 The presiding member to preserve order

The presiding member is to preserve order, and may call any member or other person in attendance to order, whenever, in his or her opinion, there is cause for so doing.

14.2 Demand for withdrawal

A member at a meeting of the Council or a committee may be required by the presiding member, or by a decision of the Council or committee, to apologise and unreservedly withdraw any expression which is considered to reflect offensively on another member or an employee, and if the member declines or neglects to do so, the presiding member may refuse to hear the member further upon the matter then under discussion and call upon the next speaker.

14.3 Points of order - when to raise - procedure

Upon a matter of order arising during the progress of a debate, any member may raise a point of order including interrupting the speaker. Any member who is speaking when a point of order is raised, is to immediately stop speaking and be seated while the presiding member listens to the point of order.

14.4 Points of order - when valid

The following are to be recognised as valid points of order:

- (a) that the discussion is of a matter not before the Council or committee;
- (b) that offensive or insulting language is being used;
- (c) drawing attention to the violation of any written law, or policy of the Local Government, provided that the member making the point of order states the written law or policy believed to be breached.

14.5 Points of order - ruling

The presiding member is to give a decision on any point of order which is raised by either upholding or rejecting the point of order.

14.6 Points of order - ruling conclusive, unless dissent motion is moved

The ruling of the presiding member upon any question of order is final, unless a majority of the members support a motion of dissent with the ruling.

14.7 Points of order take precedence

Notwithstanding anything contained in these Standing Orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other matter.

14.8 Precedence of presiding member

(1) When the presiding member rises during the progress of a debate every member of the Council or committee present shall preserve strict silence so that the presiding member may be heard without interruption.

Penalty \$500

(2) Subclause (1) is not to be used by the presiding member to exercise the right provided in clause 8.3, but to preserve order.

14.9 Right of the presiding member to adjourn without explanation to regain order

(1) If a meeting ceases to operate in an orderly manner, the presiding member may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. Upon resumption, debate is to continue at the point at which the meeting was adjourned. If, at any one meeting, the presiding member has cause to further adjourn the meeting, such adjournment may be to a later time on the same day or to any other day.

(2) Where debate of a motion is interrupted by an adjournment under subclause (1), in the case of a Council meeting -

- (a) the names of members who have spoken in the matter prior to the adjournment are to be recorded; and
- (b) the provisions of clause 8.5 apply when the debate is resumed.

PART 15-ADJOURNMENT OF MEETING

15.1 Meeting may be adjourned

The Council or a committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

15.2 Limit to moving adjournment

No member is to move or second more than one motion of adjournment during the same sitting of the Council or committee.

15.3 Unopposed business - motion for adjournment

On a motion for the adjournment of the Council or committee, the presiding member, before putting the motion, may seek leave of the Council or committee to proceed to the transaction of unopposed business.

15.4 Withdrawal of motion for adjournment

A motion or an amendment relating to the adjournment of the Council or a committee may be

withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

15.5 Time to which adjourned

The time to which a meeting is adjourned for want of a quorum, by the presiding member to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

PART 16-PRESENTATION OF COMMITTEE OR OFFICER REPORTS

16.1 Reports of committees - questions

When a recommendation of any committee is submitted for adoption by the Council, any member of the Council may direct questions directly relating to the recommendation through the presiding member to the Presiding Member or to any member of the committee in attendance.

16.2 Permissible motions on recommendation from committee

A recommendation made by or contained in the minutes of a committee may be adopted by the Council without amendment or modification, failing which, it may be -

- (a) rejected by the Council; or
- (b) replaced by an alternative decision; or
- (c) referred back to the committee for further consideration.

16.3 Standing orders apply to committees

Where not otherwise specifically provided, these Standing Orders apply generally to the proceedings of committees, except that the following Standing Orders do not apply to the meeting of a committee -

- (a) clause 7.2, in regard to seating;
- (b) clause 8.5, limitation on the number of speeches.

PART 17-ADMINISTRATIVE MATTERS

17.1 Suspension of standing orders

(1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of the Standing Orders.

(2) The mover of a motion to suspend temporarily any one or more of the Standing Orders is to state the clause or clauses to be suspended, and the purpose of the suspension.

17.2 Cases not provided for in standing orders

The presiding member is to decide questions of order, procedure, debate, or otherwise in cases where these Standing Orders and the Act and Regulations are silent. The decision of the presiding member in these cases is final, except where a motion is moved and carried under clause 10.1(g).

PART 18-COMMON SEAL

18.1 The Council's common seal

(1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.

(2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Mayor

and the CEO or a senior employee authorised by him or her.

(3) The common seal of the local government is to be affixed to any local law which is made by the local government.

(4) The CEO is to record in a register each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.

(5) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

Dated: 27 November 2007

The Common seal of the City of Greater Geraldton was affixed by authority of a resolution of the Council in the presence of:

IAN CARPENTER, Mayor

GARY BRENNAN, Chief Executive Officer