



ORDINARY MEETING OF COUNCIL

AGENDA

28 OCTOBER 2014

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 28 OCTOBER 2014 AT 5.30PM
CHAMBERS, CATHEDRAL AVENUE

A G E N D A

DISCLAIMER:

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

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 DECLARATION OF OPENING

3 ATTENDANCE

Present:

Officers:

Others:

Members of Public:

Members of Press:

Apologies:

Leave of Absence:

Cr S Van Styn

Cr S Douglas

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5 PUBLIC QUESTION TIME

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

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

Max Jones - 152 Kempton Street, Geraldton WA 6530

Question

When do you intend having the informal boating facility at rundle park ready for use?

Question

If you are unwilling or unable to complete this work, will you rent me 25 square metres of the area at a peppercorn rent of \$1 per year for three years? I will accept full responsibility for that time?

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)
Cr N McIlwaine	18 October 2014	27 October 2014
Cr N McIlwaine	1 November 2014	17 November 2014
Cr S Douglas	12 October 2014	04 November 2014
Cr S Van Styn	27 October 2014	12 November 2014

Cr S Douglas request for leave of absence for the period 23 November to 27 November 2014 to be approved

Cr R Hall request for leave of absence for the period 15 November to 23 November 2014 to be approved

Cr J Critch request for leave of absence for the period 09 December 2014 to 9 December 2014 to be approved

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

CCS082 PETITION: RELOCATION OF THE SPALDING HORSE AND PONY CLUB

AGENDA REFERENCE:	D-14-67610
AUTHOR:	T Mbirimi, Manager Governance & Risk
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	6 October 2014
FILE REFERENCE:	GO/6/0003
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council of the receipt of a petition regarding the relocation of the Spalding Horse and Pony Club. Interest in this has recommenced as the City recently advertised the Sunset Beach Precinct Plan which proposes to redevelop the site.

EXECUTIVE RECOMMENDATION;

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

1. RECEIVE the petition in relation to the relocation of the Spalding Horse and Pony Club; and
2. REVIEW the report on the Final adoption of the Sunset Beach Precinct Plan, the subject of the petition – Item SC179.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

A petition has been presented to the City on the relocation of the Spalding Horse and Pony Club.

The City recently advertised the Sunset Beach Precinct Plan which proposes to redevelop the site.

The petitioners are requesting the City of Greater Geraldton re-consider the proposal of moving the Spalding Horse and Pony Club from this area for the following reasons:

1. They enjoy seeing the children riding their horses on the grounds and hearing them being instructed.
2. They are very happy to know that disabled children are being helped by doing horse riding which is all conducted by volunteers from members and their horses from the Spalding Horse and Pony Club.
3. They would hate to see all of this moved and the area filled up with housing.

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

Please refer to Item SC179 for a detailed analysis of economic issues associated with the proposed Sunset Beach Precinct Plan.

Social:

Please refer to item SC179 for a detailed analysis of social issues associated with the proposed Sunset Beach Precinct Plan.

Environmental:

Please refer to item SC179 for a detailed analysis of environmental issues associated with the proposed Sunset Beach Precinct Plan.

Cultural & Heritage:

Please refer to item SC179 for a detailed analysis of cultural and heritage issues associated with the proposed Sunset Beach Precinct Plan.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The petition was signed by about 182 people.

LEGISLATIVE/POLICY IMPLICATIONS:

Please refer to Item SC179 for a detailed analysis of the policy implications associated with the proposed Sunset Beach Precinct Plan.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Community Engagement
Strategy 5.1.2	Promoting community involvement in decision making so it is collaborative and transparent.

REGIONAL OUTCOMES:

Please refer to Item SC179 for a detailed analysis of the regional outcomes associated with the proposed application.

RISK MANAGEMENT

There is a public interest in this petition being received. Failure to receive it may result in a public outcry potentially accusing council of failing to involve the community in decision making, thereby going against its Strategic Community Plan.

ALTERNATIVE OPTIONS CONSIDERED

No alternative options have been considered, this petition meets the criteria as stipulated in the Meeting Procedures Local Law 2011.

8 DECLARATIONS OF CONFLICTS OF INTEREST

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

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 September 2014, as previously circulated, be adopted as a true and correct record of proceedings.

10 ANNOUNCEMENTS BY THE CHAIR (WITHOUT DISCUSSION)*Events attended by the Mayor or his representative*

DATE	FUNCTION	REPRESENTATIVE
25 September 2014	Midwest Investment Plan Board Meeting	Mayor Ian Carpenter
25 September 2014	Meeting with Elaine Patterson – Ex Victoria District Hospital Staff Association	Mayor Ian Carpenter
26 September 2014	Police Remembrance Day Ceremony	Mayor Ian Carpenter
26 September 2014	Midnight Basketball Grand Final	Mayor Ian Carpenter
28 September 2014	Fiji Day Celebration Dinner	Cr Bob Hall
30 September 2014	John & Ann Luk 60 th Wedding Anniversary Afternoon Tea	Mayor Ian Carpenter
1 October 2014	WA Regional Capitals Alliance members meeting with Hon. Terry Waldron	Mayor Ian Carpenter
2 October 2014	Meeting with Hon. Dean Nalder	Mayor Ian Carpenter
2 October 2014	Greenough River Bridge Official Opening	Mayor Ian Carpenter
3 October 2014	Jason Sampson – Recording of Video for Your City your Say	Mayor Ian Carpenter
4 October 2014	Opening of the Sunshine Festival	Cr Peter Fiorenza
7 October 2014	Concept Forum	Deputy Mayor Neil Mcllwaine
11 October 2014	Shire of Chapman Valley Presidential Dinner	Deputy Mayor Neil Mcllwaine
12 October 2014	Geraldton Yacht Club – Traditional Opening Day Ceremony	Deputy Mayor Neil Mcllwaine
13 October 2014	“Our Town” Documentary Filming	Deputy Mayor Neil Mcllwaine
13 October 2014	Regional Telethon Home Official Opening	Deputy Mayor Neil Mcllwaine
14 October 2014	Soldiers & Sailors Memorial Trust Annual Meeting	Cr Bob Hall
16 October 2014	Midwest Charity Begins at Home - An evening at the Charity Home	Cr Bob Hall
17 October 2014	Museums Australia Regional State Conference	Cr Bob Hall
20 October 2014	Visit from Yueqing Delegation	Cr Bob Hall

21 October 2014	Discuss the WA Local Government Grants Commission Methodology – Teleconference	Mayor Ian Carpenter
21 October 2014	Agenda Forum	Cr Bob Hall
22 October 2014	City of Swan Council Meeting	Mayor Ian Carpenter
23 October 2014	VET in School Awards	Cr Peter Fiorenza
23 October 2014	Rates Incentive Prize Winners Presentation	Cr Bob Hall
23 October 2014	Meeting with Nicole Lockwood, Infrastructure Australia	Mayor Ian Carpenter
25 October 2014	Relay for Life Opening	Cr Peter Fiorenza
27 October 2014	Geraldton Residential College Awards and Year 12 Farwell	Cr Simon Keemink
27 October 2014	Opening of the New Scout Hall, Bluff Point	Deputy Mayor Neil McIlwaine
27 October 2014	Midwest Sports Awards 2014	Cr Bob Hall
28 October 2014	Ordinary Meeting of Council	Deputy Mayor Neil McIlwaine

11 REPORTS OF COMMUNITY INFRASTRUCTURE

CI079	RFT 39 1314 – BRIDGE OVER SOUTHERN TRANSPORT CORRIDOR
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AGENDA REFERENCE:	D-14-69028
AUTHOR:	M Fates, Karloo/Wandina Site Services Manager
EXECUTIVE:	N Arbutnot, Director Community Infrastructure
DATE OF REPORT:	17 October 2014
FILE REFERENCE:	PM/4/0067
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes x 1 Confidential

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's approval to Delegate to the Chief Executive Officer the award of Contract RFT 39 1314 for the construction of Bridge No. 5371 over the Southern Transport Corridor as a Lump Sum Contract to the preferred tenderer subject to finalisation of any and all outstanding matters including without limitation agreements with the Public Transport Authority, Brookfield Rail and Main Roads Western Australia to the satisfaction of the Chief Executive Officer.

EXECUTIVE RECOMMENDATION;

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

1. DELEGATE AUTHORITY to the Chief Executive Officer to negotiate with and award Contract RFT 39 1314 construction of Bridge No. 5371 over the Southern Transport Corridor to the preferred tenderer as identified in the Confidential Attachment (Tender Evaluation Report) subject to:-
 - a. Finalisation, to the satisfaction of the Chief Executive Officer of:-
 - i. The preferred contractor obtaining a construction license from Brookfield Rail and entering into agreement with Brookfield Rail to enter and carry out works within the Rail Corridor.
 - b. Finalisation and execution to the satisfaction of the Chief Executive Officer of:-
 - i. A tripartite agreement between Brookfield Rail, Public Transport Authority and the City setting out the responsibilities and requirements of each party to the agreement with regard to the construction and maintenance of Bridge No. 5371.
 - c. Finalisation, to the satisfaction of the Chief Executive Officer of:-

- i. All other outstanding matters relating to the award of Contract RFT 39 1314 for the construction of Bridge No. 5371 including without limitation the City's exposure to Risk associated with awarding the Contract.
 - d. Refer the matter back to Council should the matters addressed in items a, b and c above not be resolved to the satisfaction of the Chief Executive Officer, within the budget allocation and consistent with the intentions of the Tender.
2. DELEGATE AUTHORITY to the Chief Executive Officer to vary the tendered amount up to the Chief Executive Officer's delegated authority based on the outcome of the negotiations with the preferred Contractor.
3. RECORD the name of the preferred tenderer and the tendered amount in the Council minutes.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Part of the Verita Road Construction Scope of Work and funding agreements for the Karloo / Wandina Infrastructure Headwork Project is to construct Bridge No 5371 over the Geraldton Southern Transport Corridor to provide a North / South connection to proposed residential and commercial developments on both the North and South side of the Transport Corridor.

RFT 39 1314 was advertised for MRWA B3 accredited contractors to undertake the works. Seven tenders were received from accredited tenderers with the relevant experience to undertake the scope of works. Tenders were received from:-

- a) Albem Operations Pty. Ltd & Highway Construction Pty. Ltd.
- b) Bocol Construction Pty. Ltd.
- c) Bocol Construction Pty. Ltd. (Alternative Tender)
- d) Decmil - Structural Systems – Hawkins, Joint Venture (DASSH)
- e) Georgiou Group Pty. Ltd.
- f) Watpac Civil & Mining Pty. Ltd.
- g) York Civil Pty. Ltd.

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

The economic benefits include access to affordable housing stock and the opening of land for development opportunities.

Social:

Significant social advantage will be achieved through the construction of the bridge with improved access to industrial areas north of the Transport Corridor

and residential areas in the south. Improved access to sporting facilities reduced travel time and improved safety on the City's roads by removing light vehicles from the Brand Highway.

Environmental:

There are no known environmental impacts.

Cultural & Heritage:

There are no known cultural or heritage impacts.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

This element of the project is one of no less than ten elements making up the project which has been ongoing over the past twelve months. Council has been consulted and briefed a number of times on the overall and individual elements of the project.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implication in undertaking these works as adequate funding has been provided from external and internal funding sources.

INTEGRATED PLANNING LINKS:

Economy	Transportation
Strategy 4.2.1	Developing more efficient transport options that are secure and safe to sustain our lifestyle.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

The major risks associated with this tender is the programming and timing of the activities of the bridge construction with train scheduling and management of traffic during craning activities. An incident on site could result in the rail and / or road being closed with damages and consequential losses being significant as the construction activities will be undertaken without closures to the Southern Transport Corridor.

The City has identified the likelihood and the consequence of this risk and has and will continue to work closely with Brookfield Rail, the Public Transport Authority (PTA) and Main Roads (MRWA) to mitigate the risks. In addition to the City's procedures the relevant authorities have a comprehensive and rigorous set of procedures to be followed prior to the contractor and City gaining access to the site. In reaching the decision to recommend a preferred

tenderer all authorities were invited to take part in the tender selection process and all recommended the preferred tenderer based on the selection criteria and the authorities experience in undertaking similar works with the each of the tenderers.

The programming and timing of the activities will significantly reduce the identified risks. A comprehensive risk management plan is required to be developed in conjunction with the relevant authorities and approved by all authorities prior to works commencing.

In order to successfully negotiate agreements with Brookfield Rail, the PA and MRWA it is essential that the preferred Contractor be party to the discussions and negotiations, as the negotiated outcomes may have an impact upon the delivery of the works by the Contractor.

ALTERNATIVE OPTIONS CONSIDERED

There were no alternative options to be considered. The executive recommendation is based on the best value and least overall risk to the City.

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS080 RATES EXEMPTION – CENTACARE	
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AGENDA REFERENCE:	D-14-66116
AUTHOR:	S Russell, Senior Rates Coordinator
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	26 September 2014
FILE REFERENCE:	RV/4/0003
APPLICANT / PROPONENT:	Centacare Family Services
ATTACHMENTS:	Yes (x 1)

EXECUTIVE SUMMARY:

Centacare Family Services have made a written application dated the 18 September 2014, applying for a rates exemption for the property at 10-12 (Lot 28) Francis Street, Geraldton which they are leasing from 1 July 2014 to 31 December 2014 and are liable for the rates for this period of time.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority under Section 6.26(2)(g) of the Local Government Act 1995:

1. GRANT Centacare Family Services a rates exemption on the property which they are leasing for the period 1 July 2014 to 31 December 2014 situated at 10-12 (Lot 28) Francis Street, Geraldton on the basis that the property is being used exclusively for a charitable purpose.

PROPONENT:

The proponent is Centacare Family Services.

BACKGROUND:

Centacare Family Services is a not for profit public benevolent institution and a registered charity which was established in 1986 by the Bishop of Geraldton. Services offered include family and relationship services, family law services, indigenous Parenting service, early childhood education and family support centre, victim support services, indigenous family violence support.

Centacare is currently in the middle of a refurbishment building programme on their usual place of offering these services at 3 Maitland Street which has made it necessary to lease premises so the counselling services can continue over the next 6 months.

The counselling services are open to the whole community without discrimination with no set fee for the service but clients are asked to make a contribution according to income, starting at \$5 for Centrelink beneficiaries and is waived if the client is unable to contribute

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

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.26 of the Local Government Act provides broad definitions for rateable and non-rateable land. Section 6.26(2)(g) states that land is not rateable if it is “used exclusively for charitable purposes”.

FINANCIAL AND RESOURCE IMPLICATIONS:

The annual value of the exemption for a 6 month period based on 2014/2015 rates billing is estimated to be \$1,035.08.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

Council by not approving the application for rate exemption may be required to defend its decision if the matter were to be appealed by the applicant to the State Administrative Tribunal and that legal costs may be incurred as a result.

ALTERNATIVE OPTIONS CONSIDERED

Council may decline the application for rate exemption on the basis that it considers Centacare Family Services is not providing a charitable purpose to the community or that such charitable use relating to the property is not considered an exclusive use.

CCS081 MEETING SCHEDULE – JANUARY 2015 - DECEMBER 2015

AGENDA REFERENCE:	D-14-66119
AUTHOR:	M Adam, Executive Assistant
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	10 October 2014
FILE REFERENCE:	GO/6/0012
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to adopt the Council meeting schedule for the period January 2015 to December 2015.

EXECUTIVE RECOMMENDATION;

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

1. ADOPT The schedule of ordinary meetings for 2015 as follows:

	Concept Forum 1st Tuesday	Agenda Forum 3rd Tuesday	Ordinary Meeting 4th Tuesday
January 2015	No Meeting	20 January 2015	27 January 2015
February 2015	3 February 2015	17 February 2015	24 February 2015
March 2015	3 March 2015	17 March 2015	24 March 2015 **MULLEWA**
April 2015	7 April 2015	21 April 2015	28 April 2015
May 2015	5 May 2015	19 May 2015	26 May 2015
June 2015	2 June 2015	16 June 2015	23 June 2015
July 2015	7 July 2015	21 July 2015	28 July 2015
August 2015	4 August 2015	18 August 2015	25 August 2015
September 2015	1 September 2015	15 September 2015	22 September 2015 **MULLEWA**
October 2015	6 October 2015	20 October 2015	27 October 2015
November 2015	4 November 2015 (Wednesday)	17 November 2015	24 November 2015
December 2015	1 December 2015	8 December 2015	15 December 2015

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Section 5.3 of the Local Government Act 1995 allows Council to hold ordinary and special meetings. It further requires ordinary meetings to be held not more than 3 months apart. Section 12 of the Local Government (Administration) Regulations 1996 requires Council to give public notice of the dates, times and location of its ordinary and committee meetings to be held in the next 12 months. Public notice is also required for any changes to these elements.

It is proposed that the following ordinary meetings be held over the next 12 months.

- Concept Forum (Closed to Public) to be held on the first Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.
- Agenda Forum to be held on the third Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.
- Ordinary Meeting to be held on the fourth Tuesday of the month commencing at 5.30pm in the Council Chambers at Cathedral Avenue.
- March and September Ordinary Meetings to be held in Mullewa.
- The date for the November Concept Forum meeting will be changed to Wednesday 4 November 2015 as Tuesday 3 November 2015 is Melbourne Cup Day.
- The dates of the December meetings are to be brought forward as follows: Agenda Forum to be held on the second Tuesday of the month and Ordinary meeting on the third Tuesday of the month due to the Christmas holiday period.

	Concept Forum 1st Tuesday	Agenda Forum 3rd Tuesday	Ordinary Meeting 4th Tuesday
January 2015	No Meeting	20 January 2015	27 January 2015
February 2015	3 February 2015	17 February 2015	24 February 2015
March 2015	3 March 2015	17 March 2015	24 March 2015 **MULLEWA**
April 2015	7 April 2015	21 April 2015	28 April 2015
May 2015	5 May 2015	19 May 2015	26 May 2015
June 2015	2 June 2015	16 June 2015	23 June 2015
July 2015	7 July 2015	21 July 2015	28 July 2015
August 2015	4 August 2015	18 August 2015	25 August 2015
September 2015	1 September 2015	15 September 2015	22 September 2015 **MULLEWA**
October 2015	6 October 2015	20 October 2015	27 October 2015
November 2015	4 November 2015 (Wednesday)	17 November 2015	24 November 2015
December 2015	1 December 2015	8 December 2015	15 December 2015

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

This has been determined as an annual requirement by Council, under the Local Government Act 1995.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 12 of the Local Government (Administration) Regulations 1996 requires Council to advertise its ordinary and committee meeting schedule for the ensuing 12 months.

FINANCIAL AND RESOURCE IMPLICATIONS:

The cost of advertising the schedule of meetings is contained within the 2014/15 budget.

INTEGRATED PLANNING LINKS:

Title: Governance	Community Engagement
Strategy 5.2.1	Promoting community involvement in decision making so it is collaborative and transparent.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

Council is required under Section 12 of the Local Government (Administration) Regulations 1996 to give public notice of its schedule of ordinary meetings for the next 12 months.

ALTERNATIVE OPTIONS CONSIDERED

No alternative options have been considered.

CCS083 ADDITIONAL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

AGENDA REFERENCE:	D-14-67619
AUTHOR:	T Mbirimi, Manager Governance & Risk
EXECUTIVE:	B Davis, Director of Corporate & Commercial Services
DATE OF REPORT:	8 October 2014
FILE REFERENCE:	SM/1/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of additional delegations that were inadvertently left out of the Register of Delegations to the Chief Executive Officer adopted by council on 22 July 2014.

The delegations under the Local Government Act 1995 relate to signing of documents and affixing the common seal of the City to local government documents.

The delegations under the Cat Act 2011 relate to registrations, breeder approvals and appointing of authorised persons and finally, those under the Dog Act 1976 relate to the appointment of authorised persons.

EXECUTIVE RECOMMENDATION;

That Council by Absolute Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the additional delegations to the Chief Executive Officer as provided in the attachment.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Section 5.42(1) of the Local Government Act states:

"A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in Section 5.43".

Further to this, Section 5.46(2) states:

"At least once every financial year, delegations made under this Division are to be reviewed by the delegator".

Council reviewed and adopted a Register of Delegations to the Chief Executive Officer at its meeting of 22 July 2014. However, an internal audit of

the delegations has reviewed that several delegations were inadvertently left out of the register.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

CCS062 Delegations to the Chief Executive Officer was adopted on 22 July 2014.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 5.42 (1) provides that:

1. *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under –*
 - a) *This Act other than those referred to in section 5.43; or*
 - b) *The Planning and Development Act 2005, section 214(2), (3) or (5).*

**Absolute majority required.*

Section 5.43(a) to 5.43(h) of the Local Government Act 1995 provides limitations on what powers and duties a local government can delegate to its CEO, stating that:

“A local government cannot delegate to a CEO any of the following powers or duties:

- a) *Any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
 - b) *Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
 - c) *Appointing an auditor;*
 - d) *Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
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- e) *Any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
 - f) *Borrowing money on behalf of the local government;*
 - g) *Hearing or determining an objection of a kind referred in section 9.5;*
 - h) *Any power or duty that requires the approval of the Minister or the Governor; or*
 - i) *Such other powers or duties as may be prescribed."*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no risks to the City if it doesn't delegate some of its powers to the CEO.

ALTERNATIVE OPTIONS CONSIDERED

Council can decide not to delegate some of its powers to the CEO however; it will have a significant impact on the efficient and effective delivery of services as all decisions requiring the exercise of a delegate would have to go to Council. This would cause a delay as Council only meets once a month so it would slow down the delivery of services.

It is for that reason that it is recommended that Council adopts the additional delegations to be added to the Register of Delegations to the CEO.

CCS084 STATEMENT OF FINANCIAL ACTIVITY TO 30 SEPTEMBER 2014

AGENDA REFERENCE:	D-14-67605
AUTHOR:	T Machukera, Management Accountant
EXECUTIVE:	B Davis, Director of Corporate and Commercial Services
DATE OF REPORT:	9 October 2014
FILE REFERENCE:	FM/17/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1)

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 30 September 2014. The statements include no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION;

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

1. RECEIVE the September 2014 monthly financial activity statements as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position to the end of September 2014 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$178,282	0.4%	Negative Variance
Operating Expenditure	\$1,322,202	6.3%	Positive Variance
Net Operating	\$1,143,920	3.8%	Positive Variance
Capital Expenditure	\$2,707,262	20.2%	Positive Variance
Capital Revenue	\$877,748	36.5%	Negative Variance
Cash at Bank - Municipal	\$22,194,744		
Cash at Bank – Reserve	\$16,256,002		
Total Funds Invested	\$34,256,002		
Net Rates Collected	66.18%		
Receivables Outstanding	\$1,519,678		

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the adopted budget.

The financial position represented in the September financials shows a positive variance of \$1,143,920 in the net operating result.

The closing funding surplus is due to year to date Capital expenditure being less than YTD budget, as a result of timing of works for buildings, roads, plant & equipment

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

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

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options to consider.

13 REPORTS OF CREATIVE COMMUNITIES

CC180	HMAS SYDNEY II MEMORIAL FACILITIES
AGENDA REFERENCE:	D-14-67763
AUTHOR:	A Selvey, Director of Creative Communities
EXECUTIVE:	A Selvey, Director of Creative Communities
DATE OF REPORT:	21 October 2014
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	HMAS Sydney II Memorial Advisory Committee
ATTACHMENTS:	Yes (x1)

EXECUTIVE SUMMARY:

This report provides Council with an opportunity to consider a recommendation from the HMAS *Sydney* II Memorial Advisory Committee on the provision of facilities at the HMAS Sydney II Memorial (the Memorial) at Mt Scott and provide direction on how this matter should be progressed.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority pursuant to Section 3.1 of the Local Government Act RESOLVES to:

1. ACKNOWLEDGE the need for public toilet amenities at the HMAS *Sydney* II Memorial at Mt Scott;
2. SUPPORT investigations into the need for a meeting room/storage for the Geraldton Volunteer Tour Guide facilities at the HMAS *Sydney* II Memorial at Mt Scott;
3. RANK these facilities for the Capital Works Priority list using the capital works prioritisation criteria;
4. CONDUCT a cost benefit analysis to determine the scope and location of such facilities; and
5. WORK with the HMAS *Sydney* II Memorial Advisory Committee to ensure appropriate stakeholder and community consultation throughout the process.

PROPONENT:

The proponent is the HMAS *Sydney* II Memorial Advisory Committee.

BACKGROUND:

Over the last decade there have been various discussions about the need for facilities at or near the Memorial. In response to identified need, a toilet was installed in the grounds near the Memorial approximately 3 years ago. While this facility has addressed some need, there is still an unmet need for toilets in the nearby vicinity. This is particularly evident when cruise ships visit and when other large groups tour the Memorial. The Geraldton Volunteer Tour Guides Association has also expressed a need for a meeting/storage space near the Memorial to assist them in carrying out their tours.

Plans to include toilet facilities with an interpretive experience have been discussed by the Rotary Club of Geraldton (the Club) in the past and presented as a concept by the Club in the community. Community opinion on the interpretive element is highly divided.

With this lack of unanimous community support for the full concept, a scaled back version for facilities that includes toilets and a meeting area at the Mt Scott site was presented to the HMAS *Sydney II* Memorial Advisory Committee at their meeting on 30 July 2014 by Mr Don Rolston, Rotary Representative on the Committee and HMAS *Sydney II* Memorial Warden. (See attached.) The resolution of the Committee was as follows;

“The concept and design as presented and discussed with the Mayor Ian Carpenter and CEO Ken Diehm from the City of Greater Geraldton with reflect to the priorities of public facilities at the HMAS Sydney II Memorial site be recommended to Council for consideration and endorsement. External funding be sought for the project is also recommended. Council is to ensure that the proposal meets the general community satisfaction.”

The Executive and Committee are mindful of the Council adopted HMAS *Sydney II* Memorial Conservation Framework. Pending Council’s decision on this matter, the Conservation Framework would be used to facilitate a planned approach to any discussions about further amenities at the Memorial.

Additionally, the Executive Recommendation aligns with the Council adopted framework for assessing and prioritising Capital Works projects.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The economic value of heritage tourism is recognised globally. Experience shows that the HMAS *Sydney II* Memorial attracts large numbers of visitors to our City. Therefore there are positive economic outcomes from ensuring the Memorial has appropriate facilities that are well managed to ensure it remains a tourism icon for the City.

Social:

The HMAS *Sydney II* Memorial is a source of great pride in the community. There is strong level of community ownership and interest. Any future amenity planning should acknowledge the social value of the Memorial and include avenues for continued community involvement.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

The HMAS *Sydney II* Memorial is of significant cultural heritage value. It is recognised as a Military Memorial of National Significance. The Conservation

Framework articulates this significance; therefore future planning will be guided by the Conservation Framework.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The HMAS *Sydney* II Memorial Advisory Committee consists of representatives from the following key stakeholder organisations:

- Rotary Club of Geraldton;
- Returned and Services League, Geraldton Sub Branch;
- Naval Association of Australia, Geraldton Sub Section; and
- Geraldton Volunteer Tour Guides Association;

Councillor de Trafford, Councillor Hall and Councillor Tanti (proxy) are Council representatives on the HMAS *Sydney* II Memorial Advisory Committee and as such they are aware of the discussions on the Committee and the Committee's resolution.

LEGISLATIVE/POLICY IMPLICATIONS:

In August 2013, Council adopted the HMAS *Sydney* II Memorial Conservation Framework as a guiding tool for the long term planning for the Memorial. Any discussions and planning for amenities will be informed by the Conservation Framework.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no direct financial implications arising immediately from the Executive Recommendation. Any costs to progress the project planning or delivery would be brought before Council as part of the annual budget process.

INTEGRATED PLANNING LINKS:

Title: Economy	Lifestyle and vibrancy
Strategy 4.1.5	Developing and promoting Greater Geraldton as a preferred cultural, environmental and agri/aquaculture destination.

REGIONAL OUTCOMES:

The HMAS *Sydney* II Memorial is recognised as a significant national asset. It attracts attention to the Midwest and Geraldton bringing tourism and associated benefits to the Region.

RISK MANAGEMENT

The most significant risk identified is managing stakeholder and community expectations and interests. By working closely with the HMAS *Sydney* II Memorial Advisory Committee, this risk can be managed.

ALTERNATIVE OPTIONS CONSIDERED

The option to not progress with an assessment of need and cost benefit analysis was considered, but not supported, given the strong support from the HMAS *Sydney* II Advisory Committee and the recognised need for amenity prioritisation and planning to commence. The option to progress directly with provision of infrastructure was considered and not supported as the Capital Works Plan and associated criteria provides rigour around prioritising Capital Works. Therefore, the Executive Recommendation supports the use of the criteria for prioritisation of amenities at the HMAS *Sydney* II Memorial.

CC184 DRUMMOND COVE BEACH FRONT – DESIGN GUIDELINES
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AGENDA REFERENCE:	D-14-68335
AUTHOR:	R Ellis, Manager Community Development and Empowerment and; M Connell, Manager Urban and Regional Development
EXECUTIVE:	A Selvey, Director of Creative Communities
DATE OF REPORT:	21 October 2014
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	Drummond Cove Progress Association
ATTACHMENTS:	Yes (x1)

EXECUTIVE SUMMARY:

The City has received a report (Drummond Cove Beach Front Community Engagement Report and Design Guidelines) from the Drummond Cove Progress Association for the area that currently contains the lease cottages of Drummond Cove (Reserve 24738).

This report recommends that Council receive the report.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority, pursuant to section 3.18 of the Local Government Act 1995, RESOLVES to:

1. RECEIVE the report, Drummond Cove Beach Front Community Engagement Report and Design Guidelines (February 2014); and
2. ADVISE the Drummond Cove Progress Association that:
 - a. The report will be used as a reference for the future planning of the area;
 - b. No financial resources have been committed to any aspects of the report; and
 - c. Receiving the report shall in no way be construed as any formal approval for any aspects of the report.

PROponent:

The proponent is the Drummond Cove Progress Association.

BACKGROUND:

To date the land (Reserve 24738) has been vested in the former Shire of Greenough with the power to lease. The vesting orders allow leasing up to 31 December 2016. From that date the land will revert to the Crown to form part of the foreshore reserve.

In early 2014 the Drummond Cove Progress Association (via its consultants CoDesign Studio) facilitated a participatory “design week” – an intensive community engagement program – with the Drummond Cove community, about their aspirations, priorities and vision for the Drummond Cove Beach

Front area. The outcome from this is the production of a report and set of Design Guidelines that is included as Attachment No.1.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

The report identified the following principles that represented all the aspirational and existing values the community identified:

- Scale + Usage;
- Landscape Continuity;
- Community Ownership + the 'Self-Made';
- Amenities for Recreation;
- Environmental Management;
- Water Recreation + the Ocean;
- Youth Needs;
- Provision for Families; and
- Low-Key Lifestyle.

Environmental:

The report did not specifically address any coastal or environmental issues.

Cultural & Heritage:

Section 3.4 – History of Drummond Cove of the report details the cultural and heritage issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

Sections 4.1 – Community Engagement Approach and 4.2 – Community Engagement Activities of the report detail the extent of community consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

The report does not address any financial or resource issues and does not contain any cost estimates on any proposed works.

INTEGRATED PLANNING LINKS:

Title: Governance	Community Engagement
Strategy 5.1.2	Promoting community involvement in decision making so its collaborative and transparent

REGIONAL OUTCOMES:**Geraldton-Greenough Coastal Strategy & Foreshore Management Plan:**

This Strategy guides decision making in relation to the management, protection and planning of foreshore and coastal areas. The management measures for the area are:

- Develop foreshore area for recreational purposes upon removal of lease cottages west of Whitehill Road.

RISK MANAGEMENT

By receiving the report, this will validate and recognise the importance of the community's participation and create the conditions for continued proactive care and enthusiasm from the Drummond Cove community members for their local community.

ALTERNATIVE OPTIONS CONSIDERED

The report has captured the community's aspirations, priorities and vision for the Drummond Cove Beach Front area. It will be a useful guide for the City to further develop specific future plans for the site in due course.

Council has the option to adopt the report however this could be interpreted by the community that Council will commit to develop the foreshore in accordance with the report. This option is not supported as there are a number of substantial infrastructure proposals in the report, some of which have significant financial and resource implications (e.g. boat ramp, pontoon, community café).

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

CC185 SPONSORSHIP OF SURFING WA EVENTS AND PROGRAMS

AGENDA REFERENCE:	D-14-68417
AUTHOR:	C Budhan, Manager Arts, Culture & Events
EXECUTIVE:	A Selvey, Director Creative Communities
DATE OF REPORT:	21 October 2014
FILE REFERENCE:	GO/6/0015
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

This report seeks a Council resolution on the sponsorship of Surfing WA events and programs.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority pursuant to Section 6.3 of the Local Government Act {or other relevant Act} RESOLVES to:

1. COMMIT \$25,000 cash and \$10,000 in-kind to Surfing WA as part of the 2014-15 budget;
2. CONSIDER a contribution of \$35,000 cash and \$10,000 in-kind to Surfing WA as part of the 2015-16 budget, subject to evaluation;
3. CONSIDER a contribution of \$45,000 cash and \$10,000 in-kind to Surfing WA as part of the 2016-17 budget, subject to evaluation; and
4. EVALUATE the Surfing WA events and programs each year against the economic and branding outcomes outlined in this report.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In March 2014, the City appointed Sports Marketing Australia (hereafter "SMA") to: (1) undertake an audit of all essential elements that determine which sporting disciplines can beneficially be placed in Greater Geraldton (including sporting facilities/venues, local sporting associations, transport linkages both internal and external, tourism infrastructure, etc.); and (2) approach state and national event owners with a view to influencing the decision to relocate their events to Greater Geraldton.

SMA has completed the audit, and commenced discussions with state and national event owners in relation to relocating events to Greater Geraldton. These discussions have resulted in the receipt of a proposal from Surfing WA to present a package of events and development programs in Geraldton.

Surfing WA's package consists of three elements: (1) the Australian National SUP Titles in late October or early November 2015; (2) the Pro Am State Series Surfing Event in June 2015; and (3) Sport Club and Community

Development Programs in June through August 2015. These events and programs would collectively attract approximately 642 participants over ten days (4,957 bed-nights), and have an estimated economic benefit of \$1.16m. Surfing is identified as a high-potential area in SMA's audit, as well as in the findings of copious community and stakeholder consultation undertaken to progress the development of the City's Events Strategy.

Branding benefits include extensive advertising, promotion through surf channels, signage, web, and merchandise that would secure Geraldton's position as a leading surf destination. Social benefits include the development of iconic events for the region, school engagement, capacity-building activities, the opportunity for local surfers to qualify locally, and the showcasing of local surfers.

They are seeking a total of \$45,000 in annual sponsorship from the City annually for three years for the aforementioned package of events and development programs, as well as the provision of an appropriate beach. However, in consideration of the fact that the events might require up to three years to realise their full potential, the Executive Recommendation is to phase the funding over that period (increasing from \$25,000 to \$45,000 over three years). SWA has accepted this approach.

SWA's total budget for the package of events and development programs is \$125,000 in the preliminary year (the current 2014-15 financial year). Given \$25,000 in sponsorship from the City, SWA will be required to source an additional \$100,000. They have committed to doing so through other local and non-local sponsorship, and participant fees.

The Executive Recommendation is to commit \$25,000 in 2014-15, \$35,000 in 2015-16, and \$45,000 in 2016-17, as well as \$10,000 each year for costs associated with the provision of in-kind services, subject to the event's successful delivery of the aforementioned economic and branding benefits. . In-kind services may include support with marketing, risk and traffic management, site infrastructure, and brokerage via SMA. The total recommended amount of \$135,000 (including \$30,000 in-kind) over three years is less than four percent of the estimated economic benefit over that period (\$3.48m).

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

Sports Marketing Australia, has estimated that Surfing WA's package of events and programs would collectively attract approximately 642 participants over ten days (4,957 bed-nights), and have an estimated economic benefit of \$1.16m annually (\$3.48m over three years). Staff reviews suggest this estimate would be on the high end of the scale and that a low end estimate would be approximately \$600,000.

Social:

Social benefits include the development of iconic events for the region, school engagement, capacity-building activities, the opportunity for local surfers to qualify locally, and the showcasing of local surfers.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

Surfing WA's package of events and programs support surfing, which is an important part of Greater Geraldton's distinctive identity and lifestyle.

RELEVANT PRECEDENTS:

The City has previously sponsored major sporting events, including the Clipper Round the World Yacht Race in 2009 and 2011.

COMMUNITY/COUNCILLOR CONSULTATION:

Surfing is identified as a high-potential area in SMA's audit, which was informed by comprehensive community and stakeholder consultation. It has also been identified as a high-potential area through the copious consultation undertaken to progress the development of the City's Events Strategy.

Further consultation with key stakeholder groups in Geraldton such as the two Surf Life Saving Clubs and the Geraldton Board Riders Association would be required as part of the implementation of this event.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Executive Recommendation is to commit \$25,000 in 2014-15, \$35,000 in 2015-16, and \$45,000 in 2016-17, as well as \$10,000 each year for costs associated with the provision of in-kind services, subject to the event's successful delivery of the aforementioned economic and branding benefits. The total recommended amount of \$135,000 (including \$30,000 in-kind) over three years is less than four percent of the estimated economic benefit over that period (\$3.48m).

INTEGRATED PLANNING LINKS:

Title: Economy	Lifestyle and Vibrancy
Strategy 4.1.5.	Developing and promoting Greater Geraldton as a preferred cultural, environmental and agri/aquaculture tourism destination

REGIONAL OUTCOMES:

The events detailed herein have the potential to become iconic events for the region.

RISK MANAGEMENT

There are risks associated with events; however, the City will work closely with Surfing WA to develop comprehensive risk management plans for all events and activities as per standard practice.

ALTERNATIVE OPTIONS CONSIDERED

An alternative option would be to not provide sponsorship for Surfing WA's package of events and programs. However, this would result in the events and associated benefits (e.g. between \$600,000- \$3.48 million in economic benefits over three years) not coming to Greater Geraldton.

14 REPORTS OF OFFICE OF THE CEO
Nil.

15 REPORTS OF SUSTAINABLE COMMUNITIES

SC179	FINAL ADOPTION OF THE SUNSET BEACH PRECINCT PLAN
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AGENDA REFERENCE:	D-14-67423
AUTHOR:	M Thomson, Strategic Planning Officer & M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	10 October 2014
FILE REFERENCE:	CS/700/0012
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x3)

EXECUTIVE SUMMARY:

The advertising period has concluded for the draft Sunset Beach Precinct Plan. This report recommends final approval of the Precinct Plan subject to modifications as a result of the submissions received.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority to clause 2.2 of both Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 5 (Greenough) RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions'; and
2. ADOPT for final approval the Sunset Beach Precinct Plan subject to the modifications as outlined in the 'Schedule of Submissions'.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The precinct planning process for Sunset Beach was undertaken between April and July 2013 as a response to the outcomes of the '2029 and Beyond Project' undertaken by the City of Greater Geraldton.

Part of the City of Greater Geraldton's long-term vision is to continue to proactively plan for the population growth that is already occurring. By doing so the City of Greater Geraldton can ensure the infrastructure, services and amenities it delivers are more sustainable and will provide the community with a liveable and vibrant City.

Such a substantial growth in population warrants more sustainable urban design and strategic planning to ensure that optimal planning decisions made today will provide a positive and dynamic legacy for future generations.

The challenge in the City of Greater Geraldton is to identify the existing and future activity centres that can contribute to Geraldton becoming a network of

interconnected activity centres, and how currently under-performing activity centres and their surrounding catchments can be enhanced, with input and support from local communities to become important components of a more sustainable and liveable city.

The Sunset Beach precinct is one such area that is able to play an important role in the growth of Greater Geraldton. It is also an area that needs planning and urban design input to identify and guide the improvements required for it to attract urban renewal investment and secure its future. The precinct planning process is the first step in identify what and where those improvements within the Sunset Beach area might be.

The Sunset Beach Precinct Plan (as advertised) is included as Attachment No. SC179A.

Council at its meeting held on 25 March 2014 resolved to:

1. *ADOPT the Sunset Beach Precinct Plan as a draft and advertise it for a period of 21 days;*
2. *ADOPT for final approval the Sunset Beach Precinct Plan should no objections be received during advertising period; and*
3. *REQUIRE a further report to Council should there be any objections received during the advertising period.*

A number of submissions were received objecting to the Precinct Plan during the advertising period and thus this report is presented to Council.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

In response to the concerns and aspirations that participants raised in relation to the Sunset Beach area, and with regard to best practice planning and urban design, the following suite of high-level principles was established for the Sunset beach precinct:

- Make the street and path networks more interconnected and understandable.
- Encourage the redevelopment or improvement of ugly uncared-for spaces.
- Plan places to be friendly to pedestrians and cyclists, and to encourage motorists to slow down.
- Prioritise pedestrian amenity (such as footpaths, and shade trees) to encourage walking as a pleasant and comfortable alternative to car use.
- Improve pedestrian and bike access to the beach and the Chapman River foreshore.
- Incorporate quality landscape, especially trees, into the design of streets and public spaces.
- Establish community spaces where members of the community can meet, relax, have a coffee, interact with each other, and hold community events.

- Establish places and activities that are worth walking to and will encourage pedestrian movement.
- Provide better play spaces for children and youths.
- Capitalise on the movement network to support the establishment of a greater range of local shops and services and the creation of more local jobs.
- Create a place that is better able to support a more frequent public transport service.
- Increase the diversity of homes within the area to provide different and relevant housing choices for different people.
- Focus development with higher residential densities in the core area adjacent to the village centre and close to public transport.
- Encourage redevelopment where it can provide passive surveillance opportunities to adjacent parkland.
- Identify a broader use of parks to make them more attractive and useable to everyone, and distribute park facilities to help differentiate the role of each park.
- Reinforce the identity of Sunset Beach through the use of landscape or landmark buildings or both at the main entrances to the precinct.
- Utilise funds from the development of any public land to improve recreational infrastructure, including any relocated elements such as the Pony Club.

RELEVANT PRECEDENTS:

Council at its meeting held on 27 August 2013 gave final approval to the Rangeway Utakarra Karloo (RUK) Precinct Plan.

Council at its Special Meeting held on 25 March 2013 resolved to adopt the Sporting Futures Report which made 3 specific recommendations on the Spalding Horse and Pony Club as follows:

1. *Facilitate the relocation of the Spalding Park Horse and Pony Club to a suitable negotiated location with long term tenure as a high priority;*
2. *Ensure that any relocation is fully funded in accordance with the principles of this report and Council Policy CP048 Sporting Futures; and*
3. *Commit to the redevelopment of the site currently utilised by the Spalding Park Horse and Pony Club site as part of the Sunset Beach Commercial Activity Centre. This redevelopment would include potential residential, commercial, community and mixed uses that will be investigated as part of the Precinct Planning as a high priority.*

The author is not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

To achieve a Precinct Plan that would be relevant to, and supported by the local community, the City of Greater Geraldton recognised the process required a significant level of community engagement.

Workshops:

The engagement process revolved around a series of 3 community engagement workshops held at the Geraldton Camp School between April and July 2013. These workshops were organised and delivered in accordance with the City's 'Community Engagement Policy' (CP042) and the 'Community Engagement Framework'.

There was extensive notification of the workshops between 5 April 2013 and 3 July 2013 via newspapers, community and school newsletters, media releases, the internet and radio. Specifically, the workshops were extensively promoted to the Sunset Beach via:

- Information was published in the Talk about Greater Geraldton section of the Geraldton Guardian and Midwest Times on 5, 11 and 12 April and 7 June 2013.
- Radio advertising was undertaken between 24 June and 3 July 2013.
- A number of media releases were published in the Geraldton Guardian (8, 12 April, 16 May and 4 July 2013).
- Announcements were made on social media sites such as the '2029 and Beyond' Facebook page.
- Information was posted on the '2029 and Beyond' and City's websites.
- Posters were placed on display throughout Sunset Beach and adjacent suburbs of Spalding, Bluff Point, Waggrakine and Drummond Cove.
- An information display/booth was set up and staffed at the Glenfield Shopping Centre prior to the second and third workshop.
- Invitations to attend the workshops were delivered to occupiers/residents within area depicted by the notional study area from the Plan.

The 3 workshops were held on Monday 15 April, Monday 10 June and Wednesday 3 July 2013. The 3 workshops were attended by more than 75 members of the community.

The workshops were facilitated by Malcolm Mackay of Mackay Urban design and Janette Hartz-Karp of Curtin University. Both are highly experienced in facilitating and running community consultation processes and have been involved in many City projects, including the '2029 and Beyond Designing our City Forum' and the Rangeway Utakarra Karloo Precinct Planning Workshops. At the end of each workshop a participant survey was conducted. The results of the survey showed that, on average, more than 88% of participants felt the facilitators stayed neutral.

At the first workshop the participants, drawn from the local community and relevant stakeholder organisations, were provided with background information about the Sunset Beach precinct as well as current best-practice principles in regard to sustainable planning and urban design. Participants were also taken by bus to the existing Sunset Beach centre to stimulate discussion about the experience of the place around them. The majority of the workshop was dedicated to enabling the wide range of participants to provide their views on the Sunset Beach precinct.

In addition, urban design analysis was undertaken for the Sunset Beach precinct that identified a range of issues in relation to the structure and character of the place.

Based on the participants' answers to the workshop questions and the findings of the urban design analysis, a preliminary set of scenario plans was prepared for presentation back to the participants at a second workshop in June 2013. After the presentation at the second workshop, the participants provided feedback on each of the precinct planning scenarios to enable them to be subsequently refined into a preferred scenario that aimed to achieve an approach that best matched the participant feedback.

The subsequently refined plans and ideas were again presented to the community participants at a third workshop in July 2013, by which time there was broad agreement on the direction of the precinct planning.

During each workshop, participant's notes were recorded. Within a week of each workshop this information was collated and returned to all participants to ensure all information was correct and they were advised to contact the City if there were any discrepancies. The City did not receive any comments from participants to amend or add to this information.

During the first workshop concerns were raised regarding the Spalding Horse and Pony Club lease and relocation. A presentation was made at this time advising the participants that the decision had already been made to relocate the club and that the site was identified for redevelopment. This information was reiterated during the workshop series. Members from the Spalding Horse and Pony Club were personally invited by the City to attend the workshop series.

Councillors were sent briefing notes prior to all three workshops with an invitation to attend.

Public Advertising of the Draft Precinct Plan:

The draft Precinct Plan was publicly advertised in accordance with the requirements of both the City of Greater Geraldton Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 5 (Greenough).

The advertising period commenced on 2 May 2014 and concluded on 20 June 2014 (49 days) and involved the following:

- All owners and occupiers within area depicted by the notional study area from the Precinct Plan were written to and advised of the Precinct Plan;
- All participants who attended the precinct planning workshops were written to and advised of the Precinct Plan;
- A public notice appeared in the Geraldton Guardian on 2 May 2014 and the Mid West Times 8 May 2014;
- Notification of the Precinct Plan was published in the Talk about Greater Geraldton section of the Midwest Times on 21 May 2014;
- A media release was circulated;
- The Precinct Plan was made available on the 2029 and Beyond, Your View and the City's website;
- The Precinct Plan was publicly displayed at the Civic Centre;
- An 'A' framed sign was placed in the Glenfield IGA advising that the Precinct Plan was open for public comment; and
- The Precinct Plan was referred to the following:
 - ATCO Gas
 - Department of Education
 - Department of Parks and Wildlife
 - Department of Health
 - Department of Indigenous Affairs
 - Department of Planning
 - Department of Water
 - DFES
 - Glenfield IGA
 - Main Roads WA
 - Mid West Chamber of Commerce and Industry
 - Mid West Development Commission
 - Waggrakine Progress Association
 - Spalding Horse and Pony Club
 - Sunset Beach Community Group
 - State Lands Services
 - Telstra
 - Tourism
 - Water Corporation
 - Western Power
 - Whelans

Submissions:

As a result of the advertising, a total of 116 submissions were received (10 from government agencies). Of these submissions:

- 89 objected to the Precinct Plan (with 74 of those objections specifically relating to the relocation of the Spalding Horse and Pony Club);
 - 7 submissions were in support of the Precinct Plan;
 - 6 had either no objection or no comment; and
 - 14 submissions didn't state a position but did provide comments on the Precinct Plan.
-

Listed below is a summation of the main comments/concerns raised during the public comment period:

- Objection to the relocation of the Spalding Horse and Pony Club and the Riding for the Disabled facilities.
- The Sunset Beach workshops were run in a way that was misleading, restrictive and rigged in order to get the City's preferred outcomes. Comments also suggested that the contributions and opinions put forth by participants were misinterpreted and not properly reflected in the precinct plan.
- The existing public open space within Sunset Beach is a valuable asset and should not be developed, specifically the Bosley Street Reserve.
- Geraldton has other areas that are undeveloped and should be prioritised over Sunset Beach.
- The densities proposed are too high and do not fit in with the existing locality and are not suitable for a Geraldton suburb.
- Objection to the growth and expansion of the Sunset Beach Activity Centre. Comments highlighted concerns regarding; competition with the existing shops, competition and with the Geraldton city centre, and the possible increase of large retailers.
- Concerns regarding coast care and management and objection to the lack of detail on this within the Precinct Plan.
- Disagreement with the specific details provided within the plan, such as the types of community facilities provided.

The 'Schedule of Submissions' is included as Attachment No. SC179B and copies of the actual submissions are available to Council upon request.

In addition to the above, a petition containing 182 signatures was received asking the City to reconsider the proposal to relocate the Spalding Horse and Pony Club for the following reasons:

1. *We see the children riding their horse on the grounds and hearing them being instructed.*
2. *We are very happy to know that disabled children area being helped by doing horse riding which is all conducted by volunteers from members and their horses form the Spalding Horse and Pony Club.*
3. *We would hate to see all of this moved and the area filled up with housing.*

A plan indicating the proposed modifications to the Preferred Precinct Plan is included as Attachment No. SC179C.

LEGISLATIVE/POLICY IMPLICATIONS:

The Precinct Plan will be adopted as a local planning policy pursuant to clause 2.2 of both Town Planning Scheme No. 3 (Geraldton) and Local Planning Scheme No. 5 (Greenough).

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

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and budget implications although future decisions on the implementation of the Precinct Plan will have financial and budget implications and will need to be considered in the annual budget process.

It needs to be noted that the development of the pony club site would enable selected components of the Precinct Plan to be achieved.

INTEGRATED PLANNING LINKS:

Title: Environment	Sustainability
Strategy: 2.3.3	Promoting and planning innovative design for a sustainable lifestyle that enables low impact living and sustainable urban development.
Title: Economy	Lifestyle and Vibrancy
Strategy: 4.1.1	Providing equity and choice in affordable and alternative housing to create urban village communities that will help to sustain our lifestyle.
Title: Governance	Planning and Policy
Strategy: 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development.

REGIONAL OUTCOMES:

Commercial Activity Centres Strategy:

This Strategy provides a strategic planning framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres. The Strategy informs the City and proponents of the potential scale for future retail and commercial development in existing and planned activity centres.

The Strategy identifies the Sunset Beach Activity Centre as a “Large Neighbourhood Centre” with active intervention by the City to encourage additional development.

RISK MANAGEMENT:

The precinct planning process was undertaken with a significant level of community engagement. To refuse the formal adoption of the Precinct Plan could further jeopardise other community planning exercises.

ALTERNATIVE OPTIONS CONSIDERED:

The purpose of the Precinct Plan is to create a vision for the Sunset Beach precinct and define the urban framework that will generate future growth potential.

The fact that the precinct planning was undertaken with significant community input, and is proposed to be modified having regard for the submissions received, should provide the City with the confidence that it has an appropriate level of community support for the planning direction identified through the precinct planning process.

The revitalisation process is a long-term process and significant changes can't be expected in the short term. The important thing is to have a plan with patience and a commitment from as many stakeholders as possible to bring the plan to fruition, and therefore the option to refuse the Precinct Plan is not supported.

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

SC180 FINAL ADOPTION OF THE KARLOO LOCAL STRUCTURE PLAN

AGENDA REFERENCE:	D-14-66863
AUTHOR:	M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	08 October 2014
FILE REFERENCE:	LP/11/0010
APPLICANT / PROPONENT:	Cardno
ATTACHMENTS:	Yes (x2)

EXECUTIVE SUMMARY:

The advertising period has concluded for the Local Structure Plan which provides the planning framework to guide and facilitate the development of approximately 128 ha of land as a new residential neighbourhood supported by public open space, a small local centre and a service commercial area.

This report recommends final approval of the Local Structure Plan (subject to minor modifications) and that it be forwarded to the WA Planning Commission for its endorsement.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough) and clause 4.16 of Town Planning Scheme No. 3 (Geraldton) RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT the Department of Housing, Karloo Local Structure Plan subject to the modifications as outlined in the 'Schedule of Submissions'; and
3. FORWARD the Local Structure Plan to the WA Planning Commission for its endorsement.

PROPONENT:

The proponent is Cardno on behalf of the Department of Housing.

BACKGROUND:

Under the Building Better Regional Cities program and the 'Karoo-Wandina' project the City is partnering with the Department of Housing to provide affordable housing lots.

The subject site comprises seven individual land holdings (Lots 10, 11, 262, 316, 317, 318 and 319 Karloo). They total approximately 128.48 ha in area and are located immediately east of Mt. Tarcoola and the Department's landholding at Wandina, known as 'Seacrest', approximately 3.5 kilometres south-east of the Geraldton CBD. The area is divided by the Geraldton Southern Transport Corridor (Geraldton – Mt. Magnet Road) and bounded by existing residential areas along Abraham Street to the north and the

'Seacrest' development to the west. Undeveloped rural land adjoins to the east and south and John Willcock College at Highbury Street abuts the area towards the north-west. The subject site is currently undeveloped and contains areas of remnant vegetation.

The subject site is bounded by urban areas which provide access to existing infrastructure facilities like schools, transport as well as health care and shopping. In addition to the existing infrastructure facilities in Karloo, Rangeway, Mt. Tarcoola and the Geraldton CBD, development of the subject site can also benefit from new or planned facilities in Seacrest and surrounding light industry/service commercial areas.

The intent of the Karloo Local Structure Plan is primarily to provide a range of affordable housing for the locality and cater for the road infrastructure that the City is currently constructing. The Local Structure Plan provides a planning framework for the future development of the subject site and establishes a context for its future subdivision.

Local Structure Plan summary table:

Total area	128.48 hectares
Area of each use proposed:	
Residential	80.43 ha
Service Commercial	9.34 ha
Mixed Use	0.22 ha
Community Facilities	0.23 ha
Public Open space	19.53 ha
Major Roads:	
– Verita Road/Ackland Road	11.70 ha
– Abraham street extension/widening	2.37 ha
– East-West Connector Road	2.43 ha
Estimated lot yield	1,430 lots (residential)
Estimated number of dwellings	1,500 dwellings
Estimated population	3,650 people
Estimated % of public open space:	24% of the residential area
Local open space	19.53 ha

A copy of the Local Structure Plan is included as Attachment No.SC180A and a full copy of all the appendices are available to Council upon request.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Local Structure Plan is intended to facilitate the development of a range of uses which includes 'Residential', 'Service Commercial', local open space and a local centre.

Social:

Under the Building Better Regional Cities program and the 'Karoo-Wandina' project the City will ensure that affordable housing lots will be provided in the development of the residential area.

Environmental:

There are a number of environmental issues affecting the subject site. It is located in proximity to the Narngulu Wastewater Treatment Plant, Meru Landfill Site and the Narngulu Industrial Estate. The Local Structure Plan contains specific technical studies regarding remnant vegetation, rail and road noise, water management and odour.

The findings of these technical studies indicate that there are no major obstacles to the development of the land, with additional measures to be implemented at the subdivision stage.

Cultural & Heritage:

One registered Aboriginal heritage place (Site ID 20855, Artefact Scatter) is present on the site, north of the Geraldton – Mt. Magnet Road. However the Department of Aboriginal Affairs has advised that the Aboriginal Cultural Material Committee determined that the site is not of importance or significance to persons of Aboriginal descent.

RELEVANT PRECEDENTS:

Council at its meeting held on 14 September 2011 gave final approval to Amendment No. 4 which proposed the rezoning of the site to 'Development'. The Minister for Planning has granted final approval to the Amendment on 13 December 2011.

The author is not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The Local Structure Plan was publicly advertised in accordance with the provisions of the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough) and Town Planning Scheme No. 3 (Geraldton).

The advertising period was for 22 days (commencing 31 July 2014 and concluding on 22 August 2014) and involved the following:

1. All landowners abutting and in proximity to the Local Structure Plan area were written to and provided extracts of the Local Structure Plan;
2. A public notice appeared in the Midwest Times on 31 July 2014;
3. Two signs were placed on site;
4. The Local Structure Plan details were available on the City's website;
5. The Local Structure Plan was referred to the following:
 - ATO Gas
 - Department of Education;
 - Department of Parks and Wildlife;
 - Department of Health;
 - Department of Indigenous Affairs;
 - Department of Water;
 - Department of Fire and Emergency Services;

- Main Roads Western Australia;
- Mid West Chamber of Commerce and Industry;
- Mid West Development Commission;
- Public Transport Authority;
- Department of Lands;
- Telstra;
- Water Corporation;
- Western Power;
- Department of Environmental Regulation;
- State Heritage Office;
- Northern Agricultural Catchment Council;
- Department of Agriculture and Food;
- Mid West Ports;
- Tarcoola Tennis Club;
- Brookfield Rail; and
- Iluka.

There have also been various media releases and newspaper article relating to the 'Karoo-Wandina' project which involves the construction of Verita Road and delivery of affordable housing lots.

Submissions:

As a result of the advertising, a total of 18 submissions were received (3 objecting and 3 that raised concerns). Listed below is a summation of the main comments/concerns raised for the public comment period.

- Public open space should be distributed more evenly.
- Decrease in property values.
- Residential development too close to the Geraldton Southern Transport Corridor.
- Acoustic impacts from rail operations on residences.
- Increase buffer area from the Geraldton Southern Transport Corridor to residences.
- Rail vibration impacts on residences.
- Already enough land released in Geraldton.
- Department of Housing brings undesirable people into the area.

In addition to the above the proponent has been in dialogue with the Department of Water regarding the Local Water Management Strategy that accompanied the Local Structure Plan and agreement has been reached regarding modifications required.

A 'Schedule of Submissions' is included as Attachment No. SC180B and copies of the actual submission are available to Council upon request.

Council has previously been consulted with regard to the funding received from the Building Better Regional Cities program for the 'Karoo-Wandina' project.

LEGISLATIVE/POLICY IMPLICATIONS:

The subject land is zoned 'Development' under Local Planning Scheme No. 5 (Greenough). The objective of the zone is:

To provide for comprehensive planning of large scale/broadacre development including residential, industrial and/or commercial through a structure plan to facilitate subdivision and development.

A small portion of the land is zoned 'Residential Development' under Town Planning Scheme No. 3 (Geraldton). It is intended that the land in this zone be progressively developed for residential purposes and for commercial and other uses normally associated with residential development.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Local Structure Plan will facilitate land for future residential development. As part of this future development there will be increased income to the City via rates, and fees associated with development of the land. New roads and public open space will become the responsibility of the City to maintain in the future.

There are also financial and resource implications involved with the funding obtained from the Building Better Regional Cities program with the 'Karoo-Wandina' project.

INTEGRATED PLANNING LINKS:

Title: Economy	Lifestyle and Vibrancy
Strategy 4.1.1	Provide equity and choice in affordable and alternative housing to create urban village communities that will help sustain our lifestyle.
Title: Governance	Planning and Policy
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development.

Regional Outcomes:**Geraldton Region Plan (1999) and Greater Geraldton Structure Plan (2011):**

This plan seeks to provide a framework for the future management, protection and coordination of regional planning in the region. The Region Plan incorporates a structure plan for the Greater Geraldton area. The subject land is identified as 'Urban', 'Future Urban', 'Future Industrial and Service Commercial' and identifies the Verita Road alignment as a 'Regional Distributor Road'.

Residential Development Strategy (2013):

The Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City to meet the needs of all residents and build strong communities. It broadly indicates the extent of residential and future residential land along with existing and proposed rural

living areas. The subject land is identified as a 'Future Residential Area' for Single and Medium Density Residential.

Narngulu Industrial Area Strategic Land Use Directions (2010):

This study reviews the current strategic planning framework for the Narngulu industrial area and to provide direction for future planning and development. A small portion of the subject land is identified as 'future light industry' on the strategic land use directions plan.

RISK MANAGEMENT:

By not approving the Local Structure Plan the proponent may seek a review of the decision from the State Administrative Tribunal. Additionally the City would essentially be renegeing on its commitments in regard to the 'Karoo-Wandina' project.

ALTERNATIVE OPTIONS CONSIDERED:

Under the Building Better Regional Cities program and the 'Karoo-Wandina' project the City is partnering with the Department of Housing to provide affordable housing lots. This Local Structure Plan is a key component of the project and intended to primarily provide a range of affordable housing for the locality and cater for the road infrastructure that the City is currently constructing.

The Local Structure Plan provides a planning framework for the future development of the subject site and establishes a context for its future subdivision. The option to refuse is not supported as the Local Structure Plan is consistent with the regional planning direction and local planning policy framework as it applies to the area.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter and in any event Council is committed to delivering on the 'Karoo-Wandina' project.

SC181	FINAL ADOPTION OF LOCAL STRUCTURE PLAN – LOT 21 SCOTT ROAD, KARLOO
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AGENDA REFERENCE:	D-14-67218
AUTHOR:	K Elder, City Strategic Planner
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	24 September 2014
FILE REFERENCE:	LP/11/0015
APPLICANT / PROPONENT:	Roberts Day
ATTACHMENTS:	Yes (x2)

EXECUTIVE SUMMARY:

The advertising period has concluded for the Local Structure Plan which provides the planning framework to guide and facilitate the development of approximately 78ha for residential, service commercial and light industrial purposes.

This report recommends final approval of the Local Structure Plan (subject to minor modifications) and that it be forwarded to the WA Planning Commission for its endorsement.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough) RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions';
2. ADOPT the Lot 21 Scott Road, Karloo Local Structure Plan subject to the modifications as outlined in the 'Schedule of Submissions'; and
3. FORWARD the Local Structure Plan to the WA Planning Commission for its endorsement.

PROPONENT:

The proponent is Roberts Day on behalf of the proprietor Estates Development Company (Wandina Pty Ltd).

BACKGROUND:

The Local Structure Plan seeks to provide a planning framework to coordinate the subdivision and development of Lot 21 for residential, service commercial and light industrial purposes.

Lot 21 abuts land owned by the Department of Housing to the north and land owned by the City to the south (being the site of the future Southern Districts Sports Precinct). Lot 21 is bounded to the west by the proposed Verita Road alignment, which adjoins the Seacrest Estate in Wandina. To the east, Lot 21 abuts Lot 800, which is also owned by the Estates Development Company, and is the site of the proposed Geraldton North-South Highway.

The majority of land surrounding Lot 21 is either zoned or currently undergoing rezoning to the 'Development' zone and also subject to structure planning.

The proposed layout of land uses over the site means that Lot 21 will act as a transitional area which separates the residential estates of Wandina and Karloo to the north and west from the General Industry uses within the Narngulu Industrial Estate located on their eastern periphery. The Local Structure Plan also demonstrates how development of Lot 21 will connect in with the structure planning currently being undertaken in the surrounding area.

Local structure plan summary table:

Total area	78.57 hectares
Land uses	
Residential	8.088 hectares
Service Commercial	29.12 hectares
Light Industry	23.15 hectares
Public Open Space	1.563 hectares
Estimated lot yield	
Residential	110
Service Commercial	74
Light Industry	17
Estimated number of dwellings	110
Estimated population (2.3 persons / dwelling)	253
Estimated % of public open space	10.6% of the residential area
Local open space	1.563 hectares

A copy of the Local Structure Plan is included as Attachment No. SC181A and a full copy of all the appendices are available to Council upon request.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Local Structure Plan is intended to facilitate the development of a range of uses which includes residential, local open space, service commercial and industrial.

Social:

There are no social issues.

Environmental:

Lot 21 is located within the Narngulu Industrial Estate Area Buffer, the Waste Disposal Site Buffer and the Narngulu Wastewater Treatment Plant Buffer. Residential development has been located outside of these buffers except for a small portion of low density residential which is proposed within the Narngulu Industrial Estate buffer.

This residential area is proposed to act as a low density transition area between medium density residential estates to the west and the Narngulu Industrial Estate to the east.

Some remnant vegetation is existing on site and the design and location of the public open space retains some of this where possible.

Cultural & Heritage:

There are no cultural and heritage issues.

RELEVANT PRECEDENTS:

Council at its meeting held on 23 April 2013 gave final approval to Amendment No. 14 which proposed the rezoning of the site to 'Development'. The Minister for Planning has granted final approval to the Amendment on 18 June 2013.

The author is not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The Local Structure Plan was publicly advertised in accordance with the provisions of the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough).

The advertising period was for 31 days (commencing 11 July 2014 and concluding on 10 August 2014) and involved the following:

1. All landowners abutting and in proximity to the Local Structure Plan area were written to and provided extracts of the Local Structure Plan;
2. A public notice appeared in the Geraldton Guardian on 11 July 2014;
3. Three signs were placed on site (in conjunction with the Lot 23 & 800 Moloney Street Local Structure Plan);
4. The Local Structure Plan details were available on the City's website;
5. The Local Structure Plan was referred to the following:
 - ATCO Gas;
 - Brookfield Rail;
 - Department of Agriculture and Food;
 - Department of Education;
 - Department of Environmental Regulation;
 - Department of Health;
 - Department of Housing;
 - Department of Indigenous Affairs;
 - Department of Water;
 - Department of Fire and Emergency Services;
 - Iluka;
 - State Heritage Office;
 - Main Roads Western Australia;
 - Mid West Chamber of Commerce and Industry;
 - Mid West Development Commission;
 - Mid West Ports;

- Northern Agricultural Catchments Council;
- Public Transport Authority;
- Department of Lands;
- Telstra;
- Water Corporation; and
- Western Power.

Submissions:

As a result of the advertising, a total of 12 submissions were received (1 raising concerns).

The main concern raised during the public comment period was with regard to the acoustic and vibration impacts on development from rail operations.

A 'Schedule of Submissions' is included as Attachment No. SC181B and copies of the actual submission are available to Council upon request.

LEGISLATIVE/POLICY IMPLICATIONS:

The subject land is zoned 'Development' under Local Planning Scheme No. 5 (Greenough). The objective of the zone is:

To provide for comprehensive planning of large scale/broadacre development including residential, industrial and/or commercial through a structure plan to facilitate subdivision and development.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Local Structure Plan will facilitate land for future residential development. As part of this future development there will be increased income to the City via rates, and fees associated with development of the land. New roads and public open space will become the responsibility of the City to maintain in the future.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

Geraldton Region Plan (1999) and Greater Geraldton Structure Plan (2011):

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

Residential Development Strategy (2013):

The Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and

sustainable model for residential development in the City to meet the needs of all residents and build strong communities. It broadly indicates the extent of residential and future residential land along with existing and proposed rural living areas.

The subject land is identified as a 'Future Residential Area' for Single and Medium Density Residential.

Narngulu Industrial Area Strategic Land Use Directions (2010):

This study reviews the current strategic planning framework for the Narngulu industrial area and to provides direction for future planning and development. The majority of Lot 21 (that within the Narngulu Industrial Estate buffer) is located within 'Precinct A' of the plan and is identified as 'future light industry/service commercial/mixed business', and 'future light industry' on the strategic land use directions plan.

Commercial Activity Centres Strategy:

The Strategy looks to provide a more detailed strategic planning framework for managing future growth in commercial activity centres. The area of the subject land within the Narngulu Industrial Estate buffer but outside of the Narngulu Waste Disposal site buffer is identified within the 'Highway Commercial' precinct.

RISK MANAGEMENT:

By not approving the Local Structure Plan the proponent may seek a review of the decision from the State Administrative Tribunal.

ALTERNATIVE OPTIONS CONSIDERED:

The strategic intent for the site has already been demonstrated through numerous strategic documents including the Commercial Activity Centres Strategy, the Greater Geraldton Structure Plan Update 2011 and the Narngulu Industrial Area Strategic Land Uses Directions Plan.

The Local Structure Plan will provide a comprehensive planning framework to coordinate the subdivision and development of Lot 21 for residential, service commercial and light industrial purposes. It ensures that land uses act as a transition from the residential areas to the north and west, to the Narngulu Industrial Estate to the east, and will ensure that future road connections align with the significant structure planning undertaken in the Karloo area.

The option to refuse is not supported as the Local Structure Plan is consistent with the regional planning direction and local planning policy framework as it applies to the area.

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

SC182	FINAL ADOPTION OF LOCAL STRUCTURE PLAN – LOTS 23 & 800 MOLONEY STREET, KARLOO
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AGENDA REFERENCE:	D-14-67241
AUTHOR:	K Elder, City Strategic Planner
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	28 September 2014
FILE REFERENCE:	LP/11/0022
APPLICANT / PROPONENT:	Roberts Day
ATTACHMENTS:	Yes (x2)

EXECUTIVE SUMMARY:

The advertising period has concluded for the Local Structure Plan which provides the planning framework to guide and facilitate the development of approximately 145 ha for residential, public open space and light industrial purposes.

This report recommends final approval of the Local Structure Plan (subject to minor modifications) and that it be forwarded to the WA Planning Commission for its endorsement.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority, pursuant to clause 5.17 of Local Planning Scheme No. 5 (Greenough) RESOLVES to:

1. DETERMINE the submissions as outlined in the 'Schedule of Submissions',
2. ADOPT the Lot 23 & 800 Moloney Street, Karloo Local Structure Plan subject to the modifications as outlined in the 'Schedule of Submissions'; and
3. FORWARD the Local Structure Plan to the WA Planning Commission for its endorsement.

PROponent:

The proponent is Roberts Day on behalf of the proprietor Estates Development Company (Wandina Pty Ltd).

BACKGROUND:

Lots 23 and 800 Moloney Street, Karloo total approximately 145 ha in area and are located approximately 4 kilometres south east of the Geraldton CBD. The subject site is currently undeveloped and contains areas of remnant vegetation including some Declared Rare Flora.

The subject site is physically divided by the Geraldton Southern Transport Corridor, which separates the area into two distinct northern and southern portions.

The land abutting the northern portion of the subject site is zoned 'Residential', has approved Local Structure Plans over the area, and has been partially developed for residential purposes.

To the west of the southern portion is the Department of Housing landholding and another Estate Development Company's landholding, both of which are currently undergoing structure planning. The land to the south is vacant 'Rural' land currently being used for agricultural purposes.

Within the site, on the eastern boundary, lies the future alignment of the Geraldton North-South Highway and further east is the Narngulu Industrial Estate.

The Local Structure Plan seeks to provide a planning framework to coordinate the subdivision and development of Lots 23 and 800 Moloney Street, Karloo for residential, public open space and light industrial purposes.

Given that the land areas surrounding Lot 23 and 800 are mainly vacant the Local Structure Plan also demonstrates how the development will connect in with the structure planning undertaken in the surrounding area.

Structure plan summary table:

Total area	145.8 hectares
Land uses	
Residential	39.75 hectares
Light Industry	51.38 hectares
Public Open Space	10.21 hectares
Estimated lot yield	
Residential	620
Light Industry	44
Estimated number of dwellings	620
Estimated population (2.3 persons / dwelling)	1426
Estimated % of public open space	13.6%
Local open space	7.02 hectares
Neighbourhood open space	3.09 hectares

A copy of the Local Structure Plan is included as Attachment No. SC182A and a full copy of all the appendices are available to Council upon request.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Local Structure Plan is intended to facilitate the development of land for residential, public open space and industrial use.

Social:

There are no social issues.

Environmental:

The site is affected by the Narngulu Industrial Estate Area Buffer, the Waste Disposal Site Buffer and the Narngulu Wastewater Treatment Plant Buffer.

The Local Structure Plan has been designed to ensure that the residential areas are not located within these buffers.

Remnant vegetation has been located onsite some of which is either in 'very good' or 'good' condition. An area of *Leucopogon marginatus* which is a Declared Rare Flora species has been located centrally within the site.

A north-south public open space link has been proposed in order to protect and preserve the Declared Rare Flora and other public open space areas have been located to maximise the retention of high value vegetation and to provide drainage functions.

Cultural & Heritage:

The Department of Aboriginal Affairs has advised that while no registered sites were located within the subject site, two 'Other Heritage Places' have been identified (being Utakarra Pinnacles and GSTC-Artefact Scatter).

The developer will be required to reference the Cultural Heritage Due Diligence Guidelines to guide their obligations to cultural heritage protection.

RELEVANT PRECEDENTS:

Council at its meeting held on 23 April 2013 gave final approval to Amendment No. 15 which proposed the rezoning of the site to 'Development'. The Minister for Planning has granted final approval to the Amendment on 18 June 2013.

The author is not aware of any other relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The Local Structure Plan was publicly advertised in accordance with the provisions of the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough).

The advertising period was for 31 days (commencing 11 July 2014 and concluding on 10 August 2014) and involved the following:

1. All landowners within an 100m radius of the Local Structure Plan area were written to and provided extracts of the Local Structure Plan;
2. A public notice appeared in the Geraldton Guardian on 11 July 2014;
3. Three signs were placed on site (combined with the Local Structure Plan for Lot 21 Scott Road);
4. The Local Structure Plan details were available on the City's website;
5. The Local Structure Plan was referred to the following:
 - ATCO Gas;
 - Brookfield Rail;
 - Department of Agriculture and Food;

- Department of Education;
- Department of Environmental Regulation;
- Department of Health;
- Department of Housing;
- Department of Indigenous Affairs;
- Department of Water;
- Department of Fire and Emergency Services;
- Iluka;
- State Heritage Office;
- Main Roads Western Australia;
- Mid West Chamber of Commerce and Industry;
- Mid West Development Commission;
- Mid West Ports;
- Northern Agricultural Catchments Council;
- Public Transport Authority;
- Department of Lands;
- Telstra;
- Water Corporation; and
- Western Power.

Submissions:

As a result of the advertising, a total of 16 submissions were received (2 raising concerns). Listed below is a summation of the main comments/concerns raised for the public comment period.

- Development too close to the Geraldton Southern Transport Corridor.
- Acoustic and vibration impacts on development from rail operations.

A 'Schedule of Submissions' is included as Attachment No. SC182B and copies of the actual submission are available to Council upon request.

LEGISLATIVE/POLICY IMPLICATIONS:

The subject land is zoned 'Development' under Local Planning Scheme No. 5 (Greenough). The objective of the zone is:

To provide for comprehensive planning of large scale/broadacre development including residential, industrial and/or commercial through a structure plan to facilitate subdivision and development.

FINANCIAL AND RESOURCE IMPLICATIONS:

The Local Structure Plan will facilitate land for future residential, public open space and light industrial development. As part of this future development there will be increased income to the City via rates, and fees associated with development of the land. New roads and public open space will become the responsibility of the City to maintain in the future.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development.
Strategy 5.2.3	Addressing cultural heritage issues and the preservation and enhancement of natural areas as part of the development process.

REGIONAL OUTCOMES:Geraldton Region Plan (1999) and Greater Geraldton Structure Plan (2011):

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

Residential Development Strategy (2013):

The Strategy is a response to the changing local and regional economic environment and the need to provide a logical, coherent, highly liveable and sustainable model for residential development in the City to meet the needs of all residents and build strong communities. It broadly indicates the extent of residential and future residential land along with existing and proposed rural living areas.

The subject land is identified as a 'Future Residential Area' for Single and Medium Density Residential.

Narngulu Industrial Area Strategic Land Use Directions (2010):

This study reviews the current strategic planning framework for the Narngulu industrial area and to provide direction for future planning and development. The portion of Lot 800 within the Narngulu Industrial Estate buffer is located within 'Precinct A' of the plan and is identified as 'future light industry', and 'primary regional road' on the strategic land use directions plan.

RISK MANAGEMENT:

By not approving the Local Structure Plan the proponent may seek a review of the decision from the State Administrative Tribunal.

ALTERNATIVE OPTIONS CONSIDERED:

The Local Structure Plan will provide a comprehensive planning framework to coordinate the subdivision and development of Lots 23 and 800 Moloney Street, Karloo for residential, public open space and light industrial purposes.

The Local Structure Plan has been designed to maximise retention of high value vegetation and to ensure that sensitive land uses are located outside of the buffers which impact the site.

The strategic intent for the site has already been demonstrated through numerous strategic documents including the Greater Geraldton Structure Plan Update 2011 and the Narngulu Industrial Area Strategic Land Uses Directions plan.

The option to refuse is not supported as the Local Structure Plan is consistent with the regional planning direction as it applies to the area.

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

SC183 LICENCE – PORTION OF RESERVE 38438	
AGENDA REFERENCE:	D-14-67249
AUTHOR:	L MacLeod, Coordinator Land and Property Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	3 October 2014
FILE REFERENCE:	R38438
APPLICANT / PROPONENT:	Geraldton Triathlon Association Inc.
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's approval to licence portion of Reserve 38438 located at St Georges Beach to the Geraldton Triathlon Association Inc. for the purpose of sporting equipment storage.

EXECUTIVE RECOMMENDATION;

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

1. ENTER into a licence agreement with Geraldton Triathlon Association Inc. over portion of Reserve 38438;
2. SET the conditions as:
 - a. enter into a three (3) year licence term;
 - b. commence the licence fee in line with the City of Greater Geraldton Schedule of Fees and Charges for 2014/15 reviewed annually;
 - c. make the determination subject to consent from the Minister for Lands;
3. LICENSEE being responsible for separately paying;
 - a. all applicable rates, taxes and other utilities; and
 - b. legal expenses associated with the preparation and execution of the lease.

PROponent:

The proponent is Geraldton Triathlon Association Inc.

BACKGROUND:

Reserve 38438 has a Vesting Order in favour of the City of Greater Geraldton for the purpose of "Boatshed" with the power to lease/licence subject to Ministerial consent.

A brick shed is constructed on the south west portion of the reserve. This shed has been used by community groups for storage of sporting equipment since 1984. Since the cessation of the last agreement in 2011, the City's Parks Department has been using the shed to store fertiliser however they no longer require its use.

The Geraldton Triathlon Association has been in contact with the City numerous times over the past two of years expressing interest in using the shed to store their sporting equipment for events and training.



ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts associated with this proposal.

Social:

The Geraldton Triathlon Association was formed in Geraldton in 1988 and supports a strong membership base. The club conducts junior and senior events, and hosts various training programs related to triathlon.

Environmental:

There are no environmental impacts associated with this proposal.

Cultural & Heritage:

There are no cultural, heritage or indigenous impacts associated with this proposal.

RELEVANT PRECEDENTS:

The City provides leases and licences on Crown Reserves with Management Orders vested in it with the power to lease to community organisations for a variety of recreational purposes. Reserve 38438 has previously been

licenced to community sporting clubs including the St Georges Catamaran Club Inc. and the Geraldton Windsurfing Club.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community or councillor consultation associated with this proposal.

LEGISLATIVE/POLICY IMPLICATIONS:

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

FINANCIAL AND RESOURCE IMPLICATIONS:

Pursuant to the 2014/15 City of Greater Geraldton Schedule of Fees and Charges an annual commencement fee of \$355.00 (inc. GST) will apply.

INTEGRATED PLANNING LINKS:

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

Regional Outcomes:

There are no potential impacts, either positive or negative to regional outcomes associated with this proposal.

RISK MANAGEMENT

There are no risks identified with this proposal as this Reserve is vested in the City by way of a Management Order for the purpose of Boat Shed with the power to lease/licence with Ministerial consent.

ALTERNATIVE OPTIONS CONSIDERED

An alternative option would have been to leave the shed unused. However, this was disregarded as there would be no benefit to the community or the City to take this action.

SC184 2014 CHRISTMAS/NEW YEAR RETAIL TRADING HOURS	
AGENDA REFERENCE:	D-14-66024
AUTHOR:	H J Davis, Economic Development Officer
EXECUTIVE:	P Melling, Director of Sustainable Communities
DATE OF REPORT:	14 October 2014
FILE REFERENCE:	ED/3/0003-02
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x 4)

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's endorsement of the application for extension of trading hours on Christmas/New Year 2014/15.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to the Retail Trading Hours Act 1987 RESOLVES to:

1. ADOPT the following package of extensions to the City of Greater Geraldton 2014 Christmas/New Year retail trading hours:
 - a. Sunday, 14 December 2014 - 10:00AM to 4.00PM;
 - b. Wednesday, 17 December 2014 - 8:00AM to 9:00PM;
 - c. Friday, 19 December 2014 - 8:00AM to 9:00PM;
 - d. Sunday, 21 December 2014 - 10.00AM to 4.00PM;
 - e. Monday, 22 December 2014 - 8.00AM to 9.00PM;
 - f. Tuesday, 23 December 2014 - 8.00AM to 9.00PM; and
2. SEEK approval from the Minister for Commerce to adopt the package of extensions to retail trading hours in point (1.) above.

PROponent:

The proponent is the City of Greater Geraldton.

BACKGROUND:

On 14 October 2014, the City received a letter from the Department of Commerce (DOC) to Regional Local Governments (please refer to Attachment No. SC184A) offering a package of trading extensions that will commence on 1 December 2014 and conclude on 31 December 2014, inclusive. The extension package offered by the DOC is as follows:

Monday to Friday	8.00am to 9.00pm
Saturday	8.00am to 5.00pm
Sundays and Public Holidays (other than on Christmas Day)	11.00am to 5.00pm
Christmas Day	Closed

Any regional Local Governments that do not accept the package in its entirety will have to apply for locally preferred arrangements during the 2014/2015 Christmas/New Year period, by submitting a temporary/short term retail trading hours adjustments application to the DOC for approval.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

Opening retail outlets for the additional hours during the Christmas / New Year period may have the following economic impacts:

1. There may be increased opportunity for income within the retail outlets that wish to open the additional hours; and
2. Opening the additional hours will allow residents from towns in the surrounding region increased opportunity to spend within the City of Greater Geraldton retail sector and contribute to the City of Greater Geraldton economic pool.

Retail outlets that believe opening the additional hours will not be economically viable are invited to exercise their individual discretion as to whether they choose to trade these additional hours.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Precedent was set in 2009, by adopting a package of Christmas/New Year trading hours that was a compromise between recommendations from the Department of Commerce, MWCCI, Stirlings Central and Northgate Shopping Centre. This was continued in subsequent years.

COMMUNITY/COUNCILLOR CONSULTATION:

On 5 September 2014, Northgate Shopping Centre wrote to the City (please refer to Attachment No. SC184B) suggesting the following extensions be adopted:

Dates	Trading Hours
Sunday, 7 December 2014	10:00AM – 4.00PM
Sunday, 14 December 2014	10:00AM – 4.00PM
Wednesday, 17 December 2014	8:00AM – 9:00PM
Friday, 19 December 2014	8:00AM – 9:00PM
Sunday, 21 December 2014	10:00AM – 4.00PM
Monday, 22 December 2014	8:00AM – 9:00PM
Tuesday, 23 December 2014	8:00AM – 9:00PM
Friday, 26 December 2014 (Boxing Day PH)	10:00AM – 4:00PM

On the 11 September 2014, the Stirlings Central Shopping Centre wrote to the City (please refer to Attachment No. SC184C) suggesting the following extensions be adopted:

Dates	Trading Hours
Sunday, 7 December 2014	10:00AM – 4.00PM
Sunday, 14 December 2014	10:00AM – 4.00PM
Wednesday, 17 December 2014	8:00AM – 9:00PM
Friday, 19 December 2014	8:00AM – 9:00PM
Sunday, 21 December 2014	10:00AM – 4.00PM
Monday, 22 December 2014	8:00AM – 9:00PM
Tuesday, 23 December 2014	8:00AM – 9:00PM
Wednesday, 24 December 2014	8.00AM – 6:00PM
Friday, 26 December 2014 (Boxing Day PH)	10:00AM – 4:00PM

Feedback was sought from the Midwest Chamber of Commerce and Industry (MWCCI), on the above proposed retail trading extensions.

The MWCCI advised the City (the letter is attached as Attachment No. SC184D), the following extensions be adopted:

Dates	Trading Hours
Sunday, 14 December 2014	10:00AM – 4.00PM
Friday, 19 December 2014	8:00AM – 9:00PM
Sunday, 21 December 2014	10:00AM – 4.00PM
Monday, 22 December 2014	8:00AM – 9:00PM
Tuesday, 23 December 2014	8:00AM – 9:00PM

The MWCCI also advised that following its members' survey, there has not been sufficient support for the Chamber to endorse the trading hours' extension proposed on Sunday 7 December, Wednesday 17 December and Friday, 26 December 2014 (Boxing Day Public Holiday).

LEGISLATIVE/POLICY IMPLICATIONS:

Retail Trading Hours Act 1987.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Economy	A dynamic, diverse and sustainable economy.
Strategy 4.1.3	Revitalising the CBD through economic, social and cultural vibrancy

REGIONAL OUTCOMES:

Opening the additional hours will allow residents from towns in the surrounding region increase opportunity to spend within the City of Greater Geraldton retail sector and contribute to the Midwest economic pool.

RISK MANAGEMENT

If there is no application from the City, the metropolitan Christmas/New Year trading hours, endorsed by the Department of Commerce, will by default apply to the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED

The package suggested by the MWCCI offers relatively little option for traders to exercise their discretion to trade additional hours during the 2014 Christmas period. The package recommended by the Northgate and Stirlings Central Shopping Centres may put additional pressure to the local/small retailers and their employees to work extra hours during this festive season.

For these reasons, options to adopt packages as submitted by the retailers are not supported, and the executive recommendation is an adaptation of the packages recommended by the MWCCI and the retailers. It also takes into consideration that all retailers are able to exercise their individual discretion regarding whether or not to trade during the approved hours.

Due to the required timeline for applications to the Minister for Commerce, deferral of this item will result in automatic approval of the package recommended by the Department of Commerce.

SC185	RATES CONCESSION FOR LOT 565 (NO.30-32) CHAPMAN ROAD, GERALDTON
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AGENDA REFERENCE:	D-14-67483
AUTHOR:	P Vorster, Coordinator Economic Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	10 October 2014
FILE REFERENCE:	A11722
APPLICANT / PROPONENT:	Lighthouse Church
ATTACHMENTS:	Yes (x2 Confidential)

EXECUTIVE SUMMARY:

As part of the City's CBD Revitalisation Program a request has been made for assistance for the redevelopment of Lot 565 (No 30-32) Chapman Road. This report considers and recommends on three aspects:

- A rates concession request during the construction period for a new development on Lot 565 (No.30-32) Chapman Road, Geraldton
- A rates concession request for a period of two years, after completion of the building
- A request to waive Development Application and Building License fees.

EXECUTIVE RECOMMENDATION;

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

1. APPROVE a concession of 50% off of the general rate on Lot 565 (No. 30-32) Chapman Road, Geraldton during the period of construction, as determined by the Chief Executive Officer, but in any case no greater than 12 months; and
2. MAKE the granting of this concession subject to the following conditions:
 - a. Construction must start prior to 31 March 2015.

PROponent:

The proponent is the Lighthouse Church.

BACKGROUND:

On 6 November 2013 the City of Greater Geraldton (CGG) approved an application (Development Application number TP13/314) for an office, shop, restaurant and car park on Lot 565 and 566 (No 30-32 and No. 26-28) Chapman Road, Geraldton.

The Lighthouse Church, formally requested a rates concession for a period of 10 months during the construction of the building and for another two years

after the completion of the building work on Lot 565 (No. 30-32 Chapman Road). The letter is attached as Confidential Attachment No. SC185A.

The CBD Revitalisation Program provides incentives to immediately drive desirable redevelopment and revitalisation in the CBD.

The proposed redevelopment of Lot 565 and 566 (No. 26-28 and No. 30-32) Chapman Road, Geraldton, is in accordance with the City Centre Planning Policy. The value of the project is budgeted at \$2,500,000 in value and will therefore need to be evaluated on merit, appraised against the strategic development goals of the City in accordance with Strategy 5 point 7 as follow:

- 7. The City reserves the discretion to consider extension of rates concessions to the property owner beyond construction completion, with each project to be evaluated on a case-by-case basis, on the merits of the proposal, appraised against strategic development goals of the City.*

The request for waiving the Development Application fees will be dealt with administratively. The option for waiving Building Licensing fees is not a concession offered in the CBD Revitalisation program and therefore is not supported.

A rates concession application was presented at a Council meeting on 24 September 2014. It was recommended that the item be referred to the next Ordinary Meeting of Council with recommendations based on assessment criteria. The assessment criteria, with the score for the project is attached as Confidential Attachment No. SC185B.

This application received a score of 87 out of a potential full score of 195 points, which equates to 45 percent. The previous recommendation was amended to include a resolution to support the request to waive the rates for a period of one year after completion of the development.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The development of a new building on Lot 565 and 566 (No. 26-28 and No. 30-32), Geraldton, will make a positive contribution towards upgrading the image of the City Centre. The intersection of Chapman Road and Durlacher Street is one of the busiest in Geraldton and since this development is located in close proximity to this intersection, it will present a favourable image to entrants from the north of Geraldton into the City Centre.

The new building will replace an existing building on the same site and house office space, retail space, on-site parking and a restaurant.

The development will further increase the supply of good quality office and retail space in the City Centre, and will contribute to the local economy during the construction phase and thereafter.

Social:

The project is not being developed to be sold for profit. The Church retains its investment properties long term and uses the income from them to fund its social and welfare programs within the local Geraldton community.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Council at its meeting of 26 August 2014 resolved to grant conditional approval for rates concessions for Lot 33 (No. 25-29) Cathedral Avenue, Town Towers, Geraldton. These concessions detailed a reduction of 50% of the rates and this was utilized to guide the framing of the recommendation in this report to achieve a level of consistency. The expected value of the rates concession in this instance will be in the order of \$6,000 to \$6,500.

COMMUNITY/COUNCILLOR CONSULTATION:

The CBD Revitalisation Program was developed as the result of a consultation process with City Stakeholders which identified obstacles (and solutions) for the revitalisation of the City Centre.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.47 of the Local Government Act 1995.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City of Greater Geraldton currently receives \$12,143.92 annually in rates revenue from the property. The City receives a further amount of \$579.86 in Specified Area Rates and \$943.67 for Emergency Services (as a State Government Levy) and these two levies cannot be waived as a result of this recommendation.

An optimistic desktop appraisal, based on the submitted plans, applying 2011 rental market data (in the absence of more current market data and noting potential for the Gross Rentable Value (GRV) to be lower in the context of the current local downturn), suggests a GRV estimate for the completed project at \$225,000. This GRV assessment translates into an annual rate of \$24,610 for the subject site.

Based on the above appraisal even a 50% increase in GRV on the site would deliver payback quite quickly, considering that a maximum period of 12 months is recommended for the 50% rates concession.

INTEGRATED PLANNING LINKS:

Title: Economy	Lifestyle and Vibrancy
Strategy 4.1.1	Providing equity and choice in affordable and alternative housing to create urban village communities that will help to sustain our lifestyle
Strategy 4.1.2	Acknowledging the need for smaller, denser housing types to accommodate population growth and diverse household sizes
Strategy 4.1.3	Revitalising the CBD through economic, social and cultural vibrancy
Strategy 4.1.5	Developing and promoting Greater Geraldton s a preferred cultural, environmental and agri/ aquaculture tourism destination.

REGIONAL OUTCOMES:

The redevelopment of Lot 565 (No. 30-32) Chapman Road, Geraldton will enhance the city centre as a regional tourist, shopping and leisure destination.

RISK MANAGEMENT

The City runs the risk of the project not being fully completed, and thereby losing rates revenue without the anticipated outcomes gained from supporting the project. Strategy 5 of the CBD Revitalisation Programme stipulates that “The construction must be on-going, as determined by the City”. This strategy enables the City to act swiftly in a situation where the project is being jeopardised to restore rates charges.

ALTERNATIVE OPTIONS CONSIDERED

During the City Centre Revitalisation Program development a number of possibilities for encouraging development in the City Centre were investigated. The final City Centre Revitalisation Program, which was adopted in May 2014, contains the most appropriate options for supporting City Centre development and vibrancy.

SC186	DISPOSAL OF PORTION OF LOT 2227 LANDFILL LANE, NARNGULU
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AGENDA REFERENCE:	D-14-68078
AUTHOR:	B Robartson, Manager Economic, Tourism & Property Development
EXECUTIVE:	P Melling, Director Sustainable Communities
DATE OF REPORT:	15 October 2014
FILE REFERENCE:	A63927
APPLICANT/ PROPONENT:	Tersum Energy
ATTACHMENTS:	Yes

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's support to approve the disposal of 8.8062 hectares of land from Lot 2227 Landfill Lane, Narngulu by private treaty to Tersum Energy.

EXECUTIVE RECOMMENDATION:

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

1. DISPOSE of 8.8062 hectares of land from Lot 2227 Landfill Lane, Narngulu by private treaty to Tersum Energy;
2. MAKE the determination subject to:
 - a. The purchase price is set at \$880,000 exclusive of GST; and
 - b. Formal Western Australian Planning Commission subdivision approval.

PROponent:

The proponent is Tersum Energy.

BACKGROUND:

Council at its meeting on the 22 July 2014 resolved the following:

MOVED CR VAN STYN, SECONDED CR GRAHAM

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 dispose of approximately 8.8062 hectares of land from Lot 2227 Landfill Lane, Narngulu by private treaty to Tersum Energy;*
2. *MAKE the determination subject to:*
 - a. *the purchase price is set at \$880,000 exclusive of GST;*
 - b. *advertising notice period of not less than 21 days inviting public submissions;*
 - c. *formal Western Australian Planning Commission subdivision approval; and*
3. *REFER the matter back to Council for final consideration at the conclusion of the advertising period.*

Council is advised that the advertising period concluded on the 14 October 2014 and there was one submission received only that being from the Mid West Development Commission advising of its support for the disposal of land for the intended purpose as proposed by Tersum Energy. This letter is attached as Attachment No. SC186. The contract of sale document contains a number of specific performance clauses including buy back options should the project not proceed in a timely manner.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

This disposal of this portion of land from Lot 2227 has the potential to offer the Midwest region a sustainable energy project that would mark the region as a stand out in the adoption of practical clean energy solutions. The disposal of land would not impact on Meru landfill operations.

Social:

There are no social impacts.

Environmental:

The disposal of land by private treaty will allow for environmental uses for the land whereby waste from the nearby landfill will be turned into energy.

Cultural & Heritage:

There is no cultural, heritage or indigenous impacts.

RELEVANT PRECEDENTS:

The City has disposed of freehold land by private treaty on previous occasions in accordance with Section 3.58 of the Local Government Act 1995.

COMMUNITY/COUNCILLOR CONSULTATION:

A formal presentation to Council at the Concept Forum on the 15 July 2014 was provided by Tersum Energy on their sustainable energy project.

Statutory advertising following the Council meeting of the 22 July 2014 commenced in the Geraldton Guardian on the 12 September 2014 and Midwest times on the 17 September 2014. The advertisement was also listed on the City's website advising that submissions are invited to be received from the public regarding the proposed disposition until 4.00pm Tuesday 14 October 2014.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process for Disposing of Property.

FINANCIAL AND RESOURCE IMPLICATIONS:

This proposal has the potential to provide the City an income by land disposal an amount of \$880,000.

INTEGRATED PLANNING LINKS:

Title: Economy	Employment
Strategy 4.1.2	Encouraging the development of a variety of industries that will offer diverse employment opportunities.
Strategy 4.3.4	Supporting economic development initiatives and promotion of the region.
Strategy 4.4.4	Encouraging the development of innovative entrepreneurs and new business models.

Regional Outcomes:

The disposal of the subject land to the proponents has the potential to provide significant regional outcomes.

RISK MANAGEMENT

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

ALTERNATIVE OPTIONS CONSIDERED

As the respondents were dealing directly with the City with the intent to acquire the land, no alternative options have been considered.

16 REPORTS TO BE RECEIVED**REPORTS TO BE RECEIVED**

AGENDA REFERENCE:	D-14-67883
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	14 October 2014
FILE REFERENCE:	GO/6/0002
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes

EXECUTIVE SUMMARY:

To receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

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

1. RECEIVE the following appended reports:
 - a. Reports – Creative Communities
 - i. CC181- Reconciliation Committee Meeting Minutes – 09 September 2014;
 - ii. CC182 – Public Arts Advisory Committee Meeting Minutes – 25 September 2014;
 - iii. CC183 – Geraldton Regional Art Gallery Committee Meeting Minutes – 17 September 2014
 - b. Reports – Sustainable Communities:
 - i. SCDD091 – Delegated Determinations

PART B

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Corporate and Commercial Services;
 - i. CCS085 - Confidential Report – List of Accounts Paid Under Delegation September 2014.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

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

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including

Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY/COUNCILLOR CONSULTATION:

Not applicable.

LEGISLATIVE/POLICY IMPLICATIONS:

Not applicable.

- 17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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

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

- 20 CLOSURE**

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

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