



ANNUAL MEETING OF ELECTORS

MINUTES

18 FEBRUARY 2013

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CITY OF GREATER GERALDTON
ANNUAL MEETING OF ELECTORS
HELD ON MONDAY, 18 FEBRUARY 2013 AT 5.30PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

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

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.30pm.

3 ATTENDANCE

Mayor I Carpenter
Cr R Ashplant
Cr N Bennett
Cr D Brick
Cr C Gabelish
Cr P Fiorenza
Cr R D Hall
Cr N McIlwaine
Cr N Messina
Cr I Middleton
Cr R deTrafford
Cr T Thomas

Officers:

A Brun, Chief Executive Officer
P Melling, Director of Sustainable Communities
C Wood, Director of Organisational Performance (from 5.45pm)

B Davis, Director of Treasury & Finance
A Selvey, Director of Creative Communities
N Arbutnot, Director of Community Infrastructure
S Moulds, PA to the Chief Executive Officer
A Seaman, Executive Support Secretary

Staff:

M Fates, Principal Project Manager
K Chua, Manager Financial Services
A Van Der Weji, Systems Accountant
D Granville, Manager Human Resources
S Chiera, Coordinator, Marking and Media
M McGinity, Manager Communications, Marketing and Tourism

Electors – 16 Attendees

Press - 1

Apologies:

Cr R Ramage
Cr J Clune

Leave of Absence:

4 PUBLIC QUESTION TIME

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

The Mayor advised that questions that had been received prior to the meeting and responded to formally which appeared in the Agenda would not be repeated.

Questions provided in writing:

Mr Colin Dymond, 65 Chapman Road, Geraldton WA6530

Question

I read that we are becoming the technology and data city at the forefront of our peers with awards and accolades etc. What bothers me and the question is why can't we as a city complete civil works when they are proposed to be finished even within delay parameters, I refer to a glaring example being the Flores road intersection, which was budgeted to be finished in October 2012 and is still not finished. If the budgeted finish time was incorrect why not say so and stop giving ratepayers false hope.

Response

Flores Road Intersection was programmed for completion in October 2012, there was and has been significant issues that have delayed the project:

1. 10 week delay due to issues association with the Water Corporation water mains; and
2. Several unreported breakdowns of the asphalt plant causing further delays, these delays amounted to approximately 1 month.

It is acknowledged that there are minor works still being completed. It is easy to be critical however, in any project in a brown fields environment unforeseen issues arise and need to be dealt with. Flores and Place Road when tendered was \$6.8M, there were delays in the commencement as staff were working with the contractor to reduce the constructions costs to an acceptable and budget amount of \$4.7M. It is totally irresponsible for staff to recommend contract figures that they know can be reduced to the benefit of the rate payer. Flores and Place Road has reached practical completion and would have on 23 January 2013 had the local asphalt plant not broken down resulting in a failure to supply. Staff could have accepted asphalt from Perth and this was investigated, however based on quality issues associated with the asphalt being in transit for 6.5 hours, staff rightly declined that supply source. Programs are set and programs are adjusted on any project as circumstances dictate. The staff at the City have worked and continue to work to get best value for the community and if this means there will be a delay so be it. The outcome of Flores & Place will prove to be beneficial to the community in the short, medium and long term future.

Question

The proposed land development projects, why is it that we as a city are now increasingly becoming involved in large scale subdivisions and property development? There are significant other arms of government and private enterprise more expert in completing these projects.

Response

The City has a range of land holdings that are not required for municipal purposes and are able to be developed for sale. Development of those land holdings achieves a range of important goals – it activates the local areas, it stimulates economic growth, the development project works creates local private sector business activity and employment and, most significantly, the land development projects generate capital funds from sales, providing funds for other City capital projects that deliver essential infrastructure and facilities requirements of the community.

Without leveraging those land assets to maximise the generation of funds from them, the City would not have the financial capacity to deliver the range of capital projects the community needs and desires. With regulatory constraints on the capacity of the City to borrow capital funds, and with the increasingly competitive processes and declining reserves for both Federal and State grant funding, it is imperative that the City pursues opportunities to generate capital funds where possible from its own land holdings, where the land is not required for municipal purposes.

That is **why** the City is involved with subdivision and property development projects, in relation to City-owned land.

The Local Government Act and Regulations explicitly provide the power for Local Governments to be involved in major land transactions, with the regulatory framework requiring preparation of formal business cases for any proposed land development projects. The City of Greater Geraldton applies and complies with the regulatory framework in exactly the same way as every other Council in the State and, like other urban Councils experiencing rapid growth, it seeks to leverage its land holdings through subdivision and sale to generate capital funds to meet growing community needs. Where subdivision and sale is not envisaged, the City may also choose to undertake developments on its land to generate commercial lease rental income flows, to supplement its operating revenue – reducing the revenue required to be collected via municipal rates, fees and charges, to the benefit of ratepayers.

There is an argument put in some quarters that, where a Council holds land not required for municipal purposes, it should simply sell that land in unsubdivided state to the private sector, and allow the private sector to undertake the subdivision and sale, and reap the profits from land development and sale. That argument generally reflects the self-interest of private property developers or their industry associates. The City rejects that general proposition as being contrary to the broader interests of the community. Profits from sale of serviced subdivided land from projects undertaken by the City with City-owned land go straight back into development of infrastructure, facilities and amenities *for the community*. City-owned land is a community asset, and it is therefore absolutely legitimate for the capital profit potential of that land, in developed state, to be pursued by the City, on behalf of the community, with the resulting capital surpluses from sale to be retained by the City to fund infrastructure and facilities for the community.

It is assumed that Mr Dymond is not questioning either the right or the necessity for the City to actively pursue opportunities to generate capital funds from its land holdings, to enable funding of infrastructure, facilities and amenities *in the best interests of the community*. Rather, Mr Dymond's question is assumed to focus on City involvement in the *actual delivery* of the subdivision or property development projects.

In reality, the City is **not** becoming increasingly involved in the *actual delivery* of its subdivision or property development projects. Demonstrably, the City either undertakes projects in joint venture with State agencies, to maximise the benefit of their expertise in project planning and delivery, or the City utilises the private sector for planning, design and delivery of civil works – via public tender, RFQ and EOI processes, in compliance with Local Government regulatory requirements for procurement.

For example - in relation to other significant arms of Government with expertise in delivery of subdivision and property development projects - the Karloo/Wandina project is being undertaken by agreement between the City and the State Department of Housing, using Royalties for Regions funds, and supported by Federal Building Better Regional Cities (BBRC) funding to deliver rebates on a proportion of land purchases as part of Commonwealth affordable housing strategies. The City envisages that the Department of Housing (not the City) will facilitate planning, construction design and civil works delivery. This project will deliver water, sewer and power utilities to the land holdings, deliver some 1700 serviced residential lots and a range of commercial lots, will deliver a suburban connection between Karloo and Wandina across the Mount Magnet Rd, and will deliver construction of the otherwise unfunded Verita Road. The development will leverage the City's investment in land holding on Verita Rd, initially acquired for the purposes of development of the southern districts sporting complex, but with land surplus to that and other municipal needs able to be developed for other purposes. By joint development with the State, the project leverages the City's access to Commonwealth BBRC and affordable housing programs, to which State Housing agencies do not have access – further leveraging the project Royalties for Regions funding. Demonstrably, the expertise of Department of Housing is being utilised to deliver this project.

The Department of Housing will determine through its own processes the extent to which it will involve the private sector in construction design and civil works delivery, noting that Department of Housing has statutory powers to undertake joint ventures with the private sector, whereas the City does not have statutory powers to undertake joint ventures with the private sector. This joint project maximises leveraging of the respective powers of the State agency and the City, in their mutual interests, to deliver greater benefits to the community.

In relation to private enterprise, apart from projects undertaken jointly with State agencies such as Department of Housing, the City's subdivision and property development projects ALL have extensive private sector involvement, made transparent through Public Tender, RFQ and EOI processes, in the various stages of planning, environmental studies, concept design, subdivision process submissions through WAPC, detailed design and civil works delivery of projects. The City does not utilise in-house resources for these projects – it maximises use of private sector expertise in all property developments, and the overwhelming majority of contracts for associated planning, survey, geo-tech, design or project management consulting, contracts for civil construction works, and for property valuations, and marketing for sale, are awarded to professional firms and companies with local presence, employing personnel in Geraldton. Projects such as Olive Street (net proceeds from which will fund development of the southern districts sporting complex) and the Airport Technology Park are good examples, with maximum private sector participation in the design and development delivery.

Question

It was budgeted to install 2 new bike facilities, part of the smarter cities, in 2012 why has this not proceeded?

Response

The project has proceeded. Detailed design had to be completed prior to undertaking construction. The Detailed Design has been progressed for both projects and is almost at a stage where it can be issued for construction. Timing of construction will be subject to works scheduling.

Question

When will the foreshore drive adjacent to Dome be reconverted to a two-way street, thus alleviating congestion in Marine terrace, Durlacher Street and Chapman Road?

Response

There is no funding for this project in the current budget, furthermore there is no detailed design or community consultation taking place in relation to this project. There have been initial investigations and the issues associated with converting Foreshore Drive into a two-way drive are being worked through, when these have been completed preliminary plans will be presented and Council's consultation procedures will be initiated. There is no programmed completion date for this project.

Question

What deems a serious complaint under section s5.110 (6) (b) or (c) mean?

Response

Section 5.110 (6) (b) or (c) deals with minor breaches by a council member. Minor breaches are generally associated with the Local Government code of conduct Regulations and these could include the divulging of confidential information; securing personal advantage or disadvantaging others; misuse of the council resources; not disclosing a conflict of interest.

Major breaches come under Section 5.105 (3) and these would include a situation where a council member commits an offence under any written law.

Question

Under your budget for 11/12 which we can only discuss today, not the outrageous increases in rates for this year, Materials and Contracts had a budget of approx 35mil. However cost was 18mil? Why was the discrepancy and where was this budget number made up from.

Response

Actual expenditure was lower than the budget estimate due to deferment of commencement of about \$15M in projects, due to delays in Government project approvals and authorisation of associated funding.

Question

Governance had a budget of 1mill however actual was 10mill?

Response

The Budget as approved by Council included \$9,509,882 for Governance, and \$1,006,608 for General Purpose, and actual expenditures have been audited against those budget provisions. Unfortunately, there is a presentation error in the printed statements in the report, with the figures for the two items inadvertently transposed in the income statement by program, and not detected in proofing for publication. This is only a presentation error, not an error of substance. Advice will be provided to the Department of Local Government of the transposition error in the printed version of the statements.

Question

Cash backed reserves showed a budget of 22mill actual of 31mill. How has this occurred - is this to do with non-completion of projected civil works?

Response

The increase in the year-end reserves results primarily from pre-payments to the City by Government of the following grants - BBRC \$4m; Flores Rd Intersection \$2.85m; Digital Economy \$0.55m. The balance of about \$1.6m represents the net amount of unspent grants and/or unexpended capital relating to 2011-12 projects carried over into 2012-13.

Mr Jon Luk, 234 Chapman Road, Beresford, WA6530Question

Can an estimate be given as to when work will commence on the upgrading of the area along Chapman Road from the present marina to Bluff Point?

Response

The City has a concept design for the foreshore protection and enhancement and is currently working with the GPA and DOT to be in apposition to recommend to the Council and the relative authorities a program for resolution of technical issues and final design. This work should be completed early in the 2013/14 financial year following which applications will be made for funding the project. The staging of the project will be determined based on the availability of funding.

Question

Because part of Boyd Street has 10 houses along one side of it, the speed limit has been lowered to 50 km/h. Along Chapman Road there are in excess of 60 residential dwellings, units and businesses between Phelps Street and Ord Street, all one side of the road. Can consideration be given to lowering the present speed limit of 60 km/h to 50 km/h along this section of Chapman Road similar to that in Boyd Street?

Response

Each road is classified according to the level of service required within the road hierarchy. Chapman Road being a Main Arterial Road with in excess of

12,000 vehicles per day is a higher order road than Boyd Street having both 50km/h and 60km/h speed zones dictated by the adjacent developments along the road. While the 60km/h zone is considered appropriate for the location the City will investigate the speed zones, consult with MRWA and make recommendations based on the investigation findings which will include without limitation traffic speed and volume assessments along with taking into consideration the adjacent development. It is expected that the matter will be programmed for investigation and recommendations submitted to MRWA in the fourth quarter of 2013.

Mr Max Correy, 51 Bayview Street, Geraldton WA6530

Question

Is it the Council's policy to be open and transparent with ratepayers as per the 5 pillars of sustainability publication distributed to Australia Day Award participants on January 26, which under the heading of Governance reads and I quote:

- *Community involvement in decision making so it is collaborative, based on integrity, accountability and transparency.*

Response

Yes

Question

Do Council believe they have an ethical, moral and legal duty to inform ratepayers of upcoming rate increases particularly with reference to year on year RID increases and actual rate increases?

Response

Local Governments are required to comply with the Local Government Act. The City of Greater Geraldton is of the view that it has complied with all requirements under this legislation.

Question

When were Council supplied with the GRV increases as determined by the Valuer Generals Office?

Response

The City received first advice from Landgate (for the Valuer General) on 10th May 2012, with subsequent receipt of the valuation roll (in the form of a digital data file) by the City on 11th May. The initial advice dated 10th May indicated that a number of valuations were outstanding, that specialist property values may have been excluded, and that Landgate had on hand a number of interim valuations requiring processing – such cases to be processed within a month and provided to the City via update schedules. That is standard Landgate process. The valuation roll provided to the city by the Valuer General only becomes authoritative when it is gazetted by the Valuer General pursuant to section 21 of the Valuation of Land Act.

The valuation roll to apply for 2012-13 was gazetted by the Valuer General on 6 July 2012.

Prior to any information being able to be presented to Councillors, the provisional new valuations data received from Landgate in May had to be input to the City's property database. The data then had to be processed, and compared against the previous property valuations, to establish the effects of the valuations relative to the previous property valuations. Anticipated effects of the revaluation were discussed by Councillors at budget workshops on 22nd and 23rd May, and profiles of the potential effects of the property revaluation across suburbs, as determined after data processing, were subsequently provided to Councillors at budget workshops held on 29th and 30th May.

Question

If the GRV was made available to Council prior to the 8 June 2012 when the Council advised ratepayers of the recommended RID increase why wasn't the GRV also made available at this time?

Response

Section 6.32(2) of the Local Government Act 1995 requires that when imposing a rate, the Council is required to "*..set a rate which is to be expressed as a rate in the dollar..*" to be applied to the gross rental value or unimproved value (as applicable) of rateable land.

Section 6.36 of the Act requires the Council to give local public notice of its intention to impose any differential general rates or a minimum payment applying to a differential rate category.

The local public notice may be published within a period of two months preceding the commencement of the financial year to which the proposed rates are to apply i.e. published between 1st May and 30th June.

The public notice is to contain details of each rate or minimum payment the local government intends to impose, and an invitation for submissions to be made by an elector or ratepayer in respect of the proposed rate or minimum payment and any related matters, with a minimum period of 21 days for submissions.

The Council is then required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

The Council is obliged to give local public notice of intention to impose rates, and is obliged to express the intended rates in terms of *rate in the dollar*. The City complied with the requirements of the Local Government Act.

Property valuations are undertaken under the *Valuation of Land Act 1978*. Responsibility for property valuations and provision of property valuation information rests with the Valuer General, with associated functions undertaken or facilitated for the Valuer General by Landgate. Landgate is the only authoritative source of property valuation information.

The Valuer General's statutory obligation to inform the public of GRV valuations to apply from 1 July 2012 and UV valuations to apply from 30 June 2012 was met via formal notice on pages 3037-3038 of the Government Gazette of 6 July 2012, and public notices in the print media.

The Valuer General's Gazette and public notices inform the public that valuations are available for inspection at their various Landgate offices, and local government offices, following gazettal for a period of 60 days of valuations coming into force. The Gazette notice also informs stakeholders of the process for lodging objections to a valuation.

The City emphasises that the statutory responsibility for informing the public of new valuations rests with the Valuer General and - *following gazettal by the Valuer General* - the City is then able to make the valuation roll provided to the City by the Valuer General available for public inspection. The valuation roll became available for public inspection after its gazettal on 6 July 2012.

Question

If the answer to the above question is yes then why wasn't proper, open and transparent disclosure of the GRV, RID and the calculation used to arrive at the actual rate amount advertised prior to or on the 8 June 2012 in keeping with the Council's clearly laid down governance statement contained in its community charter?

Response

The City complied with the requirements of the Local Government Act to give local notice its intention to levy differential rates and specified area rates (expressed in terms of rate in the dollar, as required by the Act) and minimum rates.

The response to the previous question above addresses the matter of statutory responsibility of the Valuer General to inform the public of new valuations. The City was not able to make the valuation roll available for public inspection until Gazettal by the Valuer General. However, in an endeavour to better inform the community it did publish average valuation increase information by suburb, based on the provisional valuation roll received from Landgate.

Question

When were Councillors made aware that the GRV increase for residential property for 2012/13 was approximately 27%?

Response

Attempting to simplify the property revaluation issue to an average change across the aggregate GRV valuations across the entire city is inappropriate. Without understanding the range of actual movements, and the profile of movements in different parts of the City, the aggregate change average would actually mislead many property owners.

Processing of valuations data to enable assessment of actual levels of both valuation increases *and decreases*, in different and very diverse suburbs across the City, was necessary to properly inform Councillors of the actual profile of potential effects of the revaluation.

The information on average GRV changes by suburb published on 22nd June, clearly illustrates that changes in valuations (not rates) ranged from increases of over 40% in Walkaway, and around 10% in Deepdale, *but with decreases of around -10% in Wandina and -80% in Tardun.*

It must be noted as well that a change in property valuation does not necessarily flow through to a direct change in rates payable based on application of rate-in-the-dollar. Many low value properties remain on the Minimum rate – as was the case for example with a significant proportion of properties in Walkaway that, while receiving an average +40% valuation increase, were previously on and remained on the Minimum rate, because their property values started from a low base.

Accordingly, having regard to the wide range of increases and decreases, and the wide range of starting valuation points from the previous valuations, it would have been misleading to indicate to anyone that they could be impacted by a GRV increase of about 27%. The advice of average change of +26.51% *in aggregate residential GRV across the localities of Geraldton, Greenough and Mullewa* was far too broad when considered in isolation to usefully inform Councillors of potential effects across different parts of the City – at differing rates levels. The valuation data alone is meaningless, and the information received thus required processing against different possible rating models, including appraisal of the number of properties on the minimum rate, to enable Councillors to appraise the potential combined effects of property revaluations and different levels of possible rates.

Attempts to apply a simplistic view to what is a complex issue embedded in statute are not helpful. Developing and running a series of different rates models against a full land valuation roll is complex, requires care and takes time. Councillors then required time to examine the models and, across the series of workshops, requested development of additional different models to inform their budget formulation process. Councillors should be commended for the intense effort they devoted to this process.

Question

Is it correct that the only information made available to ratepayers on 8 June (start of the 21 day objection period) was a small ad outlining the intended RID for 2012/13 and the minimum rate amount with a further reference to the Council website to view the objectives and reasons for the RID increases?

Response

The notice on the 8th June 2012 was consistent with the requirements of the Local Government Act.

Supporting papers setting out objects and reasons were also made available in hardcopy form at the Council chambers, Mullewa district office and the Geraldton public library.

Question

How can a ratepayer be expected to object or comment on rates when the only relevant information given by Council in the required time frame is a small ad advising of the intended RID for 2012/13 and minimum rates. Does the Council admit they've treated their ratepayers with less than due respect?

Response

The City is obliged to give local notice of intention to impose differential rates expressed in terms of rate in the dollar, and minimum rates, in accordance with the requirements of the Local Government Act. The City complied with its obligations under the Act.

Other responses address the separate matter of Valuer General responsibility for provision of valuation information.

Question

Do the Mayor, Council Staff and Councillors think that the ratepayers of the Geraldton area less than intelligent.

Response

No, and the Council notes that the Mayor, Councillors and staff are also Electors and Ratepayers.

Question

If not then why did you treat them so by not making available to them all relevant information prior to 8 June so they can make an informed decision with respect to the massive 33% increase in rates?

Response

As noted in other responses above, the statutory obligation to inform the public about a new valuation of property rests with the Valuer General. The City is not able to make available for public inspection the new valuation roll (provided to it by the Valuer General) until the Valuer General has Gazetted the new valuation roll and informed the public via the Government Gazette and public notices in the press that the new valuation roll has been created and will apply from a specific date. The valuation roll for Greater Geraldton had no authoritative status until Gazetted by the Valuer General on 6 July 2012.

On the matter of extent of increases in rates revenue required by the City, as noted in budget agenda papers and minutes, the key driver relates to necessity to fund renewal and replacement of infrastructure and facility assets. This necessity is not new, and has been formalized as a requirement on all local governments in WA.

The State Government, by significant amendments in August 2010 to the associated 'planning for the future' provisions in Regulation 19 of the *Local Government (Administration) Regulations 1996*, made mandatory the implementation by all Local Governments in Western Australia, the significant new Integrated Planning and Reporting framework as formulated by the Government – by July 2013.

The process determined by the Government for implementation of these important reforms is reflected in the following documents issued by the Department of Local Government:

- *Integrated Planning and Reporting – Framework and Guidelines*, October 2010, with foreword by Minister Castrilli; and
- *Integrated Planning and Reporting Advisory Standard*

In particular, Section 1.4 Asset Management (page 7) in the *Integrated Planning and Reporting Advisory Standard* is important -

- requiring all Local Governments in Western Australia to report on key performance indicators associated with management and renewal of assets, and
- setting out benchmark performance standards against which the financial sustainability of Local Governments will be appraised by the Government.

The benchmark performance standards for financial sustainability of a Local Government in relation to assets management and the renewal/replacement of assets, as specified in the advisory standard are as follows:

- Asset Consumption ratio (ACR: written down/depreciated replacement cost of existing assets divided by Current replacement cost)- basic standard 50%, and advanced standard 60%-75%;
- Asset Sustainability ratio (ASR: capital expenditure on replacement or renewal of assets, divided by the depreciation expense)- basic standard 90%, and advanced standard 90-110%;
- Asset Renewal Funding ratio (ARFR: The NPV of planned capital expenditure – based on current Departmental guidance on renewals over ten years – divided by the NPV of the required capital expenditures over the same period) –
 - basic standard between 75% and 95%;
 - advanced standard – between 95% and 105%, and the ASR is 90%-110%, and the ACR is 50-75%.

Consistent with these obligations, mandated upon all Local Governments by the State Government, the City has determined in its financial sustainability policy framework, formally adopted with the 2012-13 budget, that it should bridge the assets renewal funding gap (that is the gap between the current level of the ASR, and the basic performance benchmark of 90%) within ten years.

Renewing, replacing and maintaining City assets is not optional. Regardless of the mandate imposed by the State Government, failure to renew infrastructure and facilities will inevitably lead to urban decay, and loss of functionality, amenity and safety for the Community. The Council is therefore

obliged to continue to pursue asset renewal as a very high priority, in the interests of the Community.

The Financial Sustainability Policy of Council is reviewed each year as part of the annual budget formulation process.

Question

As Council had all relevant information as of 8 June why wasn't a simple example done such :

- as average residential property GRV increase 27%
- RID increase 6.7%
- Average rate increase 33%

So that ratepayers could be informed of what the Council were proposing. Why did the Council hide these facts from the ratepayers prior to the budget being passed on 9 July?

Response

As noted in other responses, the simplistic approach of applying an average increase of about 27% across the board is misleading because of the very wide range of valuation changes (between +40% and -80%) and because property values in different parts of the city have very different bases. In lower valued areas, the GRV change had no effect on actual rates based on rate-in-the-dollar, because many of the properties are on minimum rates.

As also noted in other responses, statutory responsibility for valuation information rests with the Valuer General, not with the City. The City was not able to make available the new Valuation Roll for public inspection until the Valuer General gazetted the new GRV and UV valuations

The City did not hide any information. To the contrary, even though there was no statutory requirement to do so, the City released information based on average valuation changes by suburb, to better inform the community. It also provided a detailed briefing to the media, which resulted in The Guardian publishing a major front page story in the Friday edition (highest circulation) paper on the 22nd June, 2012 – along with the double page insert of City information on the budget process. While not necessarily perfect from some viewpoints, this still allowed a week prior to close of submissions for potential respondents to address issues in their submissions.

Question

Is it fair to say that any self-respecting honest Council acting with integrity should have made all relevant information available and that the staff member responsible for not doing so should resign forthwith or be dismissed for acting unethically.

Response

When Councillors had received information about property revaluations, they required time and additional information to properly appraise potential effects, by seeking development and presentation to them of a range of different rating models. Councillors collectively put substantial time and effort into this process. Responsible officers were diligent in responding to their requests for different models, distributing additional working papers to Councillors between workshops, to enable Councillors time to consider the additional information requested.

At the earliest practical opportunity, after individual Councillors considered that they had examined a sufficient range of rates models to properly inform themselves, they then requested that the revaluation information be publicised, along with information outlining the budget process, key issues, and highlighting particular budget challenges confronting the Council, resulting in the publication of additional information in the Geraldton Guardian of 22 June.

The Council (not staff) sets financial policy and determines budgets. The Council, in the budget formulation process, seeks information and professional advice from its executives, supported by their staff. The Council is confident that the 2012-13 budget formulation process undertaken by Councillors with the support and advice of Executives and other officers was conducted ethically and rejects suggestions to the contrary.

Question

The Guardian of 22 June has 2 pages of Council information on How the budget was set and External impacts - is the first time mention is made of the GRV increase.

Response

See responses to other questions above.

Question

As GRV information was only made available on 22 June and the time set by Council for comments and objections was the 29 June and the Local Government Act states that a minimum 21 day period be allowed for ratepayers to comment is the Council in breach of the Act.

Response

The City complied with the local notice requirements of the Local Government Act in relation to publication of intention to levy differential or specified area rates (required by the Act to be expressed as terms of rate in the dollar) and minimum rates. The advertisements (commencing in The Geraldton Guardian of 8th June) specify that the rates in the dollar and minimum rates are *estimates only*, and may be changed by Council as a result of consideration of any submissions received.

The separate matter of the statutory responsibility of the Valuer General to inform the community of issue of new valuations, by notice in the Government

Gazette and public notices, and the availability of the valuation roll for inspection following gazettal, is addressed in responses to other questions above.

The City complied fully with its obligations under the Local Government Act to advertise its intention to levy rates-in-the-dollar and minimum rates. While Council had no duties or obligations in relation to provision of property revaluation information, in the interests of better informing the Community, the Councillors requested that additional information be publicised. As a result Media releases were made, resulting in the front page feature of *The Geraldton Guardian* on 22nd June 2012, and double page information features were published in *The Geraldton Guardian* of 22nd June 2012 and the *Mid West Times* of 26th June 2012.

Question

How many meetings/workshops did Council have to discuss budget matters to arrive at the conclusions it did?

Response

Budget Workshops for Councillors were held on 15th, 22nd, 23rd, 29th and 30th of May and on 12th, 13th, 21st and 26th of June 2012. Scheduling of workshops on successive days in particular weeks was done to ensure all Councillors had opportunity to discuss budget preparation matters, providing Councillors of choice of days to participate in those weeks.

The Council notes that for the process of formulating the 2012-13 Budget, initial discussion draft capital and operating budgets were prepared by officers for Councillors based on the criteria determined by Council in their Financial Sustainability Policy (formally adopted by Council at the time of adopting the 2011-12 Budget).

This Council practice effectively foreshadows to the community, 12 months in advance, via publicly accessible agenda papers and minutes, the criteria set by Council for formulating the budget for the following financial year. Officers are obliged to implement policies formally determined by Council. The initial draft budget papers were the starting point for the series of budget formulation workshops for Councillors.

Question

Are there minutes available of these meetings?

Response

Workshops for Councillors are not meetings of Council, have no formal debate, may not and do not make decisions, and minutes are not required to be kept. Workshops are just that – they provide opportunity for Councillors to ask questions of officers, to share views on issues and ideas, identify areas where they wish to be provided with further information, and be provided with information they request.

At process level, information prepared by officers in response to a request from any Councillor is provided to all Councillors so that, when it comes time for formal deliberation on related matters in subsequent formal meetings of Council, all Councillors have been provided with the same information.

The formulation of any annual budget typically requires multiple iterations of draft budgets, and preparation of a significant number of different budget and rating models, and preparation of analyses of particular areas of focus, at the request of Councillors, to enable Councillors to develop judgements about different options, as workshops progress. Each rating model prepared is documented in the same way, to enable ease of comparison by Councillors.

Draft documents have no status and change as budget formulation workshops progress, in response to questioning, ideas and information requests of Councillors.

As no budget decisions can be made in workshops, and as drafts have no status, all budget formulation working papers are held confidential by Councillors – in exactly the same way as budget working papers are held confidential for Federal and State budgets, to ensure that no party may take improper advantage of budget preparation information, or make incorrect decisions based on draft information that has no status.

As clearly evidenced in the published agenda papers presented to Council at its meeting of 9 July 2012 to consider the 2012-13 City Budget, and providing transparency for the process, the options presented for formal debate and deliberation included the range of different budget and rating models prepared for Councillors during the series of budget formulation workshops.

The Council's current Financial Sustainability Policy, published in that same agenda, included in the Council minutes on its formal adoption by Council, and thus publicly available since that meeting on 9th July 2012, will be the basis for preparing an initial Draft Budget for 2013-14.

That initial draft based on Council's current Financial Sustainability Policy will be used to initiate the budget formulation process via a series of Councillor workshops.

Question

Am I correct in my understanding that all Council meetings throughout the year were preceded 1 week prior by an Agenda Forum meeting where ratepayers can attend to view the motions coming before Council the following week?

Response

Agenda Forum are only held for Ordinary (Monthly) Meetings of Council and not for Special Meetings.

Question

Why was there no Agenda Forum meeting on 2 July one week before the 9 July budget decision meeting where ratepayers could attend to better understand the rate setting agenda?

Response

As above.

Question

The Council must have known that a 33% increase in rates would cause an uproar - did the Council seek expert advice - legal or otherwise as to how to not divulge the full ramifications of the rate increase decision?

Response

No.

Question

As a result of non-disclosure by Council upon the receipt of rates in late July a petition was signed by some 1500 ratepayers and presented to the Deputy Mayor on 11 August - why was the special meeting called as a result of this petition not held until 11 September - 12 days after the Minister for Local Government could have intervened and asked the Council to reconsider their rate increase. Was this a deliberate strategy to make it impossible for ratepayers to appeal to the Minister to intervene?

Response

The Special Electors Meeting was called in accordance with the notices and requirements of the Local Government Act. There were no other determining factors in setting the date.

Question

The Statement of Objects and Reasons sheet available on-line as of 8 June as an attachment to the Guardian ad reads - "To calculate the rate account, councils multiply a rate in the dollar by the land value.

Does Council agree that statement is both misleading and false?

Response

No. The statement is neither misleading nor false. The dollar amount of rates payable on a property is calculated by multiplying the rate-in-the-dollar applicable to that property, by its valuation as determined by the Valuer General – except where the published minimum rate will apply.

Mr Correy posed supplementary questions at the meeting, the responses of which are provided above.

Mr Jon Ward, 5 Jeune Road, Woorree, WA6530Question

Given the furore that has transpired since council and councillors adopted this outrageous 2012/2013 rate increase, the lambasting the council and councillors has received from the people of Greater Geraldton, the repeated admission by the Minister of Local Government (John Castrilli) that the rate increase was more than just outrageous, and the public denunciation of the City of Greater Geraldton Council by Premier Colin Barnett on ABC Radio, are all individual councillors still convinced that this unsustainable rate hike was the correct decision, given that we are the only Local Government Authority in the state to be inflicted with a 30%+ increase?

Response

The City notes that the increase in rating and other revenue raising effort was directly related to ensuring City compliance with the new Integrated Planning Framework, and the financial sustainability ratios and benchmarks – in particular noting the benchmark for expenditure on asset renewal - issued by the Department of Local Government (with foreword by Minister Castrilli) in 2010. The full effects of these new regulations associated with the Integrated Planning Framework, mandatory for all Local Governments in WA, come into effect on the 1st July, 2013. Every other Council in the State is confronted with the now mandatory requirement to increase their expenditure on asset renewal and replacement, and to raise rates and other revenues to cover the annual depreciation expense on their assets.

The State has determined that the benchmark for basic compliance with financial sustainability of a Council is annual asset renewal expenditure equivalent to at least 80% of its asset depreciation expense. The City began the process of gradually increasing its annual asset renewal expenditure program in 2010. Many other Councils in WA have yet to even commence the process of rating and other revenue raising to cover their asset depreciation expense. Every Council in the State will have no option than to increase rates and other revenues to meet this mandatory requirement determined by the State Government, and it is inevitable that ratepayers all over the State will have to shoulder this burden. The alternative is urban decay and loss of functionality, amenity and public safety for the community. This City has started the difficult process of bridging the assets renewal funding gap that the State Government has determined every Council must do. To have any member of the Government criticising this Council for stepping up to the task that their Government has set as mandatory for all Councils is therefore considered inappropriate.

The power rests with the State Government to determine a timeframe for compliance with the Local Government financial sustainability benchmarks that the State Government has set. This Council has adopted a timeline of 10 years to achieve full funding of its annual depreciation expense.

If the Government of the day feels that that timeframe is too quick in the context of impact of increases in Local Government rates, fees and charges

on the community – then the prerogative rests with the State Government to determine a timeframe for achievement of full funding of annual depreciation expenses, and to direct Councils accordingly, by adding a timeline requirement to the financial sustainability benchmarks they have determined. Unless and until the State Government determines that (say) a 10 or 15 or 20 year timeline is most appropriate to achieve full funding of annual depreciation, then they ought not criticise any Council for making a judgement based on their local knowledge on the appropriate timeline to achieve specific benchmarks determined by the State Government. Councillors are curious as to why any member of a State Government would criticise a Council for demonstrably endeavouring to implement the policy of that State Government.

In addition to being required by State regulation to increase revenue raising to cover asset renewal requirements, the City has also had to cover significant increases in the cost of State Government utilities. The magnitude of increases over the past three years can be determined from the table below – a 29% increase in 2012-13 in the costs to the City of electricity, street lighting and water. The City understands the underlying imperative for State utilities to move over time to full cost-reflective pricing. Local Governments have the same imperative.

	2009.2010	2010.2011	2011.2012	Annual % increase
Electricity	625,299.09	725,209.72	995,288.69	37.2%
Water	418,239.63	424,529.33	499,737.07	17.7%
Streetlighting	862,001.25	740,442.41	943,985.62	27.5%
Cost to City	1,905,539.97	1,890,181.46	2,439,011.38	29.0%

Question

Individual Councillors should have been aware (one would hope) of the significant burden a rate increase of this magnitude would have on local ratepayers and local business operators. Why did Councillors not make any apparent attempt to make the significance of the total rate increase known to their constituents? Was there any discussion between council/councillors to keep this all “behind closed doors” until the required 21 day advertising period was over and done with, in a deliberate attempt to shut any ratepayer rebuke out of the equation?

Response

No. This statement is not supported by the facts.

Question

Can you advise which Councillors are up for re-election in October 2013, if after this debacle which of them can confirm whether or not that they will or won't be renominating, and if they intend doing so, what wards they presently represent?

Response

The City's website provides the terms of each Councillors at: <http://cgg.wa.gov.au/your-council/councillors>

The renomination for Council is a matter for individuals to comment on.

Question

Do you know how many ratepayers are having difficulty paying for their rates with the increase in rates that have been imposed by the City.

Can you advise how many ratepayers in the City of Greater Geraldton have paid their rates by credit card?

Response

Payment by credit card is not a true indication

Mr John Sewell, 11 Flavio Crescent, Wandina WA6530Question

What was the rural rate in the dollar for the 2011/2012 and the new rate for the existing year 2012/2013?

Response

Year	2011/12	2012/13
Mullewa	0.8974	0.8974
Geraldton	0.5389	0.6389

Question

What was the percentage increase?

Response

Mullewa	Nil increase in RID
Geraldton	18.56%

Question

When is the next rural revaluation?

Response

Next GRV valuation is expected in 2015, and UV revaluation timing may be aligned - To be determined by the Valuer General.

Question

When is the next GRV review?

Response

The Valuer General has indicated application of a 3-year cycle, rather than the past 4-year cycle, so the City anticipates a new valuation roll would apply from 1 July 2015.

Question

Did rates go down in the previous Mullewa Shire and by what percentage? (rural rates)

Response

No, for 2012/13 the RID remained the same as in 2011/12 for Mullewa UV agriculture.

Council has until 30th June 2016 to align the two former Council's RID. Mullewa UV Agriculture RID of 0.8974 is currently 40.5% higher than Geraldton UV General farming RID of 0.6389.

Question

Can there be a separate rate setting for the previous Mullewa and Greenough Shire's under an amalgamated Council?

Response

Geraldton and Greenough rates were aligned at their amalgamation. At the time of the amalgamation of Mullewa with Geraldton-Greenough, the differences in differential rates (Mullewa being significantly higher) were too large to address in a single year, so the Governor's Orders make provision for normalisation of the rates over a period of 5 years.

Question

Where Councillor's given examples of the combined rate struck plus the effect of the increased valuations. If no, how often and how many?

Response

Yes. Nine budget workshops were held. All of the models developed for the workshops were included as options for motions in the agenda paper for adoption of the budget.

Question

Are there target rural rates in the dollar for the next 5-10 years. Is it correct those values are flexible targets?

Response

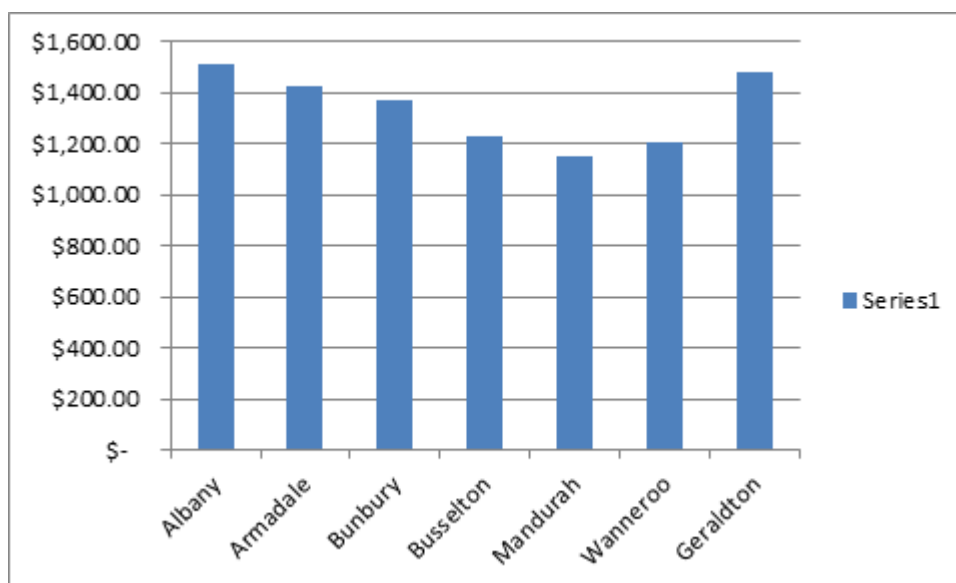
Other than the indicate changes proposed across the total revenue in order to meet the Financial Sustainability Policy and the statutory requirements of the State Government Integrated Strategic Planning framework regulations there are no defined or area based "target rates" for the next 5-10 years formulated for either GRV or UV properties.

Question

How does the CGG rates compare with other regional centres?

Response

Local Government	Average Rates
Albany	\$1,513.19
Armadale	\$1,425.30
Bunbury	\$1,369.06
Busselton	\$1,229.22
Mandurah	\$1,153.41
Wanneroo	\$1,204.72
Geraldton	\$1,483.54

Question

Can I have a status report on the progress of the Eastern Breakwater Project; the Beresford Foreshore Project and the Project seaside of the Library (knowing this is not a Council project)?

Response**Eastern Breakwater**

- **Portion 1** - Civil and Revetment Works: has commenced on 28/09/2012 by Central Earthmoving and the anticipated completion is the end of February 2013 unless an extenuating matter arise;
- **Portion 2** - Jetty Works: Detail Design for the Jetty Structure is being finalised. The anticipated tender for the construction will be end of April 2012, award and construction anticipated to be end of June 2012 completion of the Jetty construction is October 2013 unless an extenuating matter arise;
- **Portion 3** - Structural Works: Construction Works has commenced on 28/09/2012 by Crothers and it is anticipated to be completed in July 2013 unless an extenuating matter arise;

- **Portion 4 - Electrical and Landscaping Works:** Portion 4 is re-packed into 5 separable portions and Construction of these portions will be completed in December 2013 unless an extenuating matter arise.

Beresford Foreshore Project

- A Concept Design was adopted by Council on 26 June 2012.
- Partial funding for the detailed design and construction of the Project has been achieved through the Royalties for Regions and Coastal Protection grant funding schemes.
- This partial funding is dependent on securing additional contributions from the Geraldton Port Authority and Department of Transport for the design and construction of the Project whose coastal infrastructure directly impacts the stability of the Beresford Foreshore.
- Negotiations to secure these contributions are ongoing.
- To expedite this process the City requested the formal establishment of a working group for the Project in a letter dated 5 Nov 2012 and addressed to the Ministry of Transport whose portfolio oversees the Geraldton Port Authority and Department of Transport.
- On 3 Jan 2013 the Minister for Transport, Hon. Troy Buswell supported the City's request for a working group for the Project and formally identified a chairperson for the working group.
- The City is currently progressing the establishment of this working group that will direct the Project.

Question

What is the status of the previous depot site?

Response

The site has been cleared. The City is in ongoing negotiations with the State to determine the area required by FESA, and the options for alternative use and development of the site.

Question

Derna Parade has had a lot of recent plantings die. Were the plantings too late?

Response

The Planting and Landscaping project of Derna Parade Park consists of two (2) stages:

- The first stage was the Primary Planting which consisted of all the earthworks, landscaping, primary planting, irrigation and installation of furniture and playground equipment. Planting was initially reliant on rainfall which was less than anticipated and use was made of hand-watering to lessen the impact on the planting. Plants were further damaged by the dry hot winds and sand burn; and
- The Secondary Planting stage is scheduled to commence in May 2013, when the remainder of the specified plants will be planted including the

replacement of the dead plants. The irrigation system is fully operational and further damage should be limited.

Question

Has the Kalbarri Airport been passed back to the Northampton Shire? We had a 50% share in that asset. Why did this happen?

Response

Yes. The City withdrew from the joint venture and effectively gifted its interest to Shire of Northampton. The joint venture committee had failed to meet for a long period, the Shire seemed disinterested in it meeting, while the City continued to have exposure to contributing half of the operating costs with minimal offsetting revenues. Following deregulation of Geraldton Airport, and separation by the State of air services providers for regulated Kalbarri and other smaller regional ports, from de-regulated Geraldton, the network-effect interests for Geraldton Airport were effectively negated. With the CEOs of the two Councils jointly accountable for Kalbarri airport operations, as co-signatories of the airport, but with no means for the City CEO to monitor or influence those operations, and no access to key materials including annual airport inspection reports, or CASA audit reports, the risk exposures from continued participation were assessed as unacceptable, materially outweighing any beneficial outcomes. The City resolved to withdraw from the venture accordingly.

Question

How is the Minoonooka Hill Road Straightening Project faring?

Response

Detailed design is nearing completion, consultation and negotiation with adjoining property owners are proceeding satisfactorily, tenders should be called for the construction works to commence late in this financial year or early in 2013/14.

Questions taken at the meeting:

The Mayor then asked if there were any further questions to be received from the floor.

Mr Correy asked supplementary questions relating to the questions he submitted in writing. Responses to these supplementary questions were contained in the written responses.

Mr Jon Ward, 5 Jeune Road, Woorree, WA 6530

Supplementary questions were asked from the floor.

In relation to the second question asked by Mr Jon Ward as minuted above, he asked the following:

Question

Did the Councillors have any discussion on what impact this rate rise will have on their constituents?

Response

As already detailed in the other answers and in previous statements, the Councillors were provided with a number of various scenarios ranging from reduction in the rate in the dollar to the increases. There was a broad range of what those implications would be across the board so that was considered.

No information was withheld, extra information was provided during the advertising period.

Question

At the Special Meeting of Electors a question was raised as to how many people now have to pay for their rates on their credit card?

Response

The City can advise that 167 payments for rates are by direct debit; and 197 ratepayers asked for special hardship arrangements for the payment of rates.

Payment by a credit card does not indicate whether ratepayers are in a hardship position.

Hardship is defined by people that have applied for hardship relief.

This question was taken on notice and a response is provided below:

Due to privacy laws, the City does not receive information from the banks which enable us to distinguish between debit card or credit card transactions.

Mr John Sewell, 11 Flavio Crescent, Wandina WA6530

Supplementary questions were asked from the floor.

Question

Can I ask how the CDO's are going and could Bob supply this information to me at sometime?

Response

Yes, I will provide you information on this.

Question

Can Council do something about the white cockies around town?

Response

This is something that the City is working with the Department Environmental Conservation on. The City has a restricted capacity for scarring and culling these birds. They are listed as a protected species and whilst the numbers may seem significant there is no certainty that the true underlying problem is that a lot of their habitat in the Hinterland has been destroyed. From

Esperance to Kalbarri where the green grass and water supply is, to which they migrate to in high density numbers, gives the appearance of a high population. The long term solution is to provide better opportunities for habitat preservation in-land where their natural habitat patterns are.

There is an approved program, by the DEC with limited success with great cost to the City's own infrastructure. Western Power has reported issues around coastal areas in which they destroy street lights and is an ongoing problem that the City has struggled to deal with. As advised by the DEC, the numbers have not increased but the migration has increased giving the appearance of increased numbers.

This is an on-going issue right around the state, with Perth experiencing the same issues. Unfortunately, this is really a DEC issue that the City has limited capacity to act upon.

Mr Bill Radford, 438 Greenough Road, Walkaway, WA 6530

Questions were asked from the floor as follows:

Question

This meeting was advertised how and where?

Response

The meeting was advertised in the normal cycle.

This question was taken on notice and a response is provided as follows:

The Annual Electors Meeting was advertised in the Mid West Times on 31 January, in the Guardian on 1 February 2013, and on the City's website

The Annual Electors Meeting was also advertised on the City's local notice boards at the Mullewa District Office, the Library and at the Civic Centre.

Question

The advert that is on the website said Tuesday 18 February.

This question was taken on notice and a response is provided as follows:

Response

On the City's website, on the Council Meetings page there are various dates listed for all the Council Meetings scheduled for 2013. Monday 18 February is listed as a meeting date. Once you clicked on this link it did show 'Tuesday 18 February 2013. This has since been rectified, the City apologies for any confusion this may have caused.

Question

I get Your View regularly. Your View didn't show that there was an Electors Meeting tonight.

The website is not user friendly. The notice for the Annual Electors Meeting should have been in 3 issues of the paper, can it please be rectified?

These questions was taken on notice and a response is provided as follows:

Response:

Your View is updated every other Thursday. The Ordinary Meeting of Council to be held on 26 February was listed in Your View Issue 3 to 13 February 2013. However, the notice for the Annual Meeting of Electors did not appear in this issue. The City apologies for any inconvenience this may have caused.

As mentioned previously, the Annual Electors Meeting was advertised in various ways in accordance with the Local Government Act (1995) as follows:

1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.

Cr Chris Gabelish

A Question was received from the floor as follows:

Question

I understand that what the CEO was saying about the GRV is that the land value is a component of how a GRV is calculated amongst other things.

Can Mr Davis give some examples what other things are considered when the Valuer General's Office is working out the calculation of the GRV?

Response

Refer to page 19 of the agenda and the written response to the related question. I think this information clarifies the position in relation to the calculation of rates amount payable.

In general terms, for rural land the Unimproved Value (UV) of the land is determined by the Valuer. Again in general terms, for urban land the Valuer determines Gross Rental Value (GRV) having regard to value of the land and all improvements such as buildings on the land and appraises rental potential of the property in the market.

5 CONFIRMATION OF MINUTES OF PREVIOUS ANNUAL ELECTORS MEETING – as circulated

RECOMMENDED that the minutes of the Annual Electors Meeting of the City of Greater Geraldton held on 6 February 2012 as previously circulated, be adopted as a true and correct record of proceedings.

MOTION

MOVED CR MCILWAINE, SECONDED CR MESSINA

RECOMMENDED that the minutes of the Annual Electors Meeting of the City of Greater Geraldton held on 6 February 2012 as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED**6 REPORT FOR 2011/12 – CITY OF GREATER GERALDTON****RECOMMENDATION**

That the City of Greater Geraldton Annual Report and Annual Financial Report for 2011/2012 be received by Electors.

MOTION

MOVED CR HALL, SECONDED CR ASHPLANT

That the City of Greater Geraldton Annual Report and Annual Financial Report for 2011/2012 be received by Electors.

CARRIED**7 CLOSURE**

There being no further business the Chairman closed the Council meeting at 6.23pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

Attachments are available on the City of Greater Geraldton website at:
<http://cgg.wa.gov.au/meeting/annual-meeting-electors-18-february-2013>