



ORDINARY MEETING OF COUNCIL
MINUTES

25 OCTOBER 2016

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 25 OCTOBER 2016 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

M I N U T E S

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 revision of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The City of Greater Geraldton expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

I would like to respectfully acknowledge the Yamaji people who are the Traditional Owners and First People of the land on which we meet/stand. I would like to pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of Yamaji people.

3 ATTENDANCE

Present:

Mayor S Van Styn
Cr G Bylund
Cr N Colliver
Cr S Douglas
Cr L Graham
Cr M Reymond at 5.01pm
Cr N McIlwaine
Cr V Tanti
Cr S Keemink
Cr D Caudwell
Cr R Ellis at 5.01pm
Cr J Critch
Cr L Freer
Cr B Hall
Cr T Thomas

Officers:

K Diehm, Chief Executive Officer
P Melling, Director of Development & Community Services
P Radalj, A/Director of Corporate and Commercial Services
S Moulds, Minute Secretary
P Kingdon, Coordinator Communications

Distinguished Visitors

Hon Paul Brown MLC, Member for the Agricultural Region

Others:

Members of Public: 3
Members of Press: 1

Apologies:

B Davis, Director of Corporate and Commercial Services
R McKim, Director of Infrastructure Services

Leave of Absence:

Nil.

Cr M Reymond arrived at 5.01pm

Cr R Ellis arrived at 5.01pm

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.

Public question time commenced at 5.01pm

Max Correy, PO Box 202, Geraldton WA 6530

Question

With respect to the \$9M of Federal Government funds that were allocated to be spent upon the provision of 400 “affordable” housing lots but which has in fact already been expended without the conditions being met can I ask whether Councillors were briefed on the situation and voted to spend the \$9M or did the CEO on his own or with other staff make that decision?

Response

The funding from the Federal Government was for the City of Greater Geraldton to specifically provide the following infrastructure:

- a) Verita Road,
- b) Abraham St extension,
- c) An East- West local connector road,
- d) Columbus St extension,
- e) Water supply,
- f) Wastewater supply,
- g) Power supply,
- h) Subdivision works – for City and State owned land.

This work was a pre-requirement to make available up to 400 lots of land for sale as affordable housing by our consortium partner the WA Department of Housing.

The funds have been spent for the purposes for which they have been provided. Regrettably our consortium partner is unlikely to achieve the sale of 400 affordable lots within the prescribed timeframe due to the significant slowing of the residential market.

Question

Has there been a change to the staffing numbers over the past 12 months and if so to what degree?

Response

There have been significant changes over the last few years which have resulted in the reduction of full time equivalents from 358.13 to 291.29, a reduction of approximately 67 positions or 18.7%.

Question

In the light of the results of Dowerin Shire Council fraud charge conviction whereby the CEO stole approximately \$600,000 over a 4 year period which went completely undetected by the Council auditors I again raise the issue with Council of the need to conduct a forensic financial and systems audit to give ratepayers piece of mind with respect to our Council's financials. Will the Council initiate a forensic financial and systems audit immediately?

Response

I thank Mr Correy for his question and I am grateful that not only do we have vigilant staff and Councillors here in our City, but we also have residents who cast a keen eye over our operations. Should this of been the case in Dowerin, things would most certainly not have gone down as they have. I can offer this reply not only as Mayor but also as Chair of our Audit Committee.

A close examination of the Corruption and Crime Commission's report identifies many significant failings of the Dowerin Shire Council, specifically:

- a) A lack of appropriate financial controls,
- b) Separation of duties and internal control was non-existent,
- c) Lack of suitably qualified or trained staff,
- d) Lack of an Audit committee,
- e) Councillors lack of knowledge and understanding of their roles and responsibilities,
- f) Lack of suitable training for Councillors,
- g) Bank reconciliations not being performed,
- h) Lack of compliance with the Local Government Act and Regulations.

Unlike the Dowerin Shire Council, our Council has rigorous and mature financial controls and processes that have been subjected to extensive auditing, the latest report on which will be tabled tonight. We also have an Audit Committee with independent representation that meets three times a year to oversee our accounts. We also take seriously our need to comply with the Local Government Act. Our Councillors are also diligent in fulfilling their responsibilities, with all Councillors having undertaken training and a number of us are working through the Diploma of Local Government including myself. Further to this, none of the inadequacies raised by the Corruption and Crime Commission exist in the City's operations.

The annual Audit's undertaken on the Council's financial systems has also shown consistent improvement in our financial processes over the last few years and provides me with the confidence that our financial affairs are being well managed. I also note that from 1 July 2017, the State Government is transferring responsibility for the auditing of Local Governments to the Office of the Auditor General.

For these reasons I see no reason to burden our community with the significant cost of a forensic financial and systems audit as suggested.

Sean Hickey, PO Box 2966, Geraldton WA

Question

Does Council support the advocacy by a local politician for a special allocation of funding to meet the needs associated with increasing coastal erosion and threats to developed infrastructure?

Response

Officers have no details of the special allocation referred to but acknowledge that funding of coastal adaptation measures is one of the largest challenges to communities living on the coast right around Australia and would welcome the availability of further funding to tackle this problem.

Question

Would Council prefer this 'funding' to go further and include significant allocations for the revision of planning models of coastal development providing increased 'set backs' and coastal 'buffer zones- including land re zoning and 'buy backs'?

Response

The City has adopted the State Coastal Planning Policy which includes a more conservative approach to establishing coastal set-backs for new developments. Land rezoning and land buy-backs are two options available to help communities adapt and become more resilient to coastal change. Any additional funding for the planning and development of coastal adaption measures would be welcome

Question

Does Council have available for the public an overview of the coastal location Sunset Beach and extensions north and south - an overview that includes aerial mapping, data and reports / research papers , covering the last few decades. This would allow an improved perspective which presently includes : heresay, written reports and information strongly indicating a significant loss of 'shore line' and on going erosion well over and above projections for the area and that experienced to the south of Pt Moore; information stating that the average annual shoreline loss has been above 1.4 meters for the last 12 or more years- resulting in the loss of the usual 'crown land' buffer zone dune in some areas to the extent that 'private land' is now fronting the beach.

Response

The City is following the Department of Planning's Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) guidelines and has undertaken and made public the Town Beach to Drummond Cove Coastal Processes and Inundation Study. The report and the associated mapping are available on the City website.

Question

Council recently supported the on going mining of coastal dune lime sand at Southgates which supported the wishes of local farmers but left doubts about the stability of the coastal interface. Is Council now in a position to advocate the State and politicians for local subsidies for farmers and mining incentives for the provision of this resource from a location well away from the coastal 'buffer' zone.

Response

This is not a matter that has been considered by the Council or Council Officers given that the lime sand resource is predominantly found along the West Australian coast. The City's preference is to have appropriate recognition of coastal areas within its Local Planning Schemes that are designated in accordance with the State Coastal Planning Policy. This approach facilitates the setting aside of the land as coastal reserve and leads to the protection of coastal areas.

Public question time concluded at 5.11pm

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (inclusive)	Date Approved
Mayor S Van Styn*	23 October 2016	25 October 2016	23/8/16

**It is noted that the Mayor's Leave of Absence was approved to 25 October 2016 inclusive, but he attended this meeting.*

COUNCIL DECISION

MOVED CR HALL, SECONDED CR GRAHAM

Cr N McIlwaine request for leave of absence from 4 November 2016 to 27 November 2016 inclusive be approved.

Cr M Reymond request for leave of absence from 7 November 2016 to 17 November 2016 inclusive be approved.

Cr S Keemink request for leave of absence from 22 November 2016 to 25 November 2016 inclusive be approved.

Cr J Critch request for leave of absence from 1 November 2016 to 8 November 2016 inclusive to be approved.

Cr T Thomas request for leave of absence from 5 December 2016 to 15 January 2017 inclusive to be approved.

Cr N Colliver request for leave of absence from 10 December 2016 to 19 December 2016 inclusive to be approved.

Cr N Colliver request for leave of absence from 8 February 2017 to 13 February 2017 inclusive to be approved.

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Thomas declared an impartiality interest in CCS212, Attendance at Council Meeting by Telephone, as the item refers to her attendance by telephone at the Council Meeting on 20 December 2016.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 27 September 2016, as previously circulated, be adopted as a true and correct record of proceedings.

Update required to Item DCS292, Proposed Land Exchange – Pt Lot 122 Boyd Street and Lot 22 Horwood Road – 27 September 2016

The Council decision for DCS292 recorded that Cr Bylund had voted 'Yes' for this item. It is noted that Cr Bylund had left the meeting due to his Declaration of Interest.

An update is required when accepting the Minutes to record Cr Bylund's 'No Vote' for Item DCS292 showing the vote as Carried 9/0.

COUNCIL DECISION

MOVED CR THOMAS, SECONDED CR TANTI

RECOMMENDED that

- 1. an amendment be made to Council Minuted Item DCS292, Proposed Land Exchange – Pt Lot 122 Boyd Street and Lot 22 Horwood Road, 27 September 2016, recording Cr G Bylund's 'No Vote' to show the item was Carried 9/0; and**
- 2. the amended Minutes of the Ordinary Meeting of Council held on 27 September 2016, as previously circulated, be adopted as a true and correct record of proceedings.**

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

10 ANNOUNCEMENTS BY THE CHAIR*Events attended by the Mayor or his representative*

DATE	FUNCTION	REPRESENTATIVE
28 September 2016	Spirit Radio Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
28 September 2016	Radio Mama Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
28 September 2016	ABC Radio Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
28 September 2016	Citizenship Ceremony	Mayor Shane Van Styn
28 September 2016	Rotary Club of Geraldton – Dinner and Guest Speaker	Mayor Shane Van Styn
29 September 2016	Interview with Geraldton Guardian – Festivals on the Foreshore	Mayor Shane Van Styn
29 September 2016	Police Remembrance Day Service	Mayor Shane Van Styn
29 September 2016	Mid-West/Wheatbelt JDAP Meeting	Mayor Shane Van Styn
30 September 2016	RCDP Growth Plan Workshop	Mayor Shane Van Styn
30 September 2016	ABC Radio Interview – New businesses on the foreshore	Mayor Shane Van Styn
30 September 2016	The Batavians - The WA Combined Chapters Motor Home Rally Opening	Mayor Shane Van Styn
30 September 2016	ACDC Seas the Days Art Exhibition Opening	Cr Michael Reymond
1 October 2016	Swimming WA Open Water Swimming Series Geraldton Guest Starter	Mayor Shane Van Styn
1 October 2016	The Batavians - WA Combined Chapters Motor Home Rally - Dinner	Mayor Shane Van Styn
2 October 2016	Radio Mama Interview	Mayor Shane Van Styn
2 October 2016	711 Squadron Australian Air Force Cadets Freedom of Entry	Mayor Shane Van Styn
3 October 2016	Regular Catch up – Mayor and CEO	Mayor Shane Van Styn
3 October 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn
3 October 2016	Regular meeting with Local Members and the City of Greater Geraldton	Mayor Shane Van Styn
3 October 2016	Audit Committee Meeting	Mayor Shane Van Styn
4 October 2016	Meeting with Hon Paul Brown MLC to discuss issues in common	Mayor Shane Van Styn
4 October 2016	Meeting with Shane Love to discuss issues in common	Mayor Shane Van Styn
4 October 2016	Concept Forum & RCDP Growth Plan Meeting	Mayor Shane Van Styn
6 October 2016	Meeting with Landcorp Board of Directors on their Regional Tour	Mayor Shane Van Styn
6 October 2016	Meeting with Hon Brendan Grylls to discuss issues in common	Mayor Shane Van Styn
6 October 2016	Geraldton Pensioners Social Club Lunch	Mayor Shane Van Styn
6 October 2016	Meeting with Director of Extreme Water Sports to discuss foreshore opportunities	Mayor Shane Van Styn
7 October 2016	Long Boat photo opportunity for voyage to Shark Bay	Mayor Shane Van Styn
7 October 2016	Duyfken voyage from Dongara and Geraldton	Mayor Shane Van Styn
9 October 2016	Geraldton Yacht Club Season Opening 2016	Mayor Shane Van Styn
10 October 2016	Regular Catch up – Mayor and CEO	Mayor Shane Van Styn
10 October 2016	Regular Catch up – Media and Marketing	Mayor Shane Van Styn

10 October 2016	Meeting with Chapman River Friends to discuss matters of Local Government	Mayor Shane Van Styn
10 October 2016	Meeting with T Tilbrook to discuss matters of Local Government	Mayor Shane Van Styn
10 October 2016	Meeting with C Cox to discuss matters of Local Government	Mayor Shane Van Styn
10 October 2016	Civic Reception Welcoming the Duyfken	Mayor Shane Van Styn
12 October 2016	Regional Australia Institute 5+31 City Deals Breakfast and Forum	Mayor Shane Van Styn
12 October 2016	Meeting with the Steering Committee of the China Australia Modern Industrial Park in Zhoushan	Cr Steve Douglas
13 October 2016	Growth Plan PCG/GPP Meeting	Mayor Shane Van Styn
13 October 2016	Photo opportunity with Streeties and the youth van	Mayor Shane Van Styn
13 October 2016	Meeting with Y Lovedee to discuss matters of Local Government	Mayor Shane Van Styn
13 October 2016	Elected Members Workshop – Council Policies	Mayor Shane Van Styn
14 October 2016	Meeting with GNFL to discuss NAB Cup	Mayor Shane Van Styn
15 October 2016	Geraldton Growth Plan - Councillor Workshop	Mayor Shane Van Styn
15 October 2016	Pollinators Fervor Pop Up Dinner	Mayor Shane Van Styn
17 October 2016	Long Boat voyage to Shark Bay	Mayor Shane Van Styn
18 October 2016	Breast Cancer Awareness Morning Tea	Cr N McIlwaine
18 October 2016	Agenda Forum	Cr N McIlwaine
19 October 2016	Bollards Art Competition Reveal	Cr N McIlwaine
23 October 2016	Musica Viva Concert: Adam Hall & The Velvet Players	Cr S Douglas
24 October 2016	Geraldton Senior College Valedictory Ceremony 2016	Cr N McIlwaine
25 October 2016	Ordinary Meeting of Council	Mayor Shane Van Styn

11 REPORTS OF DEVELOPMENT & COMMUNITY SERVICES

DCS303 FINAL ADOPTION OF LOCAL PLANNING SCHEME AMENDMENT No. 2 – COMMERCIAL REZONING, GERALDTON
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AGENDA REFERENCE:	D-16-63516
AUTHOR:	T Maurici, Planning Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	5 October 2016
FILE REFERENCE:	LP/14/0002
ATTACHMENTS:	Yes (x 2)
	A. Scheme Amendment Report
	B. Schedule of Submissions

EXECUTIVE SUMMARY:

The advertising period has concluded for Amendment No. 2 (the 'amendment') which proposes to rezone Lots 1 and 2 Durlacher Street, Geraldton from 'Residential' R40 to 'Commercial'.

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

EXECUTIVE RECOMMENDATION:

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

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

PROPONENT:

The proponent is Hille, Thompson and Delfos on behalf of Dunmarra Pty Ltd.

BACKGROUND:

The subject land is located in close proximity to the Geraldton CBD. It is situated to the east of Durlacher Street and directly adjoins the Rigters Super IGA Supermarket carpark. The supermarket is already zoned commercial and is part of a complex recognised as a neighbourhood centre in the City of Greater Geraldton Commercial Activity Centres Strategy.

Demolition of 2 houses on-site has recently occurred with the subject land now vacant. The WA Planning Commission has conditionally approved the amalgamation of the 2 lots.

The intention of the amendment is to apply a commercial zoning to the subject land to facilitate the possible future development of a garden centre.

The proponent considers the amendment is appropriate for the following reasons:

- It facilitates the maximum utilisation of the land for commercial purposes;
- It allows for development that will contribute to the areas commercial business; and
- It maximises the development potential of the land with a more suitable land use that is in keeping with the surrounding commercial activities.

The scheme amendment report is included as Attachment No.DCS303A.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The amendment will facilitate increased service needs, diversity of activities and employment opportunities for existing residents.

Social:

There are no social issues.

Environmental:

The Environmental Protection Authority advised that the amendment should not be assessed by them under Part IV of the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

Council at its meeting held on 28 June 2016 resolved to initiate the amendment.

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

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

The advertising period was for 45 days (commencing on 16 August 2016 and concluding on 29 September 2016) and involved the following:

1. All landowners within a 100m radius were written to and advised of the amendment;
2. A public notice appeared in the Geraldton Guardian on 16 August 2016;
3. A sign was placed on-site;
4. The amendment details were available on the City's website;
5. The amendment was referred to the following government agencies:
 - ATCO Gas;
 - Department of Planning;

- Department of Regional Development;
- Mid West Chamber of Commerce & Industry;
- Mid West Development Commission;
- Telstra; and
- Water Corporation.

Submissions:

As a result of the advertising, a total of 5 submissions (1 objection) were received. A 'Schedule of Submissions' is included as Attachment No. 303B and copies of the actual submission are available to Council upon request.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Local Planning Scheme No. 1:

The subject land is currently zoned 'Residential' under Local Planning Scheme No. 1 and the amendment proposes to rezone the land to 'Commercial'.

The objectives of the 'Commercial' zone are to:

- provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites and activity centres.*
- ensure activity centres provide for appropriate uses that do not undermine the established and/or planned hierarchy of centres.*
- provide for efficient, intense and compact centres with a diversity of activity appropriate to the purpose of the centre.*

The amendment is considered to be consistent with these objectives. The subject land abuts an existing neighbourhood activity centre. The increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate a diversity of activity for the centre.

Planning and Development Act 2005:

Part 5, Section 75 of the *Planning and Development Act 2005* provides for a local government to amend a local planning scheme.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

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:**Local Planning Strategy:**

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The existing Super IGA supermarket has been identified in the Strategy as a 'Neighbourhood Centre'. The Strategy lists a number of commercial strategies and actions, the most relevant being:

Strategies:

1. Establish a hierarchy of activity centres and areas where priority should be given for more intensification in close proximity to existing and planned services.

Actions:

1. Implement the land use planning recommendations from the Commercial Activity Centres Strategy.
2. Zone land in and around activity centres to ensure they provide for residential, retail, commercial intensification and mixed use development as appropriate.

The amendment is considered to be consistent with the strategies and actions as it proposing to zone land that will provide for commercial intensification around an existing activity centre.

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 subject land adjoins an activity centre identified in the Strategy as the Geraldton (Durlacher Street) neighbourhood centre. Neighbourhood centres have a greater focus on servicing the daily and weekly household shopping needs of residents and providing community facilities and a small range of other convenience services. Their relatively small scale and catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchment.

For neighbourhood centres, the Strategy proposes retail floorspace to be in the range of 4,000m² – 6,000m². The existing floorspace is in the order of 2,300m² and it is envisaged that, with the future development of the subject land, it will increase to approximately 3,000m².

RISK MANAGEMENT:

There are no inherent risks to the City in adopting for final approval the amendment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered that the amendment is consistent with the overall strategic planning framework.

The subject land abuts an existing neighbourhood activity centre. The increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate a diversity of activity for the centre. The option to refuse is therefore not supported.

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

COUNCIL DECISION**MOVED CR TANTI, SECONDED CR MCILWAINE**

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

1. **DETERMINE** the submissions as outlined in the 'Schedule of Submissions';
2. **ADOPT** for final approval Local Planning Scheme Amendment No. 2 to Local Planning Scheme No. 1; and
3. **SEEK** final approval of the amendment from the Minister for Planning.

CARRIED 15/0**5:24:44 PM**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	YES
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS207	AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL
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AGENDA REFERENCE:	D-16-58529
AUTHOR:	M Adam, Governance Coordinator
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	6 October 2016
FILE REFERENCE:	GO/11/0020
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is for Council to review a summary of Audit Committee activities for the period 1 July 2015 to 30 June 2016.

EXECUTIVE RECOMMENDATION:

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

1. RECEIVE the summary of Audit Committee activities for the period 1 July 2015 to 30 June 2016.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

In accordance with the *Local Government Act 1995* section 7.1A (1):

“A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it”.

The City of Greater Geraldton Audit Committee Charter incorporates the following reporting requirements:

- 5.2 *The Committee shall report annually to the Council summarising its activities during the previous financial year.*

Below is a summary of the activities of the Audit Committee for the period July 2015 to June 2016 for the purposes of providing the abovementioned report to Council.

Audit Committee Meeting – 6 October 2015

- i. Review of the Interim and Final Audit report for the financial period ending 30 June 2015; and
- ii. Review of the progress of the City's Risk Management Activities, including the progress of the City's Risk Management Project and Business Continuity Management.

Audit Committee Meeting – 1 March 2016

- i. Review of the Audit Committee Charter;
- ii. Endorse the Compliance Audit Return 2015 and report to Council; and
- iii. Review of the Interim Audit report and the Financial System and Risk Review.

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:

The Audit Committee Charter requires the committee to report annually to Council summarising the activities of the previous financial year.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been consultation

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

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

The provision of an annual report to Council on the activities of the Audit Committee ensures that the committee meets compliance requirements of the *Audit Committee Charter s.5.2* and reporting recommendations of the Department of Local Government and Communities *Audit in Local Government Operational Guideline number 09- 2013*.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternatives have been considered.

COUNCIL DECISION**MOVED CR MCILWAINE, SECONDED CR HALL**

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

1. **RECEIVE** the summary of Audit Committee activities for the period 1 July 2015 to 30 June 2016.

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

CCS208	AUDIT COMMITTEE REVIEW OF THE CEO'S REGULATION 17(3) REPORT
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AGENDA REFERENCE:	D-16-58526
AUTHOR:	M Adam, Governance Coordinator
EXECUTIVE:	B Davis, Director Corporate and Commercial Services.
DATE OF REPORT:	6 October 2016
FILE REFERENCE:	Go/11/0020
ATTACHMENTS:	Yes (x2)
	A. AC042 Audit Reviews – The City of Greater Geraldton
	B. Confidential - CEO Report - AMD Review

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with the Audit Committee report on their review of the Chief Executive Officer's (CEO) regulation 17(3) *Local Government (Audit) Regulations 1996* report, and submit a copy of the CEO's report to Council.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 7.13 of the Local Government Act RESOLVES to:

1. ENDORSE the Audit Committee report on the review of the CEO's regulation 17(3) Report; and
2. ACCEPT the CEO's regulation 17(3) *Local Government (Audit) Regulations 1996* report.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Pursuant to regulation 17 of the *Local Government (Audit) Regulations 1996*:

17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

An Audit report of systems and processes pursuant to regulation 17 was prepared by AMD Chartered Accountants and presented by the CEO to the Audit Committee at the meeting on 1 March 2016, attachment B (CEO report).

The Audit Committee reviewed the report pursuant to regulation 16 (c) *Local Government (Audit) Regulations 1996*:

(c) *is to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —*

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council.

See attachment A - extract Audit Committee Minutes 1 March 2016 AC042.

The Audit Committee reviewed the CEO's report and required the CEO to provide a report on the management actions at the next scheduled Audit Committee meeting. A report was subsequently tabled at the Audit Committee Meeting 3 October 2016, see Report to be Received CCS214 Audit Committee Minutes 3 October 2016, AC045.

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:

AC039 - Report to the Audit Committee on the Status of the City's Risk Management Activities.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been consultation

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

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

It is a requirement of the *Local Government (Audit) Regulations 1996* that the CEO conduct a review of the City's systems and procedures in relations to (a) risk, (b) control and (c) compliance, pursuant to regulation 17 (1), with each matter being the subject of review at least once every 2 calendar years r.17(2). The CEO it to report on the results of the review to the Audit Committee r.17(3). Regulation 16 (c) requires that the Audit Committee review the CEO's report and provide a report to Council.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternatives have been considered.

COUNCIL DECISION**MOVED CR MCILWAINE, SECONDED CR CAUDWELL**

That Council by Simple Majority pursuant to Section 7.13 of the Local Government Act **RESOLVES** to:

1. **ENDORSE** the Audit Committee report on the review of the CEO's regulation 17(3) Report; and
2. **ACCEPT** the CEO's regulation 17(3) *Local Government (Audit) Regulations 1996* report.

CARRIED 15/0

5:35:10 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	YES
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

CCS209 MEETING SCHEDULE – JANUARY 2017 – DECEMBER 2017

AGENDA REFERENCE:	D-16-59003
AUTHOR:	P Bennett, Administration Officer – Corporate Services
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	16 September 2016
FILE REFERENCE:	GO/6/0012-04
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to adopt the schedule of Ordinary Meetings of Council, Agenda Forums and Concept Forums, for the period January 2017 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, Agenda Forums and Concept Forums for 2017 as follows;

	Concept Forum 1 st Tuesday Commencing 5pm	Agenda Forum 3 rd Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue.</i>	Ordinary Meeting 4 th Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue - unless otherwise specified **</i>
January 2017	No Meeting	17 January 2017	24 January 2017
February 2017	7 February 2017	21 February 2017	28 February 2017
March 2017	7 March 2017	21 March 2017	28 March 2017 **MULLEWA District Office at 1.30pm**
April 2017	4 April 2017	18 April 2017	26 April 2017 * Wednesday *
May 2017	2 May 2017	16 May 2017	23 May 2017
June 2017	6 June 2017	20 June 2017	27 June 2017
July 2017	4 July 2017	18 July 2017	25 July 2017
August 2017	1 August 2017	15 August 2017	22 August 2017 **MULLEWA District Office at 1.30pm**
September 2017	5 September 2017	19 September 2017	26 September 2017
October 2017	3 October 2017	*10 October 2017*	*17 October 2017*
November 2017	8 November 2017 * Wednesday *	21 November 2017	28 November 2017
December 2017	5 December 2017	12 December 2017	19 December 2017

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.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires Council to give local 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.

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*
- are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

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 5.00pm in the Civic Centre Function Room, Cathedral Avenue.
- Agenda Forum to be held on the third Tuesday of the month commencing at 5.00pm in the Council Chambers at Cathedral Avenue.
- Ordinary Meeting to be held on the fourth Tuesday of the month commencing at 5.00pm in the Council Chambers at Cathedral Avenue.
- March and August Ordinary Meetings to be held in Mullewa, commencing at 1.30pm.
- The date of the April Meeting will be changed to Wednesday 26 April 2017 as Tuesday 25 April 2017 is Anzac Day.
- The date of the October Agenda Forum will be brought forward to Tuesday 10 October 2017 as the Ordinary Council Elections are to be held on Saturday 21 October 2017.
- The date of the October Ordinary Meeting will be brought forward to Tuesday 17 October 2017 as the Ordinary Council Elections are to be held on Saturday 21 October 2017.

- The date of the November Concept Forum will be changed to Wednesday 8 November 2017 as Tuesday 7 November 2017 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 1 st Tuesday Commencing 5pm	Agenda Forum 3 rd Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue.</i>	Ordinary Meeting 4 th Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue - unless otherwise specified **</i>
January 2017	No Meeting	17 January 2017	24 January 2017
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August 2017	1 August 2017	15 August 2017	22 August 2017 **MULLEWA District Office at 1.30pm**
September 2017	5 September 2017	19 September 2017	26 September 2017
October 2017	3 October 2017	*10 October 2017*	*17 October 2017*
November 2017	8 November 2017 * Wednesday *	21 November 2017	28 November 2017
December 2017	5 December 2017	12 December 2017	19 December 2017

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:

It is an annual requirement of Council, under regulation 12 *Local Government (Administration) Regulations 1996* to give local public notice of the dates, times and place of the ordinary council meetings.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Regulation 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 2016/17 budget.

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:

There are no impacts to regional outcomes.

RISK MANAGEMENT

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

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

No alternative options were considered by City Officers.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR KEEMINK**

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, Agenda Forums and Concept Forums for 2017 as follows:**

	Concept Forum 1st Tuesday Commencing 5pm	Agenda Forum 3rd Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue.</i>	Ordinary Meeting 4th Tuesday Commencing 5pm <i>Chambers, Cathedral Avenue - unless otherwise specified **</i>
January 2017	No Meeting	17 January 2017	24 January 2017
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April 2017	4 April 2017	18 April 2017	26 April 2017 * Wednesday *
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August 2017	1 August 2017	15 August 2017	22 August 2017 **MULLEWA District Office at 1.30pm**
September 2017	5 September 2017	19 September 2017	26 September 2017
October 2017	3 October 2017	*10 October 2017*	*17 October 2017*
November 2017	8 November 2017 * Wednesday *	21 November 2017	28 November 2017
December 2017	5 December 2017	12 December 2017	19 December 2017

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

CCS210 2015/2016 ANNUAL REPORT FOR THE CITY OF GREATER GERALDTON
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AGENDA REFERENCE:	D-16-59614
AUTHOR:	P Radalj, Manager Treasury & Finance
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	20 September 2016
FILE REFERENCE:	GO/3/0002
ATTACHMENTS:	Yes (x1)
	2015/2016 Annual Report

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's adoption of the 2015/2016 Annual Report for the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION;

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

1. ADOPT the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2016; and
2. REQUIRE the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 6 December 2016 pursuant to section 5.27(2) of the Act.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The 2015/2016 Annual Report (attached) has been prepared in accordance with Section 5.53 of the Local Government Act and includes the Audited Annual General Purpose Financial Statements.

The Annual Report highlights the City of Greater Geraldton's achievements in 2015/2016 under each of the five key goal areas contained within the City's Strategic Community Plan.

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:

The acceptance of the Annual Report is a standard statutory requirement.

COMMUNITY/COUNCILLOR CONSULTATION:

Audit Committee has reviewed and recommended the adoption of the Audited Annual General Purpose Financial Statements at its meeting held on 3 October 2016. Once the Annual Report has been adopted by Council, the CEO will give local public notice of its availability to the public and will call an annual electors meeting to be held on 6th December 2016.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 5.53 of the Local Government requires the preparation of an Annual Report and details what has to be contained within.

Section 5.54 requires that the Annual Report for a financial year be accepted no later than 31 December after that financial year or within 2 months of receiving the auditor's report. Council is required to hold an Annual Electors Meeting within 56 days of acceptance of the Annual Report. Pending adoption of the Annual Report, the Annual Electors Meeting will be scheduled for 6 December 2016.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

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

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

The related risk is associated with complying with the timelines identified within Section 5.54 of the Local Government Act.

ALTERNATIVE OPTIONS CONSIDERED

Options are limited as the Annual Report is required by legislation to be adopted by Council by 31 December 2016.

COUNCIL DECISION**MOVED CR ELLIS, SECONDED CR CAUDWELL**

That Council by Absolute Majority pursuant to Section 5.54 of the Local Government Act 1995 RESOLVES to:

- 1. ADOPT the City of Greater Geraldton Annual Report (including Audited Annual General Purpose Financial Statements and Auditors Report) for the financial year ending 30 June 2016; and**
- 2. REQUIRE the CEO to make the Annual Report publicly available and to give public notice of an Annual Electors Meeting to be held on 6 December 2016 pursuant to section 5.27(2) of the Act.**

CARRIED BY ABSOLUTE MAJORITY 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

CCS211 RETIRE COUNCIL POLICIES FROM REGISTER

AGENDA REFERENCE:	D-16-63438
AUTHOR:	M Adam, Governance Coordinator
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	6 October 2016
FILE REFERENCE:	GO/19/0008
ATTACHMENTS:	Yes (x2) A. Briefing Note - Retire Council Policies B. Schedule of Council Policies for retirement

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to retire the Council Policies listed on attachment B CCS211, and remove them from the Council Policy Register

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to:

1. RETIRE the Council Policies listed on the attached schedule (attachment B CCS211); and
2. REMOVE the retired Council Policies from the Register.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Pursuant to section 2.7 of the *Local Government Act 1995* the role of Council is to determine Council Policies:

2.7. Role of council

(1) *The council —*

(b) determine the local government's policies.

Subsequent to the election of a new Council at the Ordinary Election on 17 October 2015 the Council committed to a comprehensive review of the City's Council Policy Register.

To inform the review Councillors attended a Strategy and Policy workshop on 12 March 2016 and conducted a preliminary review of the Policy Register.

Further review was undertaken at the Concept Forum on 7 June 2016, and subsequently Councillors were requested to undertake a more detailed individual review of the Register and forward their suggestions and recommendations to the City administration for collating.

Consequent to feedback received from Councillors the City issued a Briefing Note (attachment A CCS211) listing the Policies which Councillors had identified for retirement and removal from the Register.

At the close of the consultation period the Policies on the attached schedule were recommended for retirement and removal from 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:

Council reviews the Policy Register from time to time and makes recommendations on review and retirement of Council Policies.

COMMUNITY/COUNCILLOR CONSULTATION:

Councillors were consulted as detailed within this item.

LEGISLATIVE/POLICY IMPLICATIONS:

Pursuant to Section 2.7 of the *Local Government Act 1995* the role of Council includes determination of Council Policies:

2.7. *Role of council*

(1) *The council —*

- (a) *governs the local government's affairs; and***
- (b) *is responsible for the performance of the local government's functions.***

(2) *Without limiting subsection (1), the council is to —*

- (a) *oversee the allocation of the local government's finances and resources; and***
- (b) *determine the local government's policies***

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.6	Supporting decisions to create a long term sustainable city.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

Ensuring that the Council Policy Register is current and comprehensive supports the role of Council in the good government of the Local Government of the City of Greater Geraldton.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City officers.

COUNCIL DECISION**MOVED CR MCILWAINE, SECONDED CR CRITCH**

That Council by Simple Majority pursuant to Section 2.7 of the Local Government Act 1995 **RESOLVES** to:

1. **RETIRE** the Council Policies listed on the attached schedule (attachment B CCS211); and
2. **REMOVE** the retired Council Policies from the Register.

CARRIED 15/0

5:43:04 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	YES
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

CCS212 ATTENDANCE AT COUNCIL MEETING BY TELEPHONE

AGENDA REFERENCE:	D-16-63337
AUTHOR:	M Adam, Governance Coordinator
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	6 October 2016
FILE REFERENCE:	GO/7/0008
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek approval from Council for Councillor Thomas to attend the Ordinary Meeting of Council on 20 December 2016 via telephone link from 82 Pola Street, Dianella, Western Australia.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Regulation 14A of the Local Government (Administration) Regulations 1996 RESOLVES to:

1. APPROVE 82 Pola Street, Dianella, Western Australia as a suitable place for the purposes of Regulation 14A; and
2. APPROVE the arrangement under which Councillor Thomas is to be taken to be present at the meeting on 20 December 2016, by being simultaneously in audio contact by telephone with each other person present at the meetings.

PROPOSER:

The proposer is the City of Greater Geraldton.

BACKGROUND:

There has been a request from Cr Thomas to attend the Ordinary Meeting of Council on 20 December 2016 via telephone link. Councillor Thomas will be in 82 Pola Street, Dianella, Western Australia on personal business. The *Local Government (Administration) Regulations 1996* provide:

14A. Attendance by telephone etc. (Act s. 5.25(1)(ba))

- (1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*
 - (a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*
 - (b) *the person is in a suitable place; and*
 - (c) *the council has approved* of the arrangement.*
- (2) *A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.*

(3) *A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.*

(4) *In this regulation —*

disability *has the meaning given in the Disability Services Act 1993 section 3;*

suitable place —

(a) *in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and*

(b) *in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —*

(i) *in a townsite or other residential area; and*

(ii) *150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;*

townsite *has the same meaning given to that term in the Land Administration Act 1997 section 3(1).*

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 previously approved attendance at a Council meeting by telephone:

- [then] Cr Van Styn, Carnarvon, 1 July 2014, CCS059
- Cr McIlwaine, Queensland, 24 September 2013, CCS006;

And past Councillor's

- N Bennett, Mildura, 25 June 2013, OP051; and
- C Gabelish, Adelaide, 28 August 2012, OP006

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community consultation

LEGISLATIVE/POLICY IMPLICATIONS:

Regulation 14A of the *Local Government Administration Regulations 1996* makes provision for a person who is not physically present at a Council Meeting to be taken to be present at the meeting if the person is in simultaneous audio contact with each other person present at the meeting.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.6	Supporting decisions to create a long term sustainable city.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

It is a provision of Regulation 14A of the *Local Government Administration Regulations 1996* that Council approve by Absolute Majority the arrangement for attendance at a meeting by audio contact, and that the person attending must be in a suitable place as defined r. 14A (4)(b)(i).

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City officers.

Cr T Thomas declared an impartiality interest in CCS212, Attendance at Council Meeting by Telephone, as the item refers to her attendance by telephone at the Council Meeting on 20 December 2016, and left Chambers at 5.40pm.

COUNCIL DECISION**MOVED CR GRAHAM, SECONDED CR ELLIS**

That Council by Absolute Majority pursuant to Regulation 14A of the Local Government (Administration) Regulations 1996 RESOLVES to:

- 1. APPROVE 82 Pola Street, Dianella, Western Australia as a suitable place for the purposes of Regulation 14A; and**
- 2. APPROVE the arrangement under which Councillor Thomas is to be taken to be present at the meeting on 20 December 2016, by being simultaneously in audio contact by telephone with each other person present at the meetings.**

CARRIED BY ABSOLUTE MAJORITY 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

Cr Thomas returned to Chambers at 5.46pm

CCS213 STATEMENT OF FINANCIAL ACTIVITY TO 30 SEPTEMBER 2016

AGENDA REFERENCE:	D-16-63252
AUTHOR:	M Jones, Financial Business Planner
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	6 October 2016
FILE REFERENCE:	FM/17/0001
ATTACHMENTS:	Yes (x1)
	Monthly Management Report September 2016

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 30 September 2016. The statements in this report include no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION;

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

1. RECEIVE the 30 September 2016 monthly financial activity statements as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

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

Operating Income	\$141,332	0.3%	Positive Variance
Operating Expenditure	\$190,122	0.9%	Positive Variance
Net Operating	\$331,454		
Capital Expenditure	\$82,266	1.0%	Positive Variance
Capital Revenue	\$16,218	2.4%	Positive Variance
Cash at Bank – Municipal	\$27,023,537		
Cash at Bank – Reserve	\$10,327,730		
Total Funds Invested	\$31,327,730		
Net Rates Collected	63.87%		

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

The financial position represented in the September financials shows a positive variance of \$331,454 in the net operating result.

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.

COUNCIL DECISION

MOVED CR GRAHAM, SECONDED CR HALL

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

- 1. RECEIVE the 30 September 2016 monthly financial activity statements as attached.**

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

CCS216 COUNCILLOR MEMBERSHIP TO COUNCIL COMMITTEES

AGENDA REFERENCE:	D-16-65216
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	P Radalj, Acting Director Corporate & Commercial Services
DATE OF REPORT:	19 October 2016
FILE REFERENCE:	GO/6/0009
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek a Council resolution to appoint a new Councillor Representative to the following committees: Crime Prevention Committee: Community Grants Committee: Reconciliation Advisory Committee: Queen Elizabeth 11 Seniors and Community Centre Advisory Committee: to replace Cr Ellis who has tendered her resignation.

EXECUTIVE RECOMMENDATION:

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

1. ACCEPT the resignation of Cr Renee Ellis on the Crime Prevention Committee, the Community Grants Committee, the Reconciliation Advisory Committee and the Queen Elizabeth 11 Seniors and Community Centre Advisory Committee;
2. APPOINT Councillor _____ to the Crime Prevention Committee;
3. APPOINT Councillor _____ to the Community Grants Committee;
4. APPOINT Councillor _____ to the Reconciliation Advisory Committee;
5. APPOINT Councillor _____ to the QE11 Seniors and Community Centre Advisory Committee; and
6. ADVISE the Committees of the change of Council representation.

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

The Greater Geraldton Crime Prevention Committee, Community Grants Committee, Reconciliation Advisory Committee, Queen Elizabeth 11 Seniors and Community Centre Advisory Committee and Reconciliation Committee were re-established on 24 November 2015 and Cr Renee Ellis was appointed as a representative to these committees. Due to other commitments, Cr Ellis is unable to continue to be a representative and therefore resigned her position by e-mail to the Chief Executive Officer on 13 October 2016.

Nominations were sought from Councillors to be a representative to these Committees via Briefing Note on 14 October 2016, and the following Councillors have nominated:

Crime Prevention Committee: Nominees – Nil;
Community Grants Committee: Nominees – Cr Reymond;
Reconciliation Advisory Committee: Nominees – Cr Colliver;
Queen Elizabeth 11 Seniors – Nil; and
Community Centre Advisory Committee: Nominees – Nil.

Further nominations will be called at the meeting.

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:

At the Ordinary Meeting of Council 24 November 2015 Council resolved to appoint Councillors to the committees as per item CEO037:

- Crime Prevention Committee: Cr Hall, Cr Ellis Cr Reymond, Cr Critch;
- Community Grants Committee: Cr Ellis, Cr Critch, Cr Keemink, Cr Freer, Cr Caudwell;
- Reconciliation Advisory Committee: Cr Keemink, Cr Reymond, Cr Ellis; and
- Queen Elizabeth 11 Seniors and Community Centre Advisory Committee: Cr Ellis, Cr Hall, Cr Graham (proxy).

Subsequently Cr Keemink resigned and Cr Hall was appointed on the Reconciliation Committee, CEO044 23 August 2016.

COMMUNITY/COUNCILLOR CONSULTATION:

Consultation has been undertaken with all Councillors.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 5.8 of the Local Government Act 1995 allows Council to establish committees to assist it in discharging its duties under the Act. Council Policy CP032 details the Establishment and Operation of Committees.

FINANCIAL AND RESOURCE IMPLICATIONS:

Committees established by Council all require allocation of officer resources, for secretariat support and committee coordination and, in relation to the

business of a committee as provided in its terms of reference, allocation of officer resources for preparation of necessary reports.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.8	Continuously improving business and governance frameworks to support a growing community.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

The Council Committees are well-established Committees of Council which operate within the parameters established by Council. Therefore, there is no identified risk in progressing the recommendation.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City officers.

The following nomination were received prior to the meeting:

- *Community Grants Committee – Cr M Reymond*
- *Reconciliation Advisory Committee – Cr N Colliver*

The Mayor called for further nominations.

The following nominations were received:

- *Crime Prevention Committee – Cr Graham*
- *QEII Seniors Advisory Committee – Cr Tanti*

There being no further nominations the following Councillors were declared Councillor Representatives on:

- *Crime Prevention Committee – Cr Graham*
- *Community Grants Committee – Cr Reymond*
- *Reconciliation Advisory Committee – Cr Colliver*
- *QEII Seniors Advisory Committee – Cr Tanti*

COUNCIL DECISION**MOVED CR KEEMINK, SECONDED CR HALL**

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

- 1. ACCEPT the resignation of Cr Renee Ellis on the Crime Prevention Committee, the Community Grants Committee, the Reconciliation Advisory Committee and the Queen Elizabeth 11 Seniors and Community Centre Advisory Committee;**
- 2. APPOINT Councillor Graham to the Crime Prevention Committee;**
- 3. APPOINT Councillor Reymond to the Community Grants Committee;**
- 4. APPOINT Councillor Colliver to the Reconciliation Advisory Committee;**
- 5. APPOINT Councillor Tanti to the QE11 Seniors and Community Centre Advisory Committee; and**
- 6. ADVISE the Committees of the change of Council representation.**

CARRIED BY ABSOLUTE MAJORITY 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

13 REPORTS OF INFRASTRUCTURE SERVICES

Nil.

14 REPORTS OF OFFICE OF THE CEO

Nil.

15 REPORTS TO BE RECEIVED

REPORTS TO BE RECEIVED	
AGENDA REFERENCE:	D-16-64014
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	11 October 2016
FILE REFERENCE:	GO/6/0012-04
ATTACHMENTS:	Yes (x2)
	A. Delegated Determinations and Subdivision Application
	B. Audit Committee Meeting Minutes October 2016
	C. List of Accounts Paid Under Delegation September 2016

EXECUTIVE SUMMARY:

To receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
 - a. Reports – Development & Community Services:
 - i. DCSDD115 Delegated Determinations and Subdivision Application

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. CCS214 Audit Committee Meeting Minutes October 2016
 - ii. CCS215 Confidential – List of Accounts Paid Under Delegation September 2016

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.

COUNCIL DECISION

MOVED CR GRAHAM, SECONDED CR THOMAS

PART A

That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to

- 1. RECEIVE the following appended reports:**
 - a. Reports – Development & Community Services:**
 - i. DCSDD115 Delegated Determinations and Subdivision Application**

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. CCS214 Audit Committee Meeting Minutes October 2016**
 - ii. CCS215 Confidential – List of Accounts Paid Under Delegation September 2016**

CARRIED 15/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed

16 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

19 CLOSURE

There being no further business the Presiding Member closed the meeting at 5.51pm.

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/council-meetings/>