

MINUTES OF THE ANNUAL GENERAL MEETING OF THE CLARENCE CITY COUNCIL HELD AT THE COUNCIL CHAMBERS, BLIGH STREET, ROSNY PARK, ON MONDAY 7 DECEMBER 2015

PRESENT: The Meeting commenced at 7.00pm with the Mayor (Ald D Chipman) in the Chair and with Aldermen:

N M Campbell (Deputy Mayor)
H Chong
P Cusick
D Doust
R H James
P K McFarlane
J P Peers
D Thurley
S von Bertouch
J Walker, present

APOLOGIES: D Hulme (Leave of Absence)

IN ATTENDANCE:

General Manager
(Mr A Paul)

Corporate Treasurer
(Mr F Barta)

Corporate Secretary
(Mr A van der Hek)

Manager City Planning
(Mr R Lovell)

Acting Group Manager Asset Management
(Mr R Graham)

Manager Health and Community Development
(Mr J Toohey)

Co-ordinator Council Support
(Ms J Ellis)

Members of the Public

Mrs T Sierink
Mr M Figg
Ms M Coleman
Mr V Coleman
Mr E Haldane
Mr G Casimaty
Mr J Casimaty

1. OPENING

The Mayor declared the Meeting open at 7.00pm and extended a warm welcome to those residents of Clarence who attended the meeting. Four members of the public were present.

2. INTRODUCTION OF ALDERMEN

The Mayor introduced the Aldermen who were present at the Meeting.

3. APOLOGIES FROM ALDERMEN

Refer to cover page.

4. MEETING PROCEEDINGS

The Mayor referred to the Meeting procedures in the agenda papers.

5. CONFIRMATION OF MINUTES OF 2014 ANNUAL GENERAL MEETING

Decision:	MOVED Ald Peers SECONDED Ald Chong	
	“That the Minutes of the Annual General Meeting held on Monday, 1 December 2014, as circulated, be taken as read and confirmed”.	
		CARRIED
	FOR	AGAINST
	Ald Campbell	Ald Thurley (abstained)
	Ald Chipman	
	Ald Chong	
	Ald Cusick	
	Ald Doust	
	Ald James	
	Ald McFarlane	
	Ald Peers	
	Ald von Bertouch	
	Ald Walker	

6. ANNUAL REPORT

A. ANNUAL REPORT 2014/15

• **GENERAL OVERVIEW OF ACHIEVEMENTS**

The Mayor tabled the Annual Report and made reference to the Mayor's message contained therein and provided a general overview of Council's achievements and highlights which occurred during 2014/2015.

The Mayor conveyed his appreciation to Aldermen, the General Manager and Staff for their support to the residents of Clarence.

<p>Decision: MOVED Ald Chipman SECONDED Ald Thurley</p> <p> "That the Annual Report be received and taken as read".</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
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B. PRESENTATION OF COUNCIL'S 2014-2015 FINANCIAL REPORT

The Corporate Treasurer gave a detailed overview of the Financial Statements in the Annual Report and Council's overall financial performance and answered questions arising.

<p>Decision: MOVED Campbell SECONDED Ald Chong</p> <p> "That the Financial Statements be received and taken as read".</p> <p> Ald James put forward the following questions regarding the 2014/15 Financial Report.</p> <p> Question 1 Sought clarification on the level of unallocated cash that Council was holding at the end of the 2014/15 financial year.</p> <p> Answer The Corporate Treasurer advised that this amount was in the order of \$3M.</p> <p> Question 2 Sought how the new asset improvements at the Bellerive Oval would be dealt with on Council's Balance Sheet.</p>

Answer

The Corporate Treasurer advised that given the decision made by the Auditor General it was no longer appropriate to include these assets on Council's books as these were being depreciated by the TCA. Should the Council at some further date resume control and management of the Bellerive Oval facility then those assets would then transfer to Council and an appropriate Balance Sheet adjustment would then occur. This would be based on Council obtaining a valuation of the written down value of those assets at the time.

Ald Walker put forward the following questions regarding the 2014/15 Financial Report

Question 1

In reference to Page 60 Other Expenses, sought clarification on whether the \$1.8M reduction in rate remissions was related to the transition (smoothing) from AAV to Capital Rating.

Answer

Mr Barta confirmed that this observation was correct.

Question 2

Noted that the Annual Report included a table of grants and benefits provided to various recipients however, observed that this did not contain the purpose of these grants and benefits.

Answer

The General Manager advised that this additional detail could be provided in future Annual Reports

Ald McFarlane put forward the following question regarding the 2014/15 Financial Report

Question

Sought clarification on the level of valuation adjustment that the Valuer-General had determined in respect to the Eastlands Shopping Centre

Answer

Mr Barta advised that the figure was in the order of \$10m and that the matter was dealt with through a Court proceeding as a mediated outcome.

There being no further questions the Mayor put the Motion

The **Motion** was **put** and **CARRIED UNANIMOUSLY**

C. SUMMARY OF SUBMISSIONS RECEIVED

The Mayor advised the Meeting that there were no submissions on the Annual Report received prior to the meeting.

D. DISCUSSION ON SUBMISSIONS RECEIVED

As there had been no submissions no discussion occurred in respect to this item.

7. REPORT OF ACTIVITIES AND ACHIEVEMENTS OF COUNCIL COMMITTEES AND AUTHORITIES

Nil.

8. MOTIONS ON NOTICE

The Mayor advised that there had been no Motions on Notice received prior to the Annual General Meeting.

9. QUESTIONS ON NOTICE

The Mayor advised that there had been no Questions on Notice received prior to the Annual General Meeting

10. QUESTIONS WITHOUT NOTICE

The Mayor invited Questions without Notice from the floor.

Mr M Figg of Lauderdale put forward the following Questions without Notice

Question 1

Referenced information he had received under a Right to Information Request and sought clarification of the amount of monies that Council had received for grants for 2014/15.

Answer

The Corporate Treasurer advised that the amount stated in the Annual Report referenced actual cash received within the financial year period and referenced a note on Page 58 of the Annual Report relating to grants.

Question 2

Sought in respect to Expenses and Allowances paid to Aldermen based on published reporting of these matters, clarification regarding one Alderman having incurred expenses of \$10,100 in 2014/15.

Answer

The Corporate Treasurer advised that a breakdown of these expenses was provided through Council's Quarterly Reporting process and this detail can be provided. Accordingly, this question was taken on notice.

Question 3

Sought whether Council had a representative on the Australian Coastal Council Association.

Answer

The General Manager advised that Ald von Bertouch is Council's representative on the Australian Coastal Council Association.

Mr Figg advised that this did not appear on the Council's website; the General Manager noted that this matter would be followed up.

Question 4

Sought clarification as to whether the recorded expenses referred to in Question 3 involved interstate travel for attendance at the Australian Coastal Council Association meetings.

Answer

The General Manager took this question on notice.

The Mayor reminded Mr Figg of the rules regarding questions that it was not appropriate to make any personal reflection on any Aldermen, staff member or member of the public.

Question 5

Sought clarification as to why the AGM Agenda did not appear on the Council's website.

Answer

The General Manager advised that the AGM had been advertised in the newspaper included on Council's website and available as required, however, placement of the Agenda had been overlooked and that this would be attended in future.

Question 6

Mr Figg asked what was Council's Vision Statement.

Answer

The General Manager read out to the meeting the Council's Vision and Mission Statements as published in the Annual Report.

Mr Figg commended Council for recording its meetings and in providing public access to this and congratulated Council on this issue.

Question 7

Sought clarification as to why when he had initially sought to view a recording he was advised that he would need to wait until after “the lawyer had seen it first”. In this context questioned whether recordings were being edited.

Answer

The General Manager advised that recordings were reviewed and edited to ensure that the material to be broadcast does not contain matters that may be actionable or remarks that impugn a person’s character etc before it is placed on Council’s website. The original version as recorded is retained and remains available for persons to view at the Council offices in unedited form.

Mr Figg stated that these concerns centred on the Council being a Corporation and subject to the Corporations Act and that the Minutes of its meetings are therefore a legal document and should not therefore be edited.

The General Manager in response advised that the Council was not subject to the Corporations Act.

The Mayor added that Council still has a duty of care that matters published do not contain actionable material.

Question 8 (2 part)

In reference to an earlier Right to Information request sought to ascertain:

- how much Council had spent in legal actions over the 2014/15 financial year; and
- the amount of money that Council had projected for legal costs in Council’s budget for that period.

Answer

The General Manager advised that he was not in a position to provide the details in response to these questions at the meeting tonight and accordingly, took the questions on notice and further advised that the answers would be provided in due course subject to any relevant considerations under the Right to Information Act, 2009.

There were no further questions put to the meeting.

11. CLOSE OF MEETING

The Mayor thanked all those present for their attendance. There being no further business the Meeting was closed at 7.30pm.