

CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP THURSDAY 9 NOVEMBER 2006.

ATTENDANCE

Committee Members:

Cr Sue Hart	- <i>Presiding Person</i>	South-East Ward
Mayor Troy Pickard		
Cr Kerry Hollywood		North Ward
Cr Steve Magyar		North-Central Ward
Cr Russ Fishwick		South Ward

Officers:

Chief Executive Officer:	GARRY HUNT
Director, Governance and Strategy:	IAN COWIE

DECLARATION OF OPENING

The Presiding Person declared the meeting open at 1839 hrs.

APOLOGIES/LEAVE OF ABSENCE

Apology - Cr Marie Evans

Leave of absence previously approved:

Cr J Park 02 November 2006 -27 November 2006 Inclusive

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE HELD 24 AUGUST 2006

MOVED Cr Fishwick SECONDED Cr Magyar that the minutes of the meeting of the Policy Committee held on 24 August 2006 be confirmed as a true and correct record.

The Motion was Put and CARRIED UNANIMOUSLY (5/0)

In favour of the Motion: Mayor Pickard, Crs Hart, Hollywood, Magyar and Fishwick

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS**ITEM 1 POLICY 8.3 ELECTED MEMBERS – GENERAL – [01435]**

WARD: All

RESPONSIBLE DIRECTOR: Mr Ian Cowie
Governance and Strategy

PURPOSE

To review the City Policy 8.3 Elected Members – General in relation to the usage of the Council Chamber and Elected Members Meeting Rooms.

EXECUTIVE SUMMARY

It is recommended that the Policy be amended to permit the use of the Council Chamber and Elected Members Meeting Rooms for meetings with politicians from State and Federal Government in circumstances specified in the attached Policy.

BACKGROUND

At the meeting of the Policy Committee on 24 August 2006, it was requested that the section in the City Policy 8.3 Elected Members General concerning the use of the Council Chamber and Elected Member Meeting Rooms be reviewed on the basis that:

... there is a need to build relationships and engage with State and Federal politicians and the current policy did not allow the hosting of events of a political nature to be approved

This report suggests amendments to the Policy to support political engagement in specified circumstances.

DETAILS

The objective of the current Policy is: *To provide for good governance of the City*, and, as a designated 'City' Policy, has been "...developed for administrative and operational imperatives and...[having]...an internal focus" (CJ064 – 04/05 refers).

The Policy addresses the following areas:

- Representing the Council
- Use of Council Chamber and Elected Member Meeting Rooms
- Recording of the Proceedings of Meetings
- Filming/videoing of Council Meetings
- Acknowledgement of Service – Elected Members
- Ward Councillor Availability
- Use of the Corporate Logo
- Access to information

The current Policy is included as Attachment 1. This has been reviewed and a number of changes have been suggested in Attachment 2. These changes are based on the view that it is considered important for the City to engage with politicians at both the State and Federal levels of government to progress the interests of the City and the Joondalup community. It is considered advantageous for such engagement to occur within the City's buildings including the Council Chamber and the Elected Members Meeting Rooms. However, it is considered important that such political engagement is controlled to prevent the City being aligned with any particular party and to avoid such engagement being used for electoral advantage.

Issues and options considered:

To address this issue, the Policy Committee may consider the following options:

- 1 Retain the Policy – Attachment 1.
- 2 Adopt the amended Policy identified in Attachment 2.
- 3 Suggest further or alternative amendments to the Policy.

The second option is recommended.

Link to Strategic Plan:

This item has a direct link to achievement of Strategy 4.3.3 *“Provide fair and transparent decision-making processes.”*

Legislation – Statutory Provisions:

Local Government Act (1995) Section 1.3 (2) states that the Act is intended to result in:

- (a) Better decision-making by local government;
- (b) Greater community participation in the decisions and affairs of local governments;
- (c) Greater accountability of local governments to their communities; and
- (d) More efficient and effective local government.

Through conducting reviews of existing policies, the City complies with these tenets of good governance.

Risk Management considerations:

By approving the amended Policy as suggested, there may be community perceptions that the City of Joondalup is becoming too politicised and, as a result, unduly influenced by the agendas of State and Federal politicians.

Financial/Budget Implications:

Not applicable

Policy implications:

This report may lead to amendments in current policy and practice with respect to the use of the Council Chambers and Elected Member Meeting Rooms.

Regional Significance:

By permitting the use of the Council Chambers and Elected Member Meeting Rooms for meetings with State and Federal politicians in circumstances where the political parties and their opposition are equally represented, there will be increased opportunities to promote the City's leadership role on regional issues.

Sustainability implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

Nil

ATTACHMENTS

Attachment 1	Current City Policy 8.3 Elected Members – General
Attachment 2	Draft City Policy 8.3 Elected Members – General

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee:

- 1 CONSIDERS the suggested amendments to the Policy forming Attachment 2 to the Report;
- 2 SUGGESTS any additional changes to the Policy;
- 3 RECOMMENDS that Council adopts the revised Policy.

Discussion ensued with a range of changes suggested.

MOVED Mayor Pickard SECONDED Cr Magyar that:

1 the wording of the Policy forming Attachment 2 to this report be amended to:

- Reflect a change of title to Civic Centre Meeting Rooms;
- Attach a plan of the Chamber and the meeting rooms covered by the Policy;
- Include a form for written requests;
- Reflect modified wording for point 4;
- Require external parties seeking to use the Chamber or Meeting Rooms to make an approach through the Mayor;
- Correct a typographical error in the section headed 'Recording the Proceedings of Meetings'; and
- Indicate that a suitable gift will also be provided as an acknowledgement of service.

2 the Policy Committee recommends that Council adopts the revised Policy.

The Motion was Put and

CARRIED UNANIMOUSLY (5/0)

In favour of the Motion: Mayor Pickard, Crs Hart, Hollywood, Magyar and Fishwick

ITEM 2 POLICY 5.3 - CULTURAL DEVELOPMENT– [01435]

WARD: All

RESPONSIBLE Mr Ian Cowie
DIRECTOR: Governance and Strategy

PURPOSE

To review the current City Policy 5.3 – Cultural Development Policy.

EXECUTIVE SUMMARY

It is recommended that the Policy be amended to provide a focus on art and to allow greater elected member involvement.

BACKGROUND

At the meeting of the Policy Committee (PC) on 24 August 2006, it was requested that City Policy 5.3 Cultural Development, be reviewed on the basis that:

...the wording of the policy did not express its intent, and also felt it important that elected members become more involved in the City's art collection.

This report provides suggested amendments to the Policy that may be considered by the Policy Committee.

DETAILS

The objective of the current Policy is: *To enrich the cultural development of the Joondalup community*, and, as a designated 'City' Policy, has been "...developed for administrative and operational imperatives and...[having]...an internal focus" (*CJ064 – 04/05 refers*).

The Policy identifies the broad processes for resourcing and managing the following:

- Public Art
- The City's Art Collection including acquisition of works and management of the collection
- The City's archive and memorabilia collection

The current Policy is included in Attachment 1.

As the resourcing and management processes are guided by internal documents such as the Public Art Implementation Process and the Arts Management Strategy for the City's Art Collection, the current Policy makes no reference to the contribution of elected members with respect to achievement of the Policy objective.

Issues and options considered:

Policy Focus

In its present form, the wording of the objective: *To enrich the cultural development of the Joondalup community* is very broad and implies that the Policy covers issues well beyond public art, the City's Art Collection and archive memorabilia which are actually covered. Other areas of cultural activity supported by the City e.g., the Joondalup Festival and the Eisteddfod which may also contribute to the cultural development of the Joondalup community, are not addressed.

The Policy Committee may consider the following options:

- 1 Retain the current Policy and objective without change
- 2 Adopt the amended title and objective which focuses on art and the City's Art Collection as covered by the current Policy
- 3 Recommend that the Policy is broadened to include other forms of cultural development such as community events

The second option is recommended with appropriate wording indicated in Attachment 2.

Implementation of Policy

1 Public Art

The current Policy refers to public art provision in public buildings. However, there is no elected member involvement in this process.

The Policy Committee may consider the following options:

- Retain the current Public Art Implementation Process as stated
- Recommend that the Policy be amended to include reference to input from Council on specific projects as they arise.

The second option is recommended and possible wording is provided in Attachment 2.

2 Art Collection, Acquisition and Management

The City's Art Collection was established following the separation of the City of Joondalup from the City of Wanneroo in 1997. Upon separation the collection was divided equally by value, with the City of Wanneroo retaining the historical collection, the regional landscapes and the indigenous collection, and the City of Joondalup acquiring the contemporary art collection.

The strategy for the division and the City's subsequent art collection purchases have been to build a broad, high quality, contemporary art collection, that is of general interest, accessible to the public and reflects the identity of Joondalup as a sustainable City and community that "...are recognised as innovative, unique and diverse." Both collections have been professionally managed since 1992, with all new work being recommended by the City's contracted Art Curator. In terms of prestige, the City's Art Collection is reputedly second only to that of the Art Gallery of Western Australia. This may be attributed to the strategic nature of the acquisitions under the guidance of professional advisers.

As an asset of the City, the value of the collection has been achieving growth of between 10% and 15% per annum, based on valuation reports. The works of Western Australian artists featured in the collection are now receiving national and international acclaim.

Opportunities to augment the Art Collection with high quality work of City of Joondalup residents are currently provided via the annual Invitation Art Award. In future, opportunities to include the work of City of Joondalup residents may occur through acquisitions of award winning submissions to the Community Art Award, as the works submitted in recent years have reached a standard compatible with that of the Art Collection. In this way, the long-term financial and artistic integrity of the Art Collection will be sustained at the level achieved through strategic acquisition since 1992.

The Policy Committee may consider the following options:

- 1 Retain this section of the Policy without amendment.
- 2 Amend the Policy to maintain the high quality of the existing Art Collection as advised by the Art Curator through:
 - (a) Acquisition of award winning works submitted by Joondalup residents for the Invitation Art Award;
 - (b) Acquisition of award winning works submitted by Joondalup residents to the Community Art Exhibition;
 - (c) Acquisition of the high quality works of Western Australian artists.
- 3 Amend the Policy to include an opportunity for input and advice on purchases from an Art Collection Reference Group comprising the Mayor, two Councillors and the CEO, with advice from the Cultural Development Coordinator.
- 4 Amend the Policy to provide a report to Council on the City's art collection each year.
- 5 Amend the Policy using options 2, 3 and 4.

The fifth option is recommended with appropriate wording indicated in Attachment 2.

3 The City's archive and memorabilia collection

The City's archive and memorabilia collection is a regional resource that is located within the Local Studies area of the Joondalup Library. Parts of the collection are jointly owned by the City of Joondalup and the City of Wanneroo.

The operational objective of Local Studies is to collect, document, and permanently preserve all resource materials that reflect the history, development, culture and society of the region. The majority of people who make use of the collection are students, professionals and individuals and groups with a special interest in the history, planning, and environmental and ecological aspects of the region.

The collection is a repository for unique and significant resources relating to the natural and man-modified environment from the City of Joondalup and the City of Wanneroo. The function of the collection is to allow interpretation of the resources to promote education, enjoyment and community participation.

All acquisitions, whether purchased or donated, are evaluated in accordance with the following criteria:

- The subject content has present or potential relevance to the history, development, or culture of the natural and modified environment of the region.
- The resource relates to the governance of the region.
- The resource originates from the City of Joondalup, the City of Wanneroo or their preceding organisations.
- The resource relates to the present or past population of the region.
- The author or illustrator is local.
- The item is appropriate for library use.
- The resources relate to municipalities adjoining the region and enhance the understanding of the region in the context of its surrounds.
- The item enhances or relates to a specific area of the collection.
- The item is recognised as meeting a perceived need of library users.
- The item can be properly cared for by the City of Joondalup, who will have ownership of it.

The collection is not static, but constantly under review. Suggestions for the inclusion of items into the collection are considered and evaluated against the selection criteria by professionals with the requisite skills and knowledge.

The Policy Committee may consider the following options:

- 1 Retain this section of the Policy without amendment
- 2 Amend the Policy to include an opportunity for input and advice from elected members on the promotion of the collection to the local community

The second option is recommended with appropriate wording indicated in Attachment 2.

Link to Strategic Plan:

This item has a direct link to achievement of the City's Vision: *"A sustainable City and community that are recognised as innovative, unique and diverse."*

Legislation – Statutory Provisions:

With respect to Policy 5-3 Cultural Development, implementation is based on the powers and functions of Council that may be delegated to the CEO under Section 5.42:

- (1) *A local government may delegate to the CEO the exercise of any of its powers of the discharge of any of its duties under this Act other than those referred to in section 5.43 and this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation. (Absolute Majority required).*

Section 5.44 provides limitations to this power of delegation, those being:

In turn the CEO may delegate to any employees the exercise of any of the CEO's powers or the discharge of any of the CEO's duties other than the power of delegation. The delegation must be in writing.

Risk Management considerations:

The current focus of the Policy and supporting documents for implementation is on art in the City rather than arts and culture. There is a risk that by excluding consideration of all the elements comprising cultural development, the current Policy objective will not be achievable.

Focussing future acquisitions for the Art Collection on works by local artists that depict Joondalup may result in an impact on the monetary value of the overall collection.

Financial/Budget Implications:

Not applicable

Policy implications:

This report may lead to amendments in current policy and practice with respect to public art, the City's Art Collection and archival memorabilia in the City of Joondalup.

Regional Significance:

In the future, the City will have a Cultural Facility, which will provide a regional venue for the display of a prestigious Art Collection, the Joondalup archival material and a range of memorabilia, which will contribute to the City's reputation as innovative, unique and diverse and serve as regional attraction for visitors from outside the area.

Sustainability implications:

Art contributes to social and economic sustainability through building a sense of community pride and identity by association, and through developing and maintaining a variety of local attractions for visitors from outside the area.

Consultation:

Not applicable

COMMENT

The Art Collection is of singular importance as an asset, which is accumulating in value on a financial and a cultural level. Opportunities to increase the value of the collection in future will be dependent on continuing strategic acquisition.

ATTACHMENTS

Attachment 1 Current City Policy 5.3 Cultural Development
Attachment 2 Draft City Policy 5.3 – Art and the City's Collections.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee:

- 1 CONSIDERS the suggested amendments to the Policy forming Attachment 2 to this Report;
- 2 SUGGESTS any additional changes to the Policy;
- 3 RECOMMENDS that Council adopts the revised Policy.

Discussion ensued with a range of recommendations suggested.

MOVED Cr Magyar SECONDED Cr Hollywood that:

- 1 the wording of the Policy forming Attachment 2 to this report be amended to:
 - **Alter the title;**
 - **Alter the number of Councillors on the Art Collection Reference Group;**
 - **Delete the word 'contemporary';**
 - **Reflect local content and context;**
 - **Clarify that some memorabilia belongs to the City of Joondalup while other items are jointly owned by the Cities of Joondalup and Wanneroo; and**
 - **Clarify that the report on archives and memorabilia will be submitted annually.**
- 2 the Policy Committee recommends that Council adopts the revised Policy.

The Motion was Put and

CARRIED UNANIMOUSLY (5/0)

In favour of the Motion: Mayor Pickard, Crs Hart, Hollywood, Magyar and Fishwick

ITEM 3 POLICY 5.4 – SUSTAINABILITY – [00906]

WARD: All

RESPONSIBLE Mr Ian Cowie
DIRECTOR: Governance and Strategy

PURPOSE/ EXECUTIVE SUMMARY

To consider amendments to City Policy 5.4 – Sustainability and Council Policy 1.3 - Sustainability as requested by the Sustainability Advisory Committee (SAC).

BACKGROUND

At its meeting on 19 January 2006 the SAC received a report requesting that the SAC note the adopted City Policy 5-4 - Sustainability.

The SAC, at its meeting on 19 January 2006, was unable to complete its agenda and it moved to defer consideration of the City Sustainability policy until its next meeting to be held on 9 March 2006.

The SAC did not subsequently hold a meeting on 9 March 2006 and the matter was referred to its meeting of 31 August 2006 where Council was requested to refer suggested changes to the Policy Committee for further consideration.

Council at its meeting of 10 October 2006 endorsed this recommendation.

DETAILS

At its meeting of 31 August 2006, the SAC moved the following motion:

- 1 REQUESTS Council to refer the following matters to the Policy Committee for further consideration:
 - (i) Statement of Intent of Policy 5.4 be changed to delete the second sentence and alter the third sentence to delete the words “and particular circumstances” and read as follows:

“The purpose of this policy is to set a direction that will, over time result in the achievement of outcomes consistent with the principles of sustainability. The Council is mindful that in some instances there may be constraints through the need to act within legislation”;
 - (ii) That a similar change be made to Council Policy 1.3;
 - (iii) The discussion paper attached to the City Policy 5.4 on the website is also attached to the Council Policy 1.3.

Legislation – Statutory Provisions:

Not applicable.

Risk Management Considerations:

Not applicable.

Financial/Budget Implications:

Not applicable.

Policy Implications:

Not applicable.

Regional Significance:

Not applicable.

Sustainability Implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

Nil.

ATTACHMENTS

Attachment 1 Current Policy 5.4 - Sustainability
Attachment 2 Current Policy 1.3 - Sustainability

VOTING REQUIREMENTS

Simple majority

MOVED Cr Magyar SECONDED Cr Fishwick that the Policy Committee:**1 SUPPORTS the following amendments:**

- (a) **City Policy 5.4 be amended by deleting the Statement of Intent and replacing it with the following wording:**

“The purpose of this policy is to set a direction that will, over time result in the achievement of outcomes consistent with the principles of sustainability. The Council is mindful that in some instances there may be constraints through the need to act within legislation”;

- (b) **Council Policy 1.3 be amended as outlined in Point 1 (a) above;**

- (c) that the discussion paper attached to the City Policy 5.4 on the website is also attached to the Council Policy 1.3;

2 RECOMMENDS that Council adopts the amendments to Policies 5.4 and 1.3.

The Motion was Put and

CARRIED UNANIMOUSLY (5/0)

In favour of the Motion: Mayor Pickard, Crs Hart, Hollywood, Magyar and Fishwick

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

1. Allowance for Councillors in lieu of uniforms.
2. Floodlighting on reserves.
 - Community usage shifting – people training later now.
 - Establish hierarchy of reserves with lighting.
 - Conscious of sustainability and cost.

CLOSURE

There being no further business, the Presiding Person declared the Meeting closed at 1941 hrs; the following Elected members being present at that time:

Cr S Hart
Mayor T Pickard
Cr K Hollywood
Cr S Magyar
Cr R Fishwick