

CITY OF JOONDALUP

MINUTES OF INAUGURAL SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON WEDNESDAY, 1 JULY 1998

ATTENDANCES AND APOLOGIES

Commissioners:

C T ANSELL	Chairman
H MORGAN, AM	Deputy Chairman
R M ROWELL	
M C CLARK-MURPHY	
W BUCKLEY	

Officers:

Chief Executive Officer:	L O DELAHAUNTY
Director, Corporate Services:	R E DYMOCK
Director, Strategic Planning:	R FISCHER
Director, Resource Management:	J B TURKINGTON
Director, Technical Services:	R McNALLY
Director, Development Services:	O G DRESCHER
Director, Community Services:	C HALL
Acting Manager, Financial Planning and Management Accounting:	B PERRYMAN
Manager, Council Support Services:	M SMITH
Manager, Executive Services:	K ROBINSON
Publicity Officer:	L BRENNAN
Acting Committee Clerk:	L TAYLOR
Minute Clerk:	S BRUYN

There were 91 members of the Public and 1 member of the Press in attendance.

The Chairman declared the meeting open at 1900 hrs, and welcomed all present to the inaugural meeting of the City of Joondalup.

Presentation to Chairman

The Chief Executive Officer presented Commissioner Ansell with a gavel for use at future meetings.

PUBLIC QUESTION TIME

(Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked).

Mr B Higgins:

Q1 If the split proceeds and it is found that rate income from the new Shire of Wanneroo is insufficient to sustain the locality, would the Commissioners consider setting up in Wanneroo Road, just north of Joondalup Drive, a toll gate?

A1 Response by Cmr Ansell: Certainly.

Mrs M Zakrevsky:

Q1 When will the agendas for the two meetings each month be available? With regard to the Wanneroo Times, if the agenda is distributed on the Friday prior to the Tuesday meeting, it will be unable to get any agenda items published.

A1 Response by Chief Executive Officer: There will be no difference to when agendas were available in the past. They will be available when they are prepared for Commissioners, on the Friday night before the Council meeting on the Tuesday.

Q2 What is the significance of the logo for the City of Joondalup?

A2 Response by Chief Executive Officer: The logo for Joondalup was selected as an interim logo by the Commissioners. As it was the first logo for Joondalup it was inaugurated with the Joondalup Development Corporation in the first formation of Joondalup.

Q3 What does the logo actually depict?

A3 Response by Chief Executive Officer: It is the likeness of a fern frond.

Mr T Popham:

Q1 In relation to Item 8 on the agenda - Appointment of Chief Executive Officer - What is the term of office for that contract, is it performance based and will it be reviewed annually?

A1 Response by Cmr Ansell: The terms of Mr Delahaunty's contract continues over to the City of Joondalup for the rest of its period, which I believe is approximately 3 years. It is performance based and his performance is reviewed at least annually.

Mr A Taylor:

Q1 In relation to availability of agendas on the internet, could I have a progress update on the home page situation?

A1 *Response by Director, Corporate Services:* The names of the Shire of Wanneroo and City of Joondalup have both been registered, providing Council with the option to have a home page for both local governments. These have been established and staff can be contacted at either of those e-mail addresses.

Mrs A Hine:

Q1 Is anything planned for ex-Councillors?

A1 *Response by Cmr Ansell:* A function will be held for ex-Councillors and their contribution will be honoured at that function.

DECLARATIONS OF FINANCIAL INTEREST

Cmrs Buckley, Clark-Murphy, Morgan and Rowell declared an interest in Item 14 - Mindarie Regional Council as they have nominated to represent the City of Joondalup and the Shire of Wanneroo on the Mindarie Regional Council.

The Chief Executive Officer advised that an exemption under Section 5.69(3)(a) of the Local Government Act, 1955 had been received from the Minister for Local Government.

JSC1-07/98 EXPRESSIONS OF LOYALTY

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners extend the following expressions of loyalty:

1 To the Governor of Western Australia

The Joint Commissioners of the City of Joondalup on behalf of the community of the Local Government extend greetings and this message of loyalty to Her Majesty The Queen.

2 To the Prime Minister of Australia

The Joint Commissioners of the City of Joondalup pledge their commitment to the Nation of Australia, the Prime Minister of Australia and the Federal Government, and to the Australian way of life striving to be democratic and fair to all.

3 To the Premier of Western Australia

The Joint Commissioners of the City of Joondalup pledge their commitment to the Premier of Western Australia and the Government of Western Australia towards good government and management of Local Government.

The Motion was Put and

CARRIED

JSC2-07/98 GREETINGS TO KINDRED ORGANISATIONS

MOVED Cmr Clark-Murphy, SECONDED Cmr Buckley that the Joint Commissioners of the City of Joondalup extend to the Mayor/President of all Local Governments of Western Australia this message of fellowship and commitment to the role of Local Government; promoting the advancement and the development of this State and betterment of life style for all residents.

The Motion was Put and

CARRIED

JSC3-07/98**ADOPTION OF COMMON SEAL - CITY OF JOONDALUP**

It is necessary for the City of Joondalup to adopt its common seal in order for it to enter contracts and other matters of formal business.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners adopt the Common Seal:

- 1 of the City of Joondalup as laid on the table and forming Appendix I hereto;**
- 2 clause as follows:**

“The Common Seal of the City of Joondalup was hereunto affixed by authority of a resolution of the Council in the presence of:

MAYOR/(CHAIRMAN)

CHIEF EXECUTIVE OFFICER

The Motion was Put and

CARRIED

JSC4-07/98**ADOPTION OF LOGO - CITY OF JOONDALUP**

It is necessary for the City of Joondalup to adopt a logo for it to place on its letterhead, envelopes, and other associated stationery to enable it to conduct its day to day business.

MOVED Cmr Buckley, SECONDED Cmr Clark-Murphy that the Joint Commissioners adopt the logo of the City of Joondalup as laid on the table and forming Appendix II hereto.

The Motion was Put and

CARRIED

JSC5-07/98**APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

Section 5.36(1)(a) of the Local Government Act 1995 requires that a local government appoint a Chief Executive Officer so he/she can manage the day to day operations of the organisation.

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners confirm the appointment of the Chief Executive Officer of the former City of Wanneroo, Lindsay Owen Delahaunty, as Chief Executive Officer of the City of Joondalup commencing 1 July 1998.

The Motion was Put and

CARRIED

JSC6-07/98**APPOINTMENTS**

It is necessary to confirm the appointment of various organisations to continue to provide various services to the City of Joondalup under the same terms and conditions as for the former City of Wanneroo.

MOVED Cmr Clark-Murphy, **SECONDED** Cmr Buckley that the Joint Commissioners confirm the continuation of the following appointments on 1 July 1998 on terms and conditions for the former City of Wanneroo:

- 1 **Bankers -**
 Commonwealth Bank of Australia
- 2 **Insurance Brokers -**
 AON Risk Services
- 3 **Solicitors**
 Clayton Utz - **General Local Government**
 Watts & Woodhouse - **General Local Government**
 McLeod & Company - **Town Planning**
 Mallesons Stephens Jacques - **Industrial Relations**
- 5 **Insurers -**
 Workers Compensation Insurance **Municipal Workcare Scheme**
 **Public Liability/
 Professional Indemnity Insurance** **Municipal Liability Scheme**
 Industrial Special Risk **Government Insurance Office Australia**
 (GIO)
 General Insurance)
 Bush Fire/Fidelity)
 Guarantee/Personal Risks) **Government Insurance Office Australia**
 (GIO)
 Motor Vehicle/Plant **Australian Mutual Provident (AMP)**
- 6 **Auditors -**
 Graham McHarrie and Peter Messer
 Deloitte Touche Tohamatsu, Chartered Accountants

The Motion was Put and

CARRIED

JSC7-07/98**DELEGATION OF AUTHORITY TO OFFICERS**

Section 5.42 of the Local Government Act 1995 enables the Council to delegate to the Chief Executive Officer the performance of any function of the Council other than a function referred to in that section.

The delegations, as circulated and laid on the table, comply with the requirements of Section 5.42 of the Local Government Act 1995. In a number of cases, the exercise of the delegation is subject to the assigned officer complying with the conditions specified.

In the event that an officer considers that a delegation should not be exercised (for example, a particularly contentious or controversial matter), it is recommended that the matter be referred to the Council for consideration.

RECOMMENDATION: That the Joint Commissioners, adopt the Delegations set out in the Register for the former City of Wanneroo as laid on the table.

The Chief Executive Officer stated that the delegation register in respect of Town Planning issues provides for a delegation to the Chairman of the Town Planning Committee. He advised that as the Commissioners do not plan to form a committee, it would be necessary to amend the draft delegation register.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners, adopt the Delegations set out in the Register for the former City of Wanneroo as laid on the table, subject to the first paragraph of Town Planning Delegations, Clause 1 (b) being amended to read:

“The Director of Development Services (or the Manager of Approval Services in the absence of the Director of Development Services) after consultation with Commissioner Rowell, for the remaining applications with the exception of the following categories which the delegate shall refer to the Council for determination.”

The Motion was Put and

**CARRIED BY AN
ABSOLUTE MAJORITY**

JSC8-07/98

APPOINTMENT OF AUTHORISED PERSONS - VARIOUS STATUTES

It is essential that officers be appointed to the City of Joondalup to enable them to continue to perform their duties.

MOVED Cmr Buckley, **SECONDED** Cmr Rowell that the Joint Commissioners recognise the delegated authority in place for the Chief Executive Officer to appoint the appropriate persons as authorised officers for the City of Joondalup under various legislation.

The Motion was Put and

CARRIED

JSC9-07/98**ADOPTION OF POLICY MANUAL**

It is prudent for a local government to operate with a Policy Manual. The policies of the former City of Wanneroo have been reformatted in recent times, as laid on the table. It is recommended that it be adopted, and that it be further reviewed in the near future.

MOVED Cmr Morgan, SECONDED Cmr Clark-Murphy that the Joint Commissioners:

- 1 adopt the Policy Manual, of the former City of Wanneroo as laid on the table,**
- 2 request a further report reviewing the Policy Manual, as adopted in (1) above, to more accurately reflect the operations of the City of Joondalup.**

The Motion was Put and

CARRIED

JSC10-07/98**SETTING OF MEETING DATES AND TIMETABLE**

In accordance with the Local Government Act 1995, it is necessary for a local government to give local public notice of its ordinary meeting dates for the next 12 months. It is suggested that the 'standing committee' structure be discontinued with an ordinary meeting of the Council being held on the second and fourth Tuesdays of the month commencing at 5.30 pm. and these meeting dates be set until April 1999. It is further suggested that the venue for the Shire of Wanneroo and City of Joondalup meetings be alternated between the Wanneroo Civic Centre and Joondalup Civic Centre.

The City's current standing orders detail the order of business of a Council meeting, however, this can be altered by a resolution of the Council. Concerns have been raised about the reduction in public participation at meetings with the discontinuation of the standing committee structure. It is therefore suggested that deputations be conducted by appointment and be held at an informal session prior to the Council meeting commencing at 4.30 pm. Public would be invited to attend these sessions.

The proposed meeting timetable causes some minor administration problems with policy EM8 - Communication of Council Resolutions being that the closing date for reports for the next meeting of the Council will fall on the same day as the previous meeting. It is therefore recommended that this policy be deleted.

REPORT RECOMMENDATION: That the Joint Commissioners:

- 1 resolve to set the meeting dates for the City of Joondalup commencing at 5.30 pm as follows:**

<u>Month</u>	<u>Date</u>	<u>Venue</u>
July 1998	14 July 1998	Joondalup Civic Centre
	28 July 1998	Joondalup Civic Centre
August 1998	11 August 1998	Joondalup Civic Centre
	25 August 1998	Joondalup Civic Centre

September 1998	8 September 1998 22 September 1998	Joondalup Civic Centre Wanneroo Civic Centre
October 1998	13 October 1998 27 October 1998	Joondalup Civic Centre Wanneroo Civic Centre
November 1998	10 November 1998 24 November 1998	Joondalup Civic Centre Wanneroo Civic Centre
December 1998	8 December 1998 22 December 1998	Joondalup Civic Centre Wanneroo Civic Centre
January 1999	12 January 1999 26 January 1999	Joondalup Civic Centre Wanneroo Civic Centre
February 1999	9 February 1999 23 February 1999	Joondalup Civic Centre Wanneroo Civic Centre
March 1999	9 March 1999 23 March 1999	Joondalup Civic Centre Wanneroo Civic Centre
April 1999	13 April 1999 27 April 1999	Joondalup Civic Centre Wanneroo Civic Centre

2 set the order of business at the ordinary meeting of Council for the City of Joondalup as follows:

- Apologies and Leave of Absence
- Public question time
- Declarations of financial interest
- Confirmation of Minutes
- Announcements by the Mayor/(Chairman) without discussion
- Petitions
- Policy items
- Finance and Community Service items
- Technical Services items
- Planning and Development Services items
- Report of the Chief Executive Officer
- Date of next meeting
- Closure

3 repeal Policy EM8 - Communication of Council Resolutions being:

“Objective

To establish a timeframe for communicating Council resolutions to affected parties.

Statement

Written notification of Council resolutions shall not be conveyed prior to 12 noon, on the second day subsequent to the resolution being passed.

This restriction shall not apply in respect of applications for subdivisions where comments shall be submitted to the Directorate of Development Services the day immediately following the Development Planning Services Committee meeting.”

- 4 in accordance with the Local Government Act 1995, give local public notice of the meeting dates for the next twelve (12) months, as detailed in (1) above.

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners resolve to set the meeting dates as detailed in the agenda, with the deletion of meeting dates scheduled for January 1999, for the City of Joondalup commencing at 5.30 pm as follows:

<u>Month</u>	<u>Date</u>	<u>Venue</u>
July 1998	14 July 1998	Joondalup Civic Centre
	28 July 1998	Joondalup Civic Centre
August 1998	11 August 1998	Joondalup Civic Centre
	25 August 1998	Joondalup Civic Centre
September 1998	8 September 1998	Joondalup Civic Centre
	22 September 1998	Wanneroo Civic Centre
October 1998	13 October 1998	Joondalup Civic Centre
	27 October 1998	Wanneroo Civic Centre
November 1998	10 November 1998	Joondalup Civic Centre
	24 November 1998	Wanneroo Civic Centre
December 1998	8 December 1998	Joondalup Civic Centre
	22 December 1998	Wanneroo Civic Centre
January 1999	RECESS	
February 1999	9 February 1999	Joondalup Civic Centre
	23 February 1999	Wanneroo Civic Centre
March 1999	9 March 1999	Joondalup Civic Centre
	23 March 1999	Wanneroo Civic Centre
April 1999	13 April 1999	Joondalup Civic Centre
	27 April 1999	Wanneroo Civic Centre

The Motion was put and

CARRIED

MOVED Cmr Rowell, **SECONDED** Cmr Buckley that the Joint Commissioners set the order of business at the ordinary meeting of Council for the City of Joondalup as follows:

- Apologies and Leave of Absence
- Public question time
- Declarations of financial interest
- Confirmation of Minutes
- Announcements by the Mayor/(Chairman) without discussion
- Petitions
- Policy items
- Finance and Community Service items
- Technical Services items
- Planning and Development Services items

- **Report of the Chief Executive Officer**
- **Date of next meeting**
- **Closure**

The Motion was put and

CARRIED

MOVED Cmr Morgan, SECONDED Cmr Rowell that the Joint Commissioners repeal Policy EM8 - Communication of Council Resolutions being:

“Objective

To establish a timeframe for communicating Council resolutions to affected parties.

Statement

Written notification of Council resolutions shall not be conveyed prior to 12 noon, on the second day subsequent to the resolution being passed.

This restriction shall not apply in respect of applications for subdivisions where comments shall be submitted to the Directorate of Development Services the day immediately following the Development Planning Services Committee meeting.”

The Motion was put and

CARRIED

MOVED Cmr Rowell, SECONDED Cmr Clark-Murphy that the Joint Commissioners in accordance with the Local Government Act 1995, give local public notice of the meeting dates for the next twelve (12) months, as detailed in the meeting dates above.

The Motion was Put and

CARRIED

JSC11-07/98

**APPOINTMENT OF OTHER COMMITTEE MEMBERS/
DELEGATES - MINDARIE REGIONAL COUNCIL - [03149]**

SUMMARY

The term of appointment for Commissioners Rowell, Morgan, Clark-Murphy and Buckley to the Mindarie Regional Council expired on 30 June 1998. This report recommends that the Joint Commissioners resolve to nominate Commissioners Rowell, Morgan, Clark-Murphy and Buckley to the Mindarie Regional Council for an appointment, 1 July 1998 to 30 June 1999.

DETAILS

The former City of Wanneroo had four positions on the Mindarie Regional Council. At the 26 November 1997 Council meeting of the City of Wanneroo, the Joint Commissioners resolved to nominate Commissioners Rowell, Morgan, Clark-Murphy and Buckley to the Mindarie Regional Council. Their term of appointment expired on 30 June 1998.

The Governor's Order transfers the representation on Mindarie Regional Council of the former City of Wanneroo to the Shire of Wanneroo and the City of Joondalup jointly.

The four positions are required to be filled for the term 1 July 1998 to 30 June 1999. It is recommended that the four Commissioners currently on the Mindarie Regional Council be nominated by the Joint Commissioners to represent the City and Shire for a further term of appointment, 1 July 1998 to 30 June 1999.

Cmrs Buckley, Clark-Murphy, Morgan and Rowell declared an interest in Item 14 - Mindarie Regional Council as they have nominated to represent the City of Joondalup and the Shire of Wanneroo on the Mindarie Regional Council.

The Chief Executive Officer advised that an exemption under Section 5.69(3)(a) of the Local Government Act, 1955 had been received from the Minister for Local Government.

MOVED Cmr Buckley, SECONDED Cmr Morgan that the Joint Commissioners resolve to nominate Commissioners Morgan, Clark-Murphy Rowell, and Buckley to the Mindarie Regional Council for the period 1 July 1998 to 30 June 1999 to jointly represent the City of Joondalup and the Shire of Wanneroo.

CLOSURE

There being no further business, the Chairman declared the meeting closed at 1917 hrs, the following Commissioners being present at that time.

COMMISSIONERS: ANSELL
MORGAN
BUCKLEY
CLARK-MURPHY
ROWELL