

CITY OF JOONDALUP

MINUTES OF THE CONSERVATION ADVISORY COMMITTEE HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON WEDNESDAY, 22 FEBRUARY 2006

ATTENDANCE AND APOLOGIES

Committee members

Mr M Norman	Chairman	
Mr B Fitzsimmons	Community Representative	
Mr R Henderson	Community Representative	<i>from 1740 hrs</i>
Mr D Mallan	Community Representative	
Mr S Magyar	Community Representative	
Mr D Pike	Community Representative	
Mrs M Zakrevsky	Community Representative	

Officers

M Ralph	Acting Manager Infrastructure Management & Ranger Services
K Armstrong	Conservation Coordinator
J Harrison	Administration Team Leader, Council Support
J Schelfhout	Administration Officer

Guests

Ms Margaret Ellerton	Friends of Periwinkle Reserve
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Apologies

Ms S Bailey	Community Representative
Mr J Wood	Community Representative
Commissioner M Anderson	Guest

DECLARATION OF OPENING

Chairman Mike Norman opened the meeting at 1734 hours.

APOLOGIES/LEAVE OF ABSENCE

CONFIRMATION OF MINUTES

MOVED M Zakrevsky SECONDED B Fitzsimmons that the minutes of the meeting of the Conservation Advisory Committee held on 7 December 2005 be confirmed as a true and correct record.

The Motion was Put and

CARRIED UNANIMOUSLY (7/0)

In favour of the Motion: Mr M Norman, Mr B Fitzsimmons, Mr R Henderson, Mr D Mallan, Mr S Magyar, Mr D Pike and Mrs M Zakrevsky

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

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

Not Applicable.

PETITIONS AND DEPUTATIONS

Nil.

ITEM 1 STANDING ORDERS LOCAL LAW 2005 - [01369]

WARD: All

RESPONSIBLE Mr Garry Hunt
DIRECTOR: Office of CEO

PURPOSE

To note the introduction of the Standing Orders Local Law 2005 and the matters contained therein, and note the order of business for meetings of the Conservation Advisory Committee.

EXECUTIVE SUMMARY

The Standing Orders Local Law 2005 was adopted by Council on 22 November 2005 and came into operation on 3 January 2006.

It is recommended that the Conservation Advisory Committee note the introduction of the Standing Orders Local Laws 2005 and the matters contained therein, and the order of business for its meetings in line with this local law.

BACKGROUND

With the split of the former City of Wanneroo on 1 July 1998, all the local laws of the former City of Wanneroo became the local laws of the City of Joondalup.

Since that time there has been a concerted effort to review those former local laws and revise them to better reflect the operations of the City of Joondalup. This also allowed the City to have a complete and updated set of enforceable local laws. The comprehensive review of the Standing Orders Local Law was the final local law reviewed from the former City of Wanneroo. This review initially commenced in late 1999 and at its meeting held on 22 November 2005 the Council adopted the Standing Orders Local Law 2005. This local law was gazetted on 20 December 2005 and came into operation on 3 January 2006.

DETAILS

The Standing Orders Local Law 2005, which came into effect on 3 January 2006, provides a set of procedures to “assist in the good conduct of meetings of the Council, of committees and of the electors.”

This local law has been based on the best practice principles of well-structured agendas that are short and sharp, which allows sufficient time to debate, and set policy and strategy to achieve the best results for the community.

A copy of the Standing Orders Local Law 2005 has been provided to Committee members for their information.

Issues and options considered:

Order of Business

The following clauses of the Standing Orders Local Law relate to the order of business at committee meetings:

Clause 14 (2) states:

The items of business to be dealt with at an ordinary meeting of the committee are set out in paragraphs (a) to (m) inclusive of this sub clause. The order in which those items are to be dealt with, is as resolved by the committee, from time to time. In the absence of a resolution of the committee, the order is as follows:

- (a) Declaration of opening
- (b) Public question time
- (c) Public statement time
- (d) Apologies/leave of absence
- (e) Confirmation of minutes
- (f) Announcements by the presiding person without discussion
- (g) Declarations of interests
- (h) Identification of matters for which the meeting may sit behind closed doors
- (i) Petitions and deputations
- (j) Reports
- (k) Motions of which previous notice has been given
- (l) Requests for reports for future consideration; and
- (m) Closure

Clause 15(7) states:

“Notwithstanding clause 14(2) there is to be no public question time in meetings of committees other than a committee to which the local government has delegated a power or duty.”

Clause 16(2) states:

“Notwithstanding clause 14(2) there is to be no public statement time in meetings of committees other than a committee to which the local government has delegated a power or duty.”

The Conservation Advisory Committee has not been delegated a power or duty; therefore its order of business will not contain items relating to Public Question Time or Public Statement Time.

Voting

For the purpose of recording of minutes of committee meetings, the attention of the Committee is drawn to the requirement of Clause 13(3) of the local law, which states:

“For each motion and amendment, the minutes of the meeting are to record the names of members voting in the affirmative and the names of members voting in the negative.”

Link to Strategic Plan:

Outcomes:

The City of Joondalup is an interactive community.

Objectives:

4.3 To ensure the City responds to and communicates with the community.

Strategies

4.3.3 Provide fair and transparent decision-making processes.

Legislation – Statutory Provisions:Local Government Act 1995

- 5.21 (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*
- (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
- (3) *If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
- (4) *If a member of a council or a committee specifically requests that there be recorded-*

(a) *his or her vote; or*

(b) *the vote of all members present,*

on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

Local Government (Administration) Regulations 1996.

9. *Voting at a council or committee meeting is to be conducted so that no voter's vote is secret.*

Risk Management considerations:

All Council and committee meetings must comply with the requirements of the Standing Orders Local Law 2005.

Financial/Budget Implications:

Not applicable

Policy implications:

Not applicable

Regional Significance:

Not applicable

Sustainability implications:

Nil

Consultation:

Nil

COMMENT

The Standing Orders Local Law 2005 governs the conduct of Council and committee meetings and requires to be drawn to the attention of Committee members.

ATTACHMENTS

Nil

VOTING REQUIREMENTS

Not Applicable

OFFICER'S RECOMMENDATION: That the Conservation Advisory Committee:

- 1 NOTES the following order of business for its meetings:
 - (a) Declaration of opening
 - (b) Apologies/leave of absence
 - (c) Confirmation of minutes
 - (d) Announcements by the presiding person without discussion
 - (e) Declarations of interests
 - (f) Identification of matters for which the meeting may sit behind closed doors
 - (g) Petitions and deputations
 - (h) Reports
 - (i) Motions of which previous notice has been given
 - (j) Requests for reports for future consideration
 - (k) Closure

- 2 NOTES that for each motion and amendment, the minutes of committee meetings are to record the names of members voting in the affirmative and the names of members voting in the negative.

Administrative Services Co-ordinator gave an overview of the Standing Orders Local Law 2005. Questions were put to Ms Harrison regarding the effect and implications the Standing Orders Local Law 2005 will have on the workings of the Conservation Advisory Committee. Concerns were raised by members that this newly introduced Local Law will restrict debate and have a deleterious influence on the effectiveness of the Committee. Discussion ensued in detail on the history of Council Standing Orders at the City of Joondalup and the order of business on committee agendas.

MOVED M Zakrevsky SECONDED D Mallan that the Conservation Advisory Committee is of the opinion that the interpretation of the Standing Orders Local Law is extremely restrictive and interferes with the ability of the Committee to perform its functions, therefore the Committee REQUESTS the Commissioners to review Section 14(2) of the Standing Orders Local Law and its interpretation to allow the Committee to include an additional item in the order of business to allow exchange of information and progress reports.

The Motion was Put and

CARRIED UNANIMOUSLY (7/0)

In favour of the Motion: Mr M Norman, Mr B Fitzsimmons, Mr R Henderson, Mr D Mallan, Mr S Magyar, Mr D Pike and Mrs M Zakrevsky

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

A request has been received from Mrs Marilyn Zakrevsky that the matter of increasing volunteer membership of Friend's Groups be listed as an item for discussion at the March 2006 Conservation Advisory Committee Meeting.

CLOSURE

The Chairman declared the meeting closed at 1817 hrs.

DATE OF NEXT MEETING

The next meeting of the Conservation Advisory Committee (CAC) will be held in Conference Room 2, Joondalup Civic Centre, Boas Avenue, Joondalup on Wednesday 29 March 2006 at 6.30pm (with informal strategy session 5.30pm).