

# minutes

## Special Meeting of Council

MEETING HELD ON **TUESDAY, 18 OCTOBER 2011**

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# CITY OF JOONDALUP

**MINUTES OF SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER,  
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY,  
18 OCTOBER 2011**

## **DECLARATION OF OPENING**

The Mayor declared the meeting open at 7.15 pm.

## **ANNOUNCEMENT OF VISITORS**

Mayor Pickard welcomed Freeman of the City, Miss Margaret Cockman, OAM, CStJ and Mr Nick Trandos, OAM, JP.

## **ATTENDANCES**

### **Mayor:**

TROY PICKARD

### **Councillors**

Cr KERRY HOLLYWOOD	North Ward
Cr TOM McLEAN	North Ward
Cr SAM THOMAS	North-Central Ward
Cr PHILIPPA TAYLOR	North-Central Ward
Cr LIAM GOBBERT	Central Ward
Cr MIKE NORMAN	South-West Ward
Cr CHRISTINE HAMILTON-PRIME	South-West Ward
Cr BRIAN CORR	South-East Ward
Cr JOHN CHESTER	South-East Ward
Cr TERESA RITCHIE	South Ward
Cr RUSS FISHWICK	South Ward

### **Officers:**

MR GARRY HUNT	Chief Executive Officer
MR JAMIE PARRY	Director, Governance and Strategy
MR MIKE TIDY	Director, Corporate Services
MS DALE PAGE	Acting Director, Planning and Development
MR MARTYN GLOVER	Director, Infrastructure Services
MR GLEN FLOOD	Director, Infrastructure Services
MS MICHELLE NOBLE	Manager, Governance and Marketing
MR MARK McCRORY	Media Advisor
MRS LESLEY TAYLOR	Governance Officer
MRS ROSE GARLICK	Governance Officer

There were 28 members of the Public in attendance.

## **PUBLIC QUESTION TIME**

Nil.

## **APOLOGIES AND LEAVE OF ABSENCE**

Apology        Cr Geoff Amphlett, JP

### **Leave of Absence previously approved**

Cr Kerry Hollywood    25 October to 1 November 2011 inclusive

Cr John Chester        25 October to 7 November 2011 inclusive

## **DECLARATIONS OF INTEREST**

Nil.

## **ELECTION OF DEPUTY MAYOR**

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so, that is when the office of Mayor is vacant or the Mayor is not available or is unwilling to perform the functions of the Mayor.

The office of Deputy Mayor is to be filled as the first matter dealt with at the first meeting of the Council after an ordinary election. Upon election of the Deputy Mayor, there is a requirement for the incumbent to make a further declaration for that office.

Mayor Pickard called for nominations and advised that two nominations had been received for the position of Deputy Mayor as follows:

Mayor Troy Pickard nominated Cr John Chester. Cr Chester accepted the nomination.

Cr Teresa Ritchie nominated Cr Brian Corr. Cr Corr accepted the nomination.

Mayor Pickard declared nominations closed and advised that as two nominations for the position of Deputy Mayor were made, a secret ballot was required to be conducted.

The Chief Executive Officer provided an explanation of the process to be undertaken with respect to the secret ballot. Once the ballot papers had been put into the ballot box by the 12 Elected Members present, the counting of votes was undertaken by the Chief Executive Officer.

At the conclusion of the counting of the votes, Mayor Troy Pickard declared Cr John Chester as Deputy Mayor.

## **DECLARATION OF ELECTED MEMBER**

Cr John Chester then made a Declaration of Elected Member for the position of Deputy Mayor before Mayor Troy Pickard.

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1min181011.pdf](#)

**ADDRESS BY DEPUTY MAYOR**

Cr Chester stated this was a proud moment being elected as Deputy Mayor and thanked his fellow Elected Members for their support.

He hoped that with commitment and hard work he could maintain the high standards of Elected Members who had previously filled the role of Deputy Mayor with distinction.

Cr Chester commented he had enjoyed the experience as an Elected Member thus far and looked forward to continuing his involvement in local government into the future.

**JSC1-10/11 APPOINTMENT OF REPRESENTATIVES TO REGIONAL COUNCILS**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	02153
<b>ATTACHMENTS:</b>	Nil.

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**PURPOSE**

To give consideration to the appointment of representatives to the Mindarie Regional Council (MRC) and the Tamala Park Regional Council (TPRC).

**EXECUTIVE SUMMARY**

The City of Joondalup has representation on both the MRC and the TPRC. The appointment of representatives is required, as there may be matters requiring resolution in the first two weeks following the election.

It is therefore considered imperative that should either of the Regional Councils call an early meeting, the City has representatives to attend and participate in decision making that may affect the City.

Council is required to appoint two Elected Members to the MRC. A previous decision of Council resolved that the City of Joondalup nominated representative on the TPRC not be a member of the MRC (CJ050-04/05 refers). At its meeting of 20 September 2005, Council also recommended that consideration be given to the MRC and TPRC being represented by either the Mayor or the Deputy Mayor, in order that a senior level of representation be maintained (CJ202-09/05 refers).

It is therefore appropriate that representatives to both Regional Councils be considered and appointed simultaneously.

## BACKGROUND

### Mindarie Regional Council

The purpose of the MRC is to perform designated functions in connection with waste treatment and disposal.

The MRC manages the disposal of about 315,000 tonnes of waste generated each year by people living in its seven government localities, being the Cities of Joondalup, Perth, Stirling, Wanneroo and Vincent, and the Towns of Cambridge and Victoria Park.

The MRC's vision is to 'set and achieve the standard for minimising the impact of waste on the environment, for the benefit of the regional community.'

### Tamala Park Regional Council

The TPRC was established for the development of approximately 165 hectares of Lot 118, Mindarie, and represents the interests of seven local governments in the urban development of land south of Somerley, in Perth's northern suburbs. The seven local governments represented by the TPRC are the Cities of Joondalup, Perth, Stirling, Wanneroo and Vincent, and the Towns of Cambridge and Victoria Park.

The regional purpose for which the TPRC is established is:

- (a) to undertake, in accordance with the objectives, the rezoning, subdivision, development, marketing and sale of the Land; and
- (b) to carry out and do all other acts and things which are reasonably necessary for the bringing into effect of the matters referred to in paragraph (a) of this clause.

The objectives of the TPRC are:

- (a) to develop and improve the value of the Land;
- (b) to maximise, with prudent risk parameters, the financial return to the Participants;
- (c) to balance economic, social and environmental issues; and
- (d) to produce a quality development demonstrating the best urban design and development practice.

## DETAILS

### **Issues and options considered:**

At the Council meeting held on the 5 April 2005 (CJ050-04/05 refers), Council resolved in part that:

*"in the interests of good governance, AGREES that the City of Joondalup nominated representative on the Tamala Park Regional Council shall not be a member of the Mindarie Regional Council."*

At the Council meeting held on 20 September 2005, during discussion on the appointment of representatives to the Tamala Park Regional Council (CJ202-09/05 refers), it was recommended that when a report is presented to a future incoming Council, consideration be given to the Tamala Park Regional Council and Mindarie Regional Council each being represented by either the Mayor or Deputy Mayor, in order that a senior level of representation be maintained.

For this reason it is considered appropriate that representatives to both Regional Councils be appointed simultaneously.

It should be noted that this is a recommendation of Council, and not a formal resolution (CJ202-09/05 refers).

The most recent Council-appointed representatives to the MRC and the TPRC are as follows:

- Mindarie Regional Council: Cr Fishwick and Cr Hollywood
- Tamala Park Regional Council: Cr McLean and Cr Amphlett

### **Legislation/Strategic Plan/Policy Implications**

**Legislation**                      Section 3.61 Local Government Act 1995  
    Section 51 Interpretation Act 1984

### **Strategic Plan**

**Key Focus Area:**            Leadership and Governance

**Objective:**                    1.1        To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

**Policy:**                        Not Applicable.

### **Risk Management considerations:**

If the Council does not appoint representatives to the MRC and TPRC, this may hinder the overall decision-making process.

### **Financial/Budget Implications:**

Not Applicable.

### **Regional Significance:**

The MRC and the TPRC are significant organisations within the northern metropolitan corridor, dealing with waste treatment and disposal and land development, respectively.

### **Sustainability implications:**

Not Applicable.

### **Consultation:**

Not Applicable.

## COMMENT

The timely appointment of the City of Joondalup's representatives to the MRC and the TPRC will ensure the City is represented on these Regional Councils, enabling them to participate in decision-making that may impact the City.

The following meeting fees and allowances apply to representatives of the TPRC and MRC.

### Tamala Park Regional Council

- Chairperson \$20,000 per annum
- Deputy Chairperson \$ 8,500 per annum
- Member \$ 7,000 per annum

### Mindarie Regional Council

- Chairperson \$20,000 per annum
- Deputy Chairperson \$ 8,500 per annum
- Member \$ 7,000 per annum

No deputies are appointed to the TPRC or MRC. Legal advice has confirmed that the appointment of deputies to serve on a Regional Council can only be made under specific circumstances and not on an ongoing basis.

It is important to note therefore that should any of the Council's appointed representatives not be available to attend a meeting of the TPRC or MRC in the near future a special resolution of Council is required to appoint an alternate member for the specific period that the member is not available, in accordance with Clauses 52(b) and (c) of the Interpretation Act 1984, which provides:

52(b) "Where a person so appointed to an office or position is suspended or unable, or expected to become unable, for any other cause to perform the functions of such office or position, to appoint a person to act temporarily in place of the person so appointed during the period of suspension or other inability but a person shall not be appointed to so act temporarily unless he is eligible and qualified to be appointed to the office or position; and

52(c) to specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment."

## VOTING REQUIREMENTS

Simple Majority

**OFFICER'S RECOMMENDATION:** That Council:

1 NOMINATES the following persons to represent the City of Joondalup on the Mindarie Regional Council:

Two (2) Elected Members; and

2 NOMINATES the following persons to represent the City of Joondalup on the Tamala Park Regional Council:



Two (2) Elected Members.

Mayor Pickard advised he would firstly seek nominations for the two representatives to the Mindarie Regional Council and that should there be more than two nominations, an election would need to be conducted. Mayor Pickard stated this would be by show of hands, not by ballot.

#### Nominations for Representatives on the Mindarie Regional Council

Cr Kerry Hollywood nominated Cr Russ Fishwick. Cr Fishwick accepted the nomination.

Cr Brian Corr self nominated.

Cr Russ Fishwick nominated Cr Kerry Hollywood. Cr Hollywood accepted the nomination.

Mayor Pickard provided an explanation of the process to be undertaken with respect to Elected Members casting a vote for those Elected Members nominated.

Following the vote by Elected Members, Mayor Pickard declared the two Elected Members to represent the Council on the Mindarie Regional Council as being Cr Russ Fishwick and Cr Kerry Hollywood.

#### Nominations for Representatives on the Tamala Park Regional Council

The Chief Executive Officer advised he had received a written nomination, duly signed from Cr Geoff Amphlett nominating himself as the Council's representative on the Tamala Park Regional Council.

Cr Kerry Hollywood nominated Cr Tom McLean. Cr McLean accepted the nomination.

Cr Brian Corr self nominated.

Following the vote by Elected Members, Mayor Pickard declared the two Elected Members to represent the Council on the Tamala Park Regional Council as being Cr Geoff Amphlett and Cr Tom McLean.

Cr Hollywood advised there was a meeting of the Mindarie Regional Council scheduled for 26 October 2011 and that she was unavailable to attend and requested that a deputy be appointed for that meeting only to take Cr Hollywood's place.

#### **MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Council:**

- 1 APPOINTS the following persons to represent the City of Joondalup on the Mindarie Regional Council:**

**Cr Russ Fishwick; and  
Cr Kerry Hollywood.**

- 2 NOTES that Cr Hollywood is unable to attend the meeting of the Mindarie Regional Council to be held on 26 October 2011;**

- 3 APPOINTS Cr Liam Gobbert to deputise for Cr Kerry Hollywood for the Mindarie Regional Council Special Council meeting to be held on Wednesday, 26 October 2011;**

**4 APPOINTS the following persons to represent the City of Joondalup on the Tamala Park Regional Council:**

**Cr Geoff Amphlett; and  
Cr Tom McLean.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Pickard, Crs Chester, Corr, Fishwick, Gobbert, Hamilton-Prime, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas

**CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 7.35 pm; the following Elected Members being present at that time:

MAYOR TROY PICKARD  
Cr TOM McLEAN  
Cr KERRY HOLLYWOOD  
CR SAM THOMAS  
Cr PHILIPPA TAYLOR  
Cr LIAM GOBBERT  
Cr MIKE NORMAN  
Cr CHRISTINE HAMILTON-PRIME  
Cr BRIAN CORR  
Cr JOHN CHESTER  
Cr TERESA RITCHIE  
Cr RUSS FISHWICK