

# agenda

## Special Meeting of Council

NOTICE IS HEREBY GIVEN THAT A  
SPECIAL MEETING OF THE COUNCIL  
OF THE CITY OF JOONDALUP WILL BE HELD IN  
THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

**ON** **TUESDAY 5 NOVEMBER 2013**

**COMMENCING AT** **6.30pm**

**PURPOSE OF MEETING**

The purpose of the meeting is to give consideration to the following Item:

JSC06-11/13 Appointment of representatives to various Council-created Committees, Working Groups and external Committees/Boards and to set the first meeting date for Council-created Committees.

**GARRY HUNT**  
Chief Executive Officer  
1 November 2013

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

**PUBLIC QUESTION TIME**

Members of the public are requested to lodge questions in writing by 9.00am on **Monday 4 November 2013**

Answers to those questions received within that timeframe will, where practicable, be provided in hard copy form at the Special Council Meeting.

Please Note: 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.

**QUESTIONS TO**

[council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)  
PO Box 21 Joondalup WA 6919

[www.joondalup.wa.gov.au](http://www.joondalup.wa.gov.au)

## PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 17 March 2009:

### Questions asked verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions asked at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two questions per member of the public.
- 5 Statements are not to precede the asking of a question during public question time. Statements should be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be limited to the legislative minimum of fifteen minutes and may be extended in intervals of up to 10 minutes by resolution of the Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed 35 minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and should be asked politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
  - accept or reject any question and his/her decision is final
  - nominate a member of the Council and/or City employee to respond to the question
  - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.
- 9 Where an elected member is of the opinion that a member of the public is:
  - asking a question at a Council meeting, that is not relevant to the operations of the City of Joondalup
  - making a statement during public question time,they may bring it to the attention of the meeting.

- 10 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the *FOI Act 1992*.

### **Questions in Writing - Residents and /or Ratepayers of the City of Joondalup Only**

- 1 Only City of Joondalup residents and/or ratepayers may submit questions to the City in writing.
- 2 Questions submitted to an ordinary Council meeting can relate to matters that affect the operations of the City of Joondalup. Questions submitted to a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of five written questions per City of Joondalup resident/ratepayer. To ensure equality and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00am on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and his/her decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Mayor will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published. Where the Presiding Member rules questions to be out of order, an announcement to this effect will be made at the meeting, including the reason(s) for the decision.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.
- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.

- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information (FOI) Act 1992*. Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the *FOI Act 1992*.

#### **DISCLAIMER**

Responses to questions not submitted in writing are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

## PROCEDURES FOR PUBLIC STATEMENT TIME

The following procedures for the conduct of Public Statement Time were adopted at the Council meeting held on 18 December 2007:

- 1 Members of the public are invited to make statements, either verbally or in writing, at Council meetings.
- 2 Statements made at an ordinary Council meeting must relate to matters that affect the operations of the City of Joondalup. Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to make a statement to enter their name. Persons will be requested to come forward in the order in which they are registered, and to give their name and address.
- 4 Public statement time will be limited to two minutes per member of the public.
- 5 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 6 Public statement time will be limited to a maximum of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier than such time where there are no further statements.
- 7 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that is not relevant to the operations of the City of Joondalup, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 A member of the public attending a Council meeting may present a written statement rather than making the Statement verbally if he or she so wishes.
- 10 Statements will be summarised and included in the minutes of the Council meeting.

## CODE OF CONDUCT

The Code recognises these ethical values and professional behaviours that support the principles of:

Respect for persons - this principle requires that we treat other people as individuals with rights that should be honoured and defended, and should empower them to claim their rights if they are unable to do so for themselves. It is our respect for the rights of others that qualifies us as members of a community, not simply as individuals with rights, but also with duties and responsibilities to other persons.

Justice - this principle requires that we treat people fairly, without discrimination, and with rules that apply equally to all. Justice ensures that opportunities and social benefits are shared equally among individuals, and with equitable outcomes for disadvantaged groups.

Beneficence - this principle requires that we should do good, and not harm, to others. It also requires that the strong have a duty of care to the weak, dependent and vulnerable. Beneficence expresses the requirement that we should do for others what we would like to do for ourselves.

\* *Any queries on the agenda, please contact the Governance Coordinator on 9400 4369.*

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# CITY OF JOONDALUP

Notice is hereby given that a Special Meeting of Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday 5 November 2013** commencing at **6.30pm**.

GARRY HUNT  
Chief Executive Officer  
1 November 2013

Joondalup  
Western Australia

## AGENDA

### 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

### 2 DECLARATIONS OF INTEREST

### 3 PUBLIC QUESTION TIME

(Please Note: 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.)

### 4 PUBLIC STATEMENT TIME

Statements made at a Special Meeting of the Council must relate to the purpose for which the meeting has been called.

### 5 APOLOGIES AND LEAVE OF ABSENCE

### 6 IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

**7 REPORT****JSC06-11/13 APPOINTMENT OF REPRESENTATIVES TO COUNCIL – CREATED AND EXTERNAL COMMITTEES/BOARDS**

<b>WARD:</b>	All
<b>RESPONSIBLE DIRECTOR:</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER:</b>	02153
<b>ATTACHMENTS:</b>	Attachment 1 Committee Members as at October 2013 Attachment 2 Joondalup Design Reference Panel Terms of Reference Attachment 3 Strategic Community Reference Group Terms of Reference
<b>AUTHORITY/DISCRETION:</b>	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to appointment representatives to various Council-created committees, groups and panels as well as other external committees and boards where the City has representation. Calling meetings for a majority of Council-created committees.

**EXECUTIVE SUMMARY**

Following the local government elections held on 19 October 2013, consideration is required to appoint representatives to various Council-created committees, groups and panels, as well as other external committees or boards where the City has representation.

Council is also requested to call the first meeting of a majority of its Council-created committees to enable a Presiding Member and Deputy Presiding Member to be appointed as well as to set a 2013 meeting date for some committees that require business to be conducted prior to the Council going into recess over December and January.

The appointment of presiding members assists with the arrangements of calling the first meeting in 2014 once the meeting schedule for Council and its committees has been finalised.

Council is therefore requested to make the necessary appointments as listed in the recommendation to this report and set the meeting dates as proposed in the recommendation.

## BACKGROUND

Council establishes various committees to advise it on specific matters. The *Local Government Act 1995* applies to these Council-created committees, and appointment of representatives to these committees must be made by Council and passed by an absolute majority. Council has also created the Ocean Marina Community Reference Group, the Strategic Community Reference Group and the Joondalup Design Reference Panel. The establishment of these groups, and the appointment of members, is by simple majority.

Council also nominates representatives to other committees/boards created by external organisations and such nominations are resolved by a simple majority decision.

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council resolved to disband the City's working groups and community forums and establish a Strategic Community Reference Group to provide advice to Council on matters of significant community interest and strategic initiatives. Council at its meeting held on 21 August 2012 (CJ156-08/12 refers) made various appointments to the group following an expression of interest process throughout the community.

At its Special Meeting held on 22 October 2013, Council appointed representatives to the Mindarie Regional Council, Tamala Park Regional Council, the Western Australian Local Government Association North Metropolitan Zone and the Council-created Art Collection and Advisory Committee (JSC04-10/13 and JSC05-10/13 refer).

Furthermore the Western Australian State Parliament enacted legislation that introduced Development Assessment Panels which are the decision-making body for a certain type, class and/or value of planning applications the City receives from time to time. Development Assessment Panels consist of three specialist independent members and two elected members from the City with all membership appointments made by the Minister for Planning.

At its meeting held on 19 February 2013 (CJ002-02/13 refers), Council nominated Crs Gobbert and Norman to represent the City of Joondalup on the North-West Metropolitan Joint Development Assessment Panel, with Cr Chester being nominated as first alternate member and Cr Hamilton-Prime as second alternate member. These appointments are up until 26 April 2015.

## DETAILS

Council currently has nine Council-created committees, two reference groups and a design reference panel. The City also has representation on two Regional Councils and 11 external committees or boards. Information on the roles of these committees and boards and their membership as at the time of the local government elections held on 19 October 2013 is provided in Attachment 1.

Some relevant considerations in relation to some committees, panels and groups is detailed below.

### Audit Committee

Under section 7.1A of the *Local Government Act 1995* a local government is to establish an Audit Committee of three or more persons to exercise the powers and discharge the duties conferred on it. The *Local Government (Audit) Regulations 1996* states the following in respect of the functions of the Audit Committee:

**16. Audit committee, functions of**

*An audit committee —*

- (a) *is to provide guidance and assistance to the local government -*
  - (i) *as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
  - (ii) *as to the development of a process to be used to select and appoint a person to be an auditor; and*
- (b) *may provide guidance and assistance to the local government as to -*
  - (i) *matters to be audited; and*
  - (ii) *the scope of audits; and*
  - (iii) *its functions under Part 6 of the Act; and*
  - (iv) *the carrying out of its functions relating to other audits and other matters related to financial management; and*
- (c) *is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to -*
  - (i) *report to the council the results of that review; and*
  - (ii) *give a copy of the CEO's report to the council.*

**17. CEO to review certain systems and procedures**

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to -*
  - (a) *risk management; and*
  - (b) *internal control; and*
  - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

It is considered that the current role of the committee reflects the intent of the above regulations and therefore does not need to change.

The Audit Committee has traditionally consisted of elected member representatives and an external member. The previous external member to the Audit Committee resigned on 10 January 2013 and at its meeting held on 16 April 2013 (CJ057-04/13 refers), Council resolved to call for expressions of interest to fill the position of external member to the Audit Committee. The expressions of interest process commenced on Thursday 16 May 2013 and concluded on Monday 3 June 2013. No submissions were received.

Although a lack of responses were received the inclusion of an external member on the Audit Committee has merit in meeting strategic initiatives of the City and offering an impartial view of auditing, compliance and risk management activities at the City.

In view of this Council at its meeting held on 24 September 2013 Council resolved to leave the position of external member to the Audit Committee vacant and reconsiders an appointment following the October 2013 local government elections (CJ184-09/13 refers). It is suggested that another expression of interest process be called to enable this external member position to be filled.

### Joondalup Design Reference Panel

The Council endorsed the establishment of a Joondalup Design Advisory Panel at its meeting held on 30 September 2008 (CJ213-09/08 refers), now renamed to the Joondalup Design Reference Panel. Panel members have traditionally consisted of members from relevant professional institutions representing:

- architecture
- urban design planning
- town planning
- landscape architecture.

At its meeting held on 22 November 2011, Council made various appointments for a two year period and also resolved to change the terms of reference of the panel (CJ214-11/11 refers).

The panel has been instrumental in providing design advice to applicants, support to the City officers in their assessment of applications, support to staff in their negotiation with applicants to make changes to proposals and information to Council to assist in determining development proposals.

The term of membership of panel members is soon to expire and the City needs to consider the re-appointment of representatives from the Australian Institute of Architects, the Planning Institute of Australia and the Australian Institute of Landscape Architects as members for the panel.

In order to avoid delays in the processing of major development applications for the City, it is recommended that the City not go through the process of calling for nominations from relevant professional institutions but should instead look at re-appointing existing panel members from the professional institutions to the panel positions. All current members have advised they are willing to be appointed for a further term should Council so desire.

The existing panel members have individually and collectively been instrumental in adding value to the application assessment and determination process. The City has been pleased with the performance of all members and sees no need in changing membership.

In addition, on 1 July 2011, the State's Development Assessment Panels (DAPs) commenced operation throughout Western Australia. DAPs are responsible for determining development applications where the likely cost of the development exceeds a specified dollar value. For the City of Joondalup, any proposal over \$7 million in value will be determined by the DAP. An applicant may also elect for a development with a value of between \$3 million and \$7 million to be determined by the DAP.

DAP applications need to be assessed, consulted on (where necessary) and reported to the DAP within tight statutory timeframes. These timeframes do not allow for assessment by the JDRP. It is also considered that, because the membership of the DAP includes three independent and specialist members, any referral to the JDRP would simply be a duplication of process.

The terms of reference of the panel is detailed in Attachment 2 to this Report.

#### Small Business Centre (North West Metro) Inc

The City of Joondalup first entered into a Funding Agreement in 2004 to fund the Small Business Centre (North West Metro) Inc. In December 2010, Council agreed to contribute \$60,000 (excluding GST) per annum for the period 1 July 2010 – 30 June 2013.

This Agreement with the Small Business Centre (North West Metro) Inc provides for \$60,000 (excluding GST) each from the Cities of Joondalup and Wanneroo and \$140,381 (excluding GST) from the Small Business Development Corporation.

At the Council meeting held on November 2012 (CJ231-11/12 refers) Council resolved, inter alia, that it:

*“ADVISES the Small Business Centre (North West Metro) Inc that future funding from the City will be conditional on relocation of the Centre to the Edith Cowan University Business Innovation Centre and the City will contribute \$5,000 towards relocation costs.”*

The Board of Management of the Small Business Centre (North West Metro) Inc respectfully declined the offer to relocate.

Given the City will no longer provide funding for the Small Business Centre (North West Metro) Inc it is not considered appropriate for the City to be represented on the Board. Despite this outcome the Board has advised it wishes to maintain a good working relationship with the City.

#### Strategic Community Reference Group

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council considered options for future engagement with the community in reviewing the existing Working Group and Community Forum formats.

The Council supported the establishment of a Strategic Community Reference Group with the objective of providing advice to the Council on:

- matters of significant community interest
- strategic initiatives, as determined by the Council.

The format of the group was to include:

- Council-appointed community representatives from each Ward who were subject to a nomination process addressing their experience in strategic planning and decision-making
- up to three Elected Members, one of whom acts as a Presiding Member
- up to four temporary-appointed professionals to provide expert advice and information on specific matters as required
- resident and/or ratepayer group representatives if matters presented to the group are relevant to a specific location.

Council adopted the Terms of Reference for the Strategic Community Reference Group, provided as Attachment 3 to this Report.

During 2013 the Group has provided input into the following programs:

- Review of the *Community Safety and Crime Prevention Plan*.
- Review of the *Environment Plan*.

It is proposed that the group review the City's *Community Development Plan* in December 2013.

At its meeting held on 21 August 2012 (CJ156-08/12 refers), Council appointed all standing members of the Strategic Community Reference Group for a tenure of two years to deliver the approved Work Plan. The following community representatives were appointed for each Ward from the list of persons who nominated for the Strategic Community Reference Group:

- North Ward – Dr Lynne Dailey.
- North Central Ward – Mr Ross Grey.
- Central Ward – Mr Bryan Saunders.
- South West Ward – Mr Brian Yearwood.
- South East Ward – Dr Zarrin Siddiqui.
- South Ward – Dr Susan King.

Members were invited to advise in September 2013, whether they would remain as a ward representative on the group should Council resolve that the current membership be invited to continue for a further two years, until October 2015. All members other than Dr Lynne Dailey advised they would continue on the group if Council resolved as such.

It is recommended that Council:

- endorse the current Terms of Reference of the Strategic Community Reference Group
- re-appoint all community representatives as members of the Strategic Community Reference Group, with the exception of the representative from the North Ward
- authorise the CEO to seek nominations to fill the vacant community representative position for the North Ward.

### **Issues and options considered**

Council can either:

- establish the Council-created committees as previously established
- amend the role of the Council-created committees as previously established
- not establish some or all Council-created committees
- or
- amend the membership of some or all Council-created committees.

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** *Local Government Act 1995.*

### **Strategic Community Plan**

**Key theme** Governance and Leadership.

**Objective** Strong leadership.

**Strategic initiative** Seek out City representation on key external and strategic bodies.

**Policy** Not applicable.

The requirements of the *Local Government Act 1995* in respect of Council-created committees are as follows:

### ***Establishment of committees***

5.8 *A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\* Absolute majority required.*

### ***Types of committees***

5.9 (1) *In this section:*

*“other person” means a person who is not a council member or an employee.*

(2) *A committee is to comprise:*

- (a) council members only;*
- (b) council members and employees;*
- (c) council members, employees and other persons;*
- (d) council members and other persons;*
- (e) employees and other persons; or*
- (f) other persons only.*

### ***Appointment of committee members***

5.10 (1) *A committee is to have as its members:*

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:*
- (a) *to be a member of the committee; or*
- (b) *that a representative of the CEO be a member of the committee,*
- the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

#### **Tenure of committee membership**

- 5.11 (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:*
- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
- (b) *the person resigns from membership of the committee;*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*
- whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:*
- (a) *the term of the person's appointment as a committee member expires;*
- (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*
- whichever happens first.*

**Deputy committee members**

5.11A (1) *The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.*

*\* Absolute majority required.*

(2) *A person who is appointed as a deputy of a member of a committee is to be:*

(a) *if the member of the committee is a council member – a council member; or*

(b) *if the member of the committee is an employee – an employee; or*

(c) *if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*

(d) *if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*

(3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*

(4) *A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

**Risk management considerations**

Appointment of committees is essential to assist the Council in performing some of its legislative responsibilities. If the Council does not establish committees or appoint representation to external committees/boards, this may hinder the overall decision-making process and the City's ability to be involved in key organisations where representation is available.

**Financial / Budget implications**

Not applicable.

**Regional significance**

A number of the external committees/boards that the City of Joondalup is entitled to have representation on deal with matters that not only affect the region but also the local government industry as a whole.

**Sustainability implications**

Not applicable.

**Consultation**

Consultation has occurred with external members on the various committees, groups and panels the City has established and where confirmation of their continuance has been received, those persons have been recommended for appointment accordingly.

## COMMENT

The establishment of committees assists the Council to perform its legislative responsibilities, and representation on externally based committees allows the City of Joondalup to have input into various issues that face the local government industry.

Where there are more nominations than vacancies for representation on either Council-created or external committees, Elected Members will need to nominate which representatives will be appointed to the respective committee or board. Each Elected Member will be able to nominate as many times as there are vacant positions.

## VOTING REQUIREMENTS

Absolute Majority	Council-created committees.
Simple Majority	Representation on external committees/boards and reference groups.

## RECOMMENDATION

**That Council:**

### 1 BY AN ABSOLUTE MAJORITY:

- 1.1 **ESTABLISHES the Audit Committee to oversee the internal and external Audit and Risk Management and Compliance functions of the City;**
- 1.2 **APPOINTS the following members and deputy members to the Audit Committee:**

#### Members

- **Mayor;**
- **Central Ward - One representative;**
- **North Ward - One representative;**
- **North-Central Ward - One representative;**
- **South Ward - One representative;**
- **South-East Ward - One representative;**
- **South-West Ward - One representative;**
- **External Member - Vacant;**

#### Deputy Members

- **Central Ward - One representative;**
- **North Ward - One representative;**
- **North-Central Ward - One representative;**
- **South Ward - One representative;**
- **South-East Ward - One representative;**
- **South-West Ward - One representative;**

- 2 **AUTHORISES the Chief Executive Officer to seek nominations to fill the position of external member to the Audit Committee;**

**3 BY AN ABSOLUTE MAJORITY:****3.1 ESTABLISHES the Capital Works Committee to:**

**3.1.1** Oversee the monthly progress of the City's annual Capital Works Program and review of the City's Five Year Capital Works Program;

**3.1.2** Oversee the long term planning of major capital works projects not being the role of a Council committee established for such purposes;

**3.1.3** Consider recommendations to modify the City's Capital Works;

**3.2 APPOINTS the following members and deputy members to the Capital Works Committee:****Members**

- Mayor;
- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**Deputy Members**

- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**4 NOTES the previous members of the Capital Works Committee suggested that future meetings of the Capital Works Committee be held on a bi-monthly basis;****5 BY AN ABSOLUTE MAJORITY:****5.1 ESTABLISHES the Chief Executive Officer – Performance Review Committee to:**

**5.1.1** Review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;

**5.1.2** Prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to the Council at a Council meeting for consideration and actioning;

- 5.1.3 Review the Chief Executive Officer's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment contract;
- 5.1.4 Review the Key Performance Indicators to be met by the Chief Executive Officer;
- 5.1.5 Review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract;
- 5.1.6 Review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary;

5.2 APPOINTS the following members and deputy members to the Chief Executive Officer – Performance Review Committee:

Members

- Mayor;
- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

Deputy Members

- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

6 RE-APPOINTS the following members and deputy members to the Joondalup Design Reference Panel:

Members

- The Chief Executive Officer or his nominee
- Australian Institute of Architects Rod Mollet;
- Planning Institute of Australia Mathew Selby;
- Australian Institute of Landscape Architects Andy Sharp;

Deputy Members

- Australian Institute of Architects Nerida Moredoundt;
- Planning Institute of Australia Jane Bennett;
- Australian Institute of Landscape Architects Regan Douglas;

**7 BY AN ABSOLUTE MAJORITY:**

**7.1 ESTABLISHES the Joondalup Performing Arts and Cultural Facility – Steering Committee to provide advice and make recommendations to Council on:**

**7.1.1 The architectural design elements to be incorporated into the Joondalup Performing Arts and Cultural Facility;**

**7.1.2 The core components to be included in the Joondalup Performing Arts and Cultural Facility;**

**7.1.3 The capacity of the design features to be included in the Joondalup Performing Arts and Cultural Facility;**

**7.1.4 The options for the ongoing management and utilisation of the Joondalup Performing Arts and Cultural Facility;**

**7.2 APPOINTS the following members and deputy members to the Joondalup Performing Arts and Cultural Facility - Steering Committee:**

**Members**

- **Central Ward - One representative;**
- **North Ward - One representative;**
- **North Ward - One representative;**
- **North-Central Ward - One representative;**
- **South-East Ward - One representative;**
- **South Ward - One representative;**
- **Chief Executive Officer;**
- **Edith Cowan University - Mr Scott Henderson, Vice-President (Corporate Services);**
- **West Coast Institute - Mr Russell Coad, General Manager Training and Business Services;**
- **Western Australian Police Academy - Superintendent Scott Higgins, Principal;**

**Two external individuals with specialist expertise as follows:**

- **Expert specialist - Mr Alastair Bryant;**
- **Expert specialist - Vacant;**

**Three representatives of community arts groups located within the City of Joondalup as follows:**

- **Joondalup Encore Theatre Society - Ms Sharon Josef, President;**
- **Endeavour Theatre Group - Ms Christine Evans, President;**
- **Joondalup Community Arts Association / Joondalup Gallery - Vacant;**

**Deputy Members**

- Central Ward - One representative;
- North-Central Ward - One representative;
- South-East Ward - One representative;
- South Ward - One representative;
- Edith Cowan University - Mr Brian Yearwood, Director Facilities and Services;
- West Coast Institute - Mr Brett Dorney, Executive Director Strategic Planning;
- Western Australian Police Academy - Mr Nigel D'Cruz, Business and Development Manager;

8 AUTHORISES the Joondalup Performing Arts and Cultural Facility – Steering Committee to form a reference or working group (as deemed appropriate) to assist with the implementation of the required tasks;

9 AUTHORISES the Chief Executive Officer to seek nominations to fill the vacant positions on the Joondalup Performing Arts and Cultural Facility – Steering Committee;

10 BY AN ABSOLUTE MAJORITY:

10.1 ESTABLISHES the Ocean Reef Marina Committee to provide leadership for, and oversight of, the Ocean Reef Marina Project;

10.2 APPOINTS the following members and deputy members to the Ocean Reef Marina Committee:

**Members**

- Mayor;
- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - Two representatives;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**Deputy Members**

- Central Ward - One representative;
- North Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

11 ESTABLISHES the Ocean Reef Marina Community Reference Group to:

11.1 Help develop the concept design and structure plan;

11.2 Represent the issues, concerns and interests of the community;

**11.3 Act as a conduit to disseminate information and feedback to and from the wider community;**

**12 APPOINTS the following persons to the Ocean Reef Marina Community Reference Group under the following categories:**

**Category A - Residents of Ocean Reef**

- Ms Emma Bamforth;
- Ms Natalie Champion;
- Mr Ken Eastwood;
- Mr Gavin Foord;
- Mr Rob Green;
- Mr Paul Young;
- Mr Terry Stuart;
- Mr Roger Cameron;
- Dr Lynne Dailey;
- Ms Kerry Nichols;

**Category B - Residents of Iluka, Mullaloo, Heathridge, Connolly and Currambine**

- Mr Andrew Cass;
- Ms Carmel Lyttleton;
- Mr Chris Wanless;
- Mr John Hostenstein;
- Mr Craig Wright;
- Mr Mark Hay;
- Mr Nazlah Caldwell;
- Mr Oliver Kay;
- Mr Damion Jolly;

**Category C – Industry Group Representatives**

- |  |                     |
|--|---------------------|
| • Ocean Reef Surf Sports Club          | Mr Ron Lindsay;     |
| • Ocean Reef Sea Sports Club           | Ms Sandra Foster;   |
| • Sunset Coast Tourism Association     | Mr Andrew Slomp;    |
| • Whitfords Volunteer Sea Rescue Group | Mr Ken Blackie;     |
| • Whitfords Volunteer Sea Rescue Group | Mr Mark Carruthers; |
| • Ocean Reef Progress Association      | Mr Paul Brooker;    |
| • Recfishwest                          | Mr Matthew Gillet;  |
| • Joondalup Community Coast Care Forum | Mr Michael Norman;  |
| • Boating WA                           | Mr Ken Treen;       |

**Category D – North West Corridor Communities**

- Mr Bruce Buzzard;
- Mr Rohan Tilbrook;
- Ms Donna Ironmonger;

**13 APPOINTS the Mayor as Chairperson on the Ocean Reef Marina Community Reference Group;**

**14 CONSIDERS appointing Hon. Albert Jacob MLA, Member for Ocean Reef, as an observer to the Ocean Reef Marina Community Reference Group;**

**15 BY AN ABSOLUTE MAJORITY:**

**15.1 ESTABLISHES** the Office Development Committee to provide advice and make recommendations to Council on:

**15.1.1** the preferred location for the development of the Joondalup City Centre Commercial Office Development;

**15.1.2** the architectural design elements to be incorporated into the Joondalup City Centre Commercial Office Development;

**15.1.3** the core components to be included in the Joondalup City Centre Office Development;

**15.1.4** the development models and financial structures to progress the Joondalup City Centre Commercial Office Development, including expressions of interest;

**15.1.5** the options for the ongoing management and utilisation of the Joondalup City Centre Commercial Office Development;

**15.2 DELEGATES AUTHORITY** to the Office Development Committee to make appropriate decisions on behalf of Council that are aligned with the Committee's Terms of Reference and in accordance with the constraints of the *Local Government Act 1995*;

**15.3 APPOINTS** the following members to the Office Development Committee:

**Members**

- Mayor;
- North Ward – Cr Kerry Hollywood;
- North Ward – Cr Tom McLean;
- One Elected Member;
- Chief Executive Officer;
- Director Planning and Community Development;

**16 BY AN ABSOLUTE MAJORITY:**

**16.1 ESTABLISHES** the Policy Committee to:

**16.1.1** Make recommendations to Council on the development and review of Council and City policies to identify the direction of Council;

**16.1.2** Initiate and request the formulation and drafting of both Council and City policies;

**16.1.3** Devise and oversee the method of development (level and manner of community consultation) for the development of Council and City policies;

**16.1.4** Review the City's Policy Framework in order to ensure compliance with the provisions of the *Local Government Act 1995*;

**16.2 APPOINTS the following members and deputy members to the Policy Committee:**

**Members**

- Mayor;
- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**Deputy Members**

- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**17 ESTABLISHES the Strategic Community Reference Group to provide advice to Council on:**

**17.1 Matters of significant community interest;**

**17.2 Strategic initiatives,  
as determined by Council;**

**18 ENDORSES the Terms of Reference of the Strategic Community Reference Group, as detailed in Attachment 3 to Report JSC06-11/13;**

**19 APPOINTS the following members and deputy members to the Strategic Community Reference Group:**

**Members**

- Mayor;
- Three Elected Members;

**Deputy Members**

- Three Elected Members;

**Community Representatives**

- North Ward Vacant;
- North-Central Ward Mr Ross Grey;
- Central Ward Mr Bryan Saunders;
- South-West Ward Mr Brian Yearwood;
- South-East Ward Dr Zarrin Siddiqui;
- South Ward Dr Susan King;

**20 AUTHORISES the Chief Executive Officer to seek nominations to fill the vacant North Ward position on the Strategic Community Reference Group;**

**21 BY AN ABSOLUTE MAJORITY:**

**21.1 ESTABLISHES the Strategic Financial Management Committee to:**

**21.1.1 Promote and advocate sound financial management within the City and provide advice to the Council on strategic financial management issues;**

**21.1.2 In particular advise Council on:**

**21.1.2.1 How funding can be achieved for any major capital works project before the Council makes a commitment to a project;**

**21.1.2.2 Levels of service delivery – determine:**

- **Which services to be provided;**
- **Standards of service. Such standard will be determined with reference to:**
  - **best industry practice standards where applicable;**
  - **internally agreed standards which will be determined with reference to local community expectations;**

**21.1.2.3 Preparation of the Strategic Financial Plan with high priority being given to ensure that the Plan is achievable in the long term;**

**21.1.2.4 Consideration of public submissions to the Strategic Financial Plan;**

**21.1.2.5 Final acceptance of the Strategic Financial Plan;**

**21.1.3 Policy development and review of policies with financial implications for the City;**

**21.2 APPOINTS the following members and deputy members to the Strategic Financial Management Committee:**

**Members**

- **Mayor;**
- **Central Ward - One representative;**
- **North Ward - One representative;**
- **North-Central Ward - One representative;**
- **South Ward - One representative;**
- **South-East Ward - One representative;**
- **South-West Ward - One representative;**

**Deputy Members**

- Central Ward - One representative;
- North Ward - One representative;
- North-Central Ward - One representative;
- South Ward - One representative;
- South-East Ward - One representative;
- South-West Ward - One representative;

**22 NOMINATES the following persons to represent the City of Joondalup on the:****22.1 Community Board of Advice (Joondalup Health Campus):**

- One Elected Member;
- One Elected Member (deputy);

**22.2 Joondalup Lotteries House Inc:**

- Coordinator Community Services;

**22.3 North West District Planning Committee:**

- One Elected Member;
- One Elected Member (deputy);

**22.4 North Western Metropolitan Regional Road Sub-Group:**

- One Elected Member;
- One Elected Member (deputy);
- Director Infrastructure Services;

**22.5 Perth Region NRM Local Government Reference Group:**

- One Elected Member;
- One Elected Member (proxy);

**22.6 Wanneroo/Joondalup Local Emergency Management Committee:**

- One Elected Member;
- One Elected Member (deputy);
- Manager Asset Management;
- Emergency Management Officer;
- Principal Environmental Health Officer;

**22.7 Yellagonga Regional Park Community Advisory Committee:**

- One Elected Member;
- One Elected Member (deputy);
- Team Leader Natural Areas;

**23 NOTES that:**

**23.1 Appointment of City of Joondalup representatives to North-West Metropolitan Joint Development Assessment Panel is by Ministerial appointment;**

**23.2 The following four City of Joondalup representatives were appointed by the Minister for a term expiring 26 April 2015:**

**Members**

- **Cr Gobbert;**
- **Cr Norman;**

**Alternate Members**

- **First alternate member      Cr Chester;**
- **Second alternate member    Cr Hamilton-Prime;**

**24 CALLS special meetings of the following committees at the date and time as specified to enable the election of presiding members and deputy presiding members and to determine 2013 meeting dates where required:**

**24.1 Capital Works Committee on Tuesday 5 November 2013, commencing at 7.10pm, Conference Room 1;**

**24.2 Chief Executive Officer – Performance Review Committee on Tuesday 5 November 2013, commencing at 7.20pm, Conference Room 1;**

**24.3 Ocean Reef Marina Committee on Tuesday 5 November 2013, commencing at 7.30pm, Conference Room 1;**

**24.4 Office Development Committee on Tuesday 5 November 2013, commencing at 7.40pm, Conference Room 1;**

**24.5 Policy Committee on Tuesday 5 November 2013, commencing at 7.50pm, Conference Room 1;**

**24.6 Strategic Financial Management Committee Tuesday 5 November 2013, commencing at 8.00pm, Conference Room 1;**

**25 CALLS a special meeting of the Audit Committee on Wednesday 6 November 2013, commencing at 6.00pm, Conference Room 2, for the purpose of:**

**25.1 electing a Presiding Member and Deputy Presiding Member;**

**25.2 considering the 2012-13 Annual Financial Report.**

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1agn051113.pdf](#)*

**8 CLOSURE**



**APPENDICES FOR AGENDA FOR  
SPECIAL MEETING OF COUNCIL**

**5 NOVEMBER 2013**

ITEM NO.	SUBJECT	APPENDIX NO.	STAMPED PAGE NO.
JSC06-11/13	<b>Appointment of Representatives to Council – Created and External Committees/Boards</b>	1	
	Attachment 1    Committee Members as at 24 September 2013		1
	Attachment 2    Joondalup Design Reference Panel Terms of Reference		30
	Attachment 3    Strategic                    Community Reference    Group    Terms of Reference		32



**DECLARATION OF  
FINANCIAL INTEREST/INTEREST THAT MAY AFFECT  
IMPARTIALITY**

**To: CHIEF EXECUTIVE OFFICER  
CITY OF JOONDALUP**

<b>Name/ Position</b>	
<b>Meeting Date</b>	
<b>Item No/ Subject</b>	
<b>Nature of Interest</b>	Financial Interest * Interest that may affect impartiality* <span style="float: right;"><i>* Delete where not applicable</i></span>
<b>Extent of Interest</b>	
<b>Signature</b>	
<b>Date</b>	

Section 5.65(1) of the *Local Government Act 1995* states that:

*“A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by that member must disclose the nature of the interest:*

- (a) in a written notice given to the CEO before the meeting; or*
- (b) at the meeting immediately before the matter is discussed.*



**QUESTION TO BE ASKED AT  
BRIEFING SESSION/COUNCIL MEETING**

**NAME** .....

**ADDRESS** .....

**QUESTIONS**

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Questions asked at a **Briefing Session** must relate to matters contained on the draft agenda.
- Questions asked at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Questions asked at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called



**STATEMENT TO BE MADE AT  
BRIEFING SESSION/COUNCIL MEETING**

<b>TITLE</b> <i>(Mr/Mrs/Ms/Dr)</i>	<b>FIRST NAME</b>	<b>SURNAME</b>	<b>ADDRESS</b>

**STATEMENT**

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Please submit this form at the meeting or:

- **post** to The Chief Executive Officer, City of Joondalup, P O Box 21, Joondalup WA 6919
- **email** to [council.questions@joondalup.wa.gov.au](mailto:council.questions@joondalup.wa.gov.au)

**Please note that:**

- Statements made at a **Briefing Session** must relate to matters contained on the draft agenda.
- Statements made at a **Council meeting** can relate to matters that affect the operations of the City of Joondalup.
- Statements made at a **Special Meeting of the Council** must relate to the purpose for which the meeting has been called