

minutes

Annual General Meeting of Electors

MEETING HELD ON **TUESDAY 6 DECEMBER 2016**

CITY OF JOONDALUP

MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 6 DECEMBER 2016.

OPEN AND WELCOME

The Mayor declared the meeting open at 5.30pm and introduced the Councillors and the City's Auditor, Mr David Tomasi, Partner – Moore Stephens Perth.

ATTENDANCES

Mayor:

TROY PICKARD

Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward	
CR PHILIPPA TAYLOR	North Central Ward	
CR NIGE JONES	North Central Ward	
CR LIAM GOBBERT	Central Ward	
CR RUSSELL POLIWKA	Central Ward	
CR MIKE NORMAN	South-West Ward	
CR JOHN CHESTER	South-East Ward	
CR JOHN LOGAN	South-East Ward	
CR RUSS FISHWICK, JP	South Ward – <i>Deputy Mayor</i>	<i>to 6.11pm</i>
CR SOPHIE DWYER	South Ward	

Officers:

MR GARRY HUNT	Chief Executive Officer
MR MIKE TIDY	Director Corporate Services
MR JAMIE PARRY	Director Governance and Strategy
MS DALE PAGE	Director Planning and Community Development
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance
MR DANIEL DAVINI	Media Advisor
MR JOHN BYRNE	Governance Coordinator
MRS LESLEY TAYLOR	Governance Officer
MRS DEBORAH GOUGES	Governance Officer

In Attendance:

MS GLENDA BLAKE	Manager Strategic and Organisational Development
MR VIC ETHERINGTON	Manager Compliance and Regulatory Services
MS CHRISTINE ROBINSON	Manager Executive and Risk Services
MR GLENN HEAPERMAN	Manager Human Resources
MR MIKE SMITH	Manager Leisure and Cultural Services
MR RONEY OOMMEN	Manager Financial Services
MR DAVID MURNAIN	Manager Information Technology
MR MALCOLM JENKINSON	Manager Rangers, Parking and Community Safety
MR MARK McCRORY	Manager Marketing and Communications
MS RUTH MARCH	Manager Infrastructure Management Services
MR BLIGNAULT OLIVIER	Manager City Projects
MS JUDE THOMAS	Manager Community Development and Library Services
MR CHRIS LEIGH	Manager Planning Services
MR MICHAEL HAMLING	Manager Operation Services

There were 78 members of the public in attendance, five of whom signed the attendance register. There was one member of the press in attendance.

ADDRESS BY THE MAYOR

The Mayor welcomed members of the public to the Annual General Meeting of Electors.

The Mayor advised that the meeting is being held in accordance with Section 5.27 of the *Local Government Act 1995*.

The Mayor advised the meeting was advertised as follows:

- Joondalup Times newspaper on Tuesday 4 October 2016.
- Joondalup Weekender newspaper on Thursday 6 October 2016.
- Joondalup Weekender newspaper on Thursday 17 November 2016.
- Joondalup Times newspaper on Tuesday 22 November 2016.

A public notice of the meeting was also placed on the City's website and notice boards.

PROCEDURES AT ELECTORS' MEETINGS

The Mayor outlined the requirements for voting and speaking at an Electors' Meeting and the definition of an Elector.

APOLOGY

Cr Christine Hamilton-Prime.

VIDEO PRESENTATION

A video presentation was given outlining the events, activities and achievements of the City of Joondalup for the 2015-16 financial year.

CONTENTS OF THE 2015-16 ANNUAL REPORT

The Mayor advised that the purpose of the Annual General Meeting of Electors was to discuss the contents of the Annual Report and raise any general business that Electors may have. In accordance with the *Local Government Act 1995*, Council adopted the Annual Report at its meeting held on 15 November 2016 (CJ189-11/16 refers).

The following question was submitted prior to the Annual General Meeting of Electors:

Mr M Sideris, Mullaloo:

Re: 2015-16 Annual Report.

Q1 The Annual Report at page 14 provides a financial snapshot of Revenue and Expenditure expressed in % terms. Please list the actual monetary \$ figure for:

- General Rates.
- Fees and Charges.
- Capital Grants and Contributions.
- Operating Grants and Subsidies.
- Profit on Asset Disposal.
- Interest Earnings.
- Contributions, Reimbursements and Donations.
- Other Income/Revenue.
- Employee Costs.
- Materials and Contracts.
- Utilities.
- Depreciation and Amortisation.
- Loss on Disposal of Assets, Insurance.
- and Interest Expense.
- Capital Expenditure.

A1 The actual monetary \$ figures are as follows:

General Rates	\$92,482,511
Fees and Charges	\$39,189,009
Capital Grants and Contributions	\$11,359,441
Operating Grants and Subsidies	\$2,169,849
Profit on Asset Disposal.	\$3,487,384
Interest Earnings.	\$4,207,789
Contributions, Reimbursements and Donations	\$1,874,894
Other Income/Revenue	\$876,345
Employee Costs	\$59,362,400
Materials and Contracts	\$46,491,694
Utilities	\$5,829,709
Depreciation and Amortisation	\$31,113,672
Loss on Disposal of Assets, Insurance	\$135,460;
and Interest Expense	\$1,557,887
Capital Expenditure	\$641,628
	\$45,330,960

The following questions in respect of the 2015-16 Annual Report were asked at the meeting:

Mr M Sideris, Mullaloo:

Q1 *With respect to the diagrams illustrated on page 14 of the Annual Report, is it possible to have those displayed on the screen as there are no hard copies available to the public in the lobby area?*

A1 Mayor Pickard advised that it was not possible.

Q2 *Under the expenditure section showing on one of the graphs, employee costs are shown as 31% of \$145,132,450? Have any calculations been undertaken to determine what that amount is?*

A2 Mayor Pickard advised this question would be taken on notice.

Q3 *At the bottom of page 14 of the Annual Report it talks about 72 cents from grant funding, \$1.00 from ratepayers and the like. Within the diagram on the right hand side of the page, there is no mention of employee costs?*

A3 Mayor Pickard advised it depended where staff sat within the organisation. Specific areas related to parks, sporting, leisure and community facilities; while other areas related to roads, footpaths, parking, landscaping and the like.

The Director Corporate Services advised that was correct. The amounts of 61 cents, 37 cents, 27 cents and the like are high level service costs. Included in those costs are labour, materials, utilities and the like.

Q4 *The caption at the bottom of page 14 states “where does my rate in the dollar go?” If the Annual Report clearly outlines the revenue base and clearly outlines employee costs in percentage terms and in dollar terms, why does it not identify how much of my rates money goes into employee costs as specified in the caption?*

A4 Mayor Pickard advised it depended on how the pictorial representation and caption is interpreted.

GENERAL BUSINESS

The Mayor commented that any questions of a general nature raised at the Annual General Meeting of Electors would be responded to and questions requiring a more detailed response would be taken on notice.

The following questions were submitted prior to the Annual General Meeting of Electors:

Mr M Sideris, Mullaloo:

Q2 *With regards to the Coastal Vulnerability, what are the final RFQ Scope of Work for both the Joondalup Coastal Hazard Assessment and Coastal Monitoring Program - Baseline Reports produced by MP Rogers?*

A2 RFQ Scope of Work – Joondalup Coastal Hazard Assessment:

- Background and Review - Review and collate surveys, vegetation lines, literature and information on shoreline including most recent aerial photography.

- Model Allowances – Model and assess allowances for historical shoreline movement, severe storm erosion, inundation, and sea level rise.
- Assessment of Coastal Hazards – Review and assess coastal hazard allowances and vulnerability of the City's coastline including preparation of coastal hazard maps.
- Report – Prepare a coastal hazard assessment report.

RFQ Scope of Work – Coastal Monitoring Program Baseline Report

- Undertake photo monitoring and beach profile surveys at 21 locations along the coast.
- Extract coastal vegetation line from supplied aerial photograph and update Shoreline Movement plan.
- Install time lapse camera, maintain and extract data.
- Compile all data collected and establish a baseline for review.
- Prepare a summary report on the baseline data.

Q3 *At the 2014 Annual General Meeting of Electors the Electors called for the business plan and cost benefit analysis for the proposed Redevelopment at Ocean Reef be made available by the end of May 2015 and given that the State Government has been provided with this information, when will the ratepayers be given this information?*

A3 At its meeting held on 6 October 2015 (CJ176-10/15 refers) it was agreed that Council:

“REQUESTS the Minister for Planning, as the Minister responsible for the State Government lead agency for the Ocean Reef Marina project, to initiate action for the State Government to assume the role of proponent for the Ocean Reef Marina project.”

In response to this request, the Minister for Planning, Hon John Day MLA advised that LandCorp had been requested to review the concept plan and feasibility for the development.

In September 2016 the Minister for Lands advised that the State Government, through LandCorp, would take over the lead role for the project. The City understands that LandCorp has prepared a Business Case for consideration by the State Government.

The City has not been provided with the Business Case.

It should be noted that the City did not provide a Business Plan to the State Government. However, the City did provide project information to assist LandCorp with the concept plan and feasibility review.

Q4 *At the 2014 Annual General Meeting of Electors the Electors called for the City to release full and comprehensive costings of the proposed marina, valuations for the land proposed to be sold to fund the marina, a comprehensive explanation of how any shortfall will be funded and an estimate of on-going maintenance costs and how it is proposed to fund such costs and given that Members of Parliament have been briefed on these matters, when will the ratepayers be given this information?*

A4 Please refer to A3 above.

The State Government has been provided project estimates based on the project plan.

Mr M Stringfellow, Craigie:

- Q1 *Does the City of Joondalup want to “continue the journey towards being the local government gold standard in transparency” by being prepared to face “scrutiny and debate”?*
- A1 Yes.
- Q2 *Why has the City not amended its media policy to bring it into line with the provisions of the Local Government Act and the standard accepted by the WA Local Government Association (WALGA)?*
- A2 The City of Joondalup’s *Elected Members’ Communications Policy* adopts the standards and legislative provisions stipulated in the *Local Government Act 1995*. The policy stipulates that only the Mayor, or the Deputy Mayor in the role as Acting Mayor, may speak to the media on behalf of the City. The Mayor may delegate to the CEO to speak on behalf of the City.
- Q3 *Will the City support the basics of good governance and accountability by allowing Councillors and Staff to make their own personal position known about any matter pertinent to the business of the City, including Council decisions, provided that it does not cast an adverse reflection on the Council and its employees?*
- A3 City of Joondalup Elected Members and employees are bound by the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* (elected members only) and the City’s Code of Conduct in terms of making public statements. The *Elected Members’ Communications Policy* does not cover the individual views of elected members, which are often reported on during debate at Council meetings. The City also has a *Governance Framework* that supports good governance principles.
- Q4 *Why does the Council not support transparency by publicly publishing Motions or their Amendments with appropriate notice for adequate public scrutiny?*
- A4 Any recommendation that is before a meeting of Council is detailed in a report contained in the meeting agenda. In accordance with the *City of Joondalup Meeting Procedures Local Law 2013* an Elected Member may at any time (including during debate on an item) move an amendment or an alternate motion than which is presented. There is no legal obligation for any Elected Member to advise the public on any alternate motion or amendment that may or may not be moved, and in doing so would be contrary to good governance and jeopardise the decision-making process of Council.

Mrs M Macdonald, Mullaloo:

MOVED Mrs M Macdonald, SECONDED Mr M Sideris that the City of Joondalup PROCEEDS no further with the Ocean Reef Marina redevelopment until reports state that there will be no damage to the coast line from the impact of the Ocean Reef Marina.

The Motion was Put and

CARRIED

Mr M Lee, Padbury:

MOVED Mr M Lee, SECONDED Mr A Howie that:

- 1 Council conducts a review of the decision making process leading up to the amended motion CJ150-09/16 Community Sporting and Recreation Facilities Fund Applications – 2017 – 18 Annual and Forward Planning Grant Round, with a report to be submitted to Council at its meeting to be held on 21 March 2017 detailing the outcome of a consultation of stakeholders to include:**
 - 1.1 City of Joondalup Elected Members;**
 - 1.2 City of Joondalup Administration;**
 - 1.3 Whitford City Football Club;**
 - 1.4 Joondalup United Football Club;**
 - 1.5 User groups of Warrandyte Park;**
 - 1.6 The local community surrounding and those who use Warrandyte Park;**
 - 1.7 Stakeholders involved in the Forrest Park decision;**
- 2 The review process be managed by an independent monitor from outside the City of Joondalup and the Football Community.**

The Motion was Put and

CARRIED

MOVED Mr M Lee, SECONDED Mr A Howie that a working group is formed between the City of Joondalup Administration, Football Clubs within the City of Joondalup and Football West to develop a strategy for the future of football in the City of Joondalup. The terms of reference of the working group should be set down after a period of consultation with the identified parties and discussed at the Council Meeting to be held on 11 April 2017. The outcome of the working group is to:

- 1 foster collaboration between Football Clubs and the City of Joondalup;**
- 2 develop a strategy to enable the growth of clubs and football within the City of Joondalup;**
- 3 identify funding needs and avenues for future clubs.**

The Motion was Put and

CARRIED

Mrs M Macdonald, Mullaloo:

MOVED Mrs M Macdonald, SECONDED Mr M Sideris that the City of Joondalup obtains an exemption from the State Government for all liability arising from property damage or infrastructure damage caused by the Ocean Reef Marina redevelopment.

The Motion was Put and

CARRIED

Cr Fishwick left the Chamber at 6.11pm.

Mr J Chester, Hillarys:

MOVED Mr J Chester, SECONDED Mr A Howie that the City of Joondalup EXAMINES how appropriate it is to be spending on non-core responsibilities such as Kaleidoscope, art collections and festivals, and spending more money on core responsibilities such as bulk rubbish.

The Motion was Put and

CARRIED

Mr M Stringfellow, Craigie:

MOVED Mr M Stringfellow, SECONDED Mrs S Kendrick that Council SUPPORTS the basics of good governance and accountability by changing its media policy to explicitly endorse members' and staff' rights to speak to the media about their views on any Council decision or activity, provided that they make it clear that the opinion is their own and it does not cast an adverse reflection on Council or its employees.

The Motion was Put and

CARRIED

MOVED Mr M Stringfellow, SECONDED Mrs S Kendrick that Council SUPPORTS its primary value of being 'transparent' and its behaviour principle of being 'open with the public' by all motions and amendments to have a minimum of 24 hours public notice of their exact wording before they can be voted on.

The Motion was Put and

CARRIED

MOVED Mr M Stringfellow, SECONDED Mrs S Kendrick that the City of Joondalup implement a Committee to answer elector questions as recommended in the report from the previous suspension of this Council and as requested in previous Annual General Meeting of Electors motions.

The Motion was Put and

CARRIED

Mr M Sideris, Mullaloo:

Re: *Ocean Reef Marina redevelopment.*

Q1 *At the Annual General Meeting of Electors in 2014 there were two motions submitted by Electors dealing with putting together a business plan and cost benefit analysis in relation to the Ocean Reef Marina redevelopment. It was intimated at that time that when certain processes occurred that information would be forthcoming. Given that this Council and the State Government has seen those business plans and costs benefit analysis and given that the State Government has forwarded the documentation to Land Corp and comments have been made in Parliament, when will the ratepayers be afforded the same opportunity?*

A1 The Chief Executive Officer advised that at the Council meeting held on 6 October 2015 it was agreed by Council to request the Minister for Planning as the Minister responsible for the State Government lead agency of the Ocean Reef Marina project to initiate action for the State Government to assume the role of proponent of the Ocean Reef Marina project.

In response to this request the Minister for Planning the Hon. John Day advised that Land Corp would be requested to review the Concept Plan and feasibility for the development. In September 2016 the Minister for Lands advised that the State Government through Land Corp would take over the lead of the project. The City understands that Land Corp has prepared a Business Case for consideration by the State Government. The City of Joondalup has not been provided with a copy of the Business Case at this stage. It should be noted that the City did not provide a Business Plan to the State Government, however, it did provide project information to assist Land Corp with the Concept Plan and feasibility review.

Q2 *Having spent around \$5 million on the project to date, the majority of which is ratepayer money, it is still not known at this stage how much the project is going to cost and what the net financial impact to the ratepayers will be. Who has that financial information?*

A2 Mayor Pickard suggested that contact be made with the Minister for Lands, Mr Terry Redman.

CLOSURE

There being no further business, Mayor Pickard declared the Annual General Meeting of Electors closed at 6.31pm. The following Elected Members were present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM MCLEAN, JP
CR PHILIPPA TAYLOR
CR NIGE JONES
CR LIAM GOBBERT
CR RUSSELL POLIWKA
CR MIKE NORMAN
CR JOHN CHESTER
CR JOHN LOGAN
CR SOPHIE DWYER