

# minutes

## Annual General Meeting of Electors

MEETING HELD ON **TUESDAY 12 DECEMBER 2017**

## CITY OF JOONDALUP

### MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 12 DECEMBER 2017.

#### OPEN AND WELCOME

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

#### ATTENDANCES

##### **Mayor:**

HON. ALBERT JACOB, JP

##### **Councillors:**

CR KERRY HOLLYWOOD	North Ward	<i>Absent from 6.34pm to 6.38pm</i>
CR TOM McLEAN, JP	North Ward	
CR PHILIPPA TAYLOR	North Central Ward	<i>Absent from 6.38pm to 6.41pm</i>
CR NIGE JONES	North Central Ward	
CR CHRISTOPHER MAY	Central Ward	
CR RUSSELL POLIWKA	Central Ward – <i>Deputy Mayor</i>	
CR CHRISTINE HAMILTON-PRIME	South-West Ward	<i>Absent from 6.25pm to 6.30pm</i>
CR MIKE NORMAN	South-West Ward	<i>from 5.32pm</i>
CR JOHN CHESTER	South-East Ward	
CR JOHN LOGAN	South-East Ward	<i>from 5.31pm</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
	<i>Absent from 6.32pm to 6.35pm</i>
MR NICO CLAASSEN	Director Infrastructure Services
MR BRAD SILLENE	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 SHEREE EDMONDSON	Manager Infrastructure Services
MS CHRISTINE ROBINSON	Manager Executive and Risk Services
MR GLENN HEAPERMAN	Manager Human Resources
MR MIKE SMITH	Manager Leisure and Cultural 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
MR CHRIS LEIGH	Manager Planning Services
MR MICHAEL HAMLING	Manager Operation Services
MS ROISIN O'NEILL	Acting Manager Financial Services
MS RENAE MATHER	Acting Manager Compliance and Regulatory Services
MRS GENEVIEVE HUNTER	Senior Projects Officer

There were 27 members of the public in attendance, eight 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 24 October 2017.
- *Joondalup Weekender* newspaper on Thursday 26 October 2017.
- *Joondalup Weekender* newspaper on Thursday 23 November 2017.
- *Joondalup Times* newspaper on Tuesday 28 November 2017.

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.

**APOLOGIES AND LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Russ Fishwick, JP      15 November to 20 December 2017 inclusive.

*Cr Logan entered the Chamber at 5.31pm.*

*Cr Norman entered the Chamber at 5.32pm.*

## **VIDEO PRESENTATION**

A video presentation was given outlining the events, activities and achievements of the City of Joondalup for the 2016-17 financial year.

## **CONTENTS OF THE 2016-17 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 21 November 2017 (CJ182-11/17 refers).

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

**Mr M Sideris, Mullaloo:**

*Re: 2017-17 Annual Report.*

- Q1 *I refer to the Table in the Annual Report that provides a listing of Payment to Employees, for each of the 136 employees, please identify and state the job title of each position; the remuneration package for the position; the Directorate that the job position is located in and the sum \$ total remuneration of the total 136 employees listed.*
- A1 Regulation 19B of the *Local Government (Administration) Regulations 1996* sets out the requirements for disclosure of information on payments to employees, above \$100,000 in ranges of \$10,000, in the table on page 51 of the Annual Report. The City has exceeded those requirements by disclosing the total employee cost and not just annual salary. There is no requirement to disclose the titles of positions or the Directorate they are located in.
- Q2 *Advise in the Annual Report and or the Annual Financial Report where the total number of external consultancy services used by the City is identified as well as the total cost in \$'s of these external services is stated.*
- A2 The number and total cost of external consultancy services are not separately shown in the Annual Report or Annual Financial Report.
- Q3 *Advise if the City undertook any forensic (financial) audits in the 2016-17 financial year, and if yes where are the details and if no, why not?*
- A3 Forensic (financial) audits can cover a wide range of investigative work but generally refers to an examination of financial affairs in order to gather evidence relevant to potential prosecutions relating to fraudulent activity. As such the City has not been required to undertake such investigations during 2016-17.

Q4 *Advise if the City undertook any audits of the consultancy services provided to confirm value for money in the 2016-17 financial year, and if yes where are the details and if no, why not?*

A4 All consultancy requests are required to be authorised by the Chief Executive Officer, which includes a rigorous review regime.

**Ms M Macdonald, Mullaloo:**

Re: *Proposed Ocean Reef Marina:*

Q1 *Having searched the records I cannot find anything that states there will be no adverse effect as a result of the construction of the Marina on Mullaloo Beach or the coastline in general. Can the City identify the document, page and paragraph where this is stated?*

A1 Ms Macdonald was provided with all documents relating to the coastal processes investigations and the potential impact of the Ocean Reef Marina on the coastline as part of the Public Environmental Review public advertising (22 November 2016 to 24 February 2017). The specific documents relevant to coastal processes and provided to Ms Macdonald are:

- Ocean Reef Marina, Public Environmental Review (City of Joondalup, November 2016).
- Ocean Reef Marina, Marine Modelling Study (Asia-Pacific ASA, Rev 0, 19 September 2011).
- Ocean Reef Marina, Coastal Hazards & Vulnerability (M P Rogers & Associates, R760 Rev 0, April 2016).
- Ocean Reef Marina, Coastal Hazard and Risk Management Adaptation Plan (M P Rogers & Associates, R608, Rev 2, June 2016).
- Ocean Reef Marina, Coastal Processes Assessment (M P Rogers & Associates, R519, Rev 3, July 2016).
- Ocean Reef Marina Proposed Development, 2015 Sediment Survey (BMT Oceanica, 1058\_01\_008/2\_Rev0, February 2016).

The above documents, as well as other information, previously provided to Ms Macdonald report the predicted, potential impact of the Ocean Reef Marina on the coastline.

Q2 *If the procedure of question and statement time requires people to verbally state their name and full address in the Chamber, then why is this not reflected in the confirmed minutes of Council and why therefore are the minutes not incorrect?*

A2 The substance of this question has been previously responded to. The City includes in its minutes information that is deemed appropriate, being cognisant of the applicable legislation and the City's *Meeting Procedures Local Law 2013*.

**The following questions in respect of the 2016-17 Annual Report were asked at the meeting:**

**Mr M Sideris, Mullaloo:**

- Q1 *With reference to the questions I submitted prior to this evening's Annual General Meeting of Electors and the responses provided, can you please explain why I cannot obtain a list of the positions, job descriptions and the directorates the positions fall within as requested. I have noticed in the last few years that the number of employees has grown in the \$100,000 bracket. Last year or the year before there were 121 or 123 employees with salary packages in excess of \$11,000,000 collectively.*
- A1 Mayor Jacob advised the additional question would be taken on notice with regards to the specific details. The question related to a list of payments made to employees being the 136 employees whose remuneration package exceeds the range within the *Local Government Act 1995* under which the City is required to disclose those details. The Mayor expressed his understanding that the majority of local governments declare the cash salary component only, whereas the City of Joondalup declares the entire salary package.
- Q2 *I ask again, will I get a listing of those job descriptions together with job title, including the total sum of the salary packages?*
- A2 Mayor Jacob advised this question would be taken on notice.

**Ms M O'Byrne, Kinross:**

- Q1 *The City's community profile in the annual report, page 9 provides useful information. As a future indicator, could the level of mortgage stress in the City of Joondalup be included as part of that information?*
- A1 Mayor Jacob commented he did not believe this was the type of information a local government dealt with and therefore could not be included as a future statistic within the annual report.
- Q2 *In support of my query, when the City is making determinations on expenditure, it is important for the level of mortgage stress to be recognised, as mortgage holders are the ratepayers who are supporting the City's spending.*
- A2 Mayor Jacob noted Mrs O'Byrne's reasoning.

**Ms N Dangar, Beldon:**

- Re: *Executive Tier Band 1 Salaries.*
- Q1 *How many senior management salaries are at Band 1 and what is the distribution of those salaries according to the separate directorates?*
- A1 Mayor Jacob advised this question would be taken on notice.

**Ms J Quan, Edgewater:**

Re: Joondalup Performing Arts and Cultural Facility Reserve Fund.

Q1 At its meeting held on 27 June 2017, Council resolved not to proceed with the Joondalup Performing Arts and Cultural Facility. That being the case, why is Council continuing to sell freehold land, with the proceeds being transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund?

A1 Mayor Jacob advised the transfer of monies into the reserve account and the provision of a performing arts centre were two different issues. Currently while funds are in a special purpose account, Council cannot reapportion those funds as it sees fit. Any future decisions made by Council either around reserve funds or the future of a performing arts centre will be done in an open way and well understood by the community. Additionally, there is a policy approach of identifying freehold land which is surplus to requirements. This provides an opportunity for Council to recoup funds from selling freehold land that is surplus to requirements and using those funds for other community facilities whatever they may be and to deliver those facilities in such a manner that is not a direct impost to its ratepayers.

Q2 What funding will be required by the City in the next 20 years? In view of Council's decision at its meeting held on 27 June 2017 not to proceed with a performing arts centre, why is the allocation of \$100,000,000 still listed within the 20 Year Strategic Financial Plan? Were this sum to be removed from the plan, is that the reason for the need to continue to sell freehold land?

A2 Mayor Jacob believed this was a speculative question, but currently reflected previous decisions made by Council. As previously stated, this is a process of identifying land which is surplus to requirements and using those funds for other community facilities whatever they may be and to deliver those facilities in such a manner that is not a direct impost to its ratepayers.

**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.

**Ms N Dangar, Beldon:**

**MOVED Ms N Dangar, SECONDED Ms R Millett requests that the Chief Executive Officer regulated payments be included in all forensic audits and all unnecessary costs be identified, with a report to be provided by the next Ordinary Meeting of Council.**

**The Motion was Put and**

**CARRIED**

**Mrs R Millett, Beldon:**

MOVED Mrs R Millett, SECONDED Ms J Quan that the electors of the City of Joondalup move a no confidence motion in the administration of the City of Joondalup in relation to Item CJ206-12/17 – Prince Regent Park, Heathridge – Community Sporting Facility scheduled for consideration at this evenings Council Meeting due to the following reasons:

- (a) Scant attention to the petition submitted by local residents against the proposed redevelopment at Prince Regent Park, Heathridge;
- (b) The online survey was restricted to one person per household and did not allow open consultation with all ratepayers;
- (c) The online questionnaire was blatantly biased, with questions skewed in order to provide a contrived and predetermined outcome;
- (d) The bulk of the questions asked in the survey were predominantly not about the proposed project;
- (e) The officer's analysis of the survey results attached did not prioritise the feedback of the local residents of Heathridge when this is a local park;
- (f) The analysis gave great priority to the Joondalup United Football Club members;
- (g) Survey results were markedly different to presentation of Beldon Park, namely it failed to show the number of responses of non-residents of the City of Joondalup, compared to residents of the City of Joondalup.

The Motion was Put and

CARRIED

**Ms B Hewitt, Edgewater:**

MOVED Ms B Hewitt, SECONDED Ms N Dangar requests that Council instructs the Chief Executive Officer to ensure the Planning Director continue with all public consultations throughout the summer period, particularly those involving amendments relating to down zoning of housing opportunity areas as per the City's own *Community Consultation and Engagement Policy* which states "Consultations are not to be conducted during the summer break (between the last Ordinary Meeting of Council in December to the first Ordinary Meeting of Council in February), unless otherwise stipulated by Council. Consultations to meet statutory planning requirements may be conducted during the summer break, as they are approved by the Chief Executive Officer.

The Motion was Put and

CARRIED

**Mr D Poynton, Connolly:**

MOVED Mr D Poynton, SECONDED Ms B Hewitt requests that the City of Joondalup give due consideration to providing even greater expenditure and more resources on feral and domestic animal control in natural areas of the City of Joondalup to minimise fauna loss and thereby showing its support for both a Commonwealth and State priority.

The Motion was Put and

CARRIED

*Cr Hamilton-Prime left the Chamber at 6.25pm.*

**Ms M O'Byrne, Kinross:**

Q1 *It is my understanding that the Northshore Country Club, Kallaroo is a privately-owned facility, not a public reserve for parks and recreation purposes and as such is not classified as public open space. In view of the fact that the country club is a privately-owned facility, why is the club surrounds being refurbished by the City of Joondalup at the expense of ratepayers to the sum of \$250,000?*

A1 Mayor Jacob advised it was his understanding that the area in question is a private wetland not a sump as such and is subject to an easement in favour of the City of Joondalup. Accordingly, the City is responsible for the maintenance of that water body. The area outside the easement will be funded by the Club itself.

Q2 *In January 2017 it was announced pedestrians would have access to a safer passage from Burns Beach to Kinross along Marmion Avenue, with approval granted by Main Roads WA for the installation of a signalised pedestrian crossing. Almost a year later the money is allocated, the innovative design is with Main Roads WA and yet there is still no start date for installation of the pedestrian crossing. What is the City of Joondalup doing to overcome this impasse with Main Roads so that the pedestrian crossing is in place by the start of the 2018 school year?*

A2 Mayor Jacob stated that it is a priority for the City to see this issue resolved and the crossing installed.

The Director of Infrastructure Services stated that the City has continually communicated with Main Roads WA and provided a design seeking approval for the specific signalised crossing and the location of that. Main Roads WA has since queried both traffic counts and volumes in the area since the extension of the Mitchell freeway. Additional traffic counts have been provided to Main Roads as requested. Main Roads WA is the approving authority and the City has been liaising with Main Roads WA in an effort to expedite this matter with a view to commencing construction of the signalised crossing as soon as possible.

*Cr Hamilton-Prime entered the Chamber at 6.30pm.*

**Ms S Thompson, Duncraig:**

Q1 *Would consideration be given to holding future Annual General Meetings at 7.00pm as a 5.30pm start time makes it difficult to attend given that people are still working / commuting from work or attending to family arrangements?*

A1 Mayor Jacob stated that this would be considered for the 2018 Annual General Meeting of Electors.

**MOVED Ms S Thompson, SECONDED Ms R Millett that the City of Joondalup reviews how it communicates and consults with residents and that the City communicates clearly the outcome of the consultation review process once completed.**

**The Motion was Put and**

**CARRIED**

*The Director Planning and Community Development left the Chamber at 6.32pm and returned at 6.35pm.*

*Cr Hollywood left the Chamber at 6.34pm and returned at 6.38pm.*

*Cr Taylor left the Chamber at 6.38pm.*

**Dr T Green, Padbury:**

**MOVED Dr T Green, SECONDED Ms B Hewitt that the City identifies a legal means to prevent amalgamation of residential lots in all housing opportunity areas unless all neighbours to the proposed developments give consent to proceed.**

**The Motion was Put and**

**CARRIED**

*Cr Taylor entered the Chamber at 6.41pm.*

**Ms J Quan, Edgewater:**

Q1 *Is it a basic or complex amendment required to initiate density controls with respect to apartments? Has the City initiated the procedure yet and if not, how long is it envisaged it will take to reach agreement with the Western Australian Planning Commission (WAPC) and then initiate the procedure?*

A1 Mayor Jacob stated that depended on whether it was a simple or complex amendment. That is not a decision of the City, it is the decision of the WAPC.

The Director of Planning and Community Development further stated that Council has already initiated the process via the decision made at its meeting held on 21 November 2017 where Council resolved to initiate a new amendment to better manage the impact of density and multi-dwellings (CJ177-11/17 refers). That amendment needs to be developed in conjunction with officers from the Department of Planning, Lands and Heritage and it will need to be developed in conjunction with *Local Planning Policy* that will combine with that amendment to achieve what is wanted. The amendment is likely to take approximately 12 months.

Q2 *To what extent will the City go to protect the amenity of the area from multi-dwellings, including traffic, parking issues and the lack of infrastructure and streetscape?*

A2 Mayor Jacob advised the City of Joondalup and Council have shown an appetite to deal with these issues as outlined through the report submitted to its meeting held on 21 November 2017 (CJ177-11/17 refers) which outlined the procedure for dealing with this issue.

**Mrs M Zakrevsky, Mullaloo:**

**Increase in staff number of natural areas teams**

Mrs Zakrevsky raised her concerns in relation to unforeseen problems that can arise with respect to natural areas and suggested that staff numbers of the natural areas team should be increased to deal with urgent problems that are not within the capacity or jurisdiction of the Friends' groups such as an explosion of noxious weeds. Concern was also raised regarding the size of the special purpose grant for individual Friends' groups, with a request these be

assessed and increased for active Friends' groups for large areas as available grants from other agencies diminish.

### **Control of Feral Animals**

Mrs Zakrevsky indicated there is increasing evidence of foxes in bushland areas, as well as stray cats and rabbits. While acknowledging feral animal control is costly, it is important. Mrs Zakrevsky would appreciate a response in due course detailing the City's 2017 feral animal control program; together with what is planned and budgeted for the 2018-19 financial year.

### **Provision of meeting room for residents of Mullaloo**

Mrs Zakrevsky raised the issue of the provision (at no cost) of a meeting room for the residents of Mullaloo to discuss local issues that was raised at the pre-election meeting of local government candidates this year.

Mrs Zakrevsky stated up until approximately four years ago the community hall at the Mullaloo Surf Club was available, when a new lease agreement was made without consultation.

#### **Mr J Prince, Duncraig:**

**MOVED Mr J Prince SECONDED Ms J Quan that the City of Joondalup excludes the Joondalup Performing Arts and Cultural Facility from future Strategic Financial Plans.**

**The Motion was Put and**

**CARRIED**

#### **Mr A Shorter, Craigie:**

**MOVED Mr A Shorter, SECONDED Mr M Moore that the City of Joondalup have a zero percentage rate rise for residents in the next financial year.**

**The Motion was Put and**

**CARRIED**

### **CLOSURE**

There being no further business, Mayor Jacob declared the Annual General Meeting of Electors closed at 7.02pm. The following Elected Members were present at that time:

MAYOR HON. ALBERT JACOB, JP  
CR KERRY HOLLYWOOD  
CR TOM MCLEAN, JP  
CR PHILIPPA TAYLOR  
CR NIGE JONES  
CR CHRISTOPHER MAY  
CR RUSSELL POLIWKA  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR JOHN LOGAN  
CR SOPHIE DWYER