

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 29 SEPTEMBER 2020

COMMENCING AT 6.00PM

PURPOSE OF MEETING

The purpose of the meeting is for Council to consider the appointment of a preferred applicant to the position of Chief Executive Officer.

GARRY HUNT
Chief Executive Officer
25 September 2020

www.joondalup.wa.gov.au

This document is available in alternate formats upon request

PUBLIC QUESTION TIME

Members of the public are requested to lodge questions in writing by 9.00am on
Monday 28 September 2020

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
PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

IMPORTANT INFORMATION

ATTENDANCE AT MEETING DURING COVID-19 PANDEMIC

Following advice from the State Government and the Department of Health WA in relation to COVID-19 (Coronavirus) pandemic, public attendance at the City of Joondalup meetings has been restricted.

To maintain the required physical distancing between people during this time, the maximum public attendance at meetings has been capped at 55 people (37 in the Chamber and 18 in the adjoining lobby). Any members of the public wishing to attend the meeting above this limit will unfortunately not be able to attend.

To manage expectations, members of the public wishing to attend the meeting and ask up to two questions and / or to make a public statement, can register their own interest from 9.00am to 4.00pm on the day of the meeting by emailing council.questions@joondalup.wa.gov.au or contacting the City on 9400 4313. Registration priority will be given on a first come first serve basis for members of the public wishing to ask questions and/or make a public statement.

Members of the public can only register themselves and cannot submit a request on behalf of others.

Attendance priority will be given to those persons listed in a submitted and approved Deputation Request (at Briefing Sessions only) followed by members of the public wishing to ask up to two verbal questions and/or to make a verbal public statement.

Members of the public wishing to only attend the meeting to observe the proceedings, will be placed on a waiting list and permitted to attend where seats remain vacant after consideration of the above attendee requests.

Any member of the public attending the meeting in person without registration will not be given access unless there is space available. However the audio of proceedings of Council meetings are streamed live at <https://www.joondalup.wa.gov.au/kb/resident/live-council-meeting-audio-feed>.

To ensure capacity is not compromised, entry to the City's premises will be restricted following 30 minutes past the scheduled start time of the meeting. Members of the public approved to attend are therefore encouraged to arrive at the meeting well before the scheduled start time of the meeting.

For your health and safety, members of the public are reminded to:

- follow the direction of the Presiding Members and City employees when attending meetings
- maintain 1.5 metre separation between themselves and other members of the public while attending meetings
- use the hand sanitiser that is provided by the City at the venue
- not attend meetings should they feel unwell or if they have been in contact with a known COVID-19 case, or been overseas in the previous two weeks.

Further information can be provided by contacting the Governance Coordinator on 9400 4369.

COUNCIL MEETINGS

The following procedures for the conduct of Council Meetings were adopted at the Council meeting held on 21 April 2020:

PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 21 April 2020:

Where a meeting of a committee is open to the public the procedures for public question time and public statement time apply. In this regard these procedures are amended by substituting “Council” with “Committee” to provide proper context.

Questions asked Verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of 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. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per person.
- 5 Statements are not to precede a question during public question time and questions must be succinct and to the point. Statements can only 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 allocated a minimum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of 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 shall 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 their decision is final
 - nominate a City employee to respond to the question
 - or
 - 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 does not relate to a matter affecting the City
 - or
 - making a statement during public question time,
- they may bring it to the attention of the Presiding Member who will make a ruling.
- 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 Act 1992* (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 asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of 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 equity 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 their decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.
- 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 a 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 Act 1992* (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 may 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.

Written questions should be sent via email to council.questions@joondalup.wa.gov.au

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 at Council Meetings were adopted at the Council meeting held on 21 April 2020:

- 1 Members of the public are invited to make public statements verbally at Council meetings.
- 2 Statements made at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Statements made at a Special meeting of 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. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public statement time will be limited to two minutes per person.
- 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 allocated a maximum time 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 does not relate to a matter affecting the City, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 Statements will be summarised and included in the minutes of the Council meeting.

CODE OF CONDUCT

Elected members, Committee Members and City of Joondalup employees are to observe the City of Joondalup Code of Conduct including the principles and standards of behaviour that are established in the Code.

The following principles guide the behaviours of elected members, Committee Members and City of Joondalup employees while performing their role at the City:

- Act with reasonable care and diligence.
- Act with honesty and integrity.
- Act lawfully.
- Avoid damage to the reputation of the City.
- Be open and accountable to the public.
- Base decisions on relevant and factually correct information.
- Treat others with respect and fairness.
- Not be impaired by mind affecting substances.

Elected members, Committee Members and employees must:

- (a) act, and be seen to act, properly and in accordance with the requirements of the law and the Code of Conduct
- (b) perform their duties impartially and in the best interests of the City uninfluenced by fear or favour
- (c) act in good faith in the interests of the City and the community
- (d) make no allegations which are improper or derogatory and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any person unwarranted offence or embarrassment
- (e) always act in accordance with their obligations to the City and in line with any relevant policies, protocols and procedures.

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

CIVIC CENTRE EMERGENCY PROCEDURES

The City of Joondalup values the health and safety of all visitors to City of Joondalup facilities. The following emergency procedures are in place to help make evacuation of the City of Joondalup Civic Centre safe and easy.

Alarms

The City of Joondalup emergency system has two alarm tones:

- Alert Tone (Beep... Beep... Beep)
- Evacuation Tone (Whoop...Whoop...Whoop)

On hearing the Alert Tone (Beep... Beep... Beep):

- DO NOT EVACUATE ON THIS TONE.
- Remain where you are.
- All designated Fire Wardens will respond and assess the immediate area for danger.
- Always follow instructions from the designated Fire Wardens.

On hearing the Evacuation Tone (Whoop...Whoop...Whoop):

- Evacuate the building immediately as directed by a Fire Warden or via the nearest safe exit.
- Do not use lifts.
- Remain calm and proceed to the designated Assembly Area (refer to site plan below).
- People with impaired mobility (those who cannot use the stairs unaided) should report to a Fire Warden who will arrange for their safe evacuation.
- Do not re-enter the building until authorised to do so by Emergency Services.



TABLE OF CONTENTS

ITEM NO.	TITLE	WARD	PAGE NO.
	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS		x
	DECLARATIONS OF INTEREST		viii
	PUBLIC QUESTION TIME		ix
	PUBLIC STATEMENT TIME		ix
	APOLOGIES AND LEAVE OF ABSENCE		x
	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC		x
	REPORT		1
JSC08-09/20	CONFIDENTIAL – APPOINTMENT OF PREFERRED APPLICANT FOR POSITION OF CHIEF EXECUTIVE OFFICER	ALL	2
	CLOSURE		3

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 29 September 2020** commencing at **6.00pm**.

GARRY HUNT
Chief Executive Officer
25 September 2020

Joondalup
Western Australia

AGENDA

DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

DECLARATIONS OF INTEREST

Disclosures of interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Mayor Jacob.

Name/Position	Cr John Chester.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Chester.

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Fishwick.

Name/Position	Cr Kerry Hollywood.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Hollywood.

Name/Position	Cr Tom McLean, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr McLean.

Name/Position	Cr Philippa Taylor.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Taylor.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Mr Hunt.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mr Hunt is the current Chief Executive Officer. His contract expires on 18 December 2020 and is not an applicant.

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.)

PUBLIC STATEMENT TIME

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

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Suzanne Thompson 5 to 11 October 2020 inclusive.

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

JSC08-09/20 - Confidential – Appointment of Preferred Applicant for position of Chief Executive Officer.

REPORT

Disclosures of interest affecting impartiality

Name/Position	Mayor Hon. Albert Jacob, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Mayor Jacob.

Name/Position	Cr John Chester.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Chester.

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Fishwick.

Name/Position	Cr Kerry Hollywood.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Hollywood.

Name/Position	Cr Tom McLean, JP.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr McLean.

Name/Position	Cr Philippa Taylor.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Cr Taylor.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	The preferred applicant is known to Mr Hunt.

Name/Position	Mr Garry Hunt, Chief Executive Officer.
Item No./Subject	JSC08-09/20 - Confidential – Appointment of Preferred Applicant for Position of Chief Executive Officer.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mr Hunt is the current Chief Executive Officer. His contract expires on 18 December 2020 and is not an applicant.

JSC08-09/20 CONFIDENTIAL – APPOINTMENT OF PREFERRED APPLICANT FOR POSITION OF CHIEF EXECUTIVE OFFICER

WARD	All
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	74574
ATTACHMENTS	Attachment 1 Applicant Recommendation Report Attachment 2 Proposed Contract of Employment Attachment 3 Curriculum Vitae of Preferred Applicant <i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only)</i>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(2)(e)(iii) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

Information about the business, professional, commercial or financial affairs of a person.

A full report is provided to elected members under separate cover. The report is not for publication.

CLOSURE



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

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

Name/ Position	
Meeting Date	
Item No/ Subject	
Nature of Interest	Financial Interest * Interest that may affect impartiality* <i>* Delete where not applicable</i>
Extent of Interest	
Signature	
Date	

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.*