

minutes

Ordinary Meeting of Council

MEETING HELD ON

TUESDAY 12 OCTOBER 2021

Acknowledgement of Traditional Custodians

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

This document is available in alternate formats upon request

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LATE ITEMS / ADDITIONAL INFORMATION

In the event that further documentation becomes available prior to this Council Meeting, the following hyperlink will become active:

[AdditionalInformation_211012.pdf](#)

CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON 12 OCTOBER 2021**

DECLARATION OF OPENING

The Mayor declared the meeting open at 7.00pm.

ANNOUNCEMENT OF VISITORS

Mayor:

HON. ALBERT JACOB, JP

Councillors:

CR KERRY HOLLYWOOD	North Ward	
CR TOM McLEAN, JP	North Ward	
CR PHILIPPA TAYLOR	North-Central Ward	<i>absent from 8.01pm to 8.04pm</i>
CR NIGE JONES	North-Central Ward	
CR CHRISTOPHER MAY	Central Ward	
CR RUSSELL POLIWKA	Central Ward	
CR RUSS FISHWICK, JP	South Ward – <i>Deputy Mayor</i>	
CR SUZANNE THOMPSON	South Ward	
CR CHRISTINE HAMILTON-PRIME, JP	South-West Ward	
CR JOHN RAFTIS	South-West Ward	
CR JOHN CHESTER	South-East Ward	
CR JOHN LOGAN	South-East Ward	

Officers:

MR JAMES PEARSON	Chief Executive Officer	
MR JAMIE PARRY	Director Governance and Strategy	
MS DALE PAGE	Director Planning and Community Development	<i>until 8.05pm</i>
MR NICO CLAASSEN	Director Infrastructure Services	<i>until 8.05pm</i>
MR MAT HUMFREY	Director Corporate Services	<i>until 8.05pm</i>
MRS KYLIE BERGMANN	Manager Governance	
MR DANIEL DAVINI	Media Advisor	<i>until 8.05pm</i>
MRS VIVIENNE STAMPALIJA	Governance Coordinator	
MRS DEBORAH GOUGES	Governance Officer	<i>until 8.05pm</i>
MRS WENDY COWLEY	Governance Officer	<i>until 8.05pm</i>

There were 13 members of the public and one member of the press in attendance.

DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

Disclosures of Financial Interest / Proximity Interest

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Disclosures of Interest Affecting Impartiality

Elected Members (in accordance with clause 22 of Schedule 1 of the *Local Government [Model Code of Conduct] Regulations 2021*) 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 their interest.

Name / Position	Mayor Hon. Albert Jacob, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob is vice-patron of the tenderer, Surf Lifesaving WA.

Name / Position	Cr Russ Fishwick, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is Senior Assessor for Surf Life Saving WA. Board Members and staff at Surf Life Saving WA are known to Cr Fishwick. Cr Fishwick is a member of Trigg Surf Life Saving Club and is Vice Patron of Sorrento Surf Life Saving Club.

Name / Position	Cr Christine Hamilton-Prime, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Hamilton-Prime is a member of the Sorrento Surf Life Saving Club; Vice Patron of Sorrento Surf Life Saving Club (President); and endorsed by Ron Morris at the upcoming election.

Name / Position	Cr Philippa Taylor.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	An employee of the Surf Life Saving Club is known to Cr Taylor.

Name / Position	Cr John Logan.
Item No. / Subject	CJ147-10/21 - 2021-22 Budget Amendment - Grant Funding for Capital Works.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a member of the Kingsley Amateur Football Club and is known to members of other sports and community groups who support installing an awning at Kingsley Memorial Clubrooms and new cricket nets at Barridale Park.

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

PUBLIC QUESTION TIME

The following summarised questions were submitted prior to the Council Meeting:

R Repke, Kallaroo:

Re: Public Questions.

Q1 *In answering written questions I and others have again and again the feeling that the answers are not exactly answers, but divert from the questions, of course I do not know what the City does with our question internally, my question is, may I ask the City to give us answers that are answers?*

A1 Questions in writing are processed in accordance with the City's *Procedures for Strategy Sessions, Briefing Sessions, Council / Committee Meetings and Electronic Meetings*. Written questions received by the required deadline are processed by Governance Officers who circulate the written questions to the relevant directorate for a response and Director approval. The written questions and their responses are reviewed by Governance Senior Management and the Chief Executive Officer prior to printing and presenting at the respective meetings.

Responses to questions are provided by officers with the relevant technical expertise to address the questions received, the rigorous approval process undertaken by the City ensures that the responses to questions are considered and reviewed by senior management.

Q2 *Regarding the answers I have received with letter dated 29 September 2021, the questions were for the meeting held on 21 September 2021, I received the City's letter on 8 October 2021, why so late?*

A2 The Council minutes for the meeting held on 21 September 2021 were finalised by the Chief Executive Officer (CEO) on the 28 September 2021. The *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* prescribes that the publication of unconfirmed minutes of the meeting must be published within 14 days after the meeting is held, in respect of the September Council meeting the minutes were available on the City's website on Wednesday 29 September 2021, within the legislative period.

The subsequent letters to residents are unable to be finalised until the Council Minutes have been approved by the CEO, hence the letters to residents were posted via Australia Post mail on 30 September 2021. The City does not know why the letter took eight days to arrive at your address.

Re: *Beach Erosion and Rubbish.*

Q3 *Regarding the same three questions on beach erosion. It seems all of our efforts have no effect as year-by-year erosion continues, my question today, as a follow up, is: what will the City do to effectively reduce the beach erosion?*

A3 As advised in the answers provided in September 2021, the City undertakes several management activities to manage erosion on its beaches including post-storm checks and maintenance, management of access ways to ensure safe access, dune restoration and stabilisation and implementation of an annual Sand Bypassing Program.

Preventing erosion along the coastline is a complex and difficult task due to the nature of coastal processes, coastal infrastructure and the impacts of increased storm surges due to climate change. Sand bypassing and revegetation can assist in preventing localised erosion, but these management actions need to be continually implemented. The Coastal Hazard Risk Management Adaptation Plan (currently in development) will provide the City with long term adaptation options that can be taken now and into the future to adapt to coastal impacts such as erosion.

Q4 *Clean up of items thrown overboard on ships, a plan is good but it is just a plan. I would like to know what really happens to reduce the rubbish from ships which is, in my estimate 90% of the rubbish we find on our beach, how will our City take action?*

A4 The management of rubbish from ships is a global issue and is therefore addressed by the Federal Government. As detailed in the responses provided in September 2021, the Commonwealth Government's National Plastics Plan outlines action to reduce ocean waste from shipping vessels as per the below:

Australia supports global action on plastic pollution. Marine plastic debris is an international problem that transcends national borders. Australia will pursue improved coordinated global action to address marine plastic pollution including through discussions towards a new global agreement at the United Nations Environment Assembly. Australia will also continue to be an active leader in other regional and international fora – including the G20, Asia-Pacific Economic Cooperation, the International Maritime Organization and the High-Level Panel for a Sustainable Ocean Economy. Reduce shipping waste by implementing the *International Maritime Organization's (IMO) Action Plan to Address Marine Plastic Litter from Ships*.

Q5 *I know that some people complain about seaweed, but if you look at the seaweed on our beaches there is some here, some there, but no carpet of seaweed, I see no problem to leave that seaweed to decompose, I have not noticed smell or flies, and I have explained the importance of decaying seaweed for life, better under the surface of the beach, can I get a comment on that question, as the beach is the last natural area we have and should not keep it this way?*

A5 As previously advised in April and September 2021, the primary focus of the City's beach cleaning service (tractor drawn sand sifting equipment) is to sift the beach sand to a depth of approximately 50mm removing the ongoing build-up of seaweed rack and buried rubbish. The seaweed is removed on a weekly basis between October and April from North of Marmion to south of Ocean Reef.

The end result of the sand sifting leaves the beach free from decomposing seaweed and buried rubbish, which improves the user experience by reducing the smell and fly activity from decomposing seaweed and other hazards buried rubbish may pose.

The City considers the benefit of this service outweighs any perceived negative impact this service may have.

L Shaw, Hillarys:

Re: *Ocean Reef Marina Project.*

Q1 *Is non-boat trailer paid parking income factored into the Ocean Reef Marina Business Plan?*

A1 The Business Plan advertised included several scenarios which indicated the range of possible outcomes for the City. Two of these scenarios included an assumption of some revenue from non-boat trailer parking, however no final decision has yet been made.

Q2 *Will the City lose the existing trailer parking income after the construction of the Ocean Reef Marina?*

A2 The current plan shows the boat trailer parking being situated in an area that is likely to be managed by the Marina Manager, although no final decision has been made and the Marina Manager has not yet been finalised.

M Kwok, Ocean Reef:

Re: *Weed Control Trials.*

Q1 *When will the weed control trials commence?*

A1 Expansion of the weed control trials, in response to the May 2021 Council resolution, will be undertaken in 2022-23.

Q2 *Will it be panel contracted or put out to tender?*

A2 This is still to be determined, however the City will follow procurement practices in line with the City's *Purchasing Policy* to engage a contractor.

- Q3 *How would you prioritise which areas will get hydrothermal treatments?*
- A3 The prioritised areas for the hydrothermal trials are yet to be determined. The City's hydrothermal trials to be undertaken in 2022-23 will be informing data that will be considered in the *Weed Management Plan*.
- Q4 *Has the City planned to factor into the Weed Management Plan that chemical weed control has failed in a wet winter and other methods should be used instead?*
- A4 This is still to be determined. The Weed Management Plan will be reviewed in 2022-23, and factors such as inclement weather will be considered as part of the review.
- Q5 *What was the cost for the removal of dead trees along arterial roads in the City between January and September 2021?*
- A5 The City has spent approximately \$4,950 on tree removal emanating from storm damage, vandalism, or unknown causes.

A Clarke, Connolly:

Re: *Weed Control.*

- Q1 *Why did Council decide to change the arrangement of spraying signage remaining for 24 hours / next day? Residents were pleased and so grateful to be able to avoid recently sprayed areas.*
- A1 Councillors are required to make decisions based on the information they have before them. The minutes of the relevant Council meeting include reports by City officers on the issues being decided by Council. If a decision is made that is contrary to officer's advice, reasons are given and recorded in the minutes.
- Q2 *Will Council be looking at adding a more prominent colour of dye to glyphosate and other herbicides used in the City?*
- A2 The application of dye is used for the operator to identify areas that have been sprayed, thus minimising over spray. When the product is used at the manufacturers recommended rates the dye is visible for up to three days dependent on the sprayed surface and ensuing weather conditions.

B Leech, Hillarys:

Re: *Weed Management.*

- Q1 *The hydrothermal trials report is due to be released in November, can the City please confirm if a comparison using triple bottom line analysis will be conducted?*
- A1 The City's *Weed Management Plan* which informs the City's weed management actions takes into consideration the financial, environment and social impacts. The City's weed management trials will further inform the City's *Weed Management Plan*.

Q2 *One of the main arguments councillors had who wished to revoke the 24 hour signage motion, was regarding the upcoming review of the City's Weed Management Plan. As we have now been informed the report will not be ready for a considerable amount of time (2022-2023), would the City consider reinstating 24 hour signage to adequately notify the public of their exposures to such a poisonous substance, given they have no choice whether or not it is sprayed in public areas?*

A2 There is no consideration at this time to reinstate 24 hour signage.

City residents wishing to be advised in advance of scheduled spraying activities occurring within 100 metres of their residence and / or up to five park or reserve locations can apply to be added to the City's Notification Register. Residents listed on the Pesticide Notification Register will receive notification at least 24 hours prior to spraying commencing. Further information on the *Pesticide Use Notification Plan* can also be found on the City's website <https://www.joondalup.wa.gov.au/wp-content/uploads/2017/12/COJ-Pesticide-Use-Notification-Plan.pdf>.

A map and schedule of the following week's scheduled spraying activities is provided on the City's website each Friday afternoon. Residents can apply to be on the City's Pesticide Exclusion Register, which excludes the verge immediately abutting their property / residence from chemical weed control; further information can be found on the City's website [Pesticide Exclusion Register – City of Joondalup](#).

The following summarised questions were submitted verbally at the Council Meeting:

B Hewitt, Edgewater:

Re: *Sunset Explorer - Hop-on Hop-off Bus.*

Q1 *In relation to the hop-on hop-off bus, what are the anticipated costs and benefits of the program and when was the initiative approved?*

A1 The Chief Executive Officer advised that the 'Sunset Explorer' is a joint initiative costing approximately \$44,000, with the following funding commitments towards the project being provided from:

- The Cities of Joondalup and Stirling – jointly contributing 36% of costs each.
- The State Government's tourism promotion 'Destination Perth' - \$8,000.
- Hillarys Boat Harbour Retailers Association - \$4,000.
- Whitfords Shopping Centre - \$4,000 (in kind).

The Chief Executive Officer (CEO) advised that the project was approved under the CEO's Delegation of Authority in October 2021, against the budget allocation for economic development activities. The intent aligns with the *Destination Joondalup Plan 2021-2026* which highlights the importance of the coastal strip and its central role in sustaining and growing the visitor economy in the City of Joondalup, and the project supports the objective to ensure key attractions and assets are accessible by a range of transportation options.

The Chief Executive Officer noted that the City is very excited about this project and is delighted to be in a position to progress the joint initiative with key external stakeholders to support local and small businesses in the City of Joondalup.

Re: Paid Parking at Ocean Reef Marina.

Q2 In the Joondalup Times article entitled 'Joondalup Council Agrees to Sell Land for Ocean Reef Marina for \$2.00' dated 27 May 2021, Cr Taylor is quoted as saying "that the project from the Business Plan for the City was an increase of \$3.16 million made up of rates, parking and club and commercial income.", while Mayor Jacob is quoted as stating "we get parking in freehold."

Given these statements, why are the ratepayers being misled in regard to the proposed paid parking at the Ocean Reef Marina, which was supported as a financial stream in the Ocean Reef Marina Business Plan approved by Council at the meeting held on 18 May 2021?

A2 Mayor Jacob advised that the substance of his comments was based on, that the City was not simply transferring the land lots to the State for \$2.00, instead in return the City was getting an investment from the State Government in excess of \$120 million and a marina project which Council had consistently sought, adding that the reference quoted related to the fact that it is likely that the land will be transferred back to the City in freehold.

Mayor Jacob continued by advising that the City is likely to get a perpetual management order from the State for the Club site and potentially over some of the nearby parking areas, although this matter is subject to continued negotiations.

S Boylan, Mullaloo:

Re: Ocean Reef Marina Business Plan.

Q1 Do the Mayor and Councillors who voted for the Ocean Reef Marina Business Plan still support the plan in its entirety?

A1 Mayor Jacob advised that he was unable to speak for the whole of the Council, although the Mayor stated that he continues to support the transfer of lots 1029 and 1032 Ocean Reef to the State and supports the progression of the Ocean Reef Marina Development project.

Q2 Then why in Facebook posts and letter drops are people being told that the Council is no longer supporting paid parking when they accepted the Business Plan in its entirety?

A2 Mayor Jacob ruled the question out of order, explaining that questions cannot be asked of individual elected members.

PUBLIC STATEMENT TIME

The following summarised statements were submitted verbally at the Council Meeting:

M O'Byrne, Kinross:

Ms O'Byrne stated her candidacy for the South Ward in the upcoming Council Elections.

Re: Sorrento Marmion Lane Petitions.

Ms O'Byrne commenced a statement to express dissatisfaction with how the Sorrento Marmion Lane petitions were voted upon at the September Council meeting.

The Mayor drew Ms O'Byrne's attention to the rules of public statement time, specifically Rule Number 7 which provides that 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.

Ms O'Byrne declined to withdraw matters raised in her statement and was requested by the Mayor to return to her seat.

D Kingston, Edgewater:

Mr Kingston stated his candidacy for the North Central Ward in the upcoming Council Elections.

Re: Ocean Reef Marina Parking.

Mr Kingston addressed elected members in relation to the consequences of the Council approving the Heads of Agreement with the State Government which contained a clause in relation to exploring the opportunity of paid parking at the Ocean Reef Marina.

Mr Kingston raised concerns in relation to the operating deficit that will occur if Council decides to no longer charge for parking at the Ocean Reef Marina and queried how the operating deficit will be addressed.

Mr Kingston suggested that a review of the City's position of the Ocean Reef Marina Project needs to take place to ensure the project is cost neutral.

M Kwok, Ocean Reef:

Re: Glyphosate.

Ms Kwok addressed elected members in regard to the use of glyphosate, advising that Bayer Monsanto will be removing Roundup from supermarket shelves in the USA in 2023 due to the billions of dollars it has paid out settling claims that the use of its products has caused cancer such as Non-Hodgkins Lymphoma.

Ms Kwok stated that there have been a number of complaints from dog owners whose dogs have become sick after visiting recently sprayed areas, adding that she felt that 24 hour glyphosate advisory signage would have prevented such incidents from occurring.

Ms Kwok commented that it was good to see that the majority of candidates for the upcoming election were supportive of reducing the use of glyphosate in public areas.

S Boylan, Mullaloo:

Re: Paid Parking at Ocean Reef Marina.

Ms Boylan addressed elected members on the content of the Ocean Reef Marina Business Plan in particular the reference in relation to proposed income relating to paid parking at the Marina.

Ms Boylan advised that information being circulated by candidates in the local government election campaign is contrary to Council's decision supporting paid parking at Ocean Reef Marina.

T McKimmie, Craigie (President Kingsley Amateur Football Club):

Re: CJ147-10/21 - 2021-22 Budget Amendment - Grant Funding for Capital Works.

Mr McKimmie, on behalf of the Kingsley Amateur Football Club (Club), spoke in support of the installation of the Kingsley Football Club awning. Mr McKimmie explained that the club was successful in receiving \$60,000 State grant funding towards the project, with the Club raising an additional \$18,000 in funds and the Club are seeking a contribution from the City of \$15,000 to complete the project.

Mr McKimmie thanked Council for their support towards the Kingsley Football Club awning project and requested that Council support the motion as presented.

T Pickard, Craigie:

Re: Appreciation of service on retiring Cr Kerry Hollywood.

Mr Pickard, the former Mayor of the City of Joondalup, addressed elected members and paid tribute to the retiring North Ward Councillor Kerry Hollywood. Mr Pickard advised that he was fortunate to work alongside Cr Hollywood for 12 years.

Mr Pickard explained that Cr Hollywood is an extremely diligent and committed member of the Council and has championed many projects over her 16 years on Council. In addition, she was a strong advocate for residents in the North Ward, and for community groups, sporting clubs, and the City of Joondalup as a whole.

Mr Pickard concluded by saying that he wished Cr Hollywood and her husband well in their retirement.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved

Cr Nige Jones

2 November 2021 inclusive.

C102-10/21

REQUEST FOR LEAVE OF ABSENCE – CR JOHN RAFTIS

Cr Raftis has requested Leave of Absence from Council duties covering the period 19 to 25 October 2021 inclusive.

MOVED Cr Hamilton-Prime, SECONDED Cr Jones that Council APPROVES the request for Leave of Absence from Council duties for Cr Raftis covering the period 19 to 25 October 2021 inclusive.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

CONFIRMATION OF MINUTES

C103-10/21

MINUTES OF COUNCIL MEETING HELD ON 21 SEPTEMBER 2021

MOVED Cr Fishwick, SECONDED Cr Chester that the Minutes of the Council Meeting held on 21 September 2021 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Thanks and Farewell

Mayor Jacob paid tribute to Cr Kerry Hollywood, who has decided not to contest the 2021 Local Government Elections, and thus this will be her last Council meeting after 15 years serving as North Ward Councillor as well as being a former Deputy Mayor.

Mayor Jacob advised in that time the City has seen a significant period of growth and sustained success, and Cr Hollywood has delivered for ratepayers across the City and particularly those living and working in the suburbs of Joondalup, Currambine, Iluka, Kinross and Burns Beach, and previously, Connolly.

Mayor Jacob stated some of the local projects that Cr Hollywood has helped to spearhead include:

- the Burns Beach to Mindarie shared coastal path, 10 years in the making and now almost complete
- the City's first dedicated dog park at Elcar Park
- the Currambine Community Centre, including Delamere Park
- the Burns Beach-Kinross pedestrian crossing
- Bramston Park Community Sporting Facility
- upgrades to various sporting facility buildings
- a new café restaurant we should soon see in Burns Beach.

Mayor Jacob informed that this will be the first time in City of Joondalup history that the Council will meet without a Cr Hollywood at the table.

On behalf of the Council and CEO James Pearson, Mayor Jacob thanked Cr Hollywood for all she has done for the Council, the City and its residents and ratepayers over a number of years and wished her and her family all the best for the future.

Local Government Elections

Mayor Jacob announced that the 2021 Local Government Elections will be held on Saturday 16 October and the City is encouraging community members to make their voice heard.

Mayor Jacob advised that postal elections will be held for the position of Mayor and six Ward Councillors.

Mayor Jacob noted that completed ballot papers must be received by the Western Australian Electoral Commission by 6.00pm on Saturday 16 October 2021.

Mayor Jacob stated for more information and to view the candidate profiles people should visit the City's website joondalup.wa.gov.au.

Invitation Art Prize

Mayor Jacob informed that the City of Joondalup's most prestigious arts prize, the Invitation Art Prize (IAP) exhibition, is currently being held at Westfield Whitford City.

Mayor Jacob advised that the IAP is an acquisitive art prize open to professional Western Australian artists, and is acknowledged by the visual arts industry as one of the major contemporary visual art prizes for professional artists in the state.

Mayor Jacob noted 30 artists were selected to participate in the 2021 IAP, and congratulations go to overall winner Mandy White, who received \$25,000 in prize money. Her artwork will also be acquired by the City for its art collection.

Mayor Jacob stated the IAP commenced last Sunday 10 October and runs until Sunday 24 October. Mayor Jacob encouraged everyone to check out the stunning exhibition.

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

- CJ148-10/21 – Confidential - Chief Executive Officer Concluded Annual Performance Review.
- CJ149-10/21 – Confidential - Salary Review - Chief Executive Officer.

C104-10/21 CHANGE THE ORDER OF BUSINESS

MOVED Mayor Jacob, SECONDED Cr Jones that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, suspends the operation of clause 4.3 – Order of Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the consideration of:

1.1 CJ148-10/21 – Confidential – Chief Executive Officer Concluded Annual Performance Review;

1.2 CJ149-10/21 – Confidential – Salary Review – Chief Executive Officer,

to be discussed after “Motions of which previous notice has been given”.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

PETITIONS

C105-10/21 PETITION IN RELATION TO MOVING THE BIN FROM OUTSIDE 31 DELONIX CIRCLE, WOODVALE TO AN ALTERNATIVE LOCATION ON TIMBERLANE OVAL

A 25 signature petition has been received from residents of the City of Joondalup in relation to moving the bin from outside 31 Delonix Circle, Woodvale to an alternative location on Timberlane Oval, for the convenience of dog walkers, playground users, picnickers and people attending social and sporting events.

C106-10/21 PETITION IN RELATION TO UPGRADING THE PLANTING OF A NATIVE GARDEN AREA IN THE SANDY STRIP TO THE NORTHERN PART OF WANDINA PARK, DUNCRAIG

A 29 signature petition has been received from residents of the City of Joondalup requesting the Chief Executive Officer prepare a report in relation to the planting of a native garden area in the sandy strip to the northern part of Wandina Park, Duncraig for the enjoyment of local residents and birdlife.

The recent work on the park has turned Wandina Park into a wonderful asset for our community and the improvement of this area would complete it and also prevent the erosion that occurs on this sandy strip during heavy rain.

C107-10/21 PETITION OPPOSING PAID PARKING AT OCEAN REEF MARINA

A 98 signature petition has been received from residents of the City of Joondalup requesting Council:

- opposes the application of any paid public parking at Ocean Reef Marina
- opposes any further application of paid public parking at any other coastal location controlled by the City of Joondalup
- ceases any representations to the State Government for the application of paid public parking at Ocean Reef Marina, Hillarys Boat Harbour, or any other coastal location.

C108-10/21 PETITION IN RELATION TO THE CITY OF JOONDALUP CEASING THE USE OF ANY PESTICIDES WITHIN 50 METRES OF PLAYSPACES IN CITY PARKS

A 67 signature petition has been received from residents of the City of Joondalup requesting the City ceases the use of any pesticides within 50 metres of playspaces in the City's parks and reserves; with exceptions for broad leaf treatment of parks and reserves, and natural area management if no other alternatives are available.

For the purposes of:

- protecting children and families from the adverse effects of the City applying pesticides around childrens' playgrounds
- protecting pets and native wildlife from poisoning and injury from the application of pesticides
- protecting the environment from unmeasured long-term effects of multiple pesticide applications.

C109-10/21 PETITION IN RELATION TO THE CITY OF JOONDALUP CEASING THE USE OF ANY PESTICIDES WITHIN ANY PLAYSPACES IN CITY PARKS AND RESERVES

A 65 signature petition has been received from residents of the City of Joondalup requesting the City ceases the use of any pesticides within any playspaces in the City's parks and reserves.

For the purposes of:

- protecting children and families from the adverse substitution where the City may currently apply pesticides with higher toxicity than glyphosate in childrens' playgrounds
- protecting pets and native wildlife from poisoning and injury from the application of pesticides
- protecting the environment from unmeasured long-term effects of multiple pesticide applications.

MOVED Cr Thompson, **SECONDED** Cr Raftis that the following petitions be **RECEIVED**, **REFERRED** to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1** Petition in relation to moving the bin from outside 31 Delonix Circle, Woodvale to an alternative location on Timberlane Oval;
- 2** Petition in relation to the planting of a native garden area in the sandy strip to the northern part of Wandina Park, Duncraig for the enjoyment of local residents and birdlife;
- 3** Petition requesting that the Council:
 - 3.1** Opposes the application of any paid public parking at Ocean Reef Marina;
 - 3.2** Opposes any further application of paid public parking at any other coastal location controlled by the City of Joondalup;
 - 3.3** Ceases any representations to the State Government for the application of paid public parking at Ocean Reef Marina, Hillarys Boat Harbour, or any other coastal location;
- 4** Petition in relation to ceasing the use of any pesticides within 50 metres of playspaces in the City's parks and reserves; with exceptions for broad leaf treatment of parks and reserves, and natural area management if no other alternatives are available. For the purposes of:
 - 4.1** Protecting children and families from the adverse effects of the City applying pesticides around childrens' playgrounds;
 - 4.2** Protecting pets and native wildlife from poisoning and injury from the application of pesticides;
 - 4.3** Protecting the environment from unmeasured long-term effects of multiple pesticide applications;
- 5** Petition in relation to ceasing the use of any pesticides within any playspaces in the City's parks and reserves. For the purposes of:
 - 5.1** Protecting children and families from the adverse substitution where the City may currently apply pesticides with higher toxicity than glyphosate in childrens' playgrounds;
 - 5.2** Protecting pets and native wildlife from poisoning and injury from the application of pesticides;
 - 5.3** Protecting the environment from unmeasured long-term effects of multiple pesticide applications.

It was requested that Part 5 the Motion be voted upon separately.

MOVED Cr Thompson, SECONDED Cr Raftis that the following petitions be RECEIVED, REFERRED to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 1 Petition in relation to moving the bin from outside 31 Delonix Circle, Woodvale to an alternative location on Timberlane Oval;
- 2 Petition in relation to the planting of a native garden area in the sandy strip to the northern part of Wandina Park, Duncraig for the enjoyment of local residents and birdlife;
- 3 Petition requesting that the Council:
 - 3.1 Opposes the application of any paid public parking at Ocean Reef Marina;
 - 3.2 Opposes any further application of paid public parking at any other coastal location controlled by the City of Joondalup;
 - 3.3 Ceases any representations to the State Government for the application of paid public parking at Ocean Reef Marina, Hillarys Boat Harbour, or any other coastal location;
- 4 Petition in relation to ceasing the use of any pesticides within 50 metres of playspaces in the City's parks and reserves; with exceptions for broad leaf treatment of parks and reserves, and natural area management if no other alternatives are available. For the purposes of:
 - 4.1 Protecting children and families from the adverse effects of the City applying pesticides around childrens' playgrounds;
 - 4.2 Protecting pets and native wildlife from poisoning and injury from the application of pesticides;
 - 4.3 Protecting the environment from unmeasured long-term effects of multiple pesticide applications.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

MOVED Cr Thompson, SECONDED Cr Raftis that the following petitions be RECEIVED, REFERRED to the Chief Executive Officer and a subsequent report presented to Council for consideration:

- 5 Petition in relation to ceasing the use of any pesticides within any playspaces in the City's parks and reserves. For the purposes of:
 - 5.1 Protecting children and families from the adverse substitution where the City may currently apply pesticides with higher toxicity than glyphosate in childrens' playgrounds;
 - 5.2 Protecting pets and native wildlife from poisoning and injury from the application of pesticides;
 - 5.3 Protecting the environment from unmeasured long-term effects of multiple pesticide applications.

The Motion was Put and

LOST (2/11)

In favour of the Motion: Crs Poliwka and Raftis.

Against the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Taylor and Thompson.

REPORTS

CJ142-10/21 DEVELOPMENT AND SUBDIVISION APPLICATIONS - AUGUST 2021

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBERS	07032, 101515
ATTACHMENTS	Attachment 1 Monthly Development Applications Determined – August 2021 Attachment 2 Monthly Subdivision Applications Processed – August 2021
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for ‘noting’)

PURPOSE

For Council to note the number and nature of applications considered under delegated authority during August 2021.

EXECUTIVE SUMMARY

Schedule 2 (deemed provisions for local planning schemes) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide for Council to delegate powers under a local planning scheme to the Chief Executive Officer (CEO), who in turn has delegated them to employees of the City.

The purpose of delegating certain powers to the CEO and officers is to facilitate the timely processing of development and subdivision applications. The framework for the delegations of those powers is set out in resolutions by Council and is reviewed annually, or as required.

This Report identifies the development applications determined by the administration under delegated authority powers during August 2021 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during August 2021 (Attachment 2 refers).

BACKGROUND

Clause 82 of schedule 2 (deemed provisions for local planning schemes) of the Regulations enables Council to delegate powers under a local planning scheme to the CEO, and for the CEO to then delegate powers to individual employees.

At its meeting held on 15 June 2021 (CJ079-06/21 refers), Council considered and adopted the most recent Town Planning Delegations.

DETAILS

Subdivision referrals

The number of subdivision and strata subdivision referrals processed under delegated authority during August 2021 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	3	4
Strata subdivision applications	10	15
TOTAL	13	19

Of the subdivision referrals, 10 were to subdivide in housing opportunity areas, with the potential for 14 additional lots.

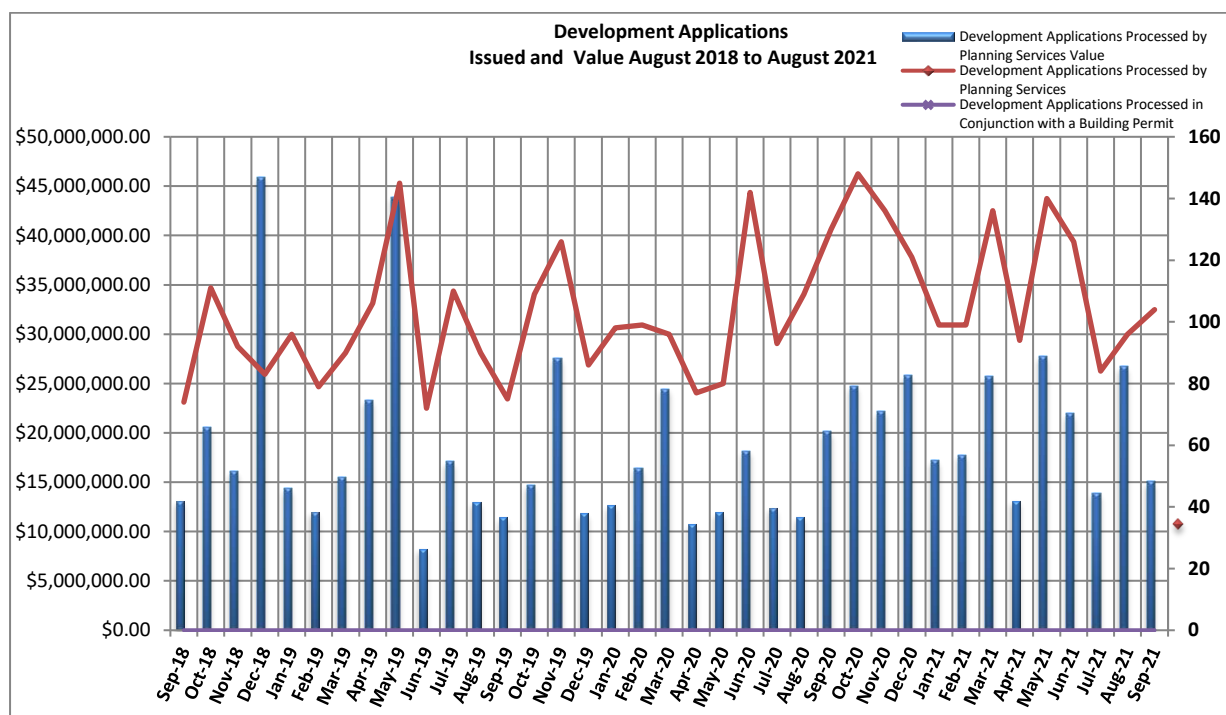
Development applications

The number of development applications determined under delegated authority during August 2021 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	96	\$26,684,593

Of the 96 development applications, five were for new dwelling developments in housing opportunity areas, proposing a total of six additional dwellings.

The total number and value of development applications determined between August 2018 and August 2021 is illustrated in the graph below:



The number of development applications received during August 2021 was 103.

The number of development applications current at the end of August was 249. Of these, 29 were pending further information from applicants and 11 were being advertised for public comment.

In addition to the above, 257 building permits were issued during the month of August with an estimated construction value of \$36,003,773.

Issues and Options Considered

Not applicable.

Legislation / Strategic Community Plan / Policy Implications

Legislation *City of Joondalup Local Planning Scheme No. 3.
Planning and Development (Local Planning Schemes)
Regulations 2015.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy Not applicable. All decisions made under delegated authority have due regard to any of the City's policies that may apply to the particular development.

Clause 82 of schedule 2 of the Regulations permits the local government to delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties. Development applications were determined in accordance with the delegations made under Clause 82 of schedule 2 of the Regulations.

All subdivision applications were assessed in accordance with relevant legislation and policies, and a recommendation made on the applications to the Western Australian Planning Commission.

Risk Management Considerations

The delegation process includes detailed practices on reporting, checking and cross checking, supported by peer review in an effort to ensure decisions taken are lawful, proper and consistent.

Financial / Budget Implications

A total of 96 development applications were determined for the month of August with a total amount of \$73,463.06 received as application fees.

All figures quoted in Report CJ142-10/21 are exclusive of GST.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Consultation may be required by the provisions of the R-Codes, any relevant policy and / or LPS3 and the Regulations.

COMMENT

Large local governments utilise levels of delegated authority as a basic business requirement in relation to town planning functions. The process allows for timeliness and consistency in decision-making for rudimentary development control matters. The process also allows the elected members to focus on strategic business direction for the Council, rather than day-to-day operational and statutory responsibilities.

All proposals determined under delegated authority are assessed, checked, reported on and cross checked in accordance with relevant standards and codes.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the determinations and recommendations made under delegated authority in relation to the:

- 1 development applications described in Attachment 1 to Report CJ142-10/21 during August 2021;**
- 2 subdivision applications described in Attachment 2 to Report CJ142-10/21 during August 2021.**

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ147-10/21, page 27 refers.

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1brf211005.pdf](#)

CJ143-10/21**EXECUTION OF DOCUMENTS**

WARD	All
RESPONSIBLE DIRECTOR	Mr James Pearson Office of the CEO
FILE NUMBERS	15876, 101515
ATTACHMENT	Attachment 1 Documents sealed by affixing the Common Seal during the period 31 August 2021 to 14 September 2021
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021.

EXECUTIVE SUMMARY

The City enters into various agreements by affixing the Common Seal. The *Local Government Act 1995* states that the City is a body corporate with perpetual succession and a Common Seal. Those documents that are to be executed by affixing the Common Seal or signed by the Mayor and the Chief Executive Officer are reported to Council for information on a regular basis.

It is therefore recommended the Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021, as detailed in Attachment 1 to Report CJ143-10/21.

BACKGROUND

For the period 31 August 2021 to 14 September 2021, six documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
Withdrawal of Caveat	3
Section 70A Notification	3

DETAILS**Issues and Options Considered**

Not applicable.

Legislation / Strategic Community Plan / Policy Implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Demonstrate accountability through robust reporting.

Policy Not applicable.

Risk Management Considerations

Not applicable.

Financial / Budget ImplicationsCurrent financial year impact

Not applicable.

Future financial year impact

Not applicable.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The documents that have been executed by affixing the Common Seal of the City of Joondalup are submitted to Council for information (Attachment 1 refers).

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Schedule of Documents executed by means of affixing the Common Seal for the period 31 August 2021 to 14 September 2021, as detailed in Attachment 1 to Report CJ143-10/21.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ147-10/21, page 27 refers.

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2brf211005.pdf](#)

CJ144-10/21**LIST OF PAYMENTS MADE DURING THE MONTH OF AUGUST 2021**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBERS	09882, 101515
ATTACHMENTS	<p>Attachment 1 Chief Executive Officer's Delegated Municipal Payment List for the month of August 2021</p> <p>Attachment 2 Chief Executive Officer's Delegated Municipal Payment List (Bond Refunds) for the month of August 2021</p> <p>Attachment 3 Municipal and Trust Fund Vouchers for the month of August 2021</p>
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of August 2021.

EXECUTIVE SUMMARY

This report presents the list of payments made under delegated authority during the month of August 2021, totalling \$24,082,000.

It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for August 2021 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 forming Attachments 1, 2 and 3 to Report CJ144-10/21, totalling \$24,082,000.

BACKGROUND

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

DETAILS

The table below summarises the payments drawn on the funds during the month of August 2021. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ144-10/21.

The vouchers for the month are appended as Attachment 3 to Report CJ144-10/21.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 111597-111612 & 111617 – 111632 & 111638 - 111672 & EF094410 – EF094640 & EF094646 & EF094647 & EF094650 – EF094944 Net of cancelled payments	\$19,529,845.23
	Vouchers 3111A – 3120A	\$4,531,674.87
	Bond Refund Cheques & EFT Payments 111596 & 111613 -111616 & 111633-111637 & 111675 – 111676 & EF094009 & EF094641- EF094645 & EF094648 – EF094649 Net of cancelled payments.	\$20,479.90
Total		\$24,082,000.00

Issues and Options Considered

There are two options in relation to the list of payments.

Option 1

That Council declines to note the list of payments paid under delegated authority. The list is required to be reported to Council in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, and the payments listed have already been paid under the delegated authority. This option is not recommended.

Option 2

That Council notes the list of payments paid under delegated authority. This option is recommended.

Legislation / Strategic Community Plan / Policy Implications

Legislation

The Council has delegated to the Chief Executive Officer the exercise of its authority to make payments from the Municipal and Trust Funds, therefore in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is prepared each month showing each account paid since the last list was prepared.

Strategic Community Plan

Key theme Financial Sustainability.

Objective Effective management.

Strategic initiative Not applicable.

Policy Not applicable.

Risk Management Considerations

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

Financial / Budget Implications

All expenditure from the Municipal Fund was included in the Annual Budget as adopted or revised by Council.

Regional Significance

Not applicable.

Sustainability Implications

Expenditure has been incurred in accordance with budget parameters, which have been structured on financial viability and sustainability principles.

Consultation

Changes in the treatment of bonds received and repaid, from being held in the Trust Fund to now being reflected in the Municipal Fund, have arisen from a directive by the Office of the Auditor General.

COMMENT

All Municipal Fund expenditure included in the list of payments is incurred in accordance with the *2021-22 Budget* as adopted by Council at its meeting held on 15 June 2021 (CJ092-06/21 refers) or has been authorised in advance by the Mayor or by resolution of Council as applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Raftis, **SECONDED** Cr Fishwick that **NOTES** the Chief Executive Officer's list of accounts for August 2021 paid under Delegated Authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachments 1, 2 and 3 to Report CJ144-10/21, totalling \$24,082,000.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3brf211005.pdf](#)

CJ145-10/21**FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 AUGUST 2021**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBERS	07882,101515
ATTACHMENTS	Attachment 1 Financial Activity Statement Attachment 2 Investment Summary Attachment 3 Supporting Commentary
AUTHORITY/ DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For Council to note the Financial Activity Statement for the period ended 31 August 2021.

EXECUTIVE SUMMARY

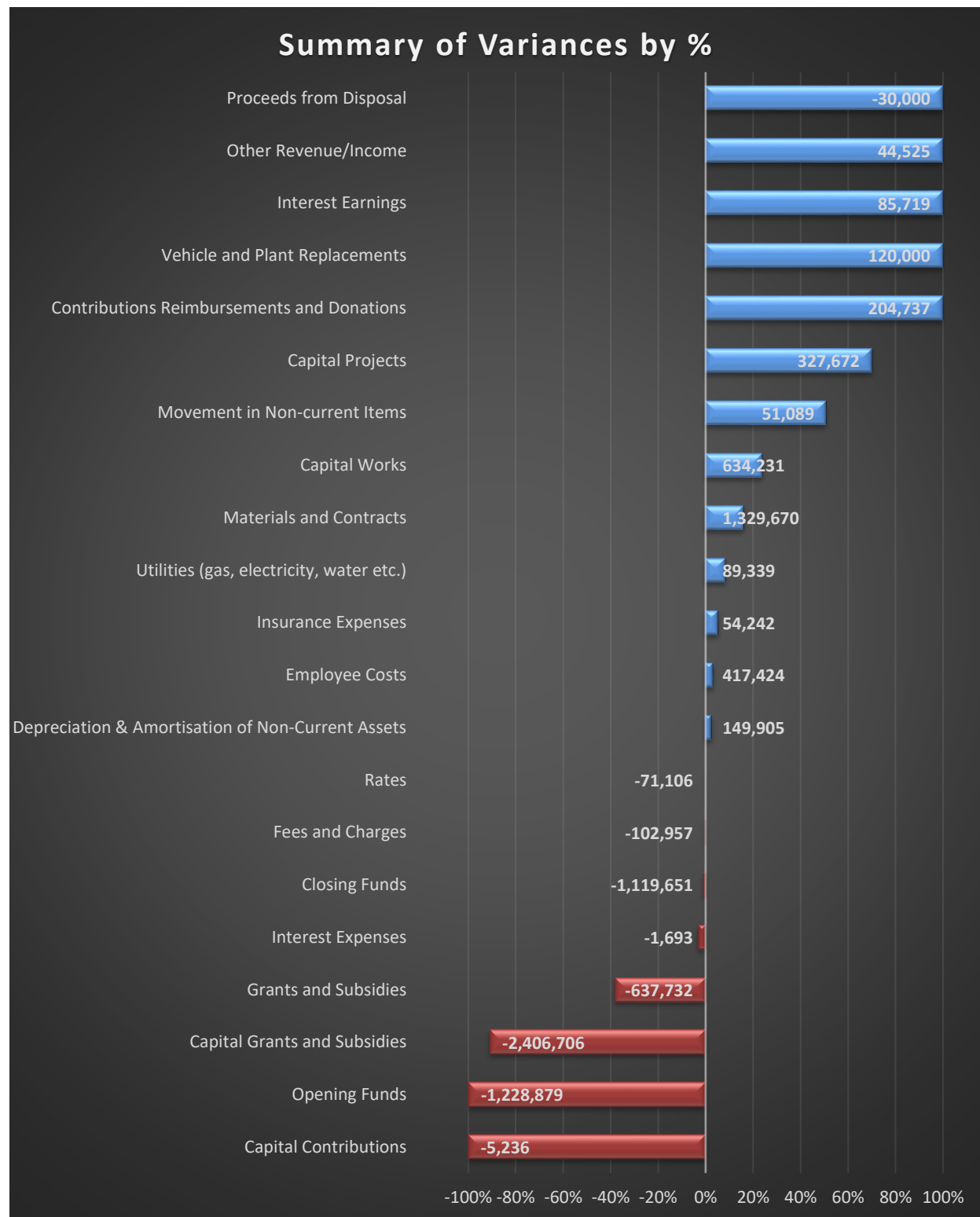
At its meeting held on 15 June 2021 (CJ092-06/21 refers), Council adopted the *2021-22 Annual Budget*. Council subsequently amended the budget at its meeting held on 17 August 2021 (CJ131-08/21 refers). The figures in the report are compared to the adopted budget (as amended).

The August 2021 Financial Activity Statement Report shows an overall unfavourable variance of (\$1,119,651) from operations and capital, after adjusting for non-cash items.

It should be noted that this variance does not represent a projection of the end of year position. It represents the year-to-date position to 31 August 2021 and results from a number of factors identified in the report, including the opening funds position which is subject to the finalisation of the *2020-21 Annual Financial Statements*.

There are a number of factors influencing the unfavourable variance, but it is predominantly due to timing of revenue and expenditure compared to the budget estimate in August and the finalisation of 2020-21 end of year process which has meant that the opening funds total is currently not included. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

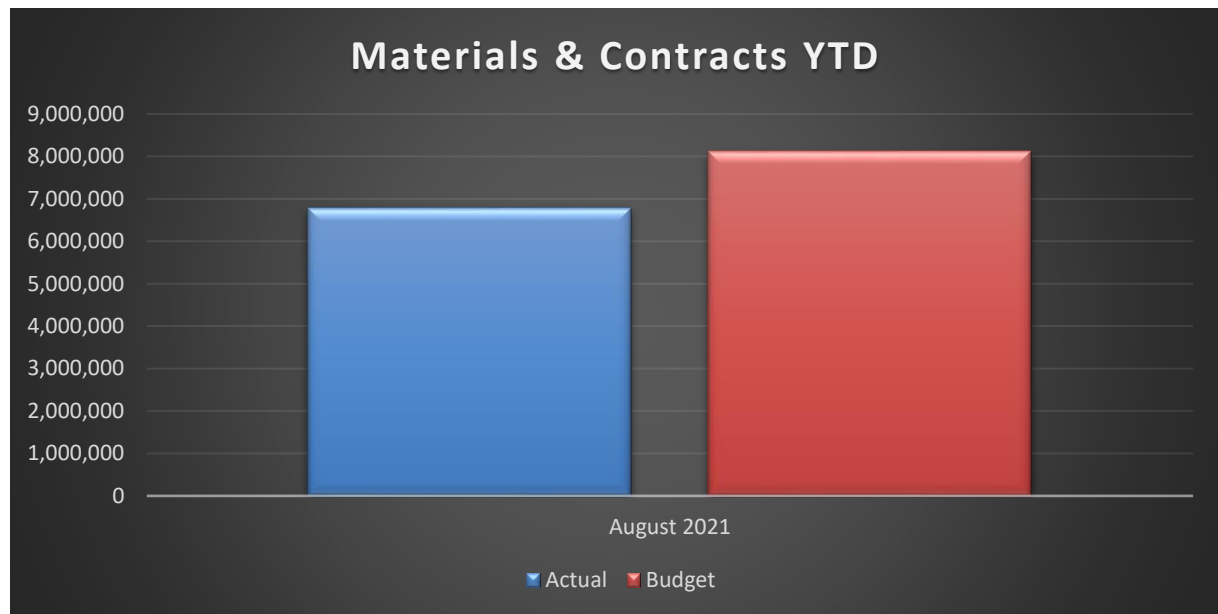
The key elements of the variance are summarised below:



The significant variances for August were:

Materials and Contracts

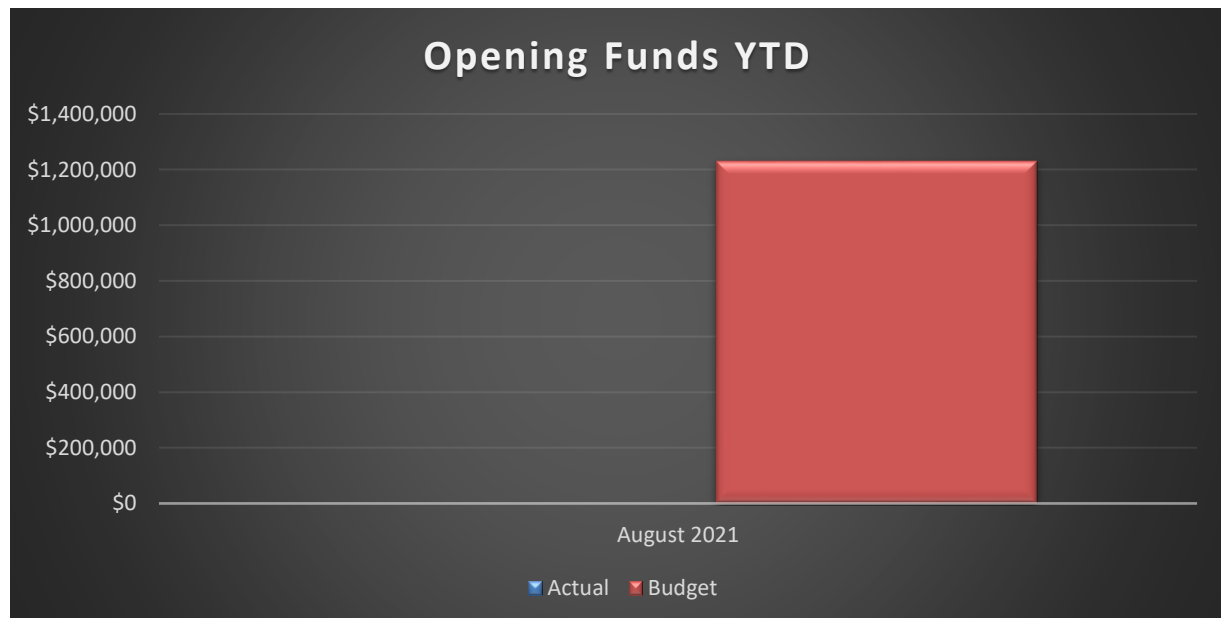
\$1,329,670



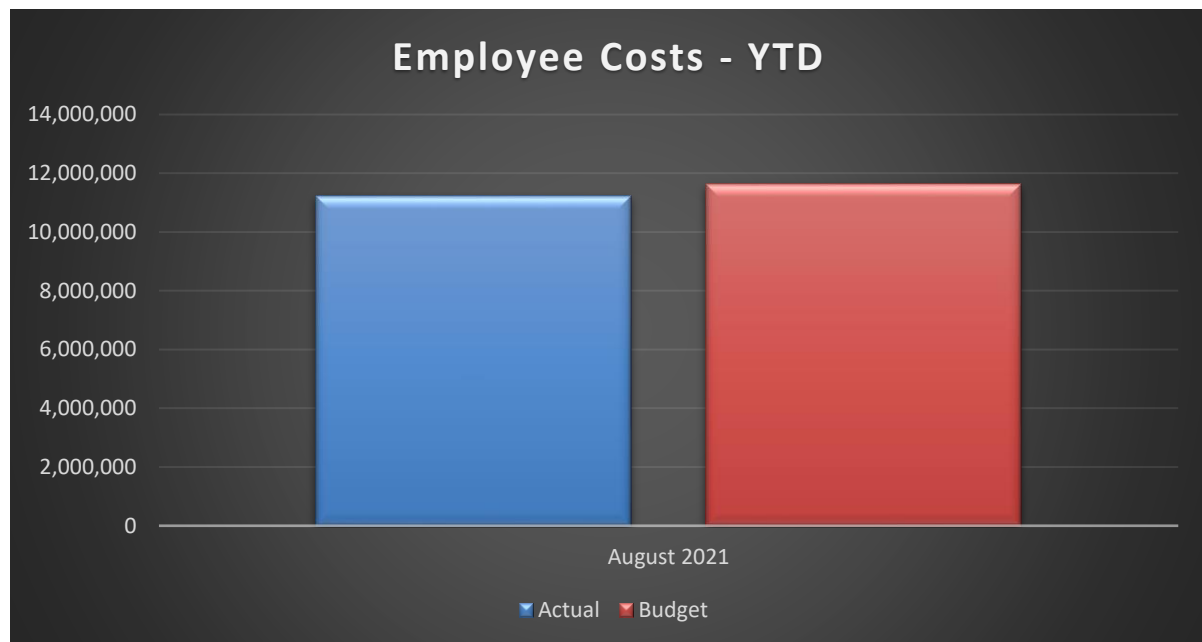
Materials and Contracts expenditure is \$1,329,670 below budget. This is spread across a number of different areas including External Service Expenses \$712,531, Other Materials \$125,173, Professional Fees and Costs \$91,692, Public Relations, Advertising and Promotions \$80,156, Travel Vehicles and Plant \$65,843 and Telephones and Communication \$63,221.

Opening Funds

(\$1,228,879)



Opening Funds for August 2021 is \$1,228,879 below budget. The variation in the Closing Funds for the period ended 30 June 2021 is prior to end of year adjustments being processed. The final balance will be available after the Financial Statements for 2020-21 have been audited.

Employee Costs**\$417,424**

Employee Costs expenditure is \$417,424 below budget. Favourable variances predominantly arose from vacancies in various areas.

It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 August 2021 forming Attachment 1 to Report CJ145-10/21.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires a monthly Financial Activity Statement. At its meeting held on 11 October 2005 (CJ211-10/05 refers), Council approved to accept the monthly Financial Activity Statement according to nature and type classification.

DETAILS**Issues and Options Considered**

The Financial Activity Statement for the period ended 31 August 2021 is appended as Attachment 1 to Report CJ145-10/21.

Legislation / Strategic Community Plan / Policy Implications**Legislation**

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires the local government to prepare each month a statement of financial activity reporting on the source and application of funds as set out in the annual budget.

Strategic Community Plan

Key theme	Financial Sustainability.
Objective	Effective management.
Strategic initiative	Not applicable.
Policy	Not applicable.

Risk Management Considerations

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure from its municipal funds for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council.

Financial / Budget Implications

All amounts quoted in Report CJ145-10/21 are exclusive of GST.

Regional Significance

Not applicable.

Sustainability Implications

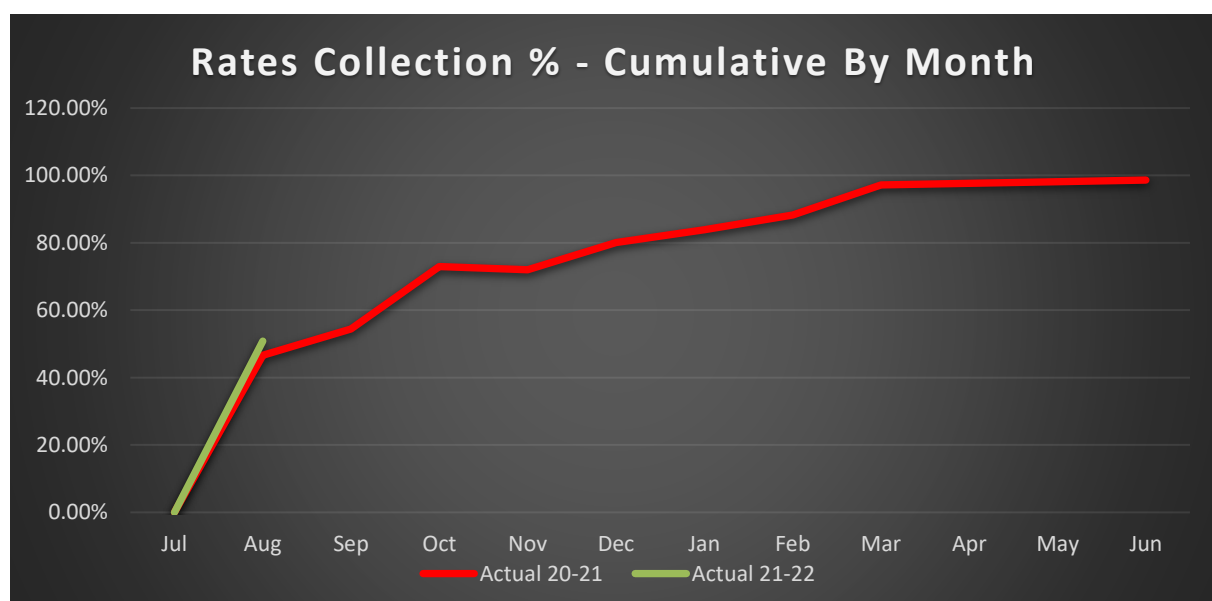
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

Consultation

In accordance with section 6.2 of the *Local Government Act 1995*, the Annual Budget was prepared having regard to the Strategic Financial Plan, prepared under Section 5.56 of the *Local Government Act 1995*.

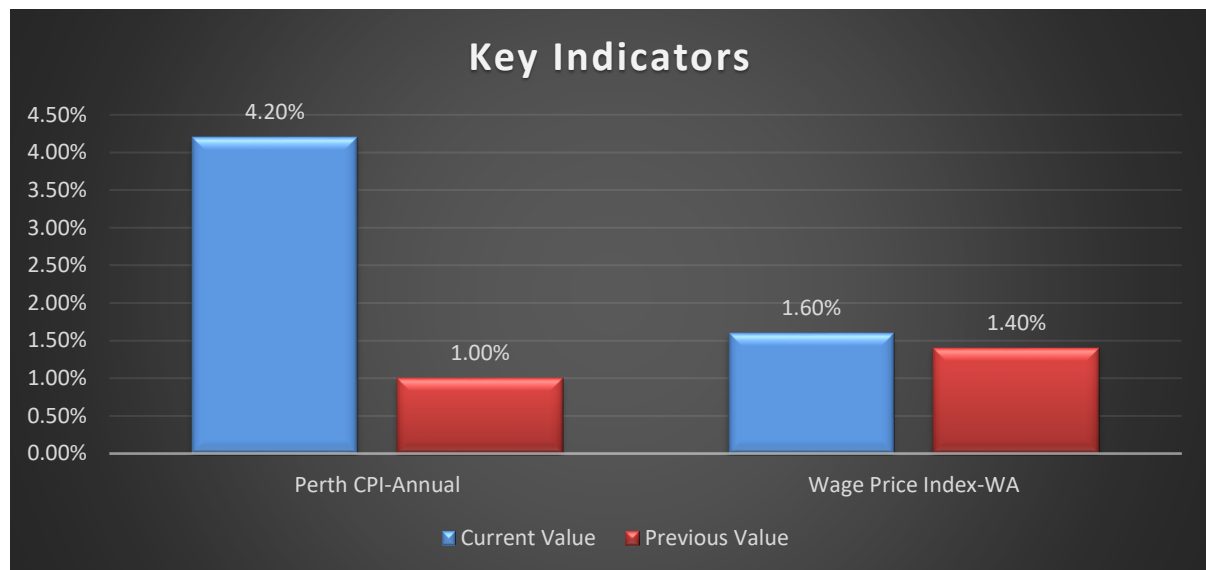
KEY INDICATORS

Rates Collection



Rates collections as a percentage of rates issued (debtors) is marginally higher than the prior year at the end of August.

Economic Indicators



During July the Perth CPI for the second quarter of 2021 was released. This saw a significant rebound that has been reflected across all other capital cities, although this may be the effect of coming off a very low index for the corresponding period in the previous year. The index published in the next quarter is likely to provide a clearer indication of inflationary pressure. The latest wages data from the WA Treasury also shows a lift in the year-on-year WA Wage Price Index at the end of the first quarter.

COMMENT

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the adopted *2021-22 Budget* (as amended) or has been authorised in advance by Council where applicable.

VOTING REQUIREMENTS

Simple Majority.

MOVED Mayor Jacob, SECONDED Cr Jones that Council NOTES the Financial Activity Statement for the period ended 31 August 2021 forming Attachment 1 to Report CJ145-10/21.

The Motion was Put and CARRIED (13/0) by Exception Resolution after consideration of CJ147-10/21, page 27 refers.

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4brf211005.pdf](#)

Disclosures of Interest Affecting Impartiality

Name / Position	Mayor Hon. Albert Jacob, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Mayor Jacob is vice-patron of the tenderer, Surf Lifesaving WA.

Name / Position	Cr Russ Fishwick, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Fishwick is Senior Assessor for Surf Life Saving WA. Board Members and staff at Surf Life Saving WA are known to Cr Fishwick. Cr Fishwick is a member of Trigg Surf Life Saving Club and is Vice Patron of Sorrento Surf Life Saving Club.

Name / Position	Cr Christine Hamilton-Prime, JP.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Hamilton-Prime is a member of the Sorrento Surf Life Saving Club; Vice Patron of Sorrento Surf Life Saving Club (President); and endorsed by Ron Morris at the upcoming election.

Name / Position	Cr Philippa Taylor.
Item No. / Subject	CJ146-10/21 - Tender 017/21 Provision of Beach Lifeguard Patrol Services.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	An employee of the Surf Life Saving Club is known to Cr Taylor.

CJ146-10/21 TENDER 017/21 PROVISION OF BEACH LIFEGUARD PATROL SERVICES

WARD	North-Central South-West
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBERS	109589, 101515
ATTACHMENTS	Attachment 1 Summary of Tender Submission Attachment 2 Confidential Tender Summary
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.

PURPOSE

For Council to accept the tender submitted by Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services.

EXECUTIVE SUMMARY

Tenders were advertised on 31 July 2021 through state-wide public notice and published by Tenderlink for the provision of beach lifeguard patrol services. Tenders closed on 17 August 2021. A submission was received from Surf Life Saving Western Australia Incorporated.

The submission from Surf Life Saving Western Australia Incorporated represents value to the City. It demonstrated a thorough understanding and appreciation of the City's requirements. It has extensive experience providing similar beach lifeguard patrol services to various government agencies in Western Australia including the Department of Primary Industries and Regional Development (The Basin located at Rottnest Island, Meelup Beach and Bunker Bay), Town of Cambridge (City Beach) and Shire of Augusta-Margaret River (River Mouth Beach). It has been providing beach lifeguard patrol services for the City to beaches located in Sorrento, Hillarys Marina and Mullaloo since 2002. Surf Life Saving Western Australia Incorporated is well established with significant industry experience and proven capacity to provide the services to the City.

It is therefore recommended that Council ACCEPTS the tender submitted by Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services as specified in Tender 017/21 for the fixed lump sum of \$213,179 (excluding GST) for the first season and submitted schedule of rates for additional services, with any price variations in seasons two and three subject to the percentage change in the Perth CPI (All Groups).

BACKGROUND

The City has a requirement for the provision of beach lifeguard patrol services to the City's beaches located in Sorrento, Hillarys Marina and Mullaloo. The services include identification and demarcation of designated swimming areas, the patrol of those areas, provision of advice to beach patrons, dealing with emergency situations and reporting offences at the following three patrol areas and hours:

- Patrol Area 1 – Sorrento Beach (8.00am to 5.00pm).
- Patrol Area 2 – Hillarys Marina Beach / Boat Harbour (8.00am to 6.00pm).
- Patrol Area 3 – Mullaloo Beach (8.00am to 5.00pm).

Each patrol area must have two staff on duty during the specified patrol hours. The hours of patrol may be varied to meet particular needs subject to the agreement of both parties. Maximum number of hours: 3,472 per season (total of all three beaches).

The patrol days are to occur Monday to Friday (excluding public holidays) within the following date range periods:

- Season 1 Monday 6 December 2021 to Friday 4 March 2022.
- Season 2 Monday 5 December 2022 to Friday 3 March 2023.
- Season 3 Monday 4 December 2023 to Friday 1 March 2024.

The City had a contract in place with Surf Life Saving Western Australia for beach lifeguard patrol services 2020-21 summer season via a unique / specialist supplier process and it had been contracted under this process since 2014. A tender process was undertaken this time to test the market.

Tender assessment is based on the best value for money concept. Best value is determined after considering whole of life costs, fitness for purpose, tenderers' experience and performance history, productive use of City resources and other environmental or local economic factors.

DETAILS

The tender for the provision of beach lifeguard patrol services was advertised through state-wide public notice and published by Tenderlink on 31 July 2021. The tender period was for two weeks and tenders closed on 17 August 2021.

Tender Submission

A submission was received from Surf Life Saving Western Australia Incorporated.

A summary of the tender submission including the location of the tenderer is provided in Attachment 1 to Report CJ146-10/21.

A confidential tender summary is provided in Attachment 2 to Report CJ146-10/21.

Evaluation Panel

The evaluation panel comprised three members, being:

- one with tender and contract preparation skills
- two with the appropriate operational expertise and involvement in supervising contracts.

The panel carried out the assessment of the submission in accordance with the City's evaluation process in a fair and equitable manner.

Evaluation Method and Weighting

The qualitative weighting method of tender evaluation was selected to evaluate the offer for this requirement. Prior to assessment of the submission, a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the tenderer to satisfactorily deliver the services.

The standard minimum acceptable qualitative score for tenders at the City is 50%, but the specific circumstances of tender requirements may, from time to time, require the minimum score to be set higher than 50%, where the specification has complex design or technical requirements. Due to the simple nature of the proposed services, the predetermined minimum acceptable qualitative score for this tender was therefore set at 50%.

The qualitative criteria and weighting used in evaluating the submission received were as follows:

Qualitative Criteria		Weighting
1	Capacity	40%
2	Demonstrated understanding of the required tasks	30%
3	Demonstrated experience in providing similar services	25%
4	Social and economic effects on the local community	5%

Compliance Assessment

The submission received was assessed as compliant and remained for further consideration.

Qualitative Assessment

Surf Life Saving Western Australia Incorporated scored 85.9% in the qualitative assessment. It has extensive experience providing similar beach lifeguard patrol services to various government agencies in Western Australia including the Department of Primary Industries and Regional Development (The Basin located at Rottnest Island, Meelup Beach and Bunker Bay), Town of Cambridge (City Beach) and Shire of Augusta-Margaret River (River Mouth Beach). It has been providing beach lifeguard patrol services for the City to beaches located in Sorrento, Hillarys Marina and Mullaloo since 2002. It demonstrated a thorough understanding and appreciation of the City's requirements. Surf Life Saving Western Australia Incorporated is well established with significant industry experience and proven capacity to provide the services to the City.

Given the minimum acceptable qualitative score of 50%, Surf Life Saving Western Australia Incorporated qualified for stage two of the assessment.

Price Assessment

The panel carried out a comparison of the lump sum prices offered by the tenderer and the previous contract rates for 2020-21 summer season in order to assess value for money to the City.

The lump sum price is fixed for the first season (first year of the contract) but is subject to a price variation in seasons two and three (years two and three of the contract) to a maximum of the Consumer Price Index (CPI) for the preceding year. For estimation purposes, a 2% CPI increase was applied to the rates in seasons two and three.

Tenderer	Year 1 (Season 1)	Year 2 (Season 2)	Year 3 (Season 3)	Total (Seasons 1, 2 and 3)
Surf Life Saving Western Australia Incorporated	\$213,179	\$217,443	\$221,792	\$652,414

During 2020-21, the City incurred \$202,097 for beach lifeguard patrol services. The City is expected to incur in the order of \$652,414 over the three-year contract period.

Evaluation Summary

Tenderer	Weighted Percentage Score	Qualitative Ranking	Estimated Total Price (Seasons 1, 2 and 3)	Price Ranking
Surf Life Saving Western Australia Incorporated	85.9%	Not applicable	\$652,414	Not applicable

Based on the evaluation result the panel concluded that the tender from Surf Life Saving Western Australia Incorporated provides value to the City and is therefore recommended.

Issues and Options Considered

The City has a requirement for the provision of beach lifeguard patrol services to the City's beaches located in Sorrento, Hillarys Marina and Mullaloo. The City does not have the internal resources to provide the required services and requires the appropriate external contractor to undertake the works.

Legislation / Strategic Community Plan / Policy Implications

Legislation A state-wide public tender was advertised, opened and evaluated in accordance with regulations 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be more, or worth more, than \$250,000.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Community safety.

Strategic initiative Build a community that works in partnership with government and non-government organisations to achieve real and long-lasting improvements in safety and wellbeing.

Policy Not applicable.

Risk Management Considerations

Should the contract not proceed, the risk to the City will be moderate as the City would have no lifeguard presence on the City's beaches during weekdays which may impact on the safety of beach patrons.

It is considered that the contract will represent a low risk to the City as the recommended tenderer is well established with significant industry experience and proven capacity to provide the services to the City.

Financial / Budget Implications

Account no.	443-A4408-3359-4020.
Budget Item	Beach Lifeguard Patrol Services.
Budget amount	\$ 206,138
Amount spent to date	\$ 0
Proposed cost	\$ 213,179
Balance	\$ (\$7,041)

The tender exceeds the budget amount of \$206,138. Additional funds to cover the funding gap will be sought at the 2021-22 Mid-Year Budget Review.

All amounts quoted in Report CJ146-10/21 are exclusive of GST.

Regional Significance

Not applicable.

Sustainability Implications

The provision of a mid-week beach lifeguard patrol service ensures the safety of beach patrons on City beaches.

Consultation

Not applicable.

COMMENT

The evaluation panel carried out the evaluation of the submission in accordance with the City's evaluation process and concluded that the offer submitted by Surf Life Saving Western Australia Incorporated represents value to the City.

The City provides a lifeguard patrol service at these beaches during the week to complement the service provided by surf club volunteers on weekends.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Fishwick, SECONDED Cr Hamilton-Prime that Council ACCEPTS the tender submitted by Surf Life Saving Western Australia Incorporated for the provision of beach lifeguard patrol services as specified in Tender 017/21 for the fixed lump sum of \$213,179 (excluding GST) for the first season and submitted schedule of rates for additional services, with any price variations in seasons two and three subject to the percentage change in the Perth CPI (All Groups).

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5brf211005.pdf](#)

Disclosure of Interest Affecting Impartiality

Name / Position	Cr John Logan.
Item No. / Subject	CJ147-10/21 - 2021-22 Budget Amendment - Grant Funding for Capital Works.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Cr Logan is a member of the Kingsley Amateur Football Club and is known to members of other sports and community groups who support installing an awning at Kingsley Memorial Clubrooms and new cricket nets at Barridale Park.

CJ147-10/21 2021-22 BUDGET AMENDMENT – GRANT FUNDING FOR CAPITAL WORKS

WARD	All
RESPONSIBLE DIRECTOR	Mr Mat Humfrey Corporate Services
FILE NUMBERS	109072, 101515
ATTACHMENT	Nil
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.

PURPOSE

For Council to approve amendments to the adopted *2021-22 Budget* reflecting new grants arising from 2021 State Government Election Commitments.

BACKGROUND

At the recent State Government election, the State Government made several funding commitments for various projects within the City of Joondalup.

Grant funding agreements have now been received from the Department of Local Government, Sport and Cultural Industries (DLGSCI) reflecting the commitment made to some of these projects. Initial and progressive grant payments will be received according to the milestones set out in each separate agreement. None of these projects are currently listed within the *2021-22 Adopted Budget*. It is therefore necessary to amend the budget to include these projects into the 2021-22 capital expenditure to ensure they are completed within the timeframe stipulated within the grant agreements.

DETAILS

The City has received five DLGSCI grant separate agreements in respect of the projects listed below. A review of the agreements indicates that only one of the projects will require a contribution from the City. The remaining projects are expected to be fully funded by the grants allocated to each project.

Project Name	Required Completion Date	Grant Allocated	COJ / Club Contribution	Project Type	Total Project Budget
Sorrento Football Club Facility Upgrade	15 June 2023	\$1,000,000	\$0	Capital Works	\$1,000,000
Mobile CCTV Cameras	15 June 2022	\$150,000	\$0	Capital Projects	\$150,000
Windermere Park Upgrade cricket training nets and lighting	15 June 2022	\$80,000	\$0	Capital Works	\$80,000
Barridale Park Installation of additional cricket nets	15 June 2022	\$30,000	\$0	Capital Works	\$30,000
Kingsley Football Club Awning	15 June 2022	\$60,000	\$15,000 – COJ \$18,182 - Club	Capital Works	\$93,182
Total		\$1,320,000	\$33,182		\$1,353,182

As indicated in the table above the Kingsley Football Club Awning project will require a small contribution from the City towards the project to build an undercover area onto the existing club rooms. The City contribution is due to a request by the City to incorporate improved stormwater capture into the footprint of the proposed covered area.

The Sorrento Football Club Facility Upgrade the grant funds both the design and construction of the project. The FIFA Women's World Cup 2023 is being jointly hosted by Australia and New Zealand, and the Sorrento Football Club has been included as a training venue for participating teams. The proposed construction is scheduled to commence in July 2022 with completion anticipated in March 2023 prior to the FIFA Women's World Cup in July 2023.

Issues and Options Considered

Option 1 – Do not amend the adopted 2021-22 Budget

Council can choose not to amend the adopted 2021-22 Budget. This would restrict the City's ability to incur the necessary expenditure to complete these projects within the grant agreement timeframes.

This option is not recommended.

Option 2 – Amend the adopted 2021-22 Budget

Council can choose to amend the adopted 2021-22 Budget. This will allow the City to incur the necessary expenditure to complete the identified State Government Election Commitments within the grant agreement conditions.

This option is recommended.

Legislation / Strategic Community Plan / Policy Implications**Legislation**

Section 6.8 of the *Local Government Act 1995*.

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency*
- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*

** Absolute majority required.*

Strategic Community Plan**Key theme**

Financial Sustainability.

Objective

Effective management.

Strategic initiative

Not applicable.

Policy

Not applicable.

Risk Management Considerations

The City's ability to complete the designated projects within the grant agreement timeframes will be impacted in without the approval to incur the necessary expenditure. The amendment is essential to ensure the City is able to meet the grant funding requirements.

Any delays in progressing the Sorrento Football Club facility upgrade may jeopardise the use of the facility as a training option for the FIFA Women's World Cup 2023.

Financial / Budget Implications

The total additional expenditure required in 2021-22 for the designated projects is \$1,353,182 which comprises:

- \$1,203,182 to be added to *Capital Works Program* in the adopted 2021-22 Budget
- \$150,000 to be added to Capital Projects in the adopted 2021-22 Budget.

The value of grants approved to fund these projects is \$1,320,000. The remaining \$33,182 is a combination of a contribution of \$18,182 from the Kingsley Football Club and \$15,000 to be contributed by the City which is expected to be met by savings identified during the Mid-Year Budget Review.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

The State Government has approved grants to be provided to the City for projects that were identified for support as part of state election commitments. The amendments proposed to the adopted *2021-22 Budget* will allow the City to incur the necessary expenditure to complete these projects as required under the grant agreements.

VOTING REQUIREMENTS

Absolute Majority.

MOVED Cr Logan, **SECONDED** Cr Chester that Council **BY AN ABSOLUTE MAJORITY:**

- 1 **AMENDS** the adopted *2021-22 Budget* by the addition of \$1,203,182 to the *Capital Works Program* for the following projects:
 - 1.1 Sorrento Football Club Facility Upgrade \$ 1,000,000;
 - 1.2 Windermere Park Upgrade cricket training nets and lighting \$ 80,000;
 - 1.3 Barridale Park Installation of additional cricket nets \$ 30,000;
 - 1.4 Kingsley Football Club Awning \$ 93,182;
- 2 **AMENDS** the adopted *2021-22 Budget* by the addition of \$150,000 for the following Capital Project:
 - 2.1 Mobile CCTV cameras \$ 150,000;
- 3 **AMENDS** the adopted *2021-22 Budget* to add \$1,338,182 to Non-operating Grant, Subsidies and Contributions revenue;
- 4 **NOTES** that the City's contribution of \$15,000 towards the Kingsley Football Club Awning project will be met from savings / surplus funds to be identified during the 2021-22 Mid-Year Budget Review process.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

C110-10/21**COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION**

MOVED Mayor Jacob, **SECONDED** Cr Jones that pursuant to the *City of Joondalup Meeting Procedures Local Law 2013* – Clause 4.8 – Adoption by exception resolution, Council **ADOPTS** the following items:

CJ142-10/21, CJ143-10/21 and CJ145-10/21.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

REPORTS - CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE - 28 SEPTEMBER 2021

Disclosure of Financial Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Disclosure of Interest Affecting Impartiality

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

CJ148-10/21

CONFIDENTIAL - CHIEF EXECUTIVE OFFICER CONCLUDED ANNUAL PERFORMANCE REVIEW

WARD

All

RESPONSIBLE DIRECTOR

Mr Jamie Parry
Governance and Strategy

FILE NUMBERS

74574, 108783

ATTACHMENTS

Attachment 1 Chief Executive Officer KPI's for 2021-22
Attachment 2 Chief Executive Officer Confidential
Concluded Annual Performance Review
Report

*(Please Note: The Report and Attachments are
Confidential and will appear in the official
Minute Book only)*

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 Item was dealt with later in the meeting, after 'Motions of Which Previous Notice has been Given', page 33 refers.

Disclosure of Financial Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Disclosure of Interest Affecting Impartiality

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

CJ149-10/21**CONFIDENTIAL - SALARY REVIEW - CHIEF EXECUTIVE OFFICER****WARD**

All

RESPONSIBLE DIRECTORMr Jamie Parry
Governance and Strategy**FILE NUMBERS**

74574, 108783

ATTACHMENT

Attachment 1 Salaries and Allowances Tribunal determination (distributed under separate cover)

*(Please Note: The Report and Attachments are Confidential and will appear in the official Minute Book only)***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 Item was dealt with later in the meeting, after 'Motions of Which Previous Notice has been Given', page 35 refers.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**C1111-10/21 NOTICE OF MOTION NO. 1 – CR HAMILTON-PRIME, JP –
IMPLEMENT THE INSTALLATION OF WARNING SIGNS IN THE
CITY OF JOONDALUP DURING MAGPIE SWOOPING SEASON**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Hamilton-Prime has given notice of her intention to move the following Motion at the Council meeting to be held on 12 October 2021:

That the Council REQUESTS the Chief Executive Officer to implement the installation of warning signs in the City of Joondalup during magpie swooping season, signs to be displayed in identified problem ‘hotspots’ to help residents to be informed and avoid dangerous incidents with magpies and potential injuries.

REASON FOR MOTION

With recent injuries to residents and children from swooping magpies protecting their young, it is appropriate from a community safety standpoint to install signs warning of active swooping areas in suburbs for the duration of the swooping season, and the signs are to be removed at the conclusion of each season.

The intent is to allow signage to be installed in response to residents contacting the City administration identifying problem hotspot locations.

The installation of signage in other local government areas has proven to be effective in helping residents and children avoid dangerous incidents with magpies by alerting them to dangerous hotspots.

OFFICER’S COMMENT

Given the short nesting season of the magpies (approximately six to eight weeks per year, between the months of August and November) it has been the City’s preference not to install magpie warning signs on the road reserve or within parks. The City, however, currently has 20 corflute signs which have been utilised in the past and as such this request can be supported.

It should also be noted that the City provides a “native fauna awareness” public notice on its website at the beginning of spring; [Native fauna awareness](#) and has recently implemented a “Swooping Magpies” information page [Magpies - Swooping](#).

Cr Taylor left the Chamber at 8.01pm and returned at 8.04pm.

MOVED Cr Hamilton-Prime, SECONDED Cr Chester that the Council REQUESTS the Chief Executive Officer to implement the installation of warning signs in the City of Joondalup during magpie swooping season, signs to be displayed in identified problem 'hotspots' to help residents to be informed and avoid dangerous incidents with magpies and potential injuries.

The Motion was Put and

CARRIED (10/3)

In favour of the Motion: Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Logan, May, McLean, Poliwka, Raftis and Taylor.

Against the Motion: Mayor Jacob, Crs Jones and Thompson.

C112-10/21 MOTION TO CLOSE MEETING TO MEMBERS OF THE PUBLIC

MOVED Mayor Jacob, SECONDED Cr Jones that Council:

- 1** in accordance with Section 5.23(2)(a) of the *Local Government Act 1995* and clause 5.2(2) of the City's *Meeting Procedures Local Law 2013*, RESOLVES to close the meeting to members of the public to consider the following items:
 - 1.1** CJ148-10/21 – Confidential – Chief Executive Officer Concluded Annual Performance Review;
 - 1.2** CJ149-10/21 – Confidential – Salary Review – Chief Executive Officer;
- 2** PERMITS the following employees to remain in the Chamber during discussion on Item CJ148-10/21 – Confidential – Chief Executive Officer Concluded Annual Performance Review and Item CJ149-10/21 – Confidential – Salary Review – Chief Executive Officer while the meeting is sitting behind closed doors as detailed in Part 1.1 and 1.2 above:
 - 2.1** Chief Executive Officer, Mr James Pearson;
 - 2.2** Director Governance and Strategy, Mr Jamie Parry;
 - 2.3** Manager Governance, Mrs Kylie Bergmann;
 - 2.4** Governance Coordinator, Mrs Vivienne Stampalija.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Members of the staff (with the exception of the Chief Executive Officer, Director Governance and Strategy, Manager Governance and Governance Coordinator) and members of the public left the Chambers at this point; the time being 8.05pm.

Disclosure of Financial Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Disclosure of Interest Affecting Impartiality

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ148-10/21 - Confidential - Chief Executive Officer Concluded Annual Performance Review.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

CJ148-10/21**CONFIDENTIAL - CHIEF EXECUTIVE OFFICER
CONCLUDED ANNUAL PERFORMANCE
REVIEW****WARD**

All

**RESPONSIBLE
DIRECTOR**Mr Jamie Parry
Governance and Strategy**FILE NUMBERS**

74574, 108783

ATTACHMENTS

Attachment 1 Chief Executive Officer KPI's for 2021-22
Attachment 2 Chief Executive Officer Confidential
Concluded Annual Performance Review
Report

*(Please Note: The Report and Attachments are
Confidential and will appear in the official
Minute Book only)*

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)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- *a matter affecting an employee or employees.*

A full report was provided to Elected Members under separate cover. The report is not for publication.

MOVED Cr Fishwick, SECONDED Cr May that Council ADOPTS the:

- 1 Chief Executive Officer Recruitment and Performance Review Committee's Confidential Concluded Annual Performance Review Report as detailed in Attachment 2 to Report CJ148-10/21, and endorses the overall rating of 'met or exceeded' the performance requirements set by Council for the period ending 30 June 2021;**
- 2 Chief Executive Officer Key Performance Indicators for the 2021-22 review period as detailed in Attachment 1 to Report CJ148-10/21.**

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Disclosure of Financial Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Disclosure of Interest Affecting Impartiality

Name / Position	Mr Jamie Parry, Director Governance and Strategy.
Item No. / Subject	CJ149-10/21 - Confidential - Salary Review - Chief Executive Officer.
Nature of Interest	Interest that may affect impartiality.
Extent of Interest	Due to the nature of Mr Parry's employment relationship with the Chief Executive Officer.

CJ149-10/21**CONFIDENTIAL - SALARY REVIEW - CHIEF EXECUTIVE OFFICER****WARD**

All

RESPONSIBLE DIRECTORMr Jamie Parry
Governance and Strategy**FILE NUMBERS**

74574, 108783

ATTACHMENT

Attachment 1 Salaries and Allowances Tribunal determination (distributed under separate cover)

*(Please Note: The Report and Attachments are Confidential and will appear in the official Minute Book only)***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)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- *a matter affecting an employee or employees.*

A full report was provided to Elected Members under separate cover. The report is not for publication.

MOVED Cr Fishwick, SECONDED Cr McLean that Council:

- 1 ACKNOWLEDGES that the Salaries and Allowances Tribunal has determined that the Local Government Band Classifications have been increased by 0.5% to reflect the increase in the Superannuation Guarantee from 9.5% to 10%, effective from 1 July 2021;**
- 2 ADOPTS the Chief Executive Officer's Total Reward Package for the 2021 salary review remaining at \$360,555.**

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

C113-10/21 MOTION TO OPEN MEETING TO MEMBERS OF THE PUBLIC

MOVED Mayor Jacob, **SECONDED** Cr Hollywood that in accordance with clause 5.2(3)(b) of the *City of Joondalup Meeting Procedures Local Law 2013*, the Council meeting now be **REOPENED TO THE PUBLIC**.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

Doors opened at 8.09pm. No members of the public or press were present.

C114-10/21 RESUME ORDER OF BUSINESS

MOVED Mayor Jacob, **SECONDED** Cr Hamilton-Prime that Council **RESUMES** the operation of clause 4.3 of the *City of Joondalup Meeting Procedures Local Law 2013 – Order of Business*.

The Motion was Put and

CARRIED (13/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Fishwick, Hamilton-Prime, Hollywood, Jones, Logan, May, McLean, Poliwka, Raftis, Taylor and Thompson.

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

CLOSURE

There being no further business, the Mayor declared the Meeting closed at 8.10pm the following Elected Members being present at that time:

MAYOR HON. ALBERT JACOB, JP
CR JOHN CHESTER
CR RUSS FISHWICK, JP
CR CHRISTINE HAMILTON-PRIME, JP
CR KERRY HOLLYWOOD
CR NIGE JONES
CR JOHN LOGAN
CR CHRISTOPHER MAY
CR TOM McLEAN, JP
CR RUSSELL POLIWKA
CR JOHN RAFTIS
CR PHILIPPA TAYLOR
CR SUZANNE THOMPSON