

agenda

Special Meeting of Council

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

ON **MONDAY 1 NOVEMBER 2021**

COMMENCING AT **7.00pm**

PURPOSE OF MEETING

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

- Establishment of Council-created Committees and Appointments.
- Appointment of Representatives to External Committees and Boards and Internal Groups and Panels.

JAMES PEARSON
Chief Executive Officer
29 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

PUBLIC QUESTION TIME

Residents and / or ratepayers of the City of Joondalup are requested to lodge questions in writing by 9.00am on

Monday 1 November 2021.

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

Please Note: Section 7(4)(b) of the *Local Government (Administration) Regulations 1996* states that Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

COUNCIL MEETINGS

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

INTRODUCTION

The modern role of Council is to set policy and strategy, and provide goals and targets for the local government (the City). The employees, through the Chief Executive Officer, have the task of implementing the decisions of Council.

A well-structured decision-making process that has established protocols will provide the elected body with the opportunity to:

- have input into the future strategic direction set by Council
- seek points of clarification
- ask questions
- be given adequate time to research issues
- be given maximum time to debate matters before Council,

and ensures that the elected body is fully informed to make the best possible decisions for the City of Joondalup community.

PURPOSE OF COUNCIL MEETINGS

Council Meetings will involve Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate) and will be open to the public. Council Meetings are formal meetings where Elected Members consider and make decisions on matters.

PROCEDURES FOR COUNCIL MEETINGS

The following procedures will apply to Council Meetings that are conducted by the City.

- 1 Council Meetings will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
- 2 Dates and times for Council Meetings will be set well in advance where practicable, and appropriate notice given to the public.
- 3 The Chief Executive Officer will ensure timely written notice and an agenda for each Council Meeting will be provided to all Elected Members, members of the public and external advisors (where appropriate).

- 4 The Mayor is to be the Presiding Member at Council Meetings. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Council Meetings. If the Deputy Mayor is unable or unwilling, those Elected Members present may select one from amongst themselves to preside at the Council Meeting.
- 5 There is to be no debate among Elected Members on any matters raised during the Council Meeting.
- 6 Relevant employees of the City will be available to respond to questions on matters listed on the agenda for the Council Meeting.
- 7 All Elected Members will be given a fair and equal opportunity to participate in the Council Meeting.
- 8 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
- 9 Good governance principles recommend that Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Council Meetings. When disclosing an interest the following provisions apply:
 - (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Model Code of Conduct) Regulations 2021* and the City's *Code of Conduct*.
 - (b) Elected Members disclosing a financial interest or a proximity interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
 - (c) The remaining Elected Members may agree that an Elected Member disclosing a financial or proximity interest may participate in discussion on the matter if the remaining Elected Members agree:
 - (i) is so trivial or insignificant as to be unlikely to influence the disclosing Elected Member's conduct in relation to the matter
or
 - (ii) is common to a significant number of electors and ratepayers of the City,and a record of that agreement is to be made in the minutes kept for the Council Meeting.
 - (d) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
- 10 A record shall be kept of all Council Meetings.

PROCEDURES FOR PUBLIC QUESTION TIME

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

Questions asked Verbally

- 1 Members of the public are invited to ask questions at Council Meetings.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public question time will be limited to two minutes per member of the public, with a limit of two verbal questions per person.
- 5 Statements are not to precede a question during public question time and questions must be succinct and to the point. Statements can only be made during public statement time.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a minimum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of Council, but the total time allocated for public questions to be asked and responses to be given is not to exceed 35 minutes in total. Public question time is declared closed following the expiration of the allocated time period, or earlier than such time where there are no further questions.
- 8 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee. The Presiding Member shall decide to:
 - accept or reject any question and their decision is final
 - nominate a City employee to respond to the question
 - or
 - take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.

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

Questions in Writing – (Residents and / or ratepayers of the City of Joondalup only)

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

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

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

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

- 1 Members of the public are invited to make public statements verbally at Council meetings.
- 2 Statements made at an Ordinary Council meeting must relate to a matter that affects the City of Joondalup. Statements made at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 A register will be provided for those persons wanting to make a statement to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public statement time will be limited to two minutes per person.
- 5 Members of the public are encouraged to keep their statements brief to enable everyone who desires to make a statement to have the opportunity to do so.
- 6 Public statement time will be allocated a maximum time of 15 minutes. Public statement time is declared closed following the 15 minute allocated time period, or earlier than such time where there are no further statements.
- 7 Statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.
- 8 Where an Elected Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not relate to a matter affecting the City, they may bring it to the attention of the Presiding Member who will make a ruling.
- 9 Statements will be summarised and included in the minutes of the Council meeting.

IMPORTANT INFORMATION

ATTENDANCE AT MEETINGS DURING STATE OF EMERGENCY

As the State is now in Phase 5 of the COVID-19 roadmap, public attendance numbers at City of Joondalup meetings has been changed accordingly, where public attendance at Briefing Sessions and Council Meetings are no longer restricted, and Council Chamber can be at full capacity.

There is no longer a requirement to pre-register to attend meetings or pre-register for public question time and / or public statement time. The registers for public question time and public statement time will be available in the lobby for interested residents to complete upon arrival.

There is still the requirement for the City to maintain a mandatory contact register. Residents are requested to scan the City of Joondalup SafeWA QR Code on entry to the Council Chamber or complete the manual contact register located in the lobby before entering Chamber.

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

- follow the direction of the Presiding Members and City employees when attending meetings
- maintain physical distancing where possible
- use the hand sanitiser that is provided by the City at the venue
- not attend a meeting should they feel unwell or if they have been in contact with a known COVID-19 case, or been overseas in the preceding two weeks
- download the SafeWA app from the [Apple App Store](#) or the [Google Play Store](#).

Members of the public are able to access audio of the proceedings at <https://joondalup.wa.gov.au/kb/resident/live-council-meeting-audio-feed>.

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

CIVIC CENTRE EMERGENCY PROCEDURES

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

Alarms

The City of Joondalup emergency system has two alarm tones:

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

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

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

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

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



CODE OF CONDUCT

Council Members and Committee Members are to observe the City's adopted *Code of Conduct for Council Members, Committee Members and Candidates*. The following general principles guide the behaviours of Council Members (being the Mayor and Councillors) and other committee members while performing their role at the City:

Personal Integrity

- (1) A council member or committee member should –
 - (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) identify and appropriately manage any conflict of interest; and
 - (e) avoid damage to the reputation of the City.
- (2) A council member or committee member should –
 - (a) act in accordance with the trust placed in council members and committee members; and
 - (b) participate in decision-making in an honest, fair, impartial and timely manner; and
 - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
 - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the City in relation to the performance of their role.

Relationship with others

- (1) A council member or committee member should –
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

Accountability

- A council member or committee member should –
- (a) base decisions on relevant and factually correct information; and
 - (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
 - (c) read all agenda papers given to them in relation to Council or Committee meetings, Briefing Sessions or Strategy Sessions; and
 - (d) be open and accountable to, and represent, the community in the district.

Employees are bound by the City's *Code of Conduct for Employees* which details similar provisions to be observed.

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CITY OF JOONDALUP

Notice is hereby given that a Special Meeting of the Council will be held in the Council Chamber, Joondalup Civic Centre, Boas Avenue, Joondalup on **Monday 1 November 2021** commencing at **7.00pm**.

JAMES PEARSON
Chief Executive Officer
29 October 2021

Joondalup
Western Australia

VISION

“A global City: bold, creative and prosperous.”

PRIMARY VALUES

- Transparent.
- Accountable.
- Honest.
- Ethical.
- Respectful.
- Sustainable.
- Professional.

DISTINGUISHING VALUES

Bold

We will make courageous decisions for the benefit of our community and future generations.

Ambitious

We will lead with strength and conviction to achieve our vision for the City.

Innovative

We will learn and adapt for changing circumstances to ensure we are always one step ahead.

Enterprising

We will undertake ventures that forge new directions for business and the local community.

Prosperous

We will ensure our City benefits from a thriving economy built on local commercial success.

Compassionate

We will act with empathy and understanding of our community's needs and ambitions.

AGENDA

DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

PUBLIC QUESTION TIME

(Please Note: Section 7(4)(b) of the *Local Government (Administration) Regulations 1996* states that a Council at a Special Meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.)

PUBLIC STATEMENT TIME

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

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved

Cr Nige Jones 2 November 2021 inclusive.

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

REPORT

JSC02-11/21 ESTABLISHMENT OF COUNCIL-CREATED COMMITTEES AND APPOINTMENTS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBERS	02153, 101515
ATTACHMENT	Attachment 1 2020 and 2021 Committee Meeting Comparisons
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 establish a committee structure and appoint elected member representatives to those committees.

EXECUTIVE SUMMARY

In accordance with the *Local Government Act 1995* Council can establish committees to assist with its decision-making functions and responsibilities. Following the biennial local government elections, it is usual practice for Council to appoint members to council-created committees.

Council is also requested to call the first meeting of its new committees to:

- enable a Presiding Member and Deputy Presiding Member to be appointed
- establish meeting dates where necessary for the remainder of 2021 to determine matters prior to Council going into recess over the months of December and January
- establish meeting days, times and frequency for 2022.

BACKGROUND

At its meeting held on 12 December 2006 (CJ236-12/06 refers), Council introduced a rolling four-weekly meeting cycle, which enabled the fourth week to be used to hold additional information sessions, or for scheduling various committee meetings.

Council subsequently adopted a revised meeting cycle at its meeting held on 30 September 2008 (CJ196-09/08 refers), based on a monthly format with Strategy Sessions held on the first Tuesday of each month, Briefing Sessions held on the second Tuesday and Council Meetings on the third Tuesday.

This enables committee meetings to be scheduled on the Monday, Tuesday or Wednesday of weeks one, two and three so to minimise potential conflicts with other Council activities and provide a 'meeting-free' week in the fourth week of each month where possible.

It is preferable to hold committee meetings in the first week of the month, thereby enabling committee recommendations to be listed in the Briefing Session agenda and subsequently the Council meeting agenda, however this may not always be possible due to other scheduled meetings.

It has been a normal principle at the City that whenever a committee is formed, that an elected member representative from each of the City's six wards, plus the Mayor, is a member on a respective committee. Under the *Local Government Act 1995* the Mayor is entitled to be on a committee (where there is Elected Member representation and the Mayor so desires to be on the committee) and each Councillor is entitled to be on at least one committee.

At the Special Council meeting held on the 6 November 2017 (JSC03-11/17 refers) the following changes to committee structures were endorsed:

- That the Audit Committee now be known as the Audit and Risk Committee to better reflect that the committee will not only consider audit matters, but also risk issues that may impact on the City.
- That the previous Finance and Major Projects Committees to be merged into one committee, to be named the Major Projects and Finance Committee. On the basis that items previously dealt with by the Major Projects Committee will not require as regular reporting due to the maturity or current position of various projects, as well as to reduce the time commitment of Elected Members in attending committee meetings. Subsequently the role of the committee was changed to the current terms of reference.

At the Special Council meeting held on the 4 November 2019 (JSC03-11/19 refers) the following changes to committee structure was endorsed:

- That the previous Chief Executive Officer Performance Review Committee to be named as the Chief Executive Officer Recruitment and Performance Review Committee to prepare for the impending department of the City's Chief Executive Officer and incorporate the model standards introduced in June 2019 of the *Local Government Legislation Amendment Act 2019*. Subsequently the role of the committee was changed to the current terms of reference.

Since the creation of the re-named committee the guidelines have been released by the Department of Local Government, Sport and Cultural Industries (DLGSCI) for *Local Government CEO Recruitment and Selection, Performance Review and Early Termination*, and Council at its meeting held on 20 April 2021 (CJ056-04/21 refers) endorsed the model standards for CEO Recruitment and Selection, Performance Review and Termination.

It is recommended that the current committee structure and roles be maintained.

DETAILS

There were initially five Council committees established following the 2015 local government elections. Further changes to the committees' structure was made post the 2017 local government elections where five committees became four, the following associated roles and membership for the council created committees are outlined below:

Major Projects and Finance Committee

Role

The role of the Major Projects and Finance Committee (MPFC) is to:

- 1 oversee the progress of the City's annual capital works program and review of the City's *Five Year Capital Works Program*;
- 2 make recommendations to Council on modifications of capital works projects and major strategic capital projects;
- 3 make recommendations to Council on various elements of major strategic capital projects (such as the Ocean Reef Marina, City Centre Office Development and Joondalup Performing Arts and Cultural Facility), including but not limited to:
 - project scope;
 - design elements and core project components;
 - development models and financial structures;
 - on-going management and utilisation models;
- 4 make recommendations to Council on the services to be provided by the City and the standards of service delivery being cognisant of industry best practice;
- 5 oversee the City's financial management activities, funding proposals and long-term strategic financial planning;
- 6 make recommendations to Council on reviews and impacts on the City's 20 Year Strategic Financial Plan.

Recommended changes to MPFC Role

It is recommended that the reference to the *20 Year Strategic Financial Plan* be changed to *10 Year Strategic Financial Plan* in the Major Projects and Finance Committees terms of reference.

Membership

- Mayor.
- One elected member representative from each of the City's six wards (with corresponding deputy member).

Policy Committee

Role

The role of the Policy Committee is to:

- 1 make recommendations to Council on the development and review of the City's policies and overall policy framework;
- 2 develop and maintain a visual art collection of significance and repute that reflects the cultural aspirations of the City of Joondalup and its expressed goals and policies;
- 3 collect works of visual art of demonstrable excellence by artists of significance, consistent with the perceived developments in West Australian contemporary art;

- 4 collect and commission selectively works of art which enhance the existing Collection and which foster an understanding, enjoyment and appreciation of the visual arts among the broader community and members of the general public;
- 5 review the criteria established to determine award winners;
- 6 oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual Art Programs.

Membership

- Mayor.
- One elected member representative from each of the City's six wards (with corresponding deputy member).

Audit and Risk Committee

Role

The role of the Audit and Risk Committee is to:

- 1 guide and assist the City in carrying out its functions:
 - under Part 6 - Financial Management, of the *Local Government Act 1995*;
 - in relation to audits conducted under Part 7 - Audit, of the *Local Government Act 1995*;
 - relating to other audits and other matters related to financial management;
- 2 review the Chief Executive Officer's (CEO) report into the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance, given to it by the CEO under regulation 17 of the *Local Government (Audit) Regulations 1996* and:
 - report to the Council the results of that review;
 - give the Council a copy of the CEO's report;
- 3 monitor and advise the CEO when the CEO is carrying out functions in relation to a review:
 - under regulation 17(1) of the *Local Government (Audit) Regulations 1996*;
 - of the appropriateness and effectiveness of the financial management systems and procedures of the City under regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*;
- 4 support the auditor of the City to conduct an audit and carry out the auditor's other duties under the *Local Government Act 1995* in respect of the City and to oversee the implementation of any actions in accordance with regulation 16(f) of the *Local Government (Audit) Regulations 1996*;
- 5 review and monitor the internal audit programme and the scope of internal audits.

Membership

- Mayor.
- One elected member representative from each of the City's six wards (with corresponding deputy member).
- External member.

Chief Executive Officer Recruitment and Performance Review Committee

The role of the Chief Executive Officer Recruitment and Performance Review Committee is to:

- 1 recommend to Council the selection and appointment process of a Chief Executive Officer;
- 2 recommend to Council the preferred consultant to assist with the recruitment process for a Chief Executive Officer;
- 3 undertake the interview of preferred applicant(s) on the advice of the appointment consultant's shortlisted applicants for the position of Chief Executive Officer;
- 4 recommend to Council the appointment of a preferred applicant as Chief Executive Officer under the terms and conditions of an agreed Chief Executive Officer Employment Contract;
- 5 review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- 6 prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to Council;
- 7 review the Chief Executive Officer's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- 8 review the Key Performance Indicators to be met by the Chief Executive Officer;
- 9 review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract;
- 10 review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary.

Membership

- Mayor.
- One elected member representative from each of the City's six wards (with corresponding deputy member).

Attachment 1 to this Report illustrates the following statistical information associated with committee meetings during 2020 and 2021 to date:

- number of meetings
- duration of meetings
- number of items considered.

Issues and Options Considered

Council can either:

- establish the committee structure as recommended
- amend the committee structure as recommended
or
- not establish the committee structure as recommended.

Legislation / Strategic Community Plan / Policy Implications

Legislation	<p><i>Local Government Act 1995.</i></p> <p><i>Local Government (Administration) Regulations 1996.</i></p> <p><i>Local Government (Audit) Regulations 1996.</i></p> <p><i>Local Government (Financial Management) Regulations 1996.</i></p> <p><i>City of Joondalup Meeting Procedures Local Law 2013.</i></p> <p><i>Local Government Legislation Amendment Act 2019.</i></p>
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Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Continuously strive to improve performance and service delivery across all corporate functions.
Policy	Not applicable.

The *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* requires local governments to establish an Audit Committee with certain roles and responsibilities. The Chief Executive Officer's Employment Contract also requires a committee to be established specifically to review the performance of the Chief Executive Officer.

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

Establishment of committees

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

** Absolute majority required.*

Types of committees

5.9 (1) *In this section:*

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

(2) *A committee is to comprise:*

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

Appointment of committee members

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

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

* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Tenure of committee membership

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

- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:*
- (a) *the term of the person's appointment as a committee member expires; or*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,*
- whichever happens first.*

Deputy committee members

- 5.11A (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*
- * Absolute majority required.*
- (2) *A person who is appointed as a deputy of a member of a committee is to be:*
- (a) *if the member of the committee is a council member – a council member; or*
 - (b) *if the member of the committee is an employee – an employee; or*
 - (c) *if the member of the committee is not a council member or an employee – a person who is not a council member or an employee; or*
 - (d) *if the member of the committee is a person appointed under section 5.10(5) – a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

Risk Management Considerations

The establishment of committees assists Council in performing some of its legislative responsibilities and functions. If Council does not establish committees this may hinder the overall decision-making process and place an onerous burden on Council as a whole.

Financial / Budget Implications

Not applicable.

Regional Significance

Not applicable.

Sustainability Implications

Not applicable.

Consultation

Not applicable.

COMMENT

Further to the establishment of the committees, it is recommended that a special meeting of each committee is called immediately after the Special Council meeting to elect a Presiding Member and Deputy Presiding Member, as well as to consider setting meeting dates for each committee.

Some committees will be required to meet and consider matters prior to Council going into recess. In addition, all committees will be requested to consider setting meeting dates for 2022, being cognisant of Council's preferred monthly meeting cycle. This will assist with forward planning for all Elected Members, management and staff and ensure synergy between committee and Council meeting dates.

VOTING REQUIREMENTS

Absolute Majority.

RECOMMENDATION

That Council:

- 1 **BY AN ABSOLUTE MAJORITY ESTABLISHES a Major Projects and Finance Committee, with the role being to:**
 - 1.1 **oversee the progress of the City's annual capital works program and review of the City's *Five Year Capital Works Program*;**
 - 1.2 **make recommendations to Council on modifications of capital works projects and major strategic capital projects;**
 - 1.3 **make recommendations to Council on various elements of major strategic capital projects (such as the Ocean Reef Marina, City Centre Office Development and Joondalup Performing Arts and Cultural Facility), including but not limited to:**
 - 1.3.1 **project scope;**
 - 1.3.2 **design elements and core project components;**
 - 1.3.3 **development models and financial structures;**
 - 1.3.4 **on-going management and utilisation models;**
 - 1.4 **make recommendations to Council on the services to be provided by the City and the standards of service delivery being cognisant of industry best practice;**
 - 1.5 **oversee the City's financial management activities, funding proposals and long-term strategic financial planning;**
 - 1.6 **make recommendations to Council on reviews and impacts on the City's *10 Year Strategic Financial Plan*;**

- 2 BY AN ABSOLUTE MAJORITY APPOINTS the following members and deputy members to the Major Projects and Finance Committee:**

Members

- | | | |
|-----|--------------------|-----------------------|
| 2.1 | Mayor | |
| 2.2 | Central Ward | - One representative; |
| 2.3 | North Ward | - One representative; |
| 2.4 | North Central Ward | - One representative; |
| 2.5 | South Ward | - One representative; |
| 2.6 | South-East Ward | - One representative; |
| 2.7 | South-West Ward | - One representative; |

Deputy Members

- | | | |
|------|--------------------|-----------------------|
| 2.8 | Central Ward | - One representative; |
| 2.9 | North Ward | - One representative; |
| 2.10 | North Central Ward | - One representative; |
| 2.11 | South Ward | - One representative; |
| 2.12 | South-East Ward | - One representative; |
| 2.13 | South-West Ward | - One representative; |

- 3 BY AN ABSOLUTE MAJORITY ESTABLISHES a Policy Committee with the role being to:**

- 3.1 make recommendations to Council on the development and review of the City's policies and overall policy framework;
- 3.2 develop and maintain a visual art collection of significance and repute that reflects the cultural aspirations of the City of Joondalup and its expressed goals and policies;
- 3.3 collect works of visual art of demonstrable excellence by artists of significance, consistent with the perceived developments in West Australian contemporary art;
- 3.4 collect and commission selectively works of art which enhance the existing Collection and which foster an understanding, enjoyment and appreciation of the visual arts among the broader community and members of the general public;
- 3.5 review the criteria established to determine award winners;
- 3.6 oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual Art Programs;

- 4 BY AN ABSOLUTE MAJORITY APPOINTS the following members and deputy members to the Policy Committee:**

Members

- | | | |
|-----|--------------------|-----------------------|
| 4.1 | Mayor | |
| 4.2 | Central Ward | - One representative; |
| 4.3 | North Ward | - One representative; |
| 4.4 | North Central Ward | - One representative; |
| 4.5 | South Ward | - One representative; |

- 4.6 South-East Ward - One representative;
- 4.7 South-West Ward - One representative;

Deputy Members

- 4.8 Central Ward - One representative;
- 4.9 North Ward - One representative;
- 4.10 North Central Ward - One representative;
- 4.11 South Ward - One representative;
- 4.12 South-East Ward - One representative;
- 4.13 South-West Ward - One representative;

5 BY AN ABSOLUTE MAJORITY ESTABLISHES an Audit and Risk Committee with the role being to:

5.1 guide and assist the City in carrying out its functions:

- 5.1.1 under Part 6 - Financial Management, of the *Local Government Act 1995*;
- 5.1.2 in relation to audits conducted under Part 7 - Audit, of the *Local Government Act 1995*;
- 5.1.3 relating to other audits and other matters related to financial management;

5.2 review the Chief Executive Officer's report into the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance, given to it by the Chief Executive Officer under regulation 17 of the *Local Government (Audit) Regulations 1996* and:

- 5.2.1 report to the Council the results of that review;
- 5.2.2 give the Council a copy of the Chief Executive Officer's report;

5.3 monitor and advise the Chief Executive Officer when the Chief Executive Officer is carrying out functions in relation to a review:

- 5.3.1 under regulation 17(1) of the *Local Government (Audit) Regulations 1996*;
- 5.3.2 of the appropriateness and effectiveness of the financial management systems and procedures of the City under regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*;

5.4 support the auditor of the City to conduct an audit and carry out the auditor's other duties under the *Local Government Act 1995* in respect of the City and to oversee the implementation of any actions in accordance with regulation 16(f) of the *Local Government (Audit) Regulations 1996*;

5.5 review and monitor the internal audit programme and the scope of internal audits;

6 BY AN ABSOLUTE MAJORITY APPOINTS the following members and deputy members to the Audit and Risk Committee:

Members

- | | | |
|-----|--------------------|-----------------------|
| 6.1 | Mayor | |
| 6.2 | Central Ward | - One representative; |
| 6.3 | North Ward | - One representative; |
| 6.4 | North Central Ward | - One representative; |
| 6.5 | South Ward | - One representative; |
| 6.6 | South-East Ward | - One representative; |
| 6.7 | South-West Ward | - One representative; |
| 6.8 | Mr Richard Thomas | - External Member; |

Deputy Members

- | | | |
|------|--------------------|-----------------------|
| 6.9 | Central Ward | - One representative; |
| 6.10 | North Ward | - One representative; |
| 6.11 | North Central Ward | - One representative; |
| 6.12 | South Ward | - One representative; |
| 6.13 | South-East Ward | - One representative; |
| 6.14 | South-West Ward | - One representative; |

7 BY AN ABSOLUTE MAJORITY ESTABLISHES a Chief Executive Officer Recruitment and Performance Review Committee with the role being to:

- 7.1 recommend to Council the selection and appointment process of a Chief Executive Officer;
- 7.2 recommend to Council the preferred consultant to assist with the recruitment process for a Chief Executive Officer;
- 7.3 undertake the interview of preferred applicant(s) on the advice of the appointment consultant's shortlisted applicants for the position of Chief Executive Officer;
- 7.4 recommend to Council the appointment of a preferred applicant as Chief Executive Officer under the terms and conditions of an agreed Chief Executive Officer Employment Contract;
- 7.5 review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- 7.6 prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to Council;
- 7.7 review the Chief Executive Officer's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- 7.8 review the Key Performance Indicators to be met by the Chief Executive Officer;

- 7.9 review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract;
- 7.10 review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary;
- 8 BY AN ABSOLUTE MAJORITY APPOINTS the following members and deputy members to the Chief Executive Officer Recruitment and Performance Review Committee:

Members

- 8.1 Mayor
- 8.2 Central Ward - One representative;
- 8.3 North Ward - One representative;
- 8.4 North Central Ward - One representative;
- 8.5 South Ward - One representative;
- 8.6 South-East Ward - One representative;
- 8.7 South-West Ward - One representative;

Deputy Members

- 8.8 Central Ward - One representative;
- 8.9 North Ward - One representative;
- 8.10 North Central Ward - One representative;
- 8.11 South Ward - One representative;
- 8.12 South-East Ward - One representative;
- 8.13 South-West Ward - One representative;
- 9 CALLS special meetings of the following committees at the date and time as specified to enable the election of a presiding member and deputy presiding member and set future meeting dates:
- 9.1 Audit and Risk Committee on Monday 1 November 2021, commencing at 7.30pm, Conference Room 1;
- 9.2 Major Projects and Finance Committee on Monday 1 November 2021, commencing at 7.40pm, Conference Room 1;
- 9.3 Policy Committee on Monday 1 November 2021, commencing at 7.50pm, Conference Room 1;
- 9.4 Chief Executive Officer Recruitment and Performance Review Committee on Monday 1 November 2021, commencing at 8.00pm, Conference Room 1.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agn211101.pdf](#)

JSC03-11/21 APPOINTMENT OF REPRESENTATIVES TO EXTERNAL COMMITTEES AND BOARDS AND INTERNAL GROUPS AND PANELS

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBERS	02153, 101515
ATTACHMENTS	<p>Attachment 1 Committee Listing - Role of external committees and boards</p> <p>Attachment 2 Joondalup Design Review Panel Terms of Reference</p> <p>Attachment 3 Confidential - Joondalup Design Review Panel - Assessment and Recommendation</p> <p>Attachment 4 Confidential - Joondalup Design Review Panel Nominations (electronic)</p> <p>Attachment 5 Strategic Community Reference Group Terms of Reference - Current</p> <p>Attachment 6 Strategic Community Reference Group Terms of Reference - Revised</p> <p>Attachment 7 Reconciliation Action Plan Community Reference Group - Terms of Reference - Current</p> <p>Attachment 8 Reconciliation Action Plan Community Reference Group - Terms of Reference - Revised</p> <p><i>(Please Note: Attachment 3 and 4 are confidential and will appear in the official Minute Book only)</i></p>
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 appoint representatives to various external committees, boards and internal groups where the City has representation.

EXECUTIVE SUMMARY

Following the biennial local government elections, it is usual practice for Council to appoint representatives to various Council created groups and panels, as well as other external committees or boards where the City has representation.

Council is therefore requested to make the necessary appointments as listed in the recommendation to this Report.

BACKGROUND

Over a number of years Council has created a range of reference groups and other panels such as the Strategic Community Reference Group and the Joondalup Design Review Panel (previously known as Joondalup Design Reference Panel) to assist it with its operations as well as technical and stakeholder reporting to City officers. Council also nominates representatives to other committees / boards created by external organisations.

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council resolved to disband the City's working groups and community forums, and establish a Strategic Community Reference Group to provide advice to Council on matters of significant community interest and strategic initiatives. At its meeting held on 21 August 2012 (CJ156-08/12 refers), Council made various appointments to the group following an expression of interest process throughout the community. Appointments of community members from each ward of the City has been undertaken following the local government elections of 2013, 2015, 2017, 2019 and 2021.

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

At its meeting held on 4 November 2019 (JSC04-11/19 refers), Council nominated Crs Thompson and Taylor to represent the City of Joondalup on the North-West Metropolitan Joint Development Assessment Panel (DAP), with Cr Jones being nominated as first alternate member and Cr McLean as second alternate member. The North-West Metropolitan Joint DAP has since been renamed the Metro Outer Joint Development Assessment Panel (MOJDAP).

The DAP Secretariat has advised that nominations are required for all four positions on the DAP as the current membership expires on the 26 January 2022. Following nomination, appointments are then made by the Minister for Planning for a two year term ending 26 January 2024.

DETAILS

Outside of the Council created committees that are considered within a separate report (JSC02-11/21 refers), Council currently has two reference groups and a design reference panel. The City also has representation on two Regional Councils and eight external committees or boards. Information on the roles of these committees and boards and their membership as at the time of the local government elections held on 16 October 2021 is provided in Attachment 1 to this Report.

Some relevant information in relation to the committees, panels and groups is detailed below.

Joondalup Design Review Panel

Council endorsed the establishment of a Joondalup Design Advisory Panel (JDAP) at its meeting held on 30 September 2008 (CJ213-09/08 refers). At its meeting held on 16 November 2010 (CJ191-11/10 refers), Council endorsed the JDAP title to be change to the Joondalup Design Reference Panel (JDRP).

Panel members are appointed for a two year period and have traditionally consisted of members from relevant professional institutions representing:

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

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

The current panel comprises of:

- Australian Institute of Architects (AIA)
 - Rod Mollett
 - Nerida Moredoundt (deputy)
- Planning Institute of Australia (PIA)
 - Jane Bennett
 - Chris Melsom (deputy)
- Australian Institute of Landscape Architects (AILA)
 - Robin Burnage
 - Tony Blackwell (deputy).

The existing panel members have individually and collectively added value to the application assessment and determination process.

At its meeting on 18 May 2021 (CJ070-05/21 refers), Council adopted the *Joondalup Design Review Local Planning Policy* and associated Terms of Reference (Attachment 2 refers). Council also supported calling for Expression of Interests (EOI) for membership, on a prescribed nomination form.

The Joondalup Design Review Panel (JDRP) replaces the current Joondalup Design Reference Panel. As with the Joondalup Design Reference Panel, the purpose remains to provide design advice on planning proposals, with the structure of the panel now more aligned with the State Government *Design Review Guide*. The Terms of Reference set out that the JDRP shall comprise a chairperson, deputy chairperson and up to eight other panel members. All panel members are required to be registered with their professional body and have substantial experience in one or more of the following:

- Architecture
- Landscape architecture
- Urban design
- Sustainability
- Planning
- Transport planning
- Accessibility
- Civil and/or structural engineering.

The City sought expressions of interest between 2 August 2021 and 30 August 2021, in the following manner:

- The nomination form and information were provided on the City's website.
- A notice on the City's LinkedIn profile.
- An email sent to Australian Institute of Landscape Architects, Australian Institute of Architects, Association of Consulting Architects, Planning Institute of Australia, Engineers Australia, Department of Planning, Lands and Heritage and Office of the Government Architect for distribution to their members.

Fifteen responses were received. A copy of the response nominations (Attachment 4 refers) and the City assessment and recommendation (Attachment 3 refers) have been provided to Elected Members under confidential separate cover for their consideration.

Based on the responses it is recommended that the following positions be appointed:

- Chairperson - one representative.
- Deputy Chairperson - one representative.
- Panel Members - eight representatives.

North West District Planning Committee

The North West District Planning Committee was established in accordance with the provisions of the *Planning and Development Act 2005*. At its meeting held on 25 August 2009, the Western Australian Planning Commission resolved that the North West District Planning Committee would become an advisory committee with meetings scheduled at the discretion and direction of the Western Australian Planning Commission. The committee has not met since 2009 and currently has no scheduled meetings. However, due to its statutory establishment it is prudent that the Council still appoint a representative.

Metro Outer Joint Development Assessment Panel (JDAP)

From 1 July 2011, 15 Development Assessment Panels (DAPs) commenced operation throughout Western Australia.

DAPs are responsible for determining development applications where the likely cost of the development exceeds a specified dollar value. For the City of Joondalup, any proposal over \$10 million in value would be determined by the JDAP (mandatory DAP application). An applicant may also elect for a development with a value of between \$2 million and \$10 million to be determined by the JDAP (opt-in DAP application).

The JDAP consists of the following members:

- Three members with specialist knowledge in the areas of town planning, architecture, or other related disciplines.
- Two Elected Members from the City of Joondalup, who sit on the panel for applications relating to the City of Joondalup only.

At its meeting held on 4 November 2019 (JSC04-11/19 refers), Council nominated Crs Thompson and Taylor to represent the City of Joondalup on the Metro Outer Joint Development Assessment Panel, with Cr Jones being nominated as first alternate member and Cr McLean as second alternate member.

The DAP Secretariat has advised that nominations are required for all four positions on the JDAP as the current membership expires on the 26 January 2022. Following nomination, appointments are then made by the Minister for Planning for a two year term ending 26 January 2024.

Strategic Community Reference Group

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council established the Strategic Community Reference Group (SCRG) as a participation mechanism for the external provision of advice and input to Council on matters of significant community interest and strategic initiatives.

SCRG representatives

The Strategic Community Reference Group consists of the following members:

- Two community member representatives from each Ward who were subject to a nomination process addressing their experience in strategic planning and decision-making.
- Up to four elected members representatives, one of whom acts as a Presiding Member.
- Up to three elected members representatives as deputies.
- Temporary appointed professionals to provide expert advice and information on specific matters as required.

The community member representatives for the Strategic Community Reference Group, up until October 2021 were as follows:

Ward	Community Member Representatives
North Ward	Danielle Griffiths Susan Metcalfe
North-Central Ward	Simon Walker Nola Wolski
Central Ward	Astrid Lee Fay Gilbert
South-West Ward	Meredith Blais Brian Yearwood
South-East Ward	Allan Connolly Teresa Gepp
South Ward	Tiffany Tonkin Liam O'Connor

In accordance with the current SCRG Terms of Reference (Attachment 5 refers), the terms for community members concluded in October 2021 in line with the ordinary local government election cycle. Community members were advised of the conclusion of their current term and were also informed that Council would consider the re-establishment of the SCRG and membership composition following the local government elections held on 16 October 2021.

SCRG Topics

Over the last two years, the SCRG has provided Council with advice on the following strategic matters:

- Development of the new Strategic Community Plan.
- Development of the new Integrated Transport Strategy.
- Review of the City's Weed Management Plan.
- Review of the City's Climate Change Strategy.

Other matters that have been discussed in the past have included the following:

- Engaging young people at the City of Joondalup.
- Supporting local business within the City of Joondalup.
- Review of the City of Joondalup *Community Safety and Crime Prevention Plan*.
- Development of a draft Cultural Plan for the City of Joondalup.

Review of the SCRG Terms of Reference

Following the conclusion of the last SCRG meeting, the City conducted an internal review of the Terms of Reference document to identify potential operational gaps and ensure there was continued alignment to the purpose of the SCRG. The last review of the SCRG Terms of Reference document was conducted in 2018 (CJ096-06/18 refers).

The revised SCRG Terms of Reference is provided (Attachment 6 refers) some of the proposed changes include the following:

- Clarification of roles and responsibilities for the external and independent facilitator, Elected Member representatives, community member representatives, subject matter experts and city officers.
- Addition of sections that provide transparency for process elements, for example; community member representatives nominations and the annual work plan to be prepared by City officers and presented to Council for endorsement.
- Addition of a section that specifies community member representative appointments to consider a balance in demographics to ensure a diverse group of representatives are selected.
- Other minor amendments made to the document structure to enhance readability.

Edgewater Quarry Community Reference Group (EQCRG)

Council endorsed the establishment of the Edgewater Quarry Community Reference Group (EQCRG) at its meeting held on 12 December 2017 (CJ209-12/17 refers) and approved the appointment of His Worship the Mayor and Elected Members for North-Central Ward to the EQCRG.

In accordance with the endorsed Terms of Reference and following an Expression of Interest process, Council appointed 20 community members of the EQCRG at its meeting held on 15 May 2018 (CJ075-05/18 refers) representing the following categories:

- a maximum of six ratepayers or residents from the suburb of Edgewater
- five ratepayers or residents from other City suburbs.

To achieve a wide range of community representation, the nine remaining places were representatives from community or special interest groups.

The members of the EQCRG, up until July 2020, were as follows:

- Elected Members
 - Hon Albert Jacob JP Mayor and Presiding Member
 - Cr Philippa Taylor North Central Ward
 - Cr Nige Jones North Central Ward
- Edgewater Representatives
 - Jo Baker
 - Margaret Elliott
 - Louis Humberstone
 - Mat Humfrey
 - Laura Hodgen
 - Clayton Sanders

- Community / Special Interest Group Representatives
 - Alexis Anderson
 - Jane Burns
 - Jason Beltran
 - Alan Crofts
 - Lynda Dawson
 - Elizabeth Hewitt
 - Annette Morey
 - Bryan Saunders
 - Graeme Trevena

- Other City Suburb Representatives
 - Julie A Andrews
 - Thomas Forbes
 - Moya Jones
 - Carolyn Lindsay
 - Magdalen Purcell

As outlined in the EQCRG Terms of Reference the role of the group is to:

- examine the future options for the Edgewater Quarry site
- assist with the development of a concept plan
- identify and discuss the issues and concerns of the community and stakeholders around the options for the Edgewater Quarry site
- represents the interests of the wider community
- act as a conduit to disseminate information and feedback to and from the wider community
- liaise with extended networks and community groups to facilitate information sharing concerning Edgewater Quarry.

The EQCRG does not have delegated powers, or the authority to represent the City or implement any recommendations without the approval of Council.

The EQCRG met on five occasions between 2018 and 2020 to develop and agree on a draft preferred concept plan for the Edgewater Quarry. Following consideration of the plan, Council agreed to endorse the plan for community consultation in July 2020 (CJ098-07/20 refers).

A detailed Community Consultation Plan was prepared, and the community was subsequently invited to provide feedback on the draft preferred concept plan from 15 October to 21 November 2020.

The Community Consultation Report was considered by Council at its meeting held on 16 March 2021 (CJ040-03/21 refers) and it was noted by Council that the concept plan was not supported by the majority of respondents to the community consultation, and that a contamination investigation was required for the Edgewater quarry site. Council also agreed that a report be presented on the results of the contamination investigation and its impact on the future of the Edgewater Quarry.

It is therefore recommended that the Edgewater Quarry Community Reference Group not be re-established, until further information on the contamination investigation and its impact on the future of the Edgewater Quarry has been determined, at which time Council may re-establish the Edgewater Quarry Community Reference Group.

Note: The EQCRG has been removed from the City's Committee Listing for 2021.

Reconciliation Action Plan (RAP) Community Reference Group

At its meeting held on 17 September 2019 (CJ118-09/19 refers), Council established the Reconciliation Action Plan Community Reference Group (RAPCRG) as a participation mechanism for guiding respectful, culturally appropriate and meaningful contributions to inform development of the City's first Reconciliation Action Plan.

The RAPCRG first met in late 2020 and has now commenced the process of developing the City's "Reflect" level Reconciliation Action Plan in accordance with Reconciliation Australia's guidelines and principles.

Recently the RAPCRG have also received presentations on a number of significant local projects including the following:

- The Aboriginal Engagement Strategy for the Ocean Reef Marina.
- The proposed redevelopment of Duffy House.

The Reconciliation Action Plan Community Reference Group consists of the following members:

Elected Members (Mayor and up to two others)	<ul style="list-style-type: none"> • Mayor Hon. Albert Jacob, JP (Deputy Chair) • Cr John Raftis • Cr Philippa Taylor
Community Members (Up to eight members)	<ul style="list-style-type: none"> • Pauline Boscato • Jane Burns • Adam Casley • Marcus Kaden • Kathy Kickett • Anne Marie Mullaney • Two vacancies
Organisational Representatives (Up to four members)	<ul style="list-style-type: none"> • Gaelle Gouillou (The Spiers Centre) • Dennis Simmons (Maar Koodjal Aboriginal Corporation) • Sharon Wood-Kenny (Djinda Bridiya Wellbeing Australian Aboriginal (Chair) • One vacancy

In accordance with the current RAPCRG Terms of Reference (Attachment 7 refers), the terms of community members concluded in October 2021 in line with the ordinary local government election cycle. Community members and organisational representatives were advised of the conclusion of their current term in October 2021 and were also informed that Council would consider the re-establishment of the RAPCRG and membership composition following the local government elections held on 16 October 2021.

A revised RAPCRG Terms of Reference is provided (Attachment 8 refers) some of the proposed changes include the following:

Changes to the Terms of Reference

The City has conducted an internal review of the Terms of Reference and made revisions to reflect the direction of the Reconciliation Action Plan Community Reference Group. Many of these changes are minor in nature and clear up previous inconsistencies and vagaries in the previous iteration.

The most significant change is the change in name of the role previously known as Chair to the new title of Presiding Member. This change more accurately reflects the nature of this role which is to preside over the RAPCRG meetings, rather than “Chair” the group in its entirety. This new title better reflects similar roles within other City reference groups and committees.

Recommendation to re-appoint current members

The City is recommending the re-appointment of all current individual and organisational members.

Since the RAPCRG was established in late 2020, three members have resigned.

To ensure continuity for the group and the work completed so far, the City is recommending all current members are re-appointed for a further two year term. This is expected to see out not only the finalisation of the RAP, but also its implementation.

It is acknowledged that there are three current vacancies on the RAP. As the group does not have a set quorum, there is no minimum number of members required. It is planned that when the RAPCRG next meets, it will consider if there is a need to fill these three vacancies through a new Expression of Interest process, or if the group believes it is still best placed to continue the work of the RAPCRG.

Issues and Options Considered

Council can either:

- appoint members to reference groups, panels and external boards and committees as recommended
- or
- not appoint members to reference groups, panels and external boards and committees.

Legislation / Strategic Community Plan / Policy Implications

Legislation *Local Government Act 1995.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Strong leadership.

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

Policy Not applicable.

Risk Management Considerations

Should Council not appoint representation to external committees/boards, this may hinder the City’s ability to be involved in key organisations where representation is available.

Financial / Budget implications

Not applicable.

Regional Significance

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

Sustainability Implications

Not applicable.

Consultation

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

COMMENT

Representation on externally based committees and boards allows the City to have input into various issues that face the local government industry.

Where there are more nominations than vacancies for representation, elected members will need to nominate which representatives will be appointed to the respective committee or board. Each elected member will be able to nominate as many times as there are vacant positions.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That Council:

- 1 AMENDS the title of the Joondalup Design Reference Panel to the Joondalup Design Review Panel;**
- 2 RE-ESTABLISHES the Joondalup Design Review Panel to provide design advice on planning proposals;**
- 3 APPOINTS the following members to the Joondalup Design Review Panel as detailed in Attachment 3 to this Report:**

Members

- | | | |
|------------|---|-------------------------------|
| 3.1 | The Chief Executive Officer or his nominee | |
| 3.2 | Chairperson | one representative; |
| 3.3 | Deputy Chairperson | one representative; |
| 3.4 | Panel Member | eight representatives; |

- 4 **NOMINATES** the following four representatives to the Metro Outer Joint Development Assessment Panel to be appointed by the Minister for a two year term:

Members

- 4.1 two elected members;

Alternate Members

- 4.2 two alternate members;

- 5 **RE-ESTABLISHES** the Strategic Community Reference Group to provide advice to Council on:

- 5.1 matters of significant community interest;
5.2 strategic initiatives,

as determined by Council;

- 6 **ENDORSES** the revised Terms of Reference of the Strategic Community Reference Group, as detailed in Attachment 6 to this Report;

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

Members

- 7.1 Mayor;
7.2 three elected members;

Deputy Members

- 7.3 three elected members;

- 8 **AUTHORISES** the Chief Executive Officer to seek nominations to fill the vacant community representative positions on the Strategic Community Reference Group for the following wards:

- 8.1 North Ward;
8.2 North Central Ward;
8.3 Central Ward;
8.4 South Ward;
8.5 South-West Ward;
8.6 South-East Ward;

- 9 **AGREES** the Edgewater Quarry Community Reference Group will not be re-established at this time, as detailed in this Report;

- 10 **RE-ESTABLISHES** the Reconciliation Action Plan Community Reference Group as a participation mechanism for guiding respectful, culturally-appropriate and meaningful contributions to inform development of the City's first Reconciliation Action Plan;

11 **ENDORSES** the revised Terms of Reference of the Reconciliation Action Plan Community Reference Group, as detailed in Attachment 8 to this Report;

12 **APPOINTS** the Mayor and two elected members to the Reconciliation Action Plan Community Reference Group:

Members

- 12.1 Mayor;
- 12.2 two elected members;

13 **ENDORSES** the re-appointment of all current community members and Organisational Representatives of the Reconciliation Action Plan Community Reference Group as detailed in this Report:

Community Members

- 13.1 Pauline Boscato;
- 13.2 Jane Burns;
- 13.3 Adam Casley;
- 13.4 Marcus Kaden;
- 13.5 Kathy Kickett;
- 13.6 Anne Marie Mullaney;
- 13.7 Two vacancies;

Organisational Representatives

- 13.8 Gaelle Gouillou (The Spiers Centre);
- 13.9 Dennis Simmons (Maar Koodjal Aboriginal Corporation);
- 13.10 Sharon Wood-Kenny (Djinda Bridiya Wellbeing Australian Aboriginal Organisation);
- 13.11 One vacancy;

14 **NOTES** that the newly appointed Reconciliation Action Plan Community Reference Group will consider the need to fill the three current vacancies at its next meeting;

15 **NOMINATES** the following persons to represent the City of Joondalup on the:

15.1 **Community Board of Advice (Joondalup Health Campus):**

- 15.1.1 one elected member;
- 15.1.2 one elected member (deputy);

15.2 **Joondalup Lotteries House Inc:**

- 15.2.1 **Coordinator Community Development;**

15.3 **North West District Planning Committee:**

- 15.3.1 one elected member;
- 15.3.2 one elected member (deputy);

15.4 North Western Metropolitan Regional Road Sub-Group:

- 15.4.1 one elected member;
- 15.4.2 one elected member (deputy);
- 15.4.3 Director Infrastructure Services;

15.5 Wanneroo/Joondalup Local Emergency Management Committee:

- 15.5.1 one elected member;
- 15.5.2 one elected member (deputy);
- 15.5.3 Manager Asset Management;
- 15.5.4 Emergency Management Officer;
- 15.5.5 Principal Environmental Health Officer;

15.6 Yellagonga Regional Park Community Advisory Committee:

- 15.6.1 one elected member;
- 15.6.2 one elected member (deputy);
- 15.6.3 Team Leader Natural Areas.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agn211101.pdf](#)

CLOSURE

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

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

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

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

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

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



**NOMINATION FORM – MEMBER
METRO OUTER JOINT DEVELOPMENT ASSESMENT PANEL**

I hereby nominate:

.....

for the position of Member on the Metro Outer Joint Development Assesment Panel.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the Metro Outer Joint Development Assesment Panel.

Signature

Date



**NOMINATION FORM – ALTERNATE MEMBER
METRO OUTER JOINT DEVELOPMENT ASSESMENT PANEL**

I hereby nominate:

.....

for the position of Alternate Member on the Metro Outer Joint Development
Assesment Panel.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Alternate Member on the Metro Outer Joint Development
Assesment Panel.

Signature

Date



**NOMINATION FORM – MEMBER
STRATEGIC COMMUNITY REFERENCE GROUP**

I hereby nominate:

.....

for the position of Member on the Strategic Community Reference Group.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the Strategic Community Reference Group.

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
STRATEGIC COMMUNITY REFERENCE GROUP**

I hereby nominate:

.....

for the position of Deputy Member on the Strategic Community Reference Group.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Deputy Member on the Strategic Community Reference Group.

Signature

Date



**NOMINATION FORM – MEMBER
RECONCILIATION ACTION PLAN COMMUNITY REFERENCE
GROUP**

I hereby nominate:

.....

for the position of member on the Reconciliation Action Plan Community Reference Group.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of member o the Edgewater Quarry Community Reference Group.

Signature

Date



**NOMINATION FORM – MEMBER
COMMUNITY BOARD OF ADVICE (JOONDALUP HEALTH CAMPUS)**

I hereby nominate:

.....

for the position of Member on the Community Board of Advice (Joondalup Health Campus).

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the Community Board of Advice (Joondalup Health Campus).

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
COMMUNITY BOARD OF ADVICE (JOONDALUP HEALTH CAMPUS)**

I hereby nominate:

.....

for the position of Deputy Member on the Community Board of Advice (Joondalup Health Campus).

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Deputy Member on the Community Board of Advice (Joondalup Health Campus).

Signature

Date



**NOMINATION FORM – MEMBER
NORTH WEST DISTRICT PLANNING COMMITTEE**

I hereby nominate:

.....

for the position of Member on the North West District Planning Committee.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the North West District Planning Committee.

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
NORTH WEST DISTRICT PLANNING COMMITTEE**

I hereby nominate:

.....

for the position of Deputy Member on the North West District Planning Committee.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Deputy Member on the North West District Planning Committee.

Signature

Date



**NOMINATION FORM – MEMBER
NORTH WESTERN METROPOLITAN REGIONAL ROAD
SUB-GROUP**

I hereby nominate:

.....

for the position of Member on the North Western Metropolitan Regional Road Sub-Group.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the North Western Metropolitan Regional Road Sub-Group.

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
NORTH WESTERN METROPOLITAN REGIONAL ROAD
SUB-GROUP**

I hereby nominate:

.....

for the position of Deputy Member on the North Western Metropolitan Regional Road Sub-Group.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Deputy Member on the North Western Metropolitan Regional Road Sub-Group.

Signature

Date



**NOMINATION FORM – MEMBER
WANNEROO/JOONDALUP LOCAL EMERGENCY MANAGEMENT
COMMITTEE**

I hereby nominate:

.....

for the position of Member on the Wanneroo/Joondalup Local Emergency Management Committee.

Name

Signature

Date
.....

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the Wanneroo/Joondalup Local Emergency Management Committee.

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
WANNEROO/JOONDALUP LOCAL EMERGENCY MANAGEMENT
COMMITTEE**

I hereby nominate:

.....

for the position of Deputy Member on the Wanneroo/Joondalup Local Emergency Management Committee.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Deputy Member on the Wanneroo/Joondalup Local Emergency Management Committee.

Signature

Date



**NOMINATION FORM – MEMBER
YELLAGONGA REGIONAL PARK COMMUNITY ADVISORY
COMMITTEE**

I hereby nominate:

.....

for the position of Member on the Yellagonga Regional Park Community Advisory Committee.

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

for the position of Member on the Yellagonga Regional Park Community Advisory Committee.

Signature

Date



**NOMINATION FORM – DEPUTY MEMBER
YELLAGONGA REGIONAL PARK COMMUNITY ADVISORY
COMMITTEE**

I hereby nominate:

.....

**for the position of Deputy Member on the Yellagonga Regional Park Community
Advisory Committee.**

Name

Signature

Date

ACCEPTANCE OF NOMINATION

I
(name of nominee)

hereby accept the nomination made by

.....
(name of nominator)

**for the position of Deputy Member on the Yellagonga Regional Park Community
Advisory Committee.**

Signature

Date