

minutes

Special Meeting of Council

MEETING HELD ON

WEDNESDAY 3 SEPTEMBER 2025

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.

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TABLE OF CONTENTS

1	ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS	3
2	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	3
3	DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY	4
4	PUBLIC QUESTION TIME	5
5	PUBLIC STATEMENT TIME	8
6	APOLOGIES AND LEAVE OF ABSENCE	8
7	IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	9
	PROCEDURAL MOTION - THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC	9
8	REPORTS	10
8.1	CONFIDENTIAL - TENDER 006/25 ENTERPRISE BUSINESS PLATFORM PROJECT MANAGEMENT AND IMPLEMENTATION (WARD - ALL).....	10
	PROCEDURAL MOTION – THAT THE MEETING BE OPENED TO MEMBERS OF THE PUBLIC	12
	MOTION TO RESUME ORDER OF BUSINESS	12
9	CLOSURE	12

CITY OF JOONDALUP

COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,
BOAS AVENUE, JOONDALUP ON WEDNESDAY 3 SEPTEMBER 2025

1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

2 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

2.1 MEETING OPENING AND ATTENDANCE

The Mayor declared the meeting open at 6.30pm.

Mayor:

HON. ALBERT JACOB, JP

Councillors:

CR ADRIAN HILL	North Ward
CR LEWIS HUTTON	North Ward
CR CHRISTOPHER MAY, JP	Central Ward
CR RUSS FISHWICK, JP	South Ward
CR JOHN RAFTIS	South Ward
CR CHRISTINE HAMILTON-PRIME, JP	South-West Ward
CR PHILLIP VINCIULLO	South-West Ward
CR JOHN CHESTER	South-East Ward

Officers:

MR JAMES PEARSON	Chief Executive Officer	
MRS REBECCA MACCARIO	Acting Director Governance and Strategy	to 6.41pm
MRS KYLIE BERGMANN	Manager Governance	
MS CHRISTINE ROBINSON	Manager Audit, Risk and Executive Services	
MR ANUP DHITAL	Acting Manager Information Technology	
MR SIMON BRINKLEY	Project Manager Axiom	
MRS VIVIENNE STAMPALIJA	Governance Coordinator	
MRS DEBORAH GOUGES	Senior Governance Officer	
MS SAMER AL JANABI	General Counsel	

There were two members of the public and no member of the press in attendance.

2.2 REQUESTS FOR ELECTRONIC ATTENDANCE

Nil.

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

3.1 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	Cr Christine Hamilton-Prime, JP.
Meeting Type	Special Council Meeting.
Meeting Date	3 September 2025.
Item No. / Subject	Item 8.1 - Confidential - Tender 006/25 Enterprise Business Platform Project Management and Implementation (Ward – All).
Nature of Interest	Interest of Impartiality.
Extent of Interest	That HCL Australia Services (HCL) was one of the tenderers and their employees are known to Cr Hamilton-Prime. Cr Hamilton-Prime has attended events hosted by HCL.

Name / Position	Cr Adrian Hill.
Meeting Type	Special Council Meeting.
Meeting Date	3 September 2025.
Item No. / Subject	Item 8.1 - Confidential - Tender 006/25 Enterprise Business Platform Project Management and Implementation (Ward – All).
Nature of Interest	Interest of Impartiality.
Extent of Interest	Cr Hill has previously attended a cricket event at the invitation of HCL Australia Services (HCL). Project Axiom was not discussed.

Name / Position	Cr John Raftis.
Meeting Type	Special Council Meeting.
Meeting Date	3 September 2025.
Item No. / Subject	Item 8.1 - Confidential - Tender 006/25 Enterprise Business Platform Project Management and Implementation (Ward – All).
Nature of Interest	Interest of Impartiality.
Extent of Interest	One of the tenderers is known to Cr Raftis.

4 PUBLIC QUESTION TIME

4.2 PUBLIC QUESTION TIME - MINUTES

The following summarised questions were submitted in writing prior to the Special meeting of Council:

M Sideris, Mullaloo:

Re: Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation.

Q1 As the Vision and Primary Values of the City are Transparent, Accountable, Honest, Ethical and Respectful, can the City please provide an explanation as to why this issue, a tender, was not placed on the Agenda for last week's Ordinary Council Meeting, and what is the urgency that requires it to be dealt with at a Special Council Meeting this week?

A1 This issue was placed on the Addendum Agenda as Report 14.1 for the Ordinary Meeting of Council held on 26 August 2025.

At last week's Ordinary Meeting of Council, Council decided to defer the item to a Special Council Meeting to be held on 3 September 2025.

Q2 As the Vision and Primary Values of the City are Transparent, Accountable, Honest, Ethical and Respectful, can the City please advise why, with the Council about to enter a caretaker period and with at least two of the council members (Mayor Jacob and Cr Hamilton-Prime) not returning to Council in their current role, does this sudden rush to deal with the tender demonstrate good governance and if so explain how?

A2 Consideration of the proposed tender is consistent with governance requirements.

The Report was considered by Council at the Ordinary Council Meeting held on 26 August 2025. Elected Members were briefed further on the tender on Tuesday 2 September 2025 and it will be considered formally at the Special Council Meeting to be held 3 September 2025.

Q3 As the Vision and Primary Values of the City are Transparent, Accountable, Honest, Ethical and Respectful, can the City please advise why the Chief Executive Officer has chosen to call a Special Council Meeting which will come at additional cost to the administration for staff and security to attend?

A3 At the Ordinary Meeting of Council held on 26 August 2025 Council decided that Item 14.1 be deferred to a Special meeting of Council to be held on Wednesday 3 September 2025, commencing at 6.30pm.

- Q4 *As the Vision and Primary Values of the City are Transparent, Accountable, Honest, Ethical and Respectful and the current contract with HCL ended in November 2024 with a large number of modules still to be completed or outstanding.*

Modules with significant development undertaken but not yet completed are as follows:

- *Elected member requests.*
- *CCTV requests.*
- *Finance budgeting.*
- *Finance cash and bank.*
- *Finance expense management.*
- *Finance management resourcing.*
- *Finance inventory management.*
- *Finance taxation (Phase 1).*
- *Finance general ledger.*

Modules outstanding are as follows:

- *After hours requests.*
- *Animal management.*
- *Anti-social behaviour.*
- *Building applications (internal processing).*
- *Planning applications (internal processing).*
- *Health applications (internal processing).*
- *Facility bookings.*
- *Freedom of Information.*
- *Graffiti.*
- *Infrastructure maintenance.*
- *Building and planning compliance.*
- *Park bonds.*
- *Public health compliance.*
- *Swimming pool inspections.*
- *Works and Assets.*
- *Finance property and rating.*
- *Financial reporting.*
- *Project accounting.*
- *Finance procurement.*
- *Finance taxation (Phase 2).*
- *Finance fixed assets.*
- *Services requests including parks, roads, and building.*

Can the City please advise what are the reasons given by HCL for such a large failure by HCL to achieve the contracted work despite over \$6.7 million having been invoiced for the work?

- A4 The Contract with HCL Australia Services Pty Ltd provided for up to five years of work in the form of an initial term of two years with three further option terms, each option having a one-year period. The Contract provided for a mechanism to exercise each option. The option to extend for a further term was not exercised and the Contract expired on the expiry of the Initial Term, on 17 November 2024.

Q5 *As the Vision and Primary Values of the City are Transparent, Accountable, Honest, Ethical and Respectful, can the City please advise if the original Business Case and overall project costs have been amended?*

A5 The original business case and project overall costs have not been amended. The successful Tenderer for Tender 006/25 Enterprise Business Platform Project Management and Implementation will be required to produce an industry standard Project Plan and an Implementation Plan in accordance with the City's *Project Management Framework*, which will include indicative costs to complete the Project.

The following summarised questions were submitted verbally at the Special meeting of Council:

M Sideris, Mullaloo:

Re: *Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation.*

Q1 *I refer to the responses provided to the questions I submitted in writing for tonight's meeting. The response to one of the questions indicates that the HCL contract was for a two plus one plus one plus one, but the option to extend it beyond the two-year period was not taken. Can you please advise what were the grounds for not continuing with the contract for effectively a five-year contract?*

A1 The Chief Executive Officer advised the contract was not renewed in accordance with the provisions that the City has in regard to contracts with providers of services such as HCL.

Q2 *What grounds did this City use not to extend the contract beyond the two-year term, and not take up the option of plus one plus one plus one?*

A2 The General Counsel advised the initial contract term expired on 17 November 2024. No grounds were required to discontinue the contract.

M Kwok, Ocean Reef:

Re: *Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation.*

Q1 *Can the City advise how many tenders we have?*

A1 Mayor Jacob advised the response to that question is confidential.

Q2 *The contract ran from November 2022 to November 2024, since the contract was not renewed what has happened to the project for the last nine months?*

A2 The Chief Executive Officer advised that when the contract with HCL was not renewed, the City's Chief Executive Officer took over as Project Sponsor. There was a reconfiguration of personnel in the City's project team. The City has rolled out several completed modules including most notably the *myJoondalup* feature which has more than 23,000 registrations, adding that the *myJoondalup* feature will become a portal for residents of the district to access services digitally through the City of Joondalup's website.

The Chief Executive Officer noted that City has also successfully transitioned to a new waste services contractor and has received praise from the new contractor for the quality of the work done using the Enterprise Business Platform to facilitate that transition.

5 PUBLIC STATEMENT TIME

Nil.

6 APOLOGIES AND LEAVE OF ABSENCE

6.1 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Rohan O'Neill	1 to 6 September 2025 inclusive.
Cr Daniel Kingston	9 September and 30 September 2025 inclusive.
Cr Nige Jones	3 September to 8 September 2025 inclusive.
Cr John Raftis	8 September to 11 September 2025 inclusive.
Mayor Albert Jacob, JP	26 September to 10 October 2025 inclusive.
Cr Daniel Kingston	7 October 2025 inclusive.

6.2 APOLOGIES

Cr Daniel Kingston.
Cr Rebacca Pizzey.

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

- Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation.

PROCEDURAL MOTION - THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC

(Resolution No: CJ258-09/25)

MOVED Mayor Jacob, SECONDED Cr Hill that Council:

- 1 in accordance with Section 5.23(2)(b) and (e)(ii) 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 item:**

- 1.1 Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation (Ward – All);**

- 2 PERMITS the following employees to remain in the Chamber during discussion on Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation while the meeting is sitting behind closed doors as detailed in Part 1.1 above:**

- 2.1 Chief Executive Officer, Mr James Pearson;**
- 2.2 Manager Audit, Risk and Executive Services, Ms Christine Robinson;**
- 2.3 Project Manager, Project Axiom, Mr Simon Brinkley;**
- 2.4 Manager Governance, Mrs Kylie Bergmann;**
- 2.5 Acting Manager Information Technology, Mr Anup Dhital;**
- 2.6 Coordinator Governance, Mrs Vivienne Stampalija;**
- 2.7 Senior Governance Officer, Mrs Deborah Gouges;**
- 2.8 General Counsel, Ms Samer Al Janabi.**

The Motion was Put and

CARRIED (8/1)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Fishwick, Cr Hamilton-Prime, Cr Hill, Cr Hutton, Cr May and Cr Vinciullo.

Against the Motion: Cr Raftis.

Members of staff (with the exception of the Chief Executive Officer, Manager Audit, Risk and Executive Services, Project Manager, Project Axiom, Manager Governance, Acting Manager Information Technology, Coordinator Governance, Senior Governance Officer and General Counsel) and members of the public left the Chamber at this point; the time being 6.41pm.

The Acting Director Governance and Strategy left the Chamber at 6.41pm.

8 REPORTS

Declarations of Interest affecting Impartiality

Name / Position	Cr Christine Hamilton-Prime, JP.
Meeting Type	Special Council Meeting.
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Name / Position	Cr John Raftis.
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Nature of Interest	Interest of Impartiality.
Extent of Interest	One of the tenderers is known to Cr Raftis.

8.1 CONFIDENTIAL - TENDER 006/25 ENTERPRISE BUSINESS PLATFORM PROJECT MANAGEMENT AND IMPLEMENTATION (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr James Pearson Chief Executive Officer
FILE NUMBER	112037
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 s5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

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

OFFICER'S RECOMMENDATION

MOVED Mayor Jacob, SECONDED Cr Vinciullo that Council:

- 1 ACCEPTS the Tender submitted by 365 Solutions Consulting Pty Ltd for Phase One of the Enterprise Business Platform Project Management and Implementation as specified in Tender 006/25, at the submitted schedule of rates;**
- 2 NOTES that the Chief Executive Officer is to present the finalised Gap Analysis Report, the draft Project Plan and Implementation Plan to Council to review by Quarter 4 2025-26, to enable progression of Project Axiom.**

PROCEDURAL MOTION – THAT THE ITEM BE REFERRED BACK TO THE CHIEF EXECUTIVE OFFICER

MOVED Cr Raftis, SECONDED Cr Fishwick that Item 8.1 – Confidential – Tender 006/25 Enterprise Business Platform Project Management and Implementation – be REFERRED BACK to the Chief Executive Officer to undertake a new tender process for the Enterprise Business Platform project management and implementation, with the tender scope of works to be approved by Council before advertising.

The Motion was Put and

LOST (2/7)

In favour of the Motion: Cr Fishwick and Cr Raftis.

Against the Motion: Mayor Jacob, Cr Chester, Cr Hamilton-Prime, Cr Hill, Cr Hutton, Cr May and Cr Vinciullo.

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

(Resolution No: CJ259-09/25)

MOVED Mayor Jacob, SECONDED Cr Vinciullo that Council:

- 1 ACCEPTS the Tender submitted by 365 Solutions Consulting Pty Ltd for Phase One of the Enterprise Business Platform Project Management and Implementation as specified in Tender 006/25, at the submitted schedule of rates;**
- 2 NOTES that the Chief Executive Officer is to present the finalised Gap Analysis Report, the draft Project Plan and Implementation Plan to Council to review by Quarter 4 2025-26, to enable progression of Project Axiom.**

The Motion was Put and

CARRIED (8/1)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Fishwick, Cr Hamilton-Prime, Cr Hill, Cr Hutton, Cr May and Cr Vinciullo.

Against the Motion: Cr Raftis.

PROCEDURAL MOTION – THAT THE MEETING BE OPENED TO MEMBERS OF THE PUBLIC

(Resolution No: CJ260-09/25)

MOVED Mayor Jacob, **SECONDED** Cr Hill 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 (9/0)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Fishwick, Cr Hamilton-Prime, Cr Hill, Cr Hutton, Cr May, Cr Raftis and Cr Vinciullo.

Against the Motion: Nil.

MOTION TO RESUME ORDER OF BUSINESS

(Resolution No: CJ261-09/25)

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

The Motion was Put and

CARRIED (9/0)

In favour of the Motion: Mayor Jacob, Cr Chester, Cr Fishwick, Cr Hamilton-Prime, Cr Hill, Cr Hutton, Cr May, Cr Raftis and Cr Vinciullo.

Against the Motion: Nil.

9 CLOSURE

There being no further business, the Mayor declared the meeting closed at 7.16pm the following Elected Members being present at that time:

HON. ALBERT JACOB, JP
CR ADRIAN HILL
CR LEWIS HUTTON
CR CHRISTOPHER MAY, JP
CR RUSS FISHWICK, JP
CR JOHN RAFTIS
CR CHRISTINE HAMILTON-PRIME, JP
CR PHILLIP VINCIULLO
CR JOHN CHESTER