

# MINUTES

## AGM of Electors City of Joondalup

MINUTES OF  
ANNUAL GENERAL MEETING OF ELECTORS  
OF THE CITY OF JOONDALUP  
HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE,  
BOAS AVENUE, JOONDALUP

MEETING DATE



**ON MONDAY 3 DECEMBER 2007**



City of  
Joondalup

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## CITY OF JOONDALUP

### MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY, 3 DECEMBER 2007

#### OPEN AND WELCOME

The Mayor declared the meeting open at 1836 hrs and introduced the Deputy Mayor and Councillors.

#### ATTENDANCES

##### Mayor:

TROY PICKARD

##### Councillors:

Cr KERRY HOLLYWOOD	North Ward
Cr TOM McLEAN	North Ward
Cr ALBERT JACOB	North-Central Ward
Cr TRONA YOUNG	North-Central Ward
Cr MARIE MACDONALD	Central Ward
Cr GEOFF AMPHLETT	Central Ward
Cr MICHELE JOHN	South-West Ward
Cr MIKE NORMAN	South-West Ward
Cr SUE HART	South-East Ward
Cr BRIAN CORR	South-East Ward <i>to 2039 hrs</i>
Cr RUSS FISHWICK	South Ward – <i>Deputy Mayor</i>
Cr FIONA DIAZ	South Ward

##### Officers:

MR GARRY HUNT	Chief Executive Officer	<i>Absent from 2045 hrs to 2046 hrs</i>
MR MIKE TIDY	Director, Corporate Services	
MR CLAYTON HIGHAM	Director, Planning and Community Development	
MR IAN COWIE	Director, Governance & Strategy	
MR MURRAY RALPH	Manager Infrastructure Services	
MR MIKE SMITH	Manager, Marketing Communications & Council Support	
MR SAID HAFEZ	Manager Financial Services	
MR MARK McCRORY	Media Advisor	
MS JANET HARRISON	Administrative Services Co-ordinator	
MRS LESLEY TAYLOR	Administrative Secretary	

##### In attendance

Mr Michael Hillgrove of Grant Thornton (WA), Partnership - the City's Auditor.

## **APOLOGIES**

Nil.

There were 31 members of the Public in attendance, 29 of whom signed the register to record their attendance.

*Appendix 1 - Attendance Register, click here: [agm attendance register 031207.pdf](#)*

There was one member of the Press in attendance.

## **ADDRESS BY THE MAYOR**

The Mayor advised that this meeting is held in accordance with Section 5.27 of the Local Government Act 1995.

The meeting was advertised in the community newspaper on 26 October 2007, 8 November 2007 and 29 November 2007. It was also advertised on the City's website.

### **Video Presentation**

At this point a video presentation was given outlining the events, activities and achievements of the City of Joondalup for the 2006/07 financial year.

### **Procedures at Electors' meetings:**

The Mayor outlined the requirements for voting and speaking at an Electors Meeting and the definition of an Elector.

The Local Government (Administration) Regulations state that the procedures to be followed at electors' meetings are to be determined by the presiding person.

The Mayor advised that the purpose of tonight's meeting is not to adopt the Annual Report but to discuss its contents and raise any general business that Electors may have. The Local Government Act 1995 requires Council to adopt the Annual Report, and this was adopted by Council at its meeting on 16 October 2007.

## **CONTENTS OF THE 2006/2007 ANNUAL REPORT**

### **Mr S Magyar, 31 Drummer Way, Heathridge:**

*Q1 Page 1 of the Annual Report – Revenue and Expenditures lists a total operating revenue of \$83,000,000. The next page indicates only \$52,000,000 comes from general rates. In future Annual Reports, would it be possible to give a breakdown of these figures to indicate which portion listed on Page 1 is from general rates (particularly expenditure) and which portion is generated from government grants?*

*A1 If the question is can future Annual Reports reflect what comes from grants as distinct from rates (grant income and grant expenditure), that request will be considered, however that is not a requirement of statutory reporting.*

- Q2 *Page 4 – Cash Flows from Operating Activities. The adopted 2007 budget states government grants and subsidies as \$3,300,000, whereas the actual for 2007 was \$8,300,000. Could I have an explanation for the additional \$5,000,000?*
- A2 At the bottom of page 12 under capital grants and contributions, there is a clearer explanation of the breakdown. There is an error on page 4, but this does not alter any figures. The breakdown between government grants and subsidies is not clearly shown and could be reflected better. Note 2 on page 12 provides a better breakdown.
- Q3 *Are there any specific major grants that the City obtained, but were not foreseen?*
- A3 No.

**Mr M Sideris, 12 Page Drive, Mullaloo:**

- Q1 *Does this Annual Financial Report identify all compliance requirements with all statutory provisions/declarations being Federal and State that are required?*
- A1 To the best of the City's knowledge in terms of the requirements for the Annual Report and accounting provisions of the Local Government Act 1995, yes they do, and relevant accounting standards for public entities.
- Q2 *There are certain statutes that require certain declarations outside of the Local Government Act?*
- A2 *Response by Mayor Pickard:* If you would care to provide your question in writing, referring to specific legislation, this will allow the City to give a specific answer.

**Mr M O'Brien, 45 Aberdare Way, Warwick:**

Mr O'Brien made reference to Page 4, Receipts/Rates/General of \$52,530,779 and spoke in opposition to flat-taxing of pensioners. Mr O'Brien requested that consideration be given to applying proportional taxing in future budgets.

Mayor Pickard responded that every year this matter is debated by the Council when the rates are struck, and the manner in which the rate is charged is determined.

**Mr N Gannon, 79 Clontarf Street, Sorrento:**

- Q1 *Page 14 – Community Sport and Recreation Facilities Fund. The total project costs for the upgrade of flood lighting at the Kingsley Junior Football Club is listed as \$26,458, with the City's contribution listed as \$79,375. Could this be clarified?*
- A1 These figures should be reversed.

**Mr S Kobelke, 1 Hawkins Avenue, Sorrento**

Q1 *The Annual Financial Report is not specific about Council/Councillor entertaining. Was Council entertaining this financial year within budget estimates for civic events?*

A1 To the best of the City's knowledge, expenditure was within budget for the period ending 30 June 2007. For that particular financial year, the Council had determined 2007 to be the year of the community groups.

Q2 *Can I recommend that the area of Councillor entertainment can be a sensitive area, and should be contained within the notes as to what the actual figure is?*

A2 *Response by Mayor Pickard:* It is not Councillor entertainment, it is civic events; a very crucial role within any large City. Your point is noted.

**Dr V Cusack, 2 Renegade Way, Kingsley:**

Q1 *Page 4 – Cash Flow Statement.*

*With the rates general being \$52,530,779 and employee costs being \$30,371,055; does the City believe this is sustainable and are there any plans to address this problem without continuously increasing rates?*

A1 *Response by Mayor Pickard:* I understand the percentage of funds allocated to staffing within this local authority is consistent with that of other large local authorities.

*Response by CEO:* Employee costs are generally about 42% of total expenditure. The City of Joondalup is at the lower end of industry standards, and the full-time equivalent in terms of staffing is approximately 500. The nearest local government to the size of the City is the City of Stirling with approximately 770 full-time employees. It is not directly comparable as the City of Joondalup contracts out its rubbish services and some community service areas. However, on the best judgment that can be taken, the staffing levels of the City of Joondalup are somewhat lower than a number of the other local governments in the metropolitan area.

Q2 *My question and comments were not intended to and should not in any way adversely reflect on staff. It is a well known fact that local governments throughout Western Australia are always crying for more money from State and Federal authorities. It is not sustainable in my view and I do not believe the question was answered in terms of how this issue is going to be addressed.*

A2 *Response by Mayor Pickard:* If it is the wish of the community that the City reduces employee costs, the City would need to ascertain which services the community would like it to withdraw from delivery in order to reduce the number of staff within the organisation. I think at this point in time the number of staff within the organisation is not exorbitant and is sufficient to provide the level of services that the community currently desires and requests from the City. If the community wishes this to change and the number of staff to be reduced, the current areas of service delivery would need to be looked at.

**Mr R de Gruchy, 57 Ashmore Way, Sorrento:**

Q1 *Page 4 – Receipts/Rates/General lists an amount of \$52,530,779. Page 5 lists an amount of \$52,538,261. I understand there are specified area rates, but this does still not explain the difference?*

A1 The cash flow statement represents cash receipts. The statement on page 5 includes rates accruals. Page 12 sets out Operating Revenues and Expenses (with the accruals included) and shows Rates – General as \$52,538,261.

**Mr M Sideris, 12 Page Drive, Mullaloo:**

Q1 *Page 29 refers to the National Competition Policy. My understanding of the National Competition Policy is that it requires this Council to make a declaration that it complies with that policy. Reading the statement in the Annual Report, it does not do that. As I stated earlier, does this Annual Report indicate full compliance with all statutory provisions of Federal and State law? The Annual Report is a published document and I believe a statement in relation to compliance should be included within the Report. I am surprised the City's Auditor did not make a statement to that effect.*

A1 *Response by Mayor Pickard:* To the best of the City's knowledge, yes.

*Response by CEO:* The statement on page 29 is the City's statement. If the Auditors believed the City was not compliant, it would have been identified.

**GENERAL BUSINESS****Ms Katharine Woodmass, 25 Calbourne Way, Kingsley:**

Q1 *Earlier on in the meeting, it was stated the Annual General Meeting of Electors was advertised in the Weekender community newspaper dated 29 November 2007. On a search of the newspaper, I cannot locate the advertisement? Can an explanation be provided?*

A1 This question was taken on notice.

Q2 *On 15 October 2007 I received a letter from the City explaining that our street was to be resurfaced in two weeks time. The works were subsequently delayed, but I have not been advised when works will commence. What process does the City have to plan these works? When I phoned and asked for an update as to when works were due to commence, no-one could give me a date.*

- A2 This matter will be investigated and Ms Woodmass will be advised within the next two days.

**Mr B Roberts, 9 Spinaway Street, Craigie:**

Mr Roberts raised concern at vandalism in the areas of Marmion Avenue/Coral Street (Telstra Building and surrounds); Whitford Avenue/Eddystone Avenue (where the childcare building is); the Craigie Shopping Centre and the Marmion Avenue/Whitford Avenue underpass, and also the numerous bus shelters.

Mr Roberts requested the City to put in place an operational action plan to combat these issues, particularly with a 48-hour turnaround for clean-ups.

Mayor Pickard outlined the City's initiatives to combat graffiti vandalism.

**Mr S Magyar, 31 Drummer Way, Heathridge:**

- Q1 *Regarding the Financial report, page 32 - Gains and loses on disposal of assets by class. The top entry of \$3.8 million from land sales and a profit of \$2.8 million. I am aware of a land sale in Kinross for an aged care facility, but I did not think the City made this amount from the one deal. What else is included in this \$3.8 million of land?*

- A1 This related to the Tamala Park investment, where entries were required prior to 30 June 2007 in terms of transferring land, so that the Tamala Park Regional Council could be in a position to do the land development.

The landholding that is owned by seven metropolitan local governments made some arrangements with the State Government in relation to the land that is west of Marmion Avenue. That was part of Tamala Park but is within the State Government's Bush Forever designated area and the seven Councils reached agreement with the State Government to sell all that portion of the land to the State Government and the City of Joondalup is a one-sixth owner of the landholdings of Tamala Park and this particular amount, being about \$2.7 million of the \$3.8 million, represents the City's share of the proceeds from the land disposal.

- Q2 *In future, can a footnote be provided to explain the situation?*

- A2 The City of Joondalup is the direct landowner of the land. Tamala Park Regional Council does not own any of the land in its own right.

Note 13 on page 30 provides the explanation.

**Mrs M Zakrevsky, 49 Korella Street, Mullaloo:**

Q1 *With reference to the response provided earlier to Mr Bill Roberts of Craigie, the Mayor made mention of different provisions with regard to City Watch, would that include having cameras to record so that there could be a way of identifying persons that graffiti?*

A1 *Response by Mayor:* I did not say the City was having problems with City Watch, I merely said that in extending the contract Council decided to look at adjusting some of its performance indicators to suit what we felt were challenges we faced in the current year. To answer your question, yes that is being considered. The provision of cameras for cars is being considered as part of the grant application.

**MOVED Mrs M Zakrevsky 49 Korella Street, Mullaloo SECONDED Ms M Moon, 6 Carew Place, Greenwood that the City of Joondalup:**

- 1 **increases the number of staff in its natural areas team, which presently consists of a supervisor and two full-time staff (written confirmation dated 14 November 2007). Endorsement of CJ193-09/07 City of Joondalup Environment Plan, objective 2.1 – Caring for the Environment states: “To plan and manage our natural resources to ensure environmental sustainability”;**
- 2 **provides its natural team with equipment to enable management of the natural areas as stated in the City’s Vision, Environmental Report of 25 September 2007 for CJ193-09/07 and the recently released 2007 Annual Report;**
- 3 **has a natural areas staff that is able to support the work of Friends Groups as and when required, eg some chemical weed control, obtaining and moving brushing, sand trapping, and watering newly planted seedlings at regular intervals during the first summer for improved survival rates.**

Mrs Zakrevsky spoke to the Motion.

**The Motion was Put and**

**CARRIED WITHOUT DISSENT**

**Dr M Apthorpe, 69 Bacchante Circle, Ocean Reef:**

Dr Apthorpe spoke in relation to Geraldton carnation weed.

**MOVED Dr M Apthorpe, 69 Bacchante Circle, Ocean Reef SECONDED Mr S Magyar, 31 Drummer Way, Heathridge that the City of Joondalup takes action against the invasion of Geraldton carnation weed into natural areas, particularly along Ocean Reef Road, by trial spraying of the herbicide Logran, otherwise known as triasulfuron as detailed by the Department of Environment and Conservation and that budget money be allocated from the Ocean Reef Marina feasibility study to deal with this declared weed at this site.**

Mr M Caiacob spoke to the Motion.



**AMENDMENT MOVED Mr P Young, 33 Transom Way, Ocean Reef, SECONDED Mr R de Gruchy, 57 Ashmore Way, Sorrento that the words “from the Ocean Reef Marina feasibility study” be REMOVED from the Motion.**

The following persons spoke on the Amendment:

- Mr S Magyar. Mr Magyar foreshadowed his intention to move an amendment should the amendment under consideration not be successful.
- Dr M Apthorpe
- Dr V Cusack

**The Amendment was Put and**

**CARRIED**

**AMENDMENT MOVED Mr S Magyar, 31 Drummer Way, Heathridge, SECONDED Mr A Bryant, 6B Stocker Court, Craigie that the City of Joondalup seeks cooperation from the State Government and the WA Local Government Association to address this weed issue as it affects many local government authorities, not just the City of Joondalup.**

With the approval of the meeting, the words “and the WA Local Government Association” were included in the Amendment.

**The Amendment was Put and**

**CARRIED**

**The Original Motion as amended, being:**

**That the City of Joondalup:**

- 1 takes action against the invasion of Geraldton carnation weed into natural areas, particularly along Ocean Reef Road, by trial spraying of the herbicide Logran, otherwise known as triasulfuron as detailed by the Department of Environment and Conservation and that budget money be allocated to deal with this declared weed at this site;**
- 2 seeks cooperation from the State Government and the WA Local Government Association to address this weed issue as it affects many local government authorities, not just the City of Joondalup.**

**was Put and**

**CARRIED WITHOUT DISSENT**

**Mr M O’Brien, 45 Aberdare Way, Warwick:**

*Q1 Has Council adopted any endorsement in principle for the long-term development of Quarry Park, Edgewater?*

*A1 Response by Mayor Pickard: No, not formally.*

**MOVED Mr M O'Brien, 45 Aberdare Way, Warwick, SECONDED Dr V Cusack, 2 Renegade Way, Kingsley that Council be requested to revive the City of Joondalup Wheeled Sports Committee as soon as possible to oversee the development of the Edgewater Quarry Site.**

With the approval of the meeting, the words "as soon as possible to oversee the development of the Edgewater Quarry Site" be added to the Motion.

Mr M O'Brien spoke on the Motion.

**The Motion was Put and**

**CARRIED WITHOUT DISSENT**

**Mrs D Kelly, 11 Aldis Street, Greenwood:**

Mrs Kelly requested the City of Joondalup give consideration to the impact of five sporting groups, plus events and local users and the growth of these sporting groups as the population increased on a shared use arrangement with the new Greenwood Primary School and Penistone Reserve. She did not support the primary school using Penistone Reserve as its main oval and was of the belief the school needed its own dedicated oval.

Mayor Pickard advised that at the last meeting of Council, the Council formally resolved that any future applications including that matter would come before Council for its determination.

**Dr M Apthorpe, 69 Bacchante Circle, Ocean Reef:**

Q1 *I refer to the Bush Forever Site 325 around the proposed Ocean Reef Marina development and as far north as Southern Cross Circle. In 2002 a report was commissioned by the City of Joondalup which provided a vegetation map of the area and a vegetation importance ranking map of the area and a process overview of the EPA's consideration of development proposals involving the significant impact on Bush Forever sites. I have not seen this report since 2002. Is the report in the public domain and where can it be accessed?*

A1 It is not known whether the report is available in the public domain. A review is currently being undertaken of all reports, including environmental and biodiversity reports of that area. The reports will be subject to on-going review and reassessment as part of the reactivation of the Ocean Reef project and the formation of the Ocean Reef Marina Committee by the Council at its last meeting on 20 November 2007. Dr Apthorpe will be advised what the position of the 2002 report is by early next week.

*Response by Mayor Pickard:* The work undertaken by the Steering Group, which is officer based, is referred to the Ocean Reef Marina Committee which is a committee of Council with no delegated authority. Any matters considered by the Ocean Reef Marina Committee will go to Council for formal ratification.

**Mrs H Chester, 27 Wanderra Way, Kingsley:**

Q1 *Order of Business for ordinary Council Meetings. Can Public Question Time and Public Statement Time be combined, or at the very least Public Statement Time precede Question Time. If not, why not?*

A1 There is a legislative requirement that Public Question Time be held first.

*Response by Mayor Pickard:* There is no legislative requirement for the City to conduct a period of Public Statement Time. The City holds a statement time in order to have open and accountable good governance for the City and its residents and ratepayers.

**Ms M Moon, 6 Carew Place, Greenwood:**

Q1 *When is the last meeting of Council for 2007?*

A1 *Response by Mayor Pickard:* 18 December 2007.

Q2 *When is the first meeting of Council for 2008?*

A2 *Response by Mayor Pickard:* 19 February 2008.

Q3 *What is the Amendment Number under the District Planning Scheme No 2 of the Short Stay in the Residential Zone and the Short Stay Policy? Is it Amendment No 40?*

A3 This question was taken on notice.

**MOVED Ms M Moon, 6 Carew Place, Greenwood, SECONDED Mr M Caiacob, 7 Rowan Place, Mullaloo that advertising for the District Planning Scheme No 2 Amendment “Short Stay in the Residential Zone” and the “Short Stay” Policy be extended for at least two (2) weeks to ensure comprehensive community consultation can be achieved with certainty.**

The following persons spoke on the Motion:

- Mrs M Moon
- Mr M Caiacob
- Mr S Magyar

**The Motion was Put and**

**CARRIED WITHOUT DISSENT**

**Mr K Zakrevsky, 49 Korella Street, Mullaloo:**

**MOVED Mr K Zakrevsky, 49 Korella Street, Mullaloo, SECONDED Mr M Caiacob, 7 Rowan Place, Mullaloo that the ratepayers believe that since 2000 Council's and Administration's apparent repeated failure to uphold the adopted Code of Conduct comprising the three (3) ethical values and professional behaviours that support the principles of Respect for Persons, Justice and Beneficence, especially its ratepayers as evidenced at the 19 June 2007 Council meeting debate on Item CJ116-06/07 - Recovery of Legal Costs in the matter of the Mullaloo Progress Association Inc –v- City of Joondalup and Rennet Pty Ltd – Supreme Court Action CIV 1285 of 2003, as listed (a) to (m) as evidenced and witnessed to be deplorable and inexcusable.**

- 1 The current City of Joondalup administration did not advise Council on the 12 June 2007 and 19 June 2007:**
  - (a) that former CEO, Denis Smith exceeded his \$10,000 statutory expenditure limitation when engaging senior counsel to represent the City of Joondalup in a Court of Law and that no such authority was requested from Council;**
  - (b) the former CEO, Denis Smith's contractual actions were illegal;**
  - (c) the lawyers and the Supreme Court were not aware that they were dealing with an unauthorised requisition making the City of Joondalup Defence Action null and void before the Court Hearing commenced;**
  - (d) that the former CEO, Denis Smith ignored submissions made by the ratepayers;**
  - (e) that the former CEO, Denis Smith advised the MPA Inc and their lawyers to take their concerns elsewhere. The City of Joondalup could have and should have referred to its Code of Conduct and withdrawn any challenge, even in the last hour. Absolutely no effort was made to mediate;**
  - (f) that non-confirming rights are not transferable where redevelopment is proposed requiring DA and BA approvals and/or when the property/site has been sold to new owners. This is not a discretionary item;**
  - (g) failure to provide copy of alleged arrangement with M Bellombra to sell the land in Wangara to pay for cash-in-lieu of 34 parking bays not available;**
  - (h) that M Bellombra, the previous owner of Lot 100 Oceanside Promenade, Mullaloo did not own land in Wangara to be able to do that transaction;**
  - (i) that the evidence of alleged Receipt No 88 has not been provided to the MPA Inc and ratepayers as requested by them;**

- (j) failure to provide MPA Inc with access to 25 year old documents (refer legislation) when requested under FOI – Freedom of Information in fact is treated as “Fogging of Information” by the City of Joondalup;
  - (k) the City of Joondalup made no attempt to request MPA Inc for assurance/indemnity to meet legal costs that could arise. The City of Joondalup did not provide any assistance, only hindrance. The City of Joondalup ignored MPA Inc and ratepayers concerned at every turn. Council made no attempt to mediate as required of it. Specifically, it did not provide “Protection of Disadvantaged” to people protecting the public amenities;
  - (l) of the 14 January 2005 written confirmation of telephone conversation between Chairman of Commissioners, John Paterson and myself, V K (Ken) Zakrevsky in which, besides other matters discussed, Ken Zakrevsky replied regarding the Map’s legal cost raised by the Chairman that “the MPA is not asking to have anything hidden. Should this matter require a debate before ratification, it is necessary that both sides of the story be put before the Commissioners in a Report” and that “the City of Joondalup officers and the MPA present their own facts for assessment” has not been enacted to this day. No opportunity has been given to the MPA Inc or ratepayers to be heard and listened to on this subject;
  - (m) also evident that the reports and documents accompanying these recommendations to Council did not present all the relevant facts, only very select material and convoluted information that is misleading, misrepresentative, unprofessional, half truths and omissions of factual information is tantamount to lying. Also witnessed at the debate on 19 June 2007 on Items CJ116-06/07, CJ117-06/07 and CJ118-06/07 were the derogatory, threatening, wanton statements and accusations made collectively by the majority of Councillors displaying aggressiveness, bullying, disinterest, ignorance, laziness, self-opinionatedness and weakness, depicting relinquishment of responsibility by permitting delegated authority and discretionary authority to become unchallenged absolute authority with serious heavy financial losses and consequences to the City of Joondalup ratepayers;
- 2 That Council revisits Item CJ116-06/07 of 19 June 2007 and rescinds the motion because Council cannot support:
- (a) recklessness equals utterly careless behaviour by City of Joondalup executives and senior management and/or Councillors;
  - (b) misconduct equals improper and unlawful conduct by an official in regard to the office;

- (c) **misrepresentation equals represent incorrectly, improperly or falsely;**
  - (d) **misrepresentation to Solicitors, the Supreme Court, State Administrative Tribunal, the City of Joondalup ratepayers and electors;**
- 3 The Council must bear in mind that ratepayers also have the right to approach the Ombudsman, Department of Consumer and Employment Protection, CCC of WA and the Insurance Industry to determine whether the City of Joondalup administration, executives, senior management and Councillors, have or have not, carried out their responsibilities, to the best of their ability and truly represented the ratepayers and electors.**

The following persons spoke on the Motion:

- Mr K Zakrevsky
- Mr M Caiacob
- Ms M Moon

*Cr Corr left the Chamber, the time being 2039 hrs.*

*Chief Executive Officer left the Chamber at 2045 hrs and returned at 2046 hrs.*

**The Motion was Put and**

**CARRIED**

**Mr Paul Young, 32 Transom Way, Ocean Reef:**

Mr Young spoke on behalf of the Ocean Reef Progress Association and advised the Association had conducted a survey from which 270 responses were received. Two major themes resulted from the survey - the delivery of services by local and state government and secondly, the Ocean Reef Marina. The Association requested that the development of the marina be a high and key development goal for the City, with a pre-feasibility study for the marina carried out within the next financial year.

Mayor Pickard advised that the Ocean Reef Marina Committee will meet prior to the next Council meeting for the purpose of establishing the community reference group.

**Mr M Sideris, 12 Page Drive, Mullaloo:**

Mr Sideris raised the issue of the potential for paid car parking within the City of Joondalup and the loss of revenue with respect to cash-in-lieu payments relating to the provision of car parking bays.

**MOVED Mr M Sideris, 12 Page Drive, Mullaloo, SECONDED Mr K Zakrevsky, 49 Korella Street, Mullaloo that we the ratepayers reject the City of Joondalup Council and the City administration's move to impose a second and metered vehicle parking tax within the boundaries of Joondalup be it in the Central Business District or any other location such as the beach front.**

The following persons spoke on the Motion:

- Mr M Sideris
- Mr S Magyar
- Dr V Cusack

**Mrs M Zakrevsky, 49 Korella Street, Mullaloo:**

Q1 *Will areas such as outside the Joondalup Library be exempt from parking fees and will the parking metres be positioned on streets? How will parking outside the library and administration buildings be controlled in order to stop people parking all day in those areas?*

A1 There is no intention to charge parking in front of the library and there are mechanisms that can be put in place to control parking. The focus is on "on-street" parking, except some of the larger car park areas that are controlled by the City. There are opportunities for long-term parking. This is about a management mechanism.

*Response by Mayor Pickard:* The Parking Strategy which was advertised during the middle of this year and adopted by Council indicates that the monies generated from "on-street" parking will be used to establish multi-deck parking bays which will provide a medium to long term strategy to create a significant number of additional car parking bays at no direct impost to the visitors of the Central Business District or the ratepayers of our City.

**The Motion was Put and**

**CARRIED**

**Mr M Caiacob, 7 Rowan Place, Mullaloo:**

*Re: Height and Scale Policy*

Q1 *Did the documents that were sent to the Minister clearly show the land to which the proposed height limits are to apply, either as a depiction on the scheme map or a lot description?*

A1 It is believed so.

Mr Caiacob queried the reasons why the Minister had requested the City to review its Height and Scale Policy and stated he did not believe the Minister had the right to ask for a local planning policy to be amended.

Q2 *Why have the minutes of the Special Meeting of Council held on 23 June 2006 not been posted on the City's website for inspection by the ratepayers?*

A2 *Response by Mayor Pickard:* These minutes related to an adjourned meeting that to-date has not been reconvened. Minutes of any meeting cannot be released until such time as the meeting has concluded. Therefore, no minutes are available.

Q3 *Re Mindarie Regional Council. Is the City's delegate for the Mindarie Regional Council required to or has he or she declared an interest in that Council being an employee of another municipality, as well as the City of Joondalup?*

A3 *Response by Mayor Pickard:* You need to ask that question of the individual Elected Member.

**Dr V Cusack, 2 Renegade Way, Kingsley:**

**MOVED Dr V Cusack, 2 Renegade Way, Kingsley, SECONDED Ms M Moon, 6 Carew Place, Greenwood that the City do all it possibly can to further advance the City of Joondalup as a learning City by way of fully exploring with the State Government of the day, the option of relocating the Department of Education to the City of Joondalup.**

Dr Cusack spoke to the Motion.

**The Motion was Put and**

**CARRIED WITHOUT DISSENT**

**Mr M Sideris, 12 Page Drive, Mullaloo:**

**MOVED Mr M Sideris, 12 Page Drive, Mullaloo, SECONDED Mr K Zakrevsky, 49 Korella Street, Mullaloo that each and every time that the Council and/or the Planning Department of the City of Joondalup fails to properly impose the total number of required on-site car parking bays in respect of any development application, that this information should be publicly recorded in the Annual Report and be highlighted in each planning decision so as to identify both the shortfall in the number of car parking bays and the total commercial value of this parking shortfall which is then passed on to ratepayers.**

The following persons spoke on the Motion:

- Mr M Sideris
- Mr K Zakrevsky

**The Motion was Put and**

**CARRIED**



**Mr S Kobelke, 1 Hawkins Avenue, Sorrento:**

Mr Kobelke queried the length of time it had taken the Minister to approve the Council's recommendation in relation to the District Planning Scheme No 2 and urged the Council to reject any other recommendations suggested by the Minister.

The CEO advised that essentially the only reason the City of Joondalup was again looking at the height policy was because a request had been received from the Minister of the Crown to do so.

**Mr J Chester, 27 Wandearah Way, Kingsley:**

Q1 *Could the Council give consideration to providing an urn or other facility to allow ratepayers the opportunity to make tea or coffee, similar to that provided by the City of Wanneroo?*

A1 *Response by Mayor Pickard:* I suggested this evening that the facility be set up at the commencement of meetings and made available for the use of ratepayers during the meetings.

**Mr M O'Brien, 45 Aberdare Way, Warwick:**

Q1 *What has happened to the computer terminals once located in the Council Chamber for the use of Elected Members?*

A1 *Response by Mayor Pickard:* Elected Members use laptops during the course of a Council meeting to vote and display motions on the screen. The laptops are not in use this evening, as this meeting is the Electors' forum.

**Mr E Burton, 16 Woodlake Retreat, Kingsley:**

Mr Burton congratulated the City for work undertaken to date in relation to Woodlake Retreat. Mr Burton raised two issues that remain outstanding, one being Main Roads WA have not as yet installed lighting and secondly there is a tree that requires removal on Wanneroo Road. The opening for the aged care facility is January 2008 and I am concerned unfinished work will not be completed in time.

Mr Burton raised the issue of ratepayers being given the opportunity to make a short explanation prior to the asking of questions should this be necessary.

**Mr M O'Brien, 45 Aberdare Way, Warwick:**

Q1 *It has been traditional that a ratepayers Annual General Meeting usually receives and adopts the financial report that is presented. If it is not inappropriate I move the receipt and adoption of the Annual Report.*

A1 *Response by Mayor Pickard:* The CEO has advised that it is inappropriate for the Annual General Meeting of Electors to adopt the report. As stated in the Local Government Act 1995, that is a function of the Council.

Q2 *Is that a restriction in the Act, or is it just a custom?*

A2 It is a restriction in the Act. The Act now states that the Council must adopt the Annual Report and Annual Financial Statements and are merely brought to the Annual General Meeting for comment.

### **THANKS**

Mayor Pickard thanked those electors in attendance this evening.

### **CLOSURE**

There being no further business, the Mayor declared the Meeting closed at 2133 hrs; the following Elected Members being present at that time:

MAYOR T PICKARD  
Cr K HOLLYWOOD  
Cr T McLEAN  
Cr A JACOB  
Cr T YOUNG  
Cr M MACDONALD  
Cr G AMPHLETT  
Cr M JOHN  
Cr M NORMAN  
Cr S HART  
Cr R FISHWICK  
Cr F DIAZ