

# Minutes **Special Meeting of Council**

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF JOONDALUP HELD  
IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE,  
JOONDALUP

ON **TUESDAY, 27 JANUARY 2009**

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# CITY OF JOONDALUP

**MINUTES OF SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER,  
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON TUESDAY,  
27 JANUARY 2009**

## **DECLARATION OF OPENING**

The Mayor declared the meeting open at 1914 hrs.

## **ANNOUNCEMENT OF VISITORS**

Nil.

## **ATTENDANCES**

### **Mayor:**

T PICKARD

### **Councillors:**

Cr TOM McLEAN	North Ward - Deputy <i>Mayor</i>
Cr KERRY HOLLYWOOD	North Ward
Cr ALBERT JACOB, JP	North-Central Ward
Cr TRONA YOUNG	North-Central Ward
Cr GEOFF AMPHLETT	Central Ward
Cr FIONA DIAZ	South Ward

### **Officers:**

MR GARRY HUNT	Chief Executive Officer
MR IAN COWIE	Director, Governance & Strategy
MR MARTYN GLOVER	Director, Infrastructure Services
MR MIKE SMITH	Manager, Governance & Strategy
MRS JANET FOSTER	Administrative Services Co-ordinator
MRS ROSE GARLICK	Administrative Secretary

There was 1 member of the Public in attendance.

## **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.)

**Mr S Magyar, Heathridge:**

Q1 *Has the revised Concept Plan been shown to any member of Council and if so where?*

A1 *Response by Mayor Pickard:* The revised concept plan options have not been presented to Council. They have been considered by the Committee, and the Committee has just met to consider the latest concept. Tonight is the first time it has come before Council.

Q2 *Will the revised Concept Plan 6 be an addition to the minutes of tonight's Council meeting?*

A2 It is not intended that Concept Plan 6 would be attached to the minutes at this stage. The intention is that Concept Plan 6 will be taken back to the Community Reference Group for their input. Once that group has had input it will then go back to the Ocean Reef Marina Committee for its deliberations prior to being presented to Council.

**PUBLIC STATEMENT TIME**

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

**Mr S Magyar, Heathridge:**

Mr Magyar spoke in relation to the appointment of the Mayor to the Australian Council of Local Government and also in relation to the Ocean Reef Marina development.

**APOLOGIES AND LEAVE OF ABSENCE**

**Apologies:** Cr Russ Fishwick  
Cr Mike Norman  
Cr Sue Hart  
Cr Michele John  
Cr Brian Corr  
Cr Marie Macdonald

**DECLARATIONS OF INTEREST****Disclosure of Financial Interest**

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

<b>Name/Position</b>	<b>Mayor Troy Pickard</b>
<b>Item No/Subject</b>	JSC4-01/09 - Appointment Of Member To The Australian Council Of Local Government
<b>Nature of interest</b>	Financial Interest
<b>Extent of interest</b>	Mayor Pickard holds the position which is the subject of the report.

#### **Disclosure of interest affecting impartiality**

Elected members and staff are required under the Code of Conduct, in addition to declaring any financial interest, to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected member/employee is also encouraged to disclose the nature of the interest.

<b>Name/Position</b>	<b>Cr Trona Young</b>
<b>Item No/Subject</b>	JSC3-01/09 - Ocean Reef Marina Development – Structure Planning Progress Report
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	Persons on the Reference Committee are known to Cr Young and Cr Young has applied to be a member of the Ocean Reef Sea Sports Club

<b>Name/Position</b>	<b>Cr Albert Jacob, JP</b>
<b>Item No/Subject</b>	JSC3-01/09 - Ocean Reef Marina Development – Structure Planning Progress Report
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	Cr Jacob is a member of the Ocean Reef Sea Sports Club

#### **IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS**

Nil

**REPORTS****Disclosure of interest affecting impartiality**

<b>Name/Position</b>	<b>Cr Trona Young</b>
<b>Item No/Subject</b>	JSC3-01/09 - Ocean Reef Marina Development – Structure Planning Progress Report
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	Persons on the Reference Committee are known to Cr Young and Cr Young has applied to be a member of the Ocean Reef Sea Sports Club

<b>Name/Position</b>	<b>Cr Albert Jacob, JP</b>
<b>Item No/Subject</b>	JSC3-01/09 - Ocean Reef Marina Development – Structure Planning Progress Report
<b>Nature of interest</b>	Interest that may affect impartiality
<b>Extent of interest</b>	Cr Jacob is a member of the Ocean Reef Sea Sports Club

**JSC3-01/09 OCEAN REEF MARINA DEVELOPMENT –  
STRUCTURE PLANNING PROGRESS REPORT –  
[04171B, 07303]**

**WARD:** North Central

**RESPONSIBLE  
DIRECTOR:** Mr Garry Hunt  
Office of CEO

**PURPOSE / EXECUTIVE SUMMARY**

To inform the Council on the progress to date of the Ocean Reef Marina Development and to seek Council authority for the revised Concept Plan to be referred to the Ocean Reef Marina Community Reference Group for comment prior to the Ocean Reef Marina Committee considering and Council formally adopting a Concept Plan as part of the structure planning process for the site.

**BACKGROUND**

Council purchased Part Lot 1029, a 24.4 ha piece of land at Ocean Reef adjacent to the boat launching facility in 1979 for a price of \$525,000. The purchase was made as an investment for the benefit of the community, to enable the development of a range of recreational, commercial and ancillary service uses.

The Ocean Reef Marina project development site is located on the coast at Ocean Reef and is approximately 65 hectares in area. The site includes Foreshore Reserve 47831, Lots 1029 and 1032 (which includes the City owned land), Groyne Reserve 36732 and Breakwater Reserve 39014 both vested in the City, par Reserve 45122 and Water Corporation land at Lot 9000. The site currently consists of a boat launching facility, parking for vehicles and boat trailers, reserves, freehold land and the sea sports club and sea rescue building (attached Site Plan refers).

In April 2007 Council agreed to the establishment of a Steering Committee, comprising the Chief Executive Officer, representatives of the Western Australian Planning Commission, Department of Planning and Infrastructure, LandCorp and the Water Corporation, to oversee the project. The Steering Committee has met on seven occasions to discuss the site in relation to ownership, planning implications, marine implications and boating infrastructure.

In April 2007 Council also agreed to establish the Ocean Reef Marina Committee (as a Committee of Council). This Committee has met on three occasions to consider options for a Concept Plan which will be recommended for formal adoption by Council and used as a basis for the progression of the project to a Structure Plan through a legislative process.

At its meeting on 19 February 2008 (CJ004-02/08), Council resolved to appoint 34 people to the Ocean Reef Marina Community Reference Group (CRG) under the categories of:

- Individuals representing residents of Ocean Reef;
- Individuals representing surrounding suburbs including Iluka, Mullaloo, Heathridge, Connolly and Currambine;
- Individuals representing community groups/agencies; and
- Individuals representing the northwest corridor communities.

The role of the group was to:

- Help the City develop a concept design and structure plan for the Ocean Reef Marina;
- Ensure the issues and concerns of the community are adequately represented;
- Represent the interests of the wider community;
- Act as a conduit to disseminate information and feedback to and from the wider community; and
- Liaise with extended networks and community groups to facilitate information sharing about the project.

The adjourned meeting of the Ocean Reef Marina Committee held on 20 October 2008, 27 October 2008 and 2 December 2008 will resume on Tuesday 27 January 2009 prior to the Council meeting to consider Concept Plan 6.

## DETAILS

The CRG has met on four occasions with the purposes being as follows:

- **21 April 2008** – provision of background documentation and information on the site. A question and answer session was also provided for group members to identify any gaps in the information provided or to raise questions.
- **19 May 2008** – first facilitated workshop to agree to the project objectives, develop broad ideas and concepts and commence the development of a conceptual structure plan for the site. A presentation on the Marmion Marine Park by the Department of Environment and Conservation was also made.

The outcomes of the workshop included the:

- Aspirations and objectives for the site;
- Key items of opportunities and constraints; and
- Aspects that are not desired.

- **12 June 2008** – second facilitated workshop to discuss the information gathered from the previous workshop, and to allow the planning consultants (Taylor Burrell Barnett) to provide its interpretation of the ideas from the previous workshop. A presentation by the Department for Planning and Infrastructure was also made.
- **14 October 2008** – third facilitated workshop to allow for the planning consultants to present and discuss four design options prepared, to gain the CRG's comments and input, which will be used by the Council as part of the project design of the preferred option.

**Link to Strategic Plan:**

- Key Focus Area: Leadership and Governance

1.1 OBJECTIVE: To engage proactively with the community.

- Key Focus Areas: The Built Environment

4.2 OBJECTIVE: To progress a range of innovative and high quality urban development projects within the City

4.2.1 STRATEGIES: Develop a concept for, and commit to, the development of land at the Ocean Reef Marina site.

**Legislation – Statutory Provisions:**

Not applicable

**Risk Management considerations:**

Not applicable

**Financial/Budget Implications:**

Not applicable

**Policy implications:**

Not applicable

**Regional Significance:**

Not applicable

**Sustainability implications:**

Not applicable

**Consultation:**

At this stage a decision is requested of the Council to refer the revised Concept Plan to the Committee as part of the overall consultation approach. Further consultation with the community will occur throughout the Structure Plan process.

**COMMENT**

The recommendations of the Ocean Reef Marina Committee will be presented to Council.

**ATTACHMENTS**

Attachment 1                      Site Plan

**VOTING REQUIREMENTS**

Simple majority.

**OFFICER'S RECOMMENDATION**

That Council:

- 1        subject to the Ocean Reef Marina Committee endorsing the proposal, AGREES that the revised Concept Plan 6 be referred to the Community Reference Group for comment;
- 2        AGREES that any comments provided by the Community Reference Group be referred to the Ocean Reef Marina Committee for consideration as part of the Structure Planning process for the Ocean Reef Marina project.

**MOVED Cr Young, SECONDED Cr Jacob that Council SUPPORTS the recommendation of the Ocean Reef Marina Committee to:**

- 1        **ENDORSE the proposal and AGREE that the revised Concept Plan 6 be referred to the Community Reference Group for comment;**
- 2        **AGREE that any comments provided by the Community Reference Group be referred to the Ocean Reef Marina Committee for consideration as part of the Structure Planning process for the Ocean Reef Marina project.**

**The Motion was Put and**

**CARRIED (7/0)**

**In favour of the Motion:** Mayor Pickard, Crs Amphlett, Diaz, Hollywood, Jacob, McLean, and Young

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1agn090127.pdf](#)*



**Disclosure of Financial Interest**

<b>Name/Position</b>	<b>Mayor Troy Pickard</b>
<b>Item No/Subject</b>	JSC4-01/09 - Appointment Of Member To The Australian Council Of Local Government
<b>Nature of interest</b>	Financial Interest
<b>Extent of interest</b>	Mayor Pickard holds the position which is the subject of the report.

## **JSC4-01/09            APPOINTMENT OF MEMBER TO THE AUSTRALIAN COUNCIL OF LOCAL GOVERNMENT– [88624]**

**WARD:**                All

**RESPONSIBLE**    Mr Ian Cowie  
**DIRECTOR:**        Governance and Strategy

**PURPOSE/ EXECUTIVE SUMMARY**

For the Council to note the appointment of Mayor Troy Pickard to the Australian Council of Local Government (ACLG) and to agree to meet relevant costs for his attendance.

**BACKGROUND**

On 18 November 2008, the Prime Minister, the Hon Kevin Rudd MP and the Minister for Infrastructure, Transport, Regional Development and Local Government hosted the inaugural plenary meeting of the ACLG. This meeting discussed a number of important issues, including:

- the provision of local and national infrastructure,
- improving the long-term sustainability and efficiency of local government,
- considering Constitutional recognition of local government,
- plans to make major cities more liveable, sustainable and productive, and
- ways to strengthen and support regional economies.

At this meeting, the Minister for Infrastructure, Transport, Regional Development and Local Government announced the Government's intention to establish a streamlined steering committee to continue the engagement, policy coordination and close cooperation between local and federal government.

**DETAILS****Issues and options considered:**

Mayor Troy Pickard has been invited to serve as a member of the ACLG. The first meeting is scheduled for Thursday 5 February 2009 at Parliament House, Canberra.

The first meeting will be expected to focus on the Charter for the ACLG, the operational arrangements for the Council and major priority issues for future work. It is envisaged that four meetings will occur in any one year.

**Link to Strategic Plan:**

Not applicable.

**Legislation – Statutory Provisions:**

One of the main objectives of the ACLG is to achieve constitutional recognition for the local government industry.

**Risk Management considerations:**

Not applicable.

**Financial/Budget Implications:**

The 2009/10 budget contains funds for general training relevant to the Council as a whole, and for each elected member in accordance with the current City Policy. It is estimated that attendance at these meetings based on economy airfares, accommodation and incidental expenses would be \$2000 per meeting. For business class travel, an additional cost of \$1400 would be incurred. There are no budget funds specifically allocated for this.

**Policy implications:**

Policy 8-2 Elected Members Allowances details travel arrangements for elected members. The Policy contains the following clauses:

*“Part 4 – Attendance at conferences and training within Australia*

*4.1 Objective*

*To enable Elected Members to develop and maintain skills and knowledge relevant to their role as a representative of the City of Joondalup.*

*4.2 Statement*

*Elected Members are encouraged to attend appropriate conferences and training to enable them to be more informed and better able to fulfil their duties of office. In order to support this, the following is provided.*

*4.3 Annual Conference and Training Expense Allocation*

*(1) The following annual conference and training expense allocation shall be made available to Elected Members:*

*(a) The Mayor shall be entitled to an annual expense allocation of \$12,000 (July 2008), inflated annually from the date the \$10,000 was first set at the CPI rate for Australia on 1 July each year and rounded to the nearest \$100; and*

*(b) All Councillors shall be entitled to an annual expense allocation of \$5,900 (July 2008), inflated annually from the date the \$5,000 was first set at the CPI rate for Australia on 1 July each year and rounded to the nearest \$100.*

(2) *In addition to the annual expense allocation detailed in clause (1)(a) above, the Mayor shall be entitled to attend the following conferences:*

- *Annual Western Australian Local Government Association;*
- *Annual National Australian Local Government Association;*
- *Annual National Congress of the Local Government Managers Australia.*

#### 4.4 Definition

*In this part, “Conferences and Training” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.”*

The Policy states that all air travel within Australia shall be business class, except where an elected member chooses to travel at a cheaper rate.

#### **Regional Significance:**

Having an elected representative serving on the ACLG will give significant recognition for the region.

#### **Sustainability implications:**

Not applicable.

#### **Consultation:**

Not applicable.

#### **COMMENT**

The establishment of the ACLG is as a result of the summit convened by the Prime Minister in December 2008. Having representation on the ACLG from Western Australia has significance for the local government industry, and having a representative from the City of Joondalup has great significance for the City.

#### **ATTACHMENTS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 NOTES that Mayor Troy Pickard will serve on the Australian Council of Local Government;
- 2 AGREES to meet all associated costs relative to the attendance of Mayor Troy Pickard on the Australian Council of Local Government, including business class airfares, accommodation and incidental expenses.

The Chief Executive Officer advised that this item had been **WITHDRAWN** and will be presented to the Council meeting to be held on 17 February 2009.

## CLOSURE

There being no further business, the Mayor declared the Meeting closed at 1925 hrs; the following elected members being present at that time:

MAYOR T PICKARD  
Cr K HOLLYWOOD  
Cr T McLEAN  
Cr A JACOB, JP  
Cr G AMPHLETT  
Cr T YOUNG  
Cr F DIAZ