

# minutes

## Annual General Meeting of Electors

MEETING HELD ON **TUESDAY 15 DECEMBER 2015**

## CITY OF JOONDALUP

### MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 15 DECEMBER 2015.

#### OPEN AND WELCOME

The Mayor declared the meeting open at 5.40pm and introduced the Councillors and the City's Auditor, Mr Michael Hillgrove, Partner Audit and Assurance Grant Thornton Australia Ltd.

#### ATTENDANCES

##### Mayor:

TROY PICKARD

##### Councillors:

CR KERRY HOLLYWOOD	North Ward
CR TOM McLEAN, JP	North Ward – <i>Deputy Mayor</i>
CR PHILIPPA TAYLOR	North-Central Ward
CR RUSSELL POLIWKA	Central Ward
CR CHRISTINE HAMILTON-PRIME	South-West Ward
CR MIKE NORMAN	South-West Ward
CR JOHN CHESTER	South-East Ward
CR JOHN LOGAN	South-East Ward
CR RUSS FISHWICK, JP	South Ward
CR SOPHIE DWYER	South Ward

##### Officers:

MR GARRY HUNT	Chief Executive Officer
MR MIKE TIDY	Director Corporate Services
MR JAMIE PARRY	Director Governance and Strategy
MR JOHN CORBELLINI	Acting Director Planning and Community Development
MR MICHAEL HAMLING	Acting Director Infrastructure Services
MR BRAD SILLENCE	Manager Governance
MR STUART McLEA	Media and Communications Officer
MR JOHN BYRNE	Governance Coordinator
MRS LESLEY TAYLOR	Governance Officer
MRS DEBORAH GOUGES	Governance Officer

**In Attendance:**

MR CHARLIE REYNOLDS	Manager Asset Management
MRS GENEVIEVE HUNTER	Acting Manager City Projects
MR VIC ETHERINGTON	Manager Compliance and Regulatory Services
MS CHRISTINE ROBINSON	Manager Executive and Risk Services
MR GLENN HEAPERMAN	Manager Human Resources
MR MIKE SMITH	Manager Leisure and Cultural Services
MR RONEY OOMMEN	Manager Financial Services
MR DAVID MURNAIN	Manager Information Technology
MR MALCOLM JENKINSON	Manager Rangers, Parking and Community Safety
MS CHELSEA DAVIDSON	Acting Manager Marketing and Communications
MR GRAEME WITHERS	Acting Manager Infrastructure Management
MR BLIGNAULT OLIVIER	Acting Manager Planning Services
MS JODIE DUTTON	Business Performance Analyst
MR GLEN SHAW	Coordinator Transport Engineering
MR DANIEL DAVINI	Media Advisor
MR MICHAEL HILLGROVE	Partner, Audit and Assurance, Grant Thornton Australia Ltd

There were six members of the public in attendance, four of whom signed the attendance register. There was one member of the press in attendance.

**ADDRESS BY THE MAYOR**

The Mayor welcomed members of the public to the Annual General Meeting of Electors.

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

The meeting was advertised in the *Joondalup Voice* newspaper on Thursday 26 November 2015 and Thursday 3 December 2015. A public notice of the meeting was also placed on the City's website and notice boards.

**PROCEDURES AT ELECTORS' MEETINGS**

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

## **APOLOGIES**

Cr Liam Gobbert.

Cr Nige Jones.

## **VIDEO PRESENTATION**

A video presentation was given outlining the events, activities and achievements of the City of Joondalup for the 2014-15 financial year.

## **CONTENTS OF THE 2014-15 ANNUAL REPORT**

The Mayor advised that the purpose of the Annual General Meeting of Electors was to discuss the contents of the Annual Report and raise any general business that Electors may have. In accordance with the *Local Government Act 1995*, Council adopted the Annual Report at its meeting held on 23 November 2015 (CJ189-11/15 refers).

The Mayor commented that any questions of a general nature raised at the Annual General Meeting of Electors would be responded to and questions requiring a more detailed response would be taken on notice.

### **Mrs M Macdonald, Mullaloo:**

Mrs Macdonald made reference to page 9 of the Annual Report and the Strategic Community Plan, where it states under the heading of 'transparent' "*we facilitate an appropriate level of scrutiny by recording our decisions and making them accessible*" and stated she disagreed with the statement.

Mrs Macdonald stated she currently has an outstanding Freedom of Information request with the City requesting a copy of a report and attachments (including all reports referred to within the report) to a Council meeting. The report was deemed confidential and not available to ratepayers. The report was available to Elected Members, with a decision being made by Council. Subsequent to the Council decision, Mrs Macdonald expected the report and attachments would be available in the public arena given the report related to the development of the Ocean Reef Marina. Mrs Macdonald confirmed she had not been denied access to the information, but had been asked to pay \$1,900 in fees which was subsequently reduced to \$881 for documents that she considered should be accessible on the City's website.

Mrs Macdonald advised the Mullaloo Beach Community Group were asked to comment on the public upgrades to Oceanside Promenade, Mullaloo. The group was aware there was black spot funding available and requested a copy of the safety audit so that the group could assess whether all safety issues had been addressed in the upgrade. The request for a copy of the application for funding (which included the safety audit) was denied.

**MOVED Mrs M Macdonald, SECONDED Mr M Sideris that we the ratepayers of the City of Joondalup request that at the completion of every confidential item before a Council meeting, that the Elected Members determine that the report in its entirety does not remain confidential or state the legitimate reason why it should remain confidential.**

**The Motion was Put and**

**CARRIED (4/0)**

## **GENERAL BUSINESS**

**Mrs M Zakrevsky, Mullaloo:**

*Re: Management of Cats.*

Mrs Zakrevsky made reference to the City of Joondalup local laws, in particular the *Animals Local Law 1999* and the lack of reference to cats within the local law.

*Q1 How many dogs are licensed in the City of Joondalup?*

*Q2 How many cats are licensed in the City of Joondalup?*

A1-2 Mayor Pickard advised these questions would be taken on notice.

Mrs Zakrevsky believed the *Cat Act 2011* does not address the management of cats or cats that stray into bushland, coastal reserves and private properties. Mrs Zakrevsky felt there should be a clause included in the *Animals Local Law 1999* similar to the 'other animals' in the "Animals in the City" list to enable compliance and for staff to be able to deal with complaints.

*Q3 What are Rangers authorised to actively do about nuisance cats in reserves, homes and commercial properties?*

A3 The Director Corporate Services advised Rangers are authorised to undertake a number of activities. If a resident complains about the activity of a cat venturing onto their property, Rangers can assist that resident in order to capture the cat for impounding similar to the way a dog is impounded. The *Cat Act 2011* sets out a variety of responsibilities and powers that Rangers have in relation to the management of cats. The role of the *Animals Local Law 1999* in relation to dogs is to address specific issues that are not generally covered by the *Dog Act 1976*. With the relative recent introduction of the *Cat Act 2011* four years ago, it is felt that at this point the *Cat Act 2011* sufficiently covers all the things that the City needs to address.

*Q4 What staff other than Rangers are authorised to control cats?*

A4 The Director Corporate Services advised Rangers have specific powers in relation to the capture and impoundment of cats. Other officers may assist, but they do not have particular powers to capture and impound.

Q5 *What are home/business owners permitted to do about stray/nuisance cats in their properties?*

A5 Mayor Pickard stated the City has resources available for residents if they are experiencing challenges with cats.

The Director Corporate Services advised the same services/assistance is available to both commercial and residential property owners.

**MOVED Mrs M Zakrevsky, SECONDED Dr M Apthorpe that the City of Joondalup:**

- 1 takes measures to ensure that all cats in the City of Joondalup are registered (including sterilisation and micro-chipping) with the City enforcement of State Law *Cat Act 2011*;**
- 2 provides for additional controls and management of matters relating to cats that are not specified in the *Cat Act 2011* such as management of cats in bushland and coastal reserves that the City of Joondalup manages;**
- 3 assists residents or businesses having problems with stray cats within their properties by the loan of a cat trap and removal of any caught cat (no charge) and fine the cat owner, and if not micro-chipped/licensed, then euthanised. The owner is not a responsible owner if the owner ignores the law;**
- 4 encourages responsible cat ownership through publicity and a flyer with the owner's responsibilities clearly stated similar to the dog ownership flyer such as active assistance to keep cats within a property by selling cat runs at cost;**
- 5 Councillors request and pass a local law regarding responsible cat ownership that ensures a benefit to residents and wildlife.**

**The Motion was Put and**

**CARRIED (5/0)**

**Dr M Apthorpe, Ocean Reef:**

*Re: Protection of Native Wildlife.*

Dr Apthorpe provided illustrative evidence in support of her comments in relation to feral/domestic cats in bushland reserves, including evidence of a bandicoot being mauled by a cat and left to die. Dr Apthorpe stated feral and domesticated cats hunt native animals, lizards and birds in bushland along a one kilometre section of the Iluka foreshore.

Dr Apthorpe stated the *Cat Act 2011* does not allow for penalties in relation to cats running free in bushland or cats maiming other animals. The law does not take into account the rights of native fauna.

**MOVED Dr M Apthorpe, SECONDED Mrs M Zakrevsky that we the ratepayers of the City of Joondalup request that the City of Joondalup lobby the State Government and the Minister to amend the *Cat Act 2011* to protect native wildlife from all cats by making it an offence for an owner to permit a cat to remain in the bushland reserve. It should be an infringement against the *Cat Act 2011* and harsh penalties should apply.**

**The Motion was Put and**

**CARRIED (5/0)**

**Mrs M Zakrevsky, Mullaloo:**

*Re: Unisex Toilet – Duncraig Library.*

Mrs Zakrevsky advised there is only one unisex toilet at the Duncraig library and pointed out that in the case of a malfunction, the toilet being out of order or a large group of people at the library, one unisex toilet may be insufficient.

Mrs Zakrevsky queried the possibility of installing an additional unisex toilet at the rear west of the building, near the location of the existing toilet.

Mayor Pickard advised this issue would be referred to the Chief Executive Officer for investigation.

*Re: Gunida Park – Korella Street, Mullaloo.*

Mrs Zakrevsky made reference to a recently installed fence at Gunida Park and encouraged the City to maintain the park by undertaking further weed control and rehabilitation, in particular on the steep bank. In the north-east corner of the park there is a concentration of prickly lettuce growing, with the seed from this invading corella bushland.

Mayor Pickard advised this issue would be referred to the Chief Executive Officer for investigation.

**Mrs M Macdonald, Mullaloo:**

*Re: Request for Documents.*

Mrs Macdonald referred to her previous comments earlier in the meeting and requested electronic copies of the following documents, free of charge:

- Safety Audit of Oceanside Promenade.
- Documents previously requested in her Freedom of Information application.

Mayor Pickard advised these matters would be referred to the Chief Executive Officer, however stated the Annual General Meeting of Electors was not a meeting to circumvent other formal processes.

**Mr M Sideris, Mullaloo:**

Mr Sideris approached the lectern to ask a question. However, following Mr Sideris declining to follow the direction of the Presiding Member, the Presiding Member subsequently ruled Mr Sideris would no longer be heard and requested he resume his seat.

There being no further business, Mayor Pickard declared the Annual General Meeting of Electors closed at 6.22pm. The following Elected Members were present at that time:

MAYOR TROY PICKARD  
CR KERRY HOLLYWOOD  
CR TOM MCLEAN, JP  
CR PHILIPPA TAYLOR  
CR RUSSELL POLIWKA  
CR CHRISTINE HAMILTON-PRIME  
CR MIKE NORMAN  
CR JOHN CHESTER  
CR JOHN LOGAN  
CR RUSS FISHWICK, JP  
CR SOPHIE DWYER