

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 **WEDNESDAY 25 OCTOBER 2023**

COMMENCING AT **7.15pm**

For Council to:

- 1 Elect a Deputy Mayor.
- 2 Appoint representatives to the following external groups:
 - Mindarie Regional Council.
 - Catalina Regional Council.
 - WALGA North Metropolitan Zone.

JAMES PEARSON

Chief Executive Officer
20 October 2023

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

joondalup.wa.gov.au

PUBLIC QUESTION TIME

Residents and / or ratepayers of the City of Joondalup are requested to lodge questions in writing by **9.00am on Tuesday, 24 October 2023.**

Questions must relate to an item listed on the Special Council Agenda.

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

QUESTIONS TO

council.questions@joondalup.wa.gov.au

PO Box 21 Joondalup WA 6919

www.joondalup.wa.gov.au

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.

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).

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- 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.

COUNCIL AND COMMITTEE MEETINGS

PROCEDURES FOR PUBLIC QUESTION TIME

The following procedures for the conduct of Public Question Time were adopted at the Council meeting held on 20 September 2022:

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 person, 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.

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- 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). 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 .

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.

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- 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). 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.

DISCLAIMER

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

PROCEDURES FOR PUBLIC STATEMENT TIME

The following procedures for the conduct of Public Statement Time at Council Meetings were adopted at the Council meeting held on 20 September 2022:

- 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.

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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 **Wednesday 25 October 2023** commencing at **7.15pm**.

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

1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

Note: Members of the public are advised that prior to the opening of the Council Meeting, Mayor Albert Jacob, JP will acknowledge the traditional custodians of the land and say a prayer.

2 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

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

4 PUBLIC QUESTION TIME

(Please Note: Section 7(4)(b) of the *Local Government (Administration) Regulations 1996* states that Special meeting of Council 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.)

5 PUBLIC STATEMENT TIME

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

6 APOLOGIES AND LEAVE OF ABSENCE

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

8 ELECTION OF DEPUTY MAYOR

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so, that is when the Office of Mayor is vacant or the Mayor is not available or is unwilling to perform the functions of the Mayor.

The Office of Deputy Mayor is to be filled as the first matter dealt with at the first meeting of the Council after an ordinary election. Upon election of the Deputy Mayor, there is a requirement for the incumbent to make a further declaration for that Office.

How the Deputy Mayor is elected:

- 1 The Council is to elect a Councillor (other than the Mayor) to fill the Office of Deputy Mayor.
- 2 The election is to be conducted in accordance with the procedure prescribed by the Mayor, or if he or she is not present, by the Chief Executive Officer.
- 3 Nominations for the Office of Deputy Mayor are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
- 4 Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- 5 If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the Office of Deputy Mayor.
- 6 Should there be more than one nomination, Elected Members are to vote on the matter by secret ballot as if they were electors voting at an election, noting that optional Preferential Voting now applies to the election for Deputy Mayor.
- 7 Subject to clause 9(1) of Schedule 2.3 of the *Local Government Act 1995*, the votes cast are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 of the *Local Government Act 1995*, as if those votes were votes cast at an election.
- 8 As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

To access nomination form for election of Deputy Mayor on electronic document, click here: [Nomination Form - Election of Deputy Mayor.pdf](#)

9 ADDRESS BY DEPUTY MAYOR

10 REPORTS

10.1 APPOINTMENT OF REPRESENTATIVES TO REGIONAL COUNCILS AND THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NORTH METROPOLITAN ZONE

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	03149, 44155, 60514, 00033, 101515
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 give consideration to the appointment of representatives to the Mindarie Regional Council (MRC), Catalina Regional Council (CRC) formerly known as Tamala Park Regional Council (TPRC) and the Western Australian Local Government Association (WALGA) North Metropolitan Zone.

EXECUTIVE SUMMARY

Following the local government elections held on 21 October 2023, consideration is required to be given to the appointment of representatives to various Council created and external committees / boards.

The City of Joondalup has representation on the MRC, CRC and the WALGA North Metropolitan Zone. Council is required to appoint two Elected Members to the MRC. A previous decision of Council suggested that the City of Joondalup nominated representative on the CRC (formerly TPRC) not be a member of the MRC (CJ050-04/05 refers).

At its meeting held on 20 September 2005 (CJ202-09/05 refers), Council also recommended that consideration be given to the MRC and CRC (formerly TPRC) being represented by either the Mayor or the Deputy Mayor, in order that a senior level of representation be maintained.

It is therefore appropriate that representatives to both Regional Councils be considered and appointed simultaneously.

Council is also required to appoint four Elected Members to the WALGA North Metropolitan Zone, as well as first, second, third and fourth deputy members.

BACKGROUND

Mindarie Regional Council

The Mindarie Regional Council (MRC) is a regional local government established for the purpose of delivering effective, efficient and environmentally sound waste treatment and disposal and leading its community in sustainable waste management philosophy.

The MRC was formed in 1981 when the Cities of Perth, Stirling and Wanneroo purchased land in Perth's northern corridor that included a parcel of land deemed suitable for a landfill site. Formal incorporation and registration of the MRC occurred on 22 December 1987 when the Governor in Executive Council gave approval.

The MRC is now one of Western Australia's largest waste management authorities and manages waste disposal for each of its member Councils being the Cities of Joondalup; Perth; Stirling; Vincent and Wanneroo and the Towns of Cambridge and Victoria Park.

It recognises that waste does have a value as a resource and is committed to managing waste in line with the waste hierarchy and in a way that is sensitive to the environment and future generations. Its vision of "Winning Back Waste" is achieved by the following objectives:

- Encouraging a culture of waste minimisation.
- Maximising resource recovery.
- Minimising waste to landfill.

Its operations are structured into two streams, being recycling and refuse, with operations including a transfer station and landfill operations at Tamala Park. With the closure of the Resource Recovery Facility (RRF) in Neerabup, further investigations are anticipated into opportunities relating to the processing of waste through Waste-to-Energy technology.

The MRC comprises delegates from each of the member local governments on a basis of the acknowledged equity held within the landfill enterprise. This currently constitutes the following representation:

- City of Joondalup Two delegates.
- City of Perth One delegate.
- City of Stirling Four delegates.
- City of Vincent One delegate.
- City of Wanneroo Two delegates.
- Town of Cambridge One delegate.
- Town of Victoria Park One delegate.

No deputies are appointed to the MRC. Legal advice has confirmed that an alternate member to serve on the MRC can only be made under specific circumstances and not on an ongoing basis.

It is important to note, therefore, that should any of the Council's appointed representatives not be available to attend a meeting of the MRC in the near future a special resolution of Council is required to appoint an alternate member for the specific period that the member is not available, in accordance with sections 52(b) and (c) of the *Interpretation Act 1984*, which provides:

- *“52(b) Where a person so appointed to an office or position is suspended or unable, or expected to become unable, for any other cause to perform the functions of such office or position, to appoint a person to act temporarily in place of the person so appointed during the period of suspension or other inability but a person shall not be appointed to so act temporarily unless he is eligible and qualified to be appointed to the office or position; and*
- *52(c) to specify the period for which any person appointed in exercise of such a power or duty shall hold his appointment.”*

Catalina Regional Council

The Catalina Regional Council (CRC), formerly known as Tamala Park Regional Council (TPRC), is a regional local government established for the purpose of undertaking the rezoning, subdivision, development, marketing and sale of the Tamala Park land, known as the Catalina Estate.

The TPRC was established by proclamation in the *Government Gazette* on 3 February 2006 for the specific purpose of creating an urban development on a 180 hectare portion of Lot 9504 (432 hectare site, comprising the aforementioned urban development and the Mindarie Regional Council's landfill operations). The change of name from TPRC to CRC formally took effect on 1 August 2023 following approval of the Minister for Local Government.

The objectives of the CRC are to:

- develop and improve the value of the land
- maximise, within prudent risk parameters, the financial return to the participants
- balance economic, social and environmental issues
- produce a quality development demonstrating the best urban design and development practice.

The Catalina Estate is anticipated to comprise 2,500 lots/dwelling units, a range of densities R30-60 and R80-100, diverse housing opportunities and a number of activity areas. Significant progress has been made on the Catalina Project since the first phase of works commenced in 2011. As at 30 September 2023, 1,397 lots have been released for sale with 1,333 lots being sold, 1103 homes completed and another 101 currently under construction. A range of lot types and sizes have been produced supporting a diverse mix of housing, from large 4 x 2 family homes on lots in the order of 450m² to compact 150m² lots.

To date a number of parks have been completed within Catalina Estate, providing a range of recreational opportunities for residents and the local community, including Portofino Park completed in March 2018, Drummie Park completed in March 2020 and Mapelton Park completed in September 2023.

The focus for the 2023-24 financial year is on consolidating the Catalina Project as a significant urban project in Perth's Northern Coast. This will be achieved through the construction and sale of lots within Catalina Beach and Catalina Green and substantial investment in landscaping of new parks to support the functionality and appeal of Catalina Estate.

The Catalina Project is anticipated to generate a project profit of \$280 million upon completion, with \$117 million having been distributed to member local governments to date.

The CRC comprises delegates from each of the member local governments on the basis of the acknowledged equity held in the land. This currently constitutes the following representation:

- City of Joondalup Two delegates.
- City of Perth One delegate.
- City of Stirling Four delegates.
- City of Vincent One delegate.
- City of Wanneroo Two delegates.
- Town of Cambridge One delegate.
- Town of Victoria Park One delegate.

The *Establishment Agreement* for the CRC allows for the appointment of deputies in the event that either of the City's two representatives on the CRC are unable to attend a meeting for any reason. It is recommended that two Elected Members be nominated as deputy members to the CRC.

It should be noted, that an Elected Member deputising for a delegate at a CRC meeting is not eligible to receive a payment for attending the meeting, in accordance with Section 6.1 (4) and 6.1 (5c) of the *Salaries and Allowances Tribunal, Local Government CEO and Elected Members Determination effective 6 April 2023*; refer below extract:

“(5) *Regulation 30(3C) of the LG Regulations prevents the payment of a fee to a council member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –*

- (c) *the council member is deputising for a council member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the LG Act.”*

Western Australian Local Government Association North Metropolitan Zone

The Western Australia Local Government Association (WALGA) is a peak industry body which advocates on behalf of the 138 local governments in Western Australia and which negotiates service agreements for the sector. WALGA is not a government department or agency.

The Association was formed on 6 December 2001 to provide a representative and united voice for local government in Western Australia (WA). Prior to this, a number of membership based representative structures existed to represent local government in WA.

WALGA's *Corporate Strategy (2020-2025)* provides that its strategic intent includes the following:

- Structure - an independent, member-based, not for profit organisation representing and supporting the WA local government sector.
- Vision - agile and inclusive local governments enhancing community wellbeing and enabling economic prosperity.
- Purpose – to leverage the collective strength and influence of the Local Government sector for the benefit of WA local governments and their communities.

The core strategic themes are as follows:

- Advocating and facilitating sector solutions and policy.
- Delivering member-centric quality services.

WALGA's *Corporate Strategy (2020-2025)* is available at: <https://walga.asn.au/getattachment/About-WALGA/Corporate-Strategy-2020-2025.pdf?lang=en-AU>

WALGA's structure includes a State Council and geographically aligned groups of local governments called Zones, which advise the WALGA State Council. The WALGA State Council is the decision-making representative body of all member councils, who are responsible for sector-wide policy making and strategic planning on behalf of local government.

Zones are groups of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters. There are 12 country and five metropolitan zones.

The City of Joondalup belongs to WALGA's North Metropolitan Zone, which consists of four Elected Member representatives from each of the Cities of Joondalup, Stirling and Wanneroo.

The North Metropolitan Zone is entitled to three members on WALGA State Council and as the North Metropolitan Zone consists of three local governments, it is normal practice that a representative from each of the three local governments, is nominated to serve on WALGA State Council. WALGA has developed a prospectus for local governments and Elected Members on becoming a zone delegate or State Councillor (Attachment 1 refers).

In addition, advice has been received from WALGA noting that Member Councils should appoint their zone delegates preferably by Friday 3 November 2023. In November, zones will meet and elect their State Council representatives and deputy representatives. A State Councillors Induction Session will be held for all State Council representatives before the first meeting in December. The new State Council will take office at the Ordinary Meeting of State Council on Wednesday 6 December 2023.

DETAILS

Following the election to be held on 21 October 2023, consideration is required to be given to the appointment of representatives to various Council-created and external committees.

Issues and Options Considered

At its meeting held on 5 April 2005 (CJ050-04/05 refers), Council resolved in part that:

"in the interests of good governance, AGREES that the City of Joondalup nominated representative on the Tamala Park Regional Council shall not be a member of the Mindarie Regional Council."

Please note: Tamala Park Regional Council formally changed its name to Catalina Regional Council effective on 1 August 2023 following approval of the Minister for Local Government.

At the Council meeting held on 20 September 2005 (CJ202-09/05 refers), during discussion on the appointment of representatives to the former Tamala Park Regional Council, it was recommended that when a report is presented to a future incoming Council, consideration be given to the Catalina Regional Council and Mindarie Regional Council each being represented by either the Mayor or Deputy Mayor, in order that a senior level of representation be maintained.

For this reason, it is considered appropriate that representatives to both Regional Councils be appointed simultaneously. However, it should be noted that this is a recommendation of Council and not a formal resolution (CJ202-09/05 refers).

The most recent Council-appointed representatives to the MRC, CRC and the WALGA North Metropolitan Zone are as follows:

- Mindarie Regional Council

Mayor Albert Jacob, JP and Cr Christopher May, JP.

- Catalina Regional Council

Cr John Chester and Cr Nige Jones.

Two alternate deputies were appointed to the CRC to represent the two members should they be unable to attend a meeting as follows:

Deputies

First Deputy Member – Cr Russ Fishwick, JP.

Second Deputy Member – Cr John Raftis.

- Western Australian Local Government Association North Metropolitan Zone

Mayor Albert Jacob, JP.

Cr Adrian Hill.

Cr Russ Fishwick, JP.

Cr Nige Jones.

Two alternate deputies were appointed to the WALGA North Metropolitan Zone to represent the four members should they be unable to attend a meeting as follows:

Deputies

First Deputy Member

Cr Christopher May, JP.

Second Deputy Member

Cr Christine Hamilton-Prime, JP.

Legislation / Strategic Community Plan / Policy implications

Legislation

Section 3.61 of the Local Government Act 1995.

Section 51 of the Interpretation Act 1984.

10-Year Strategic Community Plan

Key theme

5. Leadership.

Outcome

5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

Policy

Not applicable.

Risk management considerations

If the Council does not appoint representatives to the MRC, CRC and the WALGA North Metropolitan Zone, this may hinder the overall decision-making process.

Financial / budget implications

Not applicable.

Regional significance

The MRC and CRC are significant organisations within the northern metropolitan corridor, dealing with waste treatment / disposal and land development, respectively.

The WALGA North Metropolitan Zone deals with issues that affect the Zone members both regionally and operationally as local governments.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The timely appointment of the City of Joondalup's representatives to the MRC, CRC and the WALGA North Metropolitan Zone will ensure the City is represented on these organisations, enabling them to participate in decision-making that may impact the City.

The following meeting fees and allowances apply to representatives of the MRC, CRC and the WALGA North Metropolitan Zone:

Mindarie Regional Council

	Meeting Fee (\$) per annum	Allowance (\$) per annum	Technology Allowance (\$) per annum
Chairperson	16,480	20,875	1,040
Deputy Chairperson	10,990	5,090	1,040
Elected Member	10,990		1,040
Alternate Member	Nil.		
Other Expenses	Childcare and travel costs will be reimbursed in accordance with Reg. 31 and 32 of the <i>Local Government (Administration) Regulations 1996</i>		

Catalina Regional Council

	Meeting Fee per annum (\$)	Allowance per annum (\$)
Chairperson	16,480	20,875
Deputy Chairperson	10,990	5,218.75
Elected Member	10,990	Nil.

It should be noted that an Elected Member deputising for a delegate at a CRC meeting is not eligible to receive a payment for attending the meeting, in accordance with Section 6.1 (4) and 6.1 (5c) of the *Salaries and Allowances Tribunal, Local Government CEO and Elected Members Determination effective 6 April 2023*; refer below extract:

“(5) *Regulation 30(3C) of the LG Regulations prevents the payment of a fee to a council member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –*

(c) *the council member is deputising for a council member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the LG Act.”*

WALGA North Metropolitan Zone

There are no sitting fees for being on the WALGA North Metropolitan Zone however representatives from each of the zones are elected to serve on the WALGA State Council.

WALGA State Councillors do receive sitting fees for their appointment. The State Councillor sitting fees for 2023-24 are \$3,798 with an additional allowance of \$605 per annum for Policy Team, Policy Forum and Committee Chairs. In addition, Deputy State Councillors are paid a sitting fee of \$440 per meeting attended as a State Council delegate.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

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

1 Mindarie Regional Council:

Members

Two Elected Members;

2 Catalina Regional Council:

Members

Two Elected Members;

Deputy Members

First Deputy Member - One Elected Member;

Second Deputy Member - One Elected Member;

3 Western Australian Local Government Association – North Metropolitan Zone:

Members

Four Elected Members;

Deputy Members

First Deputy Member - One Elected Member;

Second Deputy Member - One Elected Member;

Third Deputy Member - One Elected Member;

Fourth Deputy Member - One Elected Member.

ATTACHMENTS

1. WALGA Elected Member Prospectus 2023 [10.1.1 - 6 pages]

11 CLOSURE



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

To: CHIEF EXECUTIVE OFFICER
CITY OF JOONDALUP

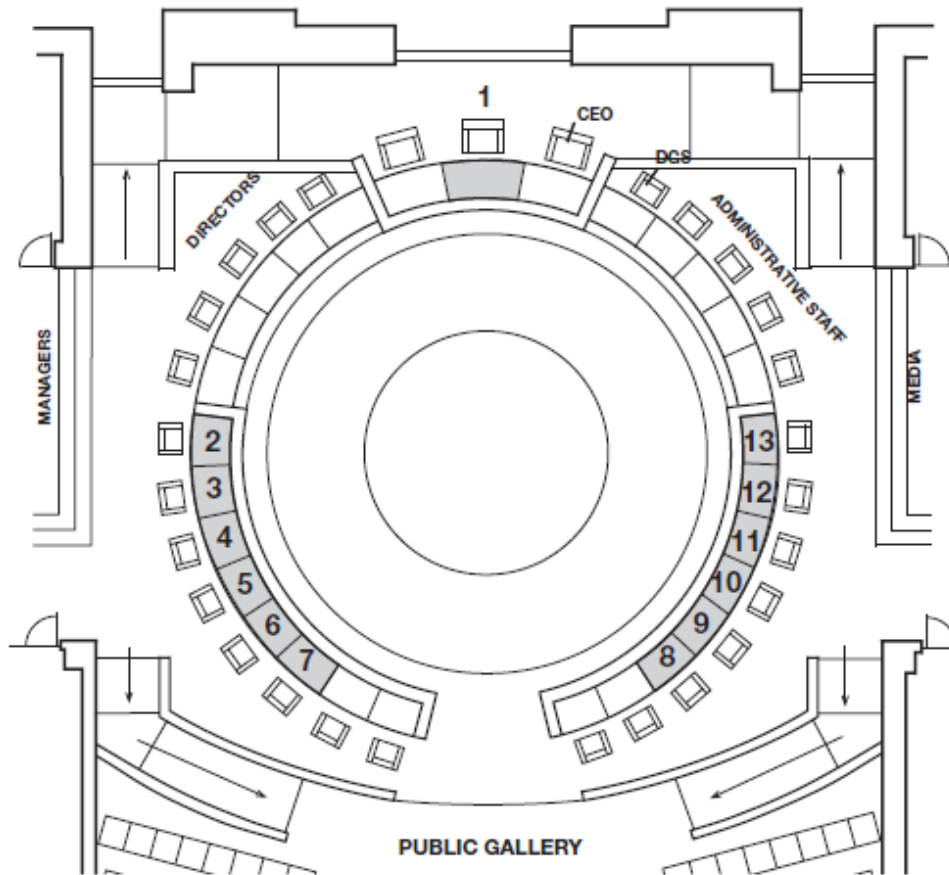
Name / Position		
Meeting Type		
Meeting Date		
Item No. / Subject		
Nature of Interest	Financial Interest * Proximity Interest* Interest that may affect impartiality*	*Delete where not applicable
Extent of Interest		
Signature		
Date		

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.”*

Council Chamber – Seating Diagram



Mayor

1 His Worship the Mayor, Hon. Albert Jacob, JP (Term expires 10/25)

North Ward

- 2 Cr Adrian Hill (Term expires 10/25)
- 3 Cr Tom McLean, JP (Term expires 10/23)

North-Central Ward

- 4 Cr Daniel Kingston (Term expires 10/25)
- 5 Cr Nige Jones (Term expires 10/23)

Central Ward

- 6 Cr Christopher May (Term expires 10/25)
- 7 Cr Russell Poliwka (Term expires 10/23)

South-West Ward

- 8 Cr Christine Hamilton-Prime (Term expires 10/25)
- 9 Cr John Raftis (Term expires 10/23)

South-East Ward

- 10 Cr John Chester (Term expires 10/25)
- 11 Cr John Logan (Term expires 10/23)

South Ward

- 12 Cr Russ Fishwick, JP (Term expires 10/25)
- 13 Cr Suzanne Thompson (Term expires 10/23)

**25 OCTOBER 2023 - SPECIAL MEETING OF COUNCIL -
AGENDA ATTACHMENTS**

**10.1 APPOINTMENT OF REPRESENTATIVES TO REGIONAL COUNCILS AND
THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NORTH
METROPOLITAN ZONE.....2**

10.1.1 WALGA ELECTED MEMBER PROSPECTUS 2023.....2



Elected Member Prospectus

Becoming a Zone Delegate or State Councillor

2023



About WALGA

WALGA is an independent, member-based, not for profit organisation representing and supporting the WA Local Government sector.

Our purpose is to leverage the collective strength and influence of the Local Government sector for the benefit of WA Local Governments and their communities.

What does WALGA do?

WALGA provides value to Member Local Governments by advocating and facilitating sector solutions and policy, and by delivering member-centric, quality services.

How does WALGA work?

WALGA employs approximately 100 staff across the areas of:

- Policy, including asset management, community, emergency management, environment, infrastructure, planning, roads and waste;
- Services and advice including governance, industrial relations, procurement, recruitment, supplier panels, tender management, and training for officers and Elected Members; and
- Operational functions including events, finance, human resources, information technology, marketing and media management.

How is WALGA funded?

A number of components contribute to the WALGA operational budget. As with most member-based organisations, WALGA has an annual Membership fee paid by all Member Local Governments. To ensure fairness, the annual Membership fee is indexed to the size and capacity of each Local Government. It contributes less than 10 per cent of WALGA total turnover.

WALGA secures additional funding through charges to State and Federal departments and agencies for the administration of grants; fee-for-services selected for use by Member Local Governments; and returns from supplier contracts as part of group buying arrangements that guarantee lowest market rates for Members.

Role of Zones

State Councillors are elected to State Council from one of 17 Zones, which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment.

The relationship between State Council and Zones within the Western Australian Local Government Association is a critical one in the political representation of Local Government at the State and Federal levels.

Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State Council decision making table, they are a key player in developing policy and legislative initiatives for Local Government.

WALGA's Constitution outlines that the functions of Zones are to:

- elect one or more State Councillors;
- consider the State Council agenda;
- provide direction and feedback to their State Councillor; and
- any other function deemed appropriate by the Zone.

Additional activities undertaken by Zones include:

- developing and advocating on positions on regional issues affecting Local Government;
- progressing regional Local Government initiatives;
- identifying relevant issues for action by WALGA;
- networking and information sharing; and
- contributing to policy development through policy forums and other channels.

Zones provide input into State Council's advocacy efforts in two critical ways:

1. by passing resolutions on items contained in the State Council Agenda; and
2. by generating new Agenda items for consideration by State Council.

Zone Motions

To generate new Agenda items for consideration by State Council, a Zone may pass a resolution requesting that WALGA take action. For example, a Zone motion may request WALGA to investigate an issue, undertake advocacy, or develop policy.

It is best practice that Zone motions are submitted with the backing of a resolution of Council. However, as Zones are self-governing and autonomous, individual Zone Delegates may submit motions for the Zone to consider.

It is recommended that the Zone be advised whether a motion to be considered has been endorsed by Council or has been submitted by an individual Zone Delegate.

Role of a Zone Delegate

Zone Delegates are elected or appointed to represent their Council on the Zone and make decisions on their Council's behalf at the regional level.

In fulfilling their role as Council's representative, the Zone Delegate should give regard to their Council's positions on policy issues.

There is also an expectation that Zone Delegates will report back to their Council about decisions made by the Zone.

Role of State Council

WALGA is governed by a President and a 24-member State Council, elected from the Local Government sector.

Each State Councillor represents a WALGA Zone. There are 5 metropolitan Zones and 12 country Zones. All 139 WA Local Governments are invited to be Members of WALGA and a Zone.

Elected Members are able to nominate to represent their Local Government on their Zone and in turn, through the Zone election process, to represent the Zone on State Council.

State Council's primary role is to govern the successful operation of WALGA and broadly includes:

- Strategy formulation and policy making;
- Development, evaluation and succession of the Chief Executive Officer;
- Monitoring financial management and performance, including the annual budget;
- Monitoring and controlling compliance and organisational performance;
- Ensuring effective identification, assessment and management of risk;
- Promoting ethical and responsible decision making;

- Ensuring effective communication and liaison with members and stakeholders; and;
- Ensuring an effective governance framework and culture.

Role of a State Councillor

State Councillors have ultimate responsibility for the overall successful operations of WALGA.

The principal roles of State Councillors relate to:

- policy positions and issues;
- the strategic direction of WALGA;
- financial operations and solvency; and
- all matters as prescribed by law.

State Councillors, as directors of a board, are required to act consistently in the “best interests of the organisation as a whole”. This effectively means that the duties of a State Councillor are owed to all Member Local Governments.

State Councillors are also expected to be champions for WALGA and for the Local Government sector.

Commitment of the Role of State Councillor

State Councillors are expected to attend State Council meetings, of which there are five ordinary meetings per year. As State Councillors are elected to State Council by their Zone, State Councillors would also be expected to attend and play a prominent role in Zone meetings, including reporting back to their Zone about WALGA’s activities and advocacy.

State Councillors are expected to attend WALGA events and functions and play an active role in representing the Local Government sector, and contributing to policy debates and other forums.

State Council operates a number of internal and external committees and policy forums. There is an expectation that State Councillors play a leading role in serving on State Council’s committees on behalf of WALGA and the Local Government sector.

State Councillors are paid an annual sitting fee and expenses incurred to attend State Council meetings are reimbursable.

Opportunities for State Councillors

State Councillors, as board members of WALGA, are key leaders in the Local Government sector in Western Australia. Not only do State Councillors represent their community on their Council, they also have the opportunity to represent their region (Zone) and the Local Government sector at the state level.

All State Councillors will be appointed to a Policy Team or the Finance & Services Committee. Policy Teams provide State Councillors with hands-on exposure to development of policy positions and submissions to Government on behalf of the WA Local Government sector. The Chair of the relevant Policy Team will also have the opportunity to attend meetings with Government Ministers to advocate on behalf of Local Government.

Become Involved

We hope that involvement in your Association – by representing your Council on the Zone, or representing your Zone on State Council – will be an enriching and rewarding experience.

Consider nominating for a position on the Zone or State Council and play a role in shaping policy and advocacy on behalf of Local Government in Western Australia!

Contacts

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