



Meeting of Council

Thursday 16 February 2023

MINUTES

City of Stirling
25 Cedric Street, Stirling

Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent, and Wanneroo
Towns of Cambridge and Victoria Park

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Alaine Haddon-Casey	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

PRESENT

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Brent Fleeton Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker (<i>from 6:15pm</i>) Cr Karlo Perkov Cr Ashley Wallace
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Officer – City of Stirling) Ms Regan Clyde (Senior Governance Officer – City of Stirling)
Apologies Councillors	Cr Brett Treby
Leave of Absence	Nil
Absent	Cr Alaine Haddon-Casey
Consultants	Mr Noel Ryan (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Kelton Hincks (Town of Cambridge) Mr Mat Humfrey (City of Joondalup) Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
In Attendance Participant Councils' Advisers	Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:01pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Brett Treby

Absent: Cr Alaine Haddon-Casey

Leave of Absence

The Chair noted the following leave had been approved at the Audit and Risk Committee Meeting held 13 February 2023:

1. Cr Tony Krsticevic for the period 30 August 2023 to 18 October 2023 inclusive.
2. Cr Karlo Perkovic for the period 9 July 2023 to 11 August 2023 inclusive.

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair wished all Councillors a happy new year, noting this was the first in-person meeting in some time. The Chair reminded Councillors that a Strategic Workshop would take place after this Meeting.

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Jones.

That the minutes of the Ordinary Meeting of Council of 8 December 2022 and the minutes of the Special Meeting of Council of 15 December 2022 be CONFIRMED as a true and accurate record of proceedings.

The Motion was put and declared CARRIED (9/0).

7A BUSINESS ARISING FROM MINUTES

Nil

8. ADMINISTRATION REPORTS AS PRESENTED

8.1 BUSINESS REPORT – FOR MONTH ENDING 31 JANUARY 2023

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report for the month ending 31 January 2023.

The Motion was put and declared CARRIED (9/0).

8.2 PROJECT FINANCIAL REPORT – DECEMBER 2022

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (December 2022) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.3 STATEMENT OF FINANCIAL ACTIVITY FOR DECEMBER 2022

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 December 2022.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR DECEMBER 2022

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for December 2022:**

December 2022 - \$12,202,705.55

2. APPROVES the CEO Credit Card Statement for December 2022.

The Motion was put and declared CARRIED (9/0).

8.5 SALES AND SETTLEMENT REPORT – MONTH ENDING 31 JANUARY 2023

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report for the month ending 31 January 2023.

The Motion was put and declared CARRIED (9/0).

8.6 CATALINA GREEN DEVELOPMENT STRATEGY

Moved Cr Wallace, Seconded Cr Ife.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Satterley Property Group advice dated 13 January 2023 regarding its review of the Catalina Green Development Strategy.**
- 2. SUPPORTS the gravity-sewer option for Catalina Green, therefore amending the previous sewer strategy.**
- 3. SUPPORTS the updated Concept Plan and revised staging approach for the balance future development in Catalina Green – Option 1, as appended to Satterley’s advice letter of 13 January 2023.**

The Motion was put and declared CARRIED (9/0).

8.7 CATALINA BEACH CONCEPT PLAN

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council APPROVES the use of the Catalina Beach Concept Plan (Niche Planning Studio Option 5b) to guide the planning and delivery of development of the Plan area.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.8 REVIEW OF TAMALA PARK REGIONAL COUNCIL ESTABLISHMENT AGREEMENT

Moved Cr Migdale, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That Council:

1. **SUPPORT** modifying the Tamala Park Regional Council Establishment Agreement (EA) as detailed in Attachment 2 of this report.
2. **REQUEST** that all Member Councils consider the proposed amendments to the EA.
3. **Subject to all Member Councils supporting the changes to the EA, REQUEST** that the Minister for Local Government approve the proposed amendments to the agreement.

The Motion was put and declared CARRIED (9/0).

8.9 STATEMENT OF FINANCIAL ACTIVITY FOR JANUARY 2023

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 January 2023.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.10 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JANUARY 2023

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES and NOTES** the list of accounts paid under Delegated Authority to the CEO for January 2023:
January 2023 - \$1,562,955.38
2. **APPROVES** the CEO Credit Card Statement for January 2023.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.11 POLICY: PAYMENTS/GIFTS TO EMPLOYEES AND COUNCILLORS WHEN LEAVING THE TPRC

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That Council APPROVES the Payments to Employees in Addition to Contract or Award Policy (February 2023).

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.12 CHANGE OF COUNCIL MEETING DATE – OCTOBER 2023

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council APPROVE that the October 2023 Ordinary Council meeting be held on 12 October 2023 at the City of Stirling at 6:00pm and that the meeting date be advertised as required by the *Local Government Act 1995*.

The Motion was put and declared CARRIED (9/0) by exception resolution.

8.13 ADDITION OF MEMBERS TO THE MANAGEMENT COMMITTEE

Moved Cr Migdale, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That the Council APPOINTS Councillor Ashley Wallace to the Management Committee by absolute majority.

The Motion was put and declared CARRIED (9/0) by ABSOLUTE MAJORITY.

9. COMMITTEE REPORTS

AUDIT and RISK COMMITTEE (13 FEBRUARY 2023)

9.1 TPRC FYE 2023 BUDGET REVIEW

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That the Council ADOPTS the Budget Review with the variations for the period 1 July 2022 to 30 June 2023, as detailed in the Budget Analysis Worksheet attached to Appendix 9.1.

The Motion was put and declared CARRIED (9/0) by ABSOLUTE MAJORITY.

At 6:15pm Councillor Glynis Parker entered the meeting during consideration of Item 9.2.

9.2 COMPLIANCE AUDIT RETURN FOR YEAR ENDED 31 DECEMBER 2022

Moved Cr Migdale, Seconded Cr Perkov.

[The recommendation in the agenda]

That the Council recommends the Compliance Audit Return for the Tamala Park Regional Council for the year ended 31 December 2022 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the *Local Government Act 1995* and Regulations.

The Motion was put and declared CARRIED (10/0).

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

13. GENERAL BUSINESS

Nil

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Migdale, Seconded Cr Ife.

That

1. Item 14.1 – TPRC LANDSCAPE MAINTENANCE TENDER 06/2022 be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

c) A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and

e) A matter that if disclosed would reveal –

ii) information that has commercial value to a person; or

iii) information about the business, professional, commercial or financial affairs of a person

where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).

2. Item 14.2 – **UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (c) *a contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *a matter that if disclosed would reveal –*
 - i) *a trade secret; or*
 - ii) *information that has a commercial value to a person; or*
 - iii) *information about the business, professional, commercial or financial affairs of a person.*

3. Item 14.3 – **DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - ii) *information that has commercial value to a person; or*
 - iii) *information about the business, professional, commercial or financial affairs of a person.*

4. Item 14.4 – **CYBER SECURITY REVIEW** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (f) *a matter that if disclosed, could be reasonably expected to (section 5.23(2)(f)):*
 - (ii) *endanger the security of the local government's property.*

The Motion was put and declared CARRIED (10/0).

At 6:17pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

14.1 LANDSCAPE MAINTENANCE TENDER 06/2022

Moved Cr Migdale, Seconded Cr Wallace.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

14.2 UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023

Moved Cr Migdale, Seconded Cr Jones.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

14.3 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Moved Cr Perkov, Seconded Cr Ife.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

14.4 CYBER SECURITY REVIEW

Moved Cr Migdale, Seconded Cr Krsticevic.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(f) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/0).

Moved Cr Migdale, Seconded Cr Jones.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (10/0).

At 6:22pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:22pm.