

**TAMALA PARK
REGIONAL COUNCIL**

Meeting of Council

AGENDA

**Thursday 15 April 2010
City of Joondalup, 5.30pm**

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES THE
FOLLOWING
COUNCILS:

Town of Cambridge
City of Joondalup
City of Perth
City of Stirling
Town of Victoria Park
Town of Vincent
City of Wanneroo

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TAMALA PARK REGIONAL COUNCIL

Councillors of the Tamala Park Regional Council are advised that the ordinary meeting of Council will be held in Conference Room 1 at the City of Joondalup, Boas Avenue, Joondalup at 5.30pm on Thursday 15 April 2010.

The business papers pertaining to the meeting follow.

Your attendance is requested.

Yours faithfully



TONY ARIAS
Chief Executive Officer

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean (nominee)	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Leonie Getty Cr John Italiano (CHAIRMAN) Cr David Michael Cr Stephanie Proud	
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	
City of Wanneroo	Cr Dianne Guise Cr Glynis Monks (DEPUTY CHAIRMAN)	Mayor Jon Kelly Cr Brett Treby

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

PRELIMINARIES

1. OFFICIAL OPENING

NOTE: Advice has been received from the City of Joondalup advising of the resignation of Cr Troy Pickard from the Tamala Park Regional Council. The City of Joondalup has formally advised that Cr Tom McLean has been appointed to replace Cr Pickard.

Cr McLean will need to complete the formality of Declaration of Office prior to commencement of the meeting.

DISCLOSURE OF INTERESTS

2. PUBLIC STATEMENT/QUESTION TIME

3. APOLOGIES AND LEAVE OF ABSENCE

4. PETITIONS

5. CONFIRMATION OF MINUTES

Council meeting – 11 February 2010

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

- *Project Steering Committee – 25 February 2010 (refer Item 9.4)*
- *Project Steering Committee – 18 March 2010 (refer Item 9.4)*
- *Project Steering Committee – 29 March 2010 (refer Item 9.4)*

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.13)

9.1 BUSINESS REPORT – PERIOD ENDING 31 MARCH 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: N/A

Recommendation

That the Business Report to 31 March 2010 be RECEIVED.

Voting Requirements

Simple Majority

Report Purpose

To advise Council of matters of interest not requiring formal resolutions.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Background

The business of the Council requires adherence to many legislative provisions, policies and procedures that aim at best practice. There are also many activities that do not need to be reported formally to the Council but will be of general interest to Council members and will also be of interest to the public who may, from time to time, refer to Council minutes.

In context of the above, a Business Report provides the opportunity to advise on activities that have taken place between meetings. The report will sometimes anticipate questions that may arise out of good governance concerns by Council members.

Comment

1. **Auditor Tender** – Request for tenders was sent to 3 suitably qualified auditors. Tenders closed on 15 February 2010. Tenders were lodged by Macri & Partners and UHY Haines Norton. In accordance with the Local Government Act, the Audit Committee will meet to consider the tenders and provide a recommendation to Council.
2. **TPRC Website** - The TPRC website is now supported by WALGA Linking Councils and fully operational in a new configuration.
3. **Coastal Conservation Committee** – The Committee is endeavouring to frame management arrangements for the coastal conservation reserve which lies between the Burns Beach development and the western cell of the Tamala Park proposed development. The area concerned is approximately 308 hectares. Negotiations to date suggest that coastal sections of the reserve will be accepted by City of Wanneroo and City of Joondalup as vested reserves, subject to

conditions and that the remaining land will form some form of conservation reserve. Management of the majority of the reserve has yet to be determined.

Officers from the Cities of Joondalup, City of Wanneroo and the TPRC have been invited to attend a meeting on Monday 12 April 2010 to further discuss the dual use path in Burns Beach.

4. **Lot 807 Neerabup Road – Acquisition (Main Roads site)** – Settlement for Lot 807 Neerabup Road (1.7995 hectares) took place on 18 March 2010. The purchase price was \$2,200,000 (inclusive of GST). Funds for the purchase were used from TPRC term deposits. The transaction is in accordance with the TPRC 2009/10 budget.

5. **UDIA 2010 National Congress Report**

The 2010 Urban Development Institute of Australia (UDIA) National Congress was held in Sydney on 8-10 March 2010 and attended by the TPRC Chairman and CEO. At the Council meeting of 11 February 2010 it was agreed that a report (brief) be provided to councillors on the Congress.

A report to all TPRC councillors was circulated by email on 8 April 2010.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF FEBRUARY 2010 AND MARCH 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.401.0

Recommendation

That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 28 February 2010 and 31 March 2010.

Voting Requirements

Simple Majority

Report Purpose

Submission of the Statement(s) of Financial Activity required under the Local Government Act.

Relevant Documents

Appendix: Monthly Statement of Financial Activity for the months ending 28 February 2010 and 31 March 2010

Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Local Government Act 1995: Sect 6.4(1): Financial Report Required
- Local Government (Financial Management) Regulations 1996: Regulation 34 Composition of Report
- Local Government (Financial Management) Regulations 1996: Regulation 34 (5) Material Variance Reports [10%]
- Local Government (Audit) Regulations 1996: Regulation 14 Compliance Audit Item

Background

It is a mandatory requirement that the Council receives, reviews and records in the Regional Council's public minutes a statement of financial activity showing annual budget estimates and the figures for budget estimates, income and expenditure and variances at the end of each month. The report is also to show the composition of assets and other relevant information.

Comment

The detailed Statements contained in the Appendices reflect the budget proposals and direction adopted by the Council.

Variances at March 2010 exceeding 10% were experienced in relation to the following:

Agenda TPRC Meeting of Council – 15 April 2010

Insurance	The increase in expenditure is a result of unexpected increases in industrial risk insurance and also in personal officers and councillors liability insurance. The increase in dollar terms is a sum of \$2,200.
Materials & Contracts Other	The positive variance in expenditure is partly due to timing of payments, however, a surplus for these items is expected.
Professional Consultant Fees	At this time there is a positive variance in expenditure to the professional/consultant budget, there is expected to be a surplus in relation to professional consultant fees, however, some of this surplus will be required for additional consultancy fees as reported TPRC meeting 11 February 2010.
Other	The positive variance in expenditure is due to timing of payments, this is expected to remain on budget.

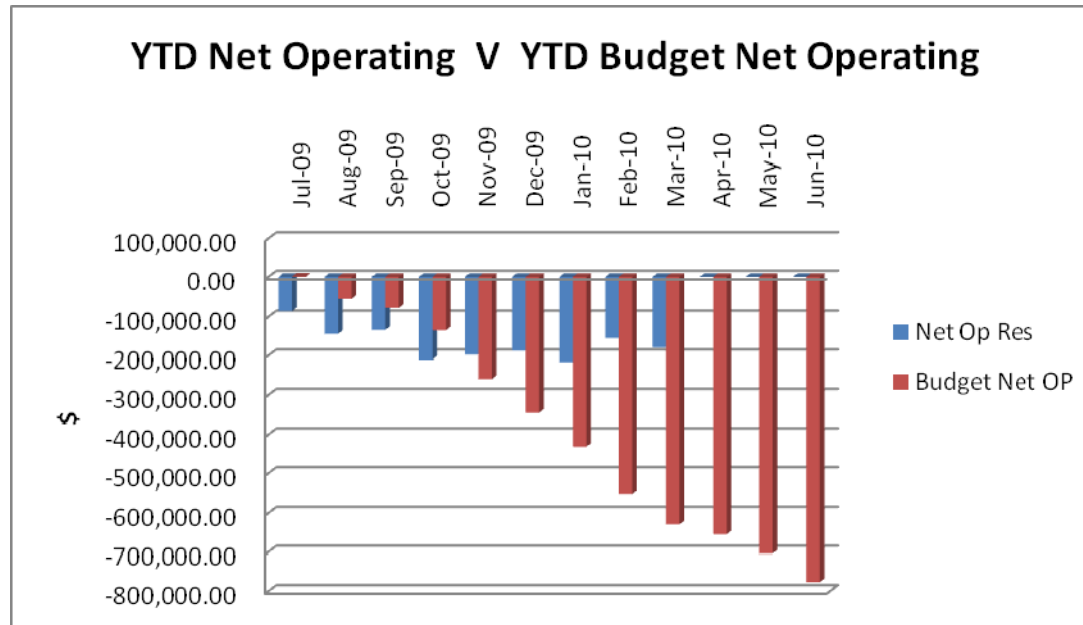
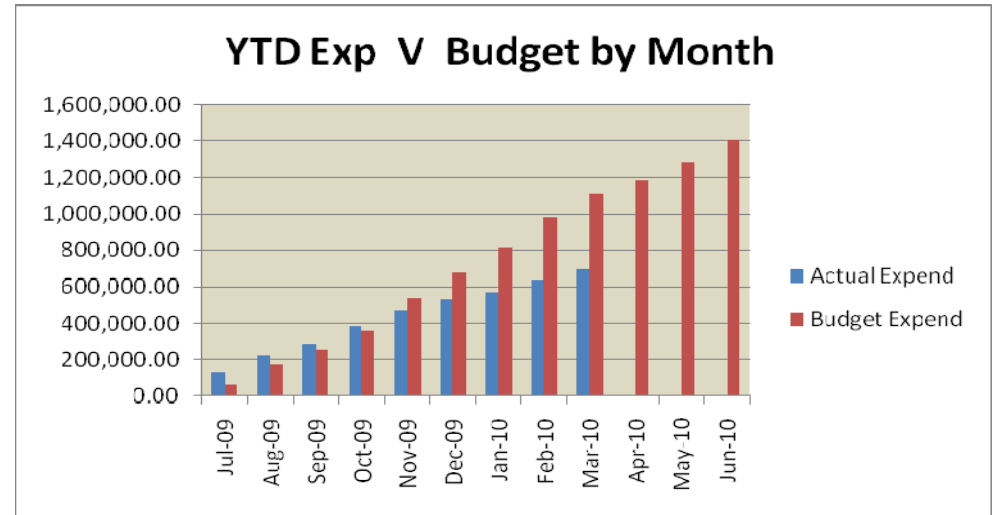
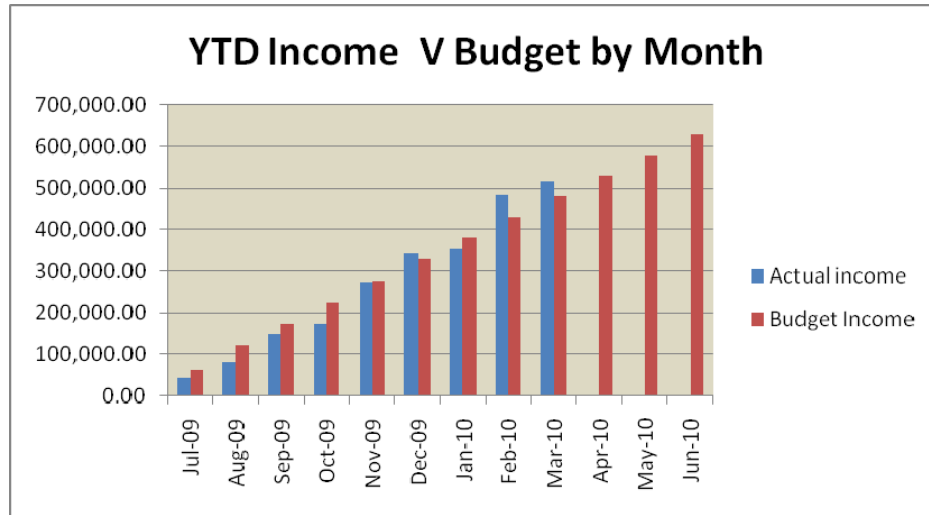
The information in the appendices is summarised in the tables below.

Financial Snapshot as at 31 March 2010

	Jul '09 - Mar 10	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Revenue					
Interest Earnings	517,511.26	480,997.00	36,514.26	107.59%	627,688.00
Other Revenue	243.77				
Total Revenue	517,755.03	480,997.00	36,758.03	107.64%	627,688.00
Expenses					
Depreciation	0.00	-2.00	2.00	0.0%	-4,502.00
Employee Costs	-321,684.03	-297,739.00	-23,945.03	108.04%	-445,449.00
Insurance	-6,603.88	-4,250.00	-2,353.88	155.39%	-4,250.00
Materials & Contracts MTC	0.00	-700.00	700.00	0.0%	-2,700.00
Materials & Contracts Other	-55,190.58	-167,542.00	112,351.42	32.94%	-267,858.00
Other	-75,952.98	-85,375.00	9,422.02	88.96%	-114,000.00
Professional/Consultant Fees	-238,052.65	-564,919.00	326,866.35	42.14%	-703,799.00
Total Expenses	-697,484.12	-1,120,527.00	423,042.88	62.25%	-1,542,558.00
Unclassified	0.00	0.00	0.00	0.0%	0.00
TOTAL	-179,729.09	-639,530.00	459,800.91	28.1%	-914,870.00

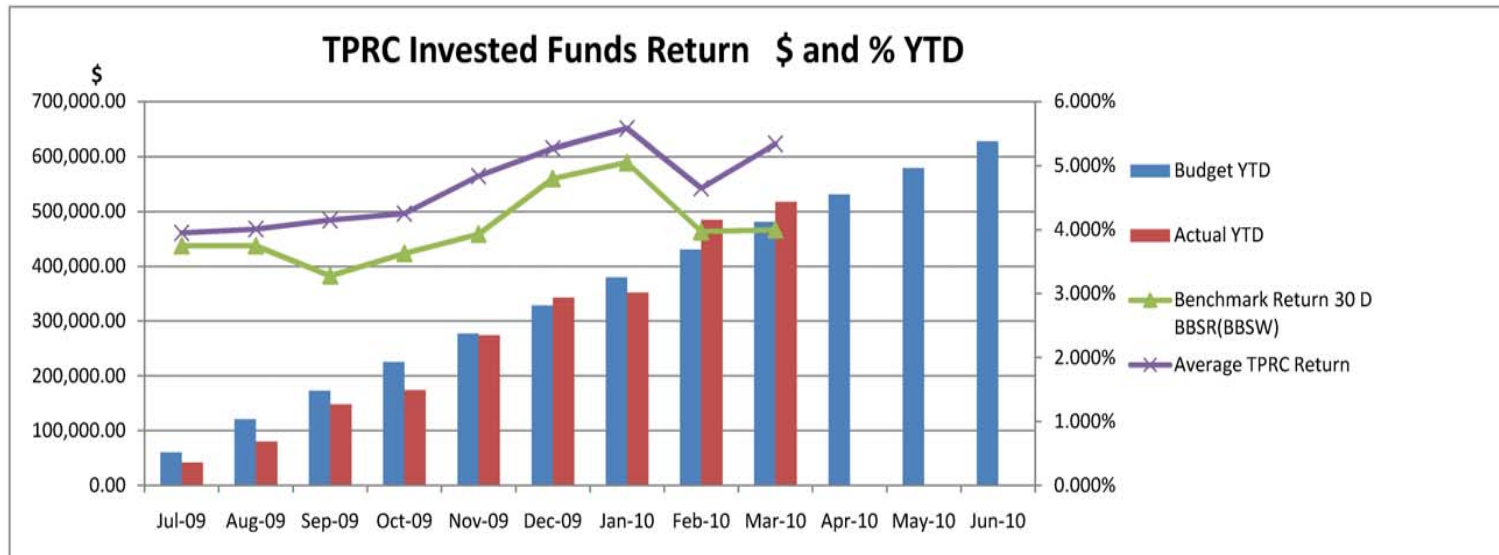
Balance Sheet Summary as at 31 March 2010

	Mar 31, 10	Jun 30, 09	\$ Change	% Change	Mar 31, 09
Cash and Investments	14,975,991.77	17,342,484.07	-2,366,492.30	-13.65%	17,512,401.47
Accounts Receivable	0.00	46,925.28	-46,925.28	-100.00%	-96.27
Other Current Assets	1,030.00	1,030.00	0.00	0.00%	1,030.00
Total Current assets	14,977,021.77	17,390,439.35	- 2,413,417.58	-13.88%	17,513,335.20
Fixed Assets	2,000,000.00	0.00	2,000,000.00	100.00%	0.00
Total Assets	16,991,939.82	17,405,357.40	- 413,417.58	-2.38%	17,530,749.43
Less Current Liabilities	-126,436.80	38,622.18	-165,058.98	-427.37%	8,131.34
Less Long Term Liabilities	2,429.11	2,429.11	0.00	0.00%	0.00
Total Liabilities	-124,059.94	109,628.55	-233,688.49	-213.16%	9,830.59
Net Assets	17,115,947.51	17,364,306.11	- 248,358.60	424.99%	17,522,618.09



**Tamala Park Regional Council
TPRC Investments Summary
Fy 1 July 2009 - 31 March 2010**

		Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	May-10	Jun-10
Budget	I032030 · Interest on Investment	60,312.00	60,315.00	52,250.00	52,167.00	51,964.00	51,525.00	51,211.00	50,841.00	50,412.00	50,137.00	48,363.00	48,191.00
Actual	I032030 · Interest on Investment	41,707.29	38,191.43	67,754.33	26,338.08	99,830.52	68,845.91	9,011.74	132,716.09	33,115.87			
	Budget YTD	60,312.00	120,627.00	172,877.00	225,044.00	277,008.00	328,533.00	379,744.00	430,585.00	480,997.00	531,134.00	579,497.00	627,688.00
	Actual YTD	41,707.29	79,898.72	147,653.05	173,991.13	273,821.65	342,667.56	351,679.30	484,395.39	517,511.26			
InvestedFunds													
A(-1+)	A01102 · Unrestricted At Call	40,477.97	20,527.73	206,658.65	126,026.00	10,109.72	10,124.74	9,678.38	137.84	23,184.87			
A(-1+)	A01106/7 · Fixed Term Deposits	17,227,006.58	17,172,478.39	17,022,478.39	17,048,449.06	17,107,428.61	17,154,408.09	17,154,408.00	17,154,408.09	14,937,461.36			
	Act Invest 09-10	17,267,484.55	17,193,006.12	17,229,137.04	17,174,475.06	17,117,538.33	17,164,532.83	17,164,086.38	17,154,545.93	14,960,646.23			



9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF FEBRUARY 2010 AND MARCH 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.401.0

Recommendation

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the month of February 2010 and March 2010:

- **Month ending 28 February 2010 (Total \$102,127.82)**
- **Month ending 31 March 2010 (Total \$2,250,309.24)**
- **Total Paid \$2,352,437.06**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 28 February 2010 and 31 March 2010.

Relevant Documents

Appendix: Cheque Detail for Months Ending 28 February 2010 and 31 March 2010
Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Local Government Act 1995: Sect 5.42 - Delegation given for Payments
- Local Government (Financial Management) Regulations 1996: Regulation 13(1) - Monthly Payment list required
- Local Government (Audit) Regulations 1996: Regulation 13 - Compliance Audit Item

Background

A list of accounts paid under delegation or submitted for authorisation for payment is to be submitted to the Council at each meeting.

It is a specific requirement of Regulations that list state the month (not the period) for which the account payments or authorisation relates.

Comment

Payments made are in accordance with authorisations by Council, budget procurement and other Policies.

Payments are subject of review by TPRC Accountants Haines Norton following

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completion of each months accounts.

The \$2,200,000 transaction was the settlement for Lot 807 Neerabup Road (Main Roads WA land) and took place on 18 March 2010. Funds for the purchase were used from TPRC term deposits. The transaction is in accordance with the TPRC 2009/10 budget.

**Tamala Park Regional Council
Summary Payment List**

Date	Name	Description	Amount
01/02/2010	National Australia Bank	Superannuation 9% & salary sacrifice for period 14/1/10 to 27/1/10	-2,361.38
01/02/2010	WALGSP	Superannuation for period 14/1/10 to 27/1/10	-455.16
01/02/2010	Allpest	Snake search 41 Savona Grove, Mindarie	-170.00
01/02/2010	Amcom	ADSL direct for period 1/2/10 to 1/3/10	-79.00
01/02/2010	Kyocera Mita	Photocopying - B/W & colour copying for December 2009	-44.77
01/02/2010	Telstra	CEO mobile phone usage for period 12 Dec 2009 to 12 Jan 2010	-64.63
01/02/2010	City of Stirling	Rental & electricity for MR3 SCC for March 2010	-434.24
01/02/2010	City of Stirling	Rental RC office for March 2010	-101.20
02/02/2010	Westpac	Bank fees cheque account February 2010	-21.25
11/02/2010	Employee costs	Wages for period 28/1/10 to 10/2/10	-9,675.67
11/02/2010	WALGSP	Superannuation for period 28/1/10 to 10/2/10	-455.16
15/02/2010	National Australia Bank	Superannuation payment for period 28/1/10 to 10/2/10	-2,361.38
15/02/2010	Amphlett, Geoff	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Conexion Event Management	CEO UDIA 2010 conference Sydney 8-10 March 2010	-2,365.00
15/02/2010	Getty, Leonie	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Guise, Dianne	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Haines Norton	Haines Norton invoice for February 2010 including BAS for quarter ending I	-990.00
15/02/2010	Michael, David	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Monks, Glynis	Nov 2009 /Dec 2009/Jan 2010 composite payment	-2,125.00
15/02/2010	Pickard, Troy	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Qantas	CEO flight to UDIA 2010 conference 8-10 March 2010 in Sydney	-644.00
15/02/2010	Telstra	TPRC office landline to 27 January 2010	-184.16
15/02/2010	TPG	Formal stakeholder consultation & preferred structure plan review	-3,300.00
15/02/2010	Vaughan, Trevor	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Withers, Simon	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Evangel, Eleni	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Italiano, John	Nov 2009 /Dec 2009/Jan 2010 composite payment	-5,000.00
15/02/2010	Proud, Stephanie	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Catania, Nick	Nov 2009 /Dec 2009/Jan 2010 composite payment	-1,750.00
15/02/2010	Proud, Stephanie	Reimbursement for fuel for 4WD for site visit Jan 2010	-10.02
15/02/2010	Conexion Event Management	Chairman to attend UDIA conference in Sydney 8-10 March 2010	-2,442.00
15/02/2010	Qantas	Chairman flights to UDIA conference in Sydney in March 2010	-3,418.01
15/02/2010	Westpac Bank	Payment TA credit card for period 12/1/10 to 11/2/10	-745.39
25/02/2010	Employee costs	Wages for period 11/2/10 to 24/2/10	-9,675.67
25/02/2010	WALGSP	Superannuation payment for period 11/2/10 to 24/2/10	-455.16
25/02/2010	National Australia Bank	Superannuation contribution for period 11/2/10 to 24/2/10	-2,361.38
25/02/2010	Amcom	ADSL direct for period 1/3/10 to 1/4/10	-79.00
25/02/2010	City of Stirling	Content filtering, firewall, spam & antivirus for period Oct-Dec 2009	-330.00
25/02/2010	Kyocera Mita	Mono and colour copying charges from 31/12/09 to 21/1/10	-30.26
25/02/2010	Telstra	CEO mobile phone usage for 14/1/10 to 13/2/10	-66.77
25/02/2010	City of Stirling	Special Projects Officer office rental for April 2010	-96.80
25/02/2010	City of Stirling	Rental & electricity R3 SCC for April 2010	-415.36
25/02/2010	City of Stirling	Hire Room 1 SCC for PCG meeting 9/3/10	-78.00
25/02/2010	ATO	BAS paid for quarter October to December 2009	-33,592.00
			<u>-102,127.82</u>

**Tamala Park Regional Council
Summary Payment List**

Date	Name	March 2010 Description	Amount
11/03/2010	Employee Costs	Wages for period 25/2/10 to 10/3/10	-9,675.67
11/03/2010	WALGSP	Superannuation for period 25/2/10 to 10/3/10	-455.16
11/03/2010	National Australia Bank	Superannuation for period 25/2/10 to 10/3/10	-2,361.38
11/03/2010	Haines Norton	Accounting services for March 2010	-660.00
11/03/2010	LGIS Workcare	Actual wages adjustment for period 30/6/08 to 30/6/09	-89.10
11/03/2010	Telstra	Phone usage and service charges to 27/2/10 (land line)	-197.24
11/03/2010	Woodhouse Legal	New CEO Employ Contract (review docs/amendments)	-2,255.00
11/03/2010	City of Stirling	Hire MR1 SCC CEO Group meeting 8/4/10 (inc MRC mtgs)	-136.50
11/03/2010	City of Stirling	PCG Meeting Hire MR1 SCC 6/4/10	-78.00
18/03/2010	Worldwide Online Printing	Certificates for outgoing councillors	-85.00
18/03/2010	Westpac Bank	Westpac Bank Cheque for Main Roads WA Lot 807	-2,200,000.00
18/03/2010	Landgate	Registration for registering transfer Lot 807 Neerabup Rd	-110.00
25/03/2010	Employee Costs	Wages for period 11/3/10 to 24/3/10	-9,675.67
25/03/2010	WALGSP	Superannuation for period 11/3/10 to 24/3/10	-455.16
25/03/2010	National Australia Bank	Superannuation for period 11/3/10 to 24/3/10	-2,361.38
25/03/2010	Amcom	ADSL Direct for period 1/4/10 to 1/5/10	-79.00
25/03/2010	Kyocera Mita	Photocopying - colour/black & white copying to 15/2/10	-63.93
25/03/2010	Officeworks	Stationery	-191.42
25/03/2010	Strategic Marketing and Research	50% deposit for 2010 Estate Research	-2,200.00
25/03/2010	Syrinx	Graceful Sun Moth Survey	-13,378.97
25/03/2010	T Arias	Reimbursement of parking expenses for Nov09-Mar10	-46.80
25/03/2010	Telstra	CEO mobile usage to 13/3/10 & service for 14/3 to 13/4	-72.98
25/03/2010	TPG	Review submission contents; preferred SP review	-4,664.00
25/03/2010	Uloth & Associates	Add work re: reviewing feedback of the proposed SP	-528.00
25/03/2010	City of Stirling	MR3 SCC Rent & electricity May 2010	-396.48
25/03/2010	City of Stirling	Special projects officer office rent for May 2010	-92.40
			<u>-2,250,309.24</u>

9.4 PROJECT STEERING COMMITTEE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 13.45.657.0

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To provide a progress report on the Project Steering Committee.

Relevant Documents

Appendix: RFP Document (as approved by the Project Steering Committee on 29 March 2010)
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council meeting - 16 April 2009 (Item 8 – Reports of Committees)
- Council meeting – 9 December 2009 (Item 12 – Election of Committees)

Background

At its meeting of 16 April 2009 the Council resolved to establish a Project Steering Committee (PSC) for the purpose of:

- To finalise the Call for Expressions of Interest for a Partner/Alliance for the TPD in accordance with Appendix 9.5.
- To issue the Call for Expressions of Interest for a Partner/Alliance.
- To conduct the Selection Process and make recommendation to the Council on the preferred Partner/Alliance.
- Appoint consultants necessary to assist it in relation to items 1, 2 and 3.
- To provide regular confidential updates on progress to the Council.

Comment

The PSC met on 25 February 2010, 18 March 2010 and 29 March 2010 to progress the RFP (formerly EOI) for a Partner/Alliance.

The PSC approved the release of the RFP on 29 March 2010, (refer to Item 9.5).

In accordance with approved terms of reference it has appointed the following consultants:

- Stantons RFP Consultant
- Stantons – Probity
- Lavan Legal – RFP legal review

It is proposed that the PSC will undertake the selection process during 8 May 2010 to 4 June 2010 and make a recommendation on the preferred proponent to the Council for consideration on 15 July 2010.

9.5 PARTNERING/ALLIANCE PROPOSAL - REQUEST FOR PROPOSAL

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246.0

Recommendation

1. That Council **RECEIVE** the status report in relation to the Request for Proposal.
2. That Council **APPROVE** a Special Meeting of Council for 15 July 2010 at 5.30 at the City of Wanneroo.
3. That the Special Meeting on 15 July 2010 be **ADVERTISED** as required by the LGA.

Voting Requirements

Simple Majority

Report Purpose

To provide a status report to Council on the proposed Request for Proposal process.

Relevant Documents

Appendix: RFP (as approved by the Project Steering Committee on 29 March 2010) – refer item 9.4
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council meeting – 11 February 2010 (Item 9.5 – Partnering/Alliance Proposal)
- Council meeting - 16 April 2009 (Item 8 – Reports of Committees)

Background

At its meeting of 11 February 2010 the Council approved the framework for the Call for Expressions of Interest (now Request for Proposal - RFP) for a Partner/Alliance for the TPD.

The Council was seeking a company/consortia which could provide a comprehensive project management service and sales and marketing management.

Comment

The RFP has been prepared in accordance with the EOI framework for a Partner/Alliance approved by the TPRC on 11 February 2010. The RFP has now been released (refer Appendix item 9.4).

The Probity Advisor has approved the RFP for release. The RFP was also reviewed by Lavan Legal, the appointed lawyers.

The key milestones for the RFP process are listed below. These dates are only tentative and will be dependent on the number and nature of the RFP's submitted.

Key Milestones for EOI are:

- Preparation of EOI – February/March 2010
- Approval EOI (PSC) – 18 March 2010
- Issue and Advertising of EOI – 31 March 2010 & 10 April 2010
- Close of RFP submissions – 7 May 2010
- Review of EOI (PSC) – 8 May to 4 June 2010
- TPRC Approval of Preferred proponent – 15 July 2010
- Contract Finalisation – 18 August 2010
- Appointment of Partner – 19 August 2010

The RFP was advertised in the West Australian newspaper on Wednesday 31 March 2010 and Saturday 10 April 2010. It is also listed on the Tamala Park website.

Based on the RFP program it is likely that a Special Meeting of the TPRC will be required on 15 July 2010 to make a decision on the preferred proponent. Arrangements will be made to schedule and advertise this additional TPRC meeting date as required by the LGA. It is proposed that the meeting be held at 5.30pm at the City of Wanneroo.

9.6 AUDIT COMMITTEE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference:

Recommendation

That the Council NOTE the vacancy on the Audit Committee, by the resignation of Cr Troy Pickard from the TPRC, and CONSIDER the appointment of a replacement member to the Audit Committee.

Voting Requirements

Absolute Majority

Report Purpose

To seek nominations for the vacancy on the Audit Committee.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

Local Government Act - Section 7.1A

Local Government Act/Regulation

N/A

Previous Minutes

Council meeting – 9 December 2009 (Item 12 – Election of Committees)

Background

At its meeting of 9 December 2009 the TPRC appointed the following five Council members to the Audit Committee:

1. Cr Nick Catania
2. Cr Dianne Guise
3. Cr John Italiano
4. Cr David Michael
5. Cr Troy Pickard

Comment

Each local government is required by Section 7.1A of the Local Government Act to appoint an Audit Committee, which must comprise at least 3 persons, 2 of whom are to be Council members. In October 2007 the TPRC Council increased audit membership from 3 to 5.

The TPRC Audit Charter requires the Audit Committee to meet a minimum of 3 times per year. The Audit Committee meetings are timed to coincide with the completion of certain statutory requirements.

Given the recent resignation of Cr Troy Pickard from the TPRC the Council a vacancy now exists on the Audit Committee. The Council needs to consider whether it wishes to appoint a replacement member to the Audit Committee.

9.7 TPRC STRUCTURE PLAN STATUS UPDATE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

That the Council RECEIVE the status report in relation to the TPRC Structure Plan.

Voting Requirements

Simple Majority

Report Purpose

To advise status with structure plan approval.

Relevant Documents

Appendix: Existing Indicative Development Plan; Proposed Indicative Development Plan
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Meeting of Council - 11 February 2010 (Item 9.7 - TPRC Structure Plan Status Update)
- Meeting of Council - 9 December 2009 (Item 14.8 - TPRC Structure Plan Status Update)
- Meeting of Council - 15 October 2009 (Item 9.5 - TPRC Structure Plan Status Update)
- Meeting of Council - 13 August 2009 (Item 9.11 - Tamala Park Development – Formal Submission Local Structure Plan)

Background

The Council at its meeting on 13 August 2009 considered the completed Structure Plan for the new urban development at Tamala Park.

During the advertising period for the Structure Plan 17 submissions were received by the City of Wanneroo.

In response to objections from Main Roads WA and the Department of Planning and Infrastructure to the proposed Freeway off-ramp into the TPD, south of the Neerabup Road interchange, on safety grounds Council resolved to approve the deletion of the proposed freeway off-ramp from the Structure Plan and consequential minor modifications and continue to progress the current Structure Plan.

Comment

Following discussions with Main Roads WA, Department of Planning and Infrastructure and City of Wanneroo a revised design has been prepared by TPG for the land east of Connolly Drive. A copy is attached at Appendix 9.7.

The local road system, zonings and residential densities and local centre remain unchanged. A road connection from Neerabup Road to the local centre is proposed to promote vehicular traffic. This connection to Neerabup Road has been supported by Main Roads WA, subject to normal setback requirements. The balance of the Structure Plan remains unchanged.

It is considered that the proposed changes will not require re-advertisement of the Structure Plan due to their minor nature. This is also the preliminary view of the City of Wanneroo officers.

9.8 ESTATE MARKET RESEARCH

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.103.630

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To provide status report to Council on the proposed estate market research to be undertaken by Strategic Marketing Research (SMR).

Relevant Documents

Appendix: SMR – Estate Research Survey 2010
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council meeting – 9 December 2009 (Item 14.4 - Presentation – Strategic Marketing & Research)
- Council meeting – 15 October 2009 (Item 9.12 - Contribution to Purchase Indicators Survey 2010 – Strategic Marketing & Research)

Background

At its meeting on 15 October 2009 the Council resolved as follows:

1. *That the Council AGREE syndicate involvement in market research targeting the reasons that attract purchasers to new estates through participation in a study to be undertaken by Strategic Marketing & Research (SMR) in 2010 at an estimated cost of between \$3,000-\$5,000.*
2. *That SMR be INVITED to provide a presentation (inclusive of the final cost) of its 2009 study results to the Council and to discuss TPRC input to the proposed study in 2010.*
3. *That member Councils be INVITED to provide a list of questions for consideration by SMR.*
4. *That a future report be PRESENTED to Council identifying additional strategic marketing and research requirements.*

SMR conducted a similar research study across 19 estates in May 2009.

Comment

The research questionnaire for 2010 has now finalised and is to be circulated after Easter. The following developers are also contributing to the survey:

- Satterley Property
- Lester Group
- Cedar Woods
- Tamala Park
- Treendale Estate

The research seeks to determine:

- How residents heard about their estate
- Where else they looked when seeking to purchase
- What were the motivating reasons for choosing their estate i.e. price, presentation etc
- What was important when choosing an estate i.e. reputable developer, environmental initiatives, sense of community etc
- What facilities and amenities they had at their estate
- What additional amenities and facilities residents would like
- Their perceived change in value for their property
- Would they buy again in the next 12 months and why?
- What they would be seeking to purchase i.e. house configuration
- What incentives would encourage them to purchase
- Occupation and lifestyle demographics
- Brand awareness of the estate developer

The full survey is attached at Appendix 9.8.

9.9 PROPOSED MEMBERSHIP – URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA

Report Information

Location: Not Applicable
Applicant: Chief Executive Officer
Reporting Officer: Chief Executive Officer File Reference: 8.94.63.0

Recommendation

That the Council APPROVE membership to the Urban Development Institute of Australia (WA).

Voting Requirements

Simple Majority

Report Purpose

To obtain authority for the TPRC join membership of the Urban Development Institute of Australia (WA).

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Background

The Urban Development Institute of Australia (UDIA) is Australia's peak representative body for all segments of the urban development industry. UDIA is a not-for-profit industry body dedicated to the representation of Australia's development industry. It's main purpose is to advance the credibility and integrity of the urban development industry. It is a federation of five state associations that aim to promote the urban development industry in achieving sustainable urban development.

The UDIA's current policy priorities include:

- Housing affordability
- Land supply
- Tax and charges
- Climate change
- Provision and cost of infrastructure
- Planning system reform and consistency

The Urban Development Institute of Australia objectives include the following:

- To promote the advancement and improvement of the urban development industry
- To serve and safeguard the interest of members
- To position and promote UDIA as the leading urban development representative body in Australia
- To secure the mutual support and cooperation of all urban developers and other members of the urban development industry
- To present a common print of view of members on matters of mutual interest to authorities concerned with urban development
- To inform the public and members and conduct educational seminars and conferences on topics relevant to the urban development industry
- To secure general acceptance of standards and principles that facilitate good planning, economic stability, ethics and public interest, and
- To provide information to members on all matters affecting the institute and its objectives, and to issue publications relevant to these objectives.

Comment

The UDIA membership includes leading land developers, industry professionals and consultants and state and local government authorities, including Landcorp and the Department of Housing. At the present time there are 15 local government UDIA members.

Given the TPRC's role over the next 10-12 years will be to develop the TPD landholding it is considered appropriate for the TPRC to capitalise on the benefits offered through UDIA membership.

The TPRC would presently fit into Government (includes local authorities) Developer C category for which the annual membership fee would be - \$3331, with payment being made after 30th June 2010. There is no budget provision for membership in the TPRC 2009/10 budget. However, given payment would not need to be made until July 2010 this would not be an impediment to membership at this stage.

9.10 LEVEL 2 FLORA & VEGETATION SURVEY

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624.0

Recommendation

That the Council RECEIVE the report on the Level 2 flora and vegetation survey.

Voting Requirements

Simple Majority

Report Purpose

To provide an update to the Council on the Level 2 flora and vegetation survey.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

- TPRC Delegation Register (authorising expenditure)
- TPRC Purchasing Policy

Local Government Act/Regulation

N/A

Previous Minutes

Various Minutes (most recent – Council meeting 11 February 2010 (Item 9.8 - in reference to the Graceful Sun Moth survey)

Background

The TPRC commissioned a Level 2 flora and vegetation survey as a requirement of MRS Amendment 992/33 and Minister for the Environment conditions.

Comment

All the field survey work has now been completed and with the final report in preparation. Syrinx Environmental, which undertook the survey, has advised that no DRF or endangered species were recorded. One priority 4 Flora species was found, however Syrinx believes this will have no impact on the development.

Syrinx Environmental is preparing its report for submission to DEC and City of Wanneroo.

9.11 GRACEFUL SUN MOTH SURVEY

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To provide an update to the Council on the Graceful Sun Moth survey.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

- TPRC Delegation Register (authorising expenditure)
- TPRC Purchasing Policy

Local Government Act/Regulation

N/A

Previous Minutes

Various minutes (most recent – Council meeting 11 February 2010 (Item 9.8 – Graceful Sun Moth Survey))

Background

At its meeting of 11 February 2010 the TPRC approved the commissioning of a survey for the Graceful Sun Moth.

The GSM is declared specially protected fauna under the WA Wildlife Conservation Act 1950, and it is rare or likely to become extinct. It is listed as endangered (under the Commonwealth Environmental Protection and Biodiversity Act 1999) - (EPB Act).

Comment

The survey work was undertaken in March in accordance with DEC requirements. Syrinx Environmental, which undertook the survey, has advised that two GSM specimens were found just within the western boundary on the TPRC landholding. In addition one GSM specimen was located on the western coastal reserve, outside the TPRC landholding.

The significance of the findings is unclear until DEC collates the other GSM surveys that the DEC and other developers have been undertaking during March.

Syrinx Environmental is preparing its report for submission to DEC. A further update will be provided at the meeting.

9.12 TPRC POTENTIAL NEW OFFICE PREMISES

Report Information

Location: 369 Scarborough Beach Road, Innaloo
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 5.5.574.0

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To provide detail on the TPRC office relocation to new premises located at 369 Scarborough Beach Road, Innaloo.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Council Meeting – 11 February 2010 (Item 9.14 – TPRC Potential New Office Premises)

Background

At its meeting of 11 February 2010 the Council agreed that the City of Stirling be requested to approve in principle the use of the office located at 369 Scarborough Beach Road, Innaloo for the TPRC office and to provide detail on leasing and outgoings. Further that preliminary plans be drawn up to establish that the proposed office can accommodate TPRC requirements.

The office is located on Scarborough Beach Road, Innaloo, within the commercial precinct. The offices adjoin the Stirling Alliance office (WAPC City of Stirling initiative) which may offer some synergies in terms of computer facilities and resources.

The office is approximately 300m² which would enable the TPRC office to have reception area with project displays, a dedicated meeting/boardroom, offices for current staff and the capacity for expansion.

Comment

In accordance with the TPRC resolution of 11 February 2010, the City of Stirling was requested to approve in principle the use of the office located at 369 Scarborough Beach Road, Innaloo for the TPRC office and to provide detail on leasing and outgoings.

At the time of this report no formal advice has been received from the City of Stirling in relation to approval to the use of the premises for the TPRC offices or leasing terms. The City of Stirling Resource Committee is to consider the TPRC request at its meeting of 27 April 2010 and full Council on 4 May 2010.

Preliminary plans have been drawn which demonstrate that the proposed office can accommodate TPRC requirements. Costings have been sought for the required works and these are will be available prior to the meeting.

The preliminary quotation for works to undertake refurbishment to accommodate TPRC offices is \$60,500 (inc GST). Additional quotes will need to be sought prior to any commitment to works.

9.13 COMMUNICATION TOWER LEASE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.142.1024.15

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To update the Council in relation to the land leased to Crown Castle.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council meeting - 9 December 2009 (Item 17 – Urgent Business Approved by the Chairman)
- Council meeting – 13 August 2009 (Item 9.1 – Business Report)
- Council meeting – 12 April 2007 (Item 9.9 – Telecommunication Tower)

Background

In 1998 130m² of land excised from Mindarie Regional Council Lease for a Vodafone tower site. A lease was signed at that time. Vodafone's interest was transferred to Crown Castle Australia Pty Ltd in June 2003. Crown Castle now owns the tower and sub-leases space on the tower to various carriers.

At the expiry of the Crown Castle lease on 31 October 2003, the Lessor and the Lessee could not agree on a rental for the 5 year term exercised optional term commencing 1 November 2003.

At its meeting held 12 April 2007, Tamala Park Regional Council resolved that the owners of Lot 9504 be requested to not approve the addition of any further antennae on the Crown Castle tower. Tamala Park Regional Council also resolved that the owners be requested to advise Crown Castle of the owner's concern that the impending residential development in Tamala Park may render the

use of the tower undesirable and request Crown Castle to seek alternative locations for antennae facilities

Crown Castle has been advised that the owners may not be inclined to grant a new lease on expiry of the current lease on 31 October 2013. However, telecommunications carriers have extensive powers under the *Telecommunications Act 1997* and the owners may be forced to accept the ongoing presence of the tower.

Comment

In the past this has been managed by one of the member Councils. The reason for this arrangement was that the communications tower lease was outside both the Mindarie Regional Council Lease area and the TPRC landholding.

It has been suggested that the TPRC take control of the management of the communications tower as it has a greater property focus, it can provide a more coordinated approach and due to the potential impacts on the TPRC landholding.

The TPRC has the capacity to manage issues associated with the communications tower and provide a more coordinated approach. There may however be a potential for conflict of interest as the communications tower may impose some negative impacts on the TPRC landholding.

At the present communications tower lease is outside the TPRC landholdings and therefore the seven member Councils would need to agree to this possible arrangement.

Legal advice is being sought on the implications of the TPRC taking on management controls and the necessary requirements to put such a change into effect.

LATE ITEM

9.14 PARTNERING/ALLIANCE PROPOSAL - REQUEST FOR PROPOSAL TENDER CLARIFICATION

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.142.1024.15

Recommendation

1. That Council **RECEIVE** the status report in relation to the Request for Proposal.
2. That Council **APPROVE** a Special Meeting of Council for 15 July 2010 at 5.30 at the City of Wanneroo.
3. That the Special Meeting on 15 July 2010 be **ADVERTISED** as required by the LGA.
4. That Council **APPROVE** the RFP as a Tender, under the Local Government Act.

Voting Requirements

Simple Majority

Report Purpose

To clarify that the RFP constitutes a Tender, under the Local Government Act 1995 (LGA).

Relevant Documents

Appendix: RFP (as approved by the Project Steering Committee on 29 March 2010) – refer item 9.4
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

The recommendation is in conformance with the requirements of the following legislation:

- Section 3.57 of the Local Government Act 1995; and
- Part 4 of the Local Government (Functions and General) Regulations 1996

Previous Minutes

- Council meeting – 11 February 2010 (Item 9.5 – Partnering/Alliance Proposal)
- Council meeting - 16 April 2009 (Item 8 – Reports of Committees)

Background

At its meeting of 11 February 2010 the Council approved the framework for the Call for Expressions of Interest (now Request for Proposal - RFP) for a Partner/Alliance for the TPD.

The Council was seeking accompany/consortia which could provide a comprehensive project management service and sales and marketing management.

Comment

Item 9.5 (Partnering/Alliance Proposal - Request for Proposal) of this agenda outlines the status of the RFP prepared in accordance with the EOI framework for a Partner/Alliance approved by the TPRC on 11 February 2010.

The RFP is intended to be a Tender under the LGA. Section 3.57 of the LGA requires a Local Government 'to invite tenders before it enters into a contract of a prescribed kind under which a another person is to supply goods or services'. The Local Government (Functions and General) Regulations 1996 prescribe a process to be followed in calling for public tenders or a preselection process through an Expression of Interest that would then require a second stage limited tender.

In order to avoid any confusion in relation to the RFP it is proposed that the Council formally recognise that the RFP constitutes a Tender, under the LGA. An additional resolution 4 is proposed to the resolutions contained in Report 9.5. In addition, an Addendum will be issued to prospective tenderers clarifying this point.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

NOTICE OF MOTION – CR GEOFF AMPHLETT – TAMALA PARK REGIONAL COUNCIL - PROJECT STEERING COMMITTEE MEMBERSHIP

In accordance with Clauses 3.9 and 3.11 of the Standing Orders Local Law 2006, Cr Geoff Amphlett provides notice of his intention to move the following Motion at the Council meeting to be held on 15 April 2010:

That in accordance with the provisions of the Local Government Act 1995, the Council APPROVE BY ABSOLUTE MAJORITY:

- 1. the membership of the Project Steering Committee being increased to six members;**
- 2. Cr Geoff Amphlett be appointed as the sixth member to the Project Steering Committee.**

Reason for motion:

Cr Amphlett has submitted the following comments in support of his Notice of Motion:

At the Tamala Park Regional Council meeting held on 11 February 2010 it was resolved:

That Council MODIFY the Terms of Reference of the Project Steering Committee as follows:

- a. To finalise the Call for Expressions of Interest for a Partner/Alliance for the TPD in accordance with Appendix 9.5.*
- b. To issue the Call for Expressions of Interest for a Partner/Alliance.*
- c. To conduct the Selection Process and make recommendation to the Council on the preferred Partner/Alliance.*
- d. Appoint consultants necessary to assist it in relation to items 1, 2 and 3.*
- e. To provide regular confidential updates on progress to the Council.*
- f. That the Project Steering Committee COMPRISE a minimum of four members.*
- g. That in accordance with the provisions of the Local Government Act 1995,*

APPOINTS BY ABSOLUTE MAJORITY the following five Council members to the Project Steering Committee:

Members:

- 1. Cr D Guise*
- 2. Cr S Withers*
- 3. Cr T Vaughan*
- 4. Cr N Catania*
- 5. Cr J Italiano*

The Tamala Park Regional Council Standing Orders Local Law 2006 provides that any notice of motion is to be given at least four (4) clear working days before the meeting at which the motion is moved (Clause 3.9).

Clause 3.11 related to *Urgent Business Approved By the Person Presiding or by Decision*, however, provides that “in cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.”

It is therefore requested that the Council accept the motion and give it due consideration.

- 11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

- 12. URGENT BUSINESS APPROVED BY THE CHAIRMAN**

- 13. MATTERS BEHIND CLOSED DOORS**

- 14. GENERAL BUSINESS**

- 15. FORMAL CLOSURE OF MEETING**

APPENDICES