



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 16 August 2012
City of Stirling, 6.00pm

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
City of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

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.

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PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Geoff Amphlett Cr Frank Cvitan Cr Eleni Evangel Cr Corinne MacRae Cr Alannah MacTiernan Cr Tom McLean Cr David Michael Cr Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Cr Dianne Guise
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Justin Crooks (Satterley Property Group) Mr Aaron Grant (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
Apologies Participant Councils' Advisers	Nil
In Attendance Participant Councils' Advisers	Mr Lewis Bond (City of Perth) Mr Garry Hunt (City of Joondalup) Mr Stuart Jardine (City of Stirling) Mr Len Kosova (City of Wanneroo) Mr Arthur Kyron (Town of Victoria Park) Mr Jason Lyon (Town of Cambridge)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.04pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Mr Nigel Satterley from Satterley Property Group declared a financial interest for Item 9.4 – Sponsored Charity Home Proposals.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Dianne Guise.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 21 June 2012

Moved Cr T McLean, Seconded Cr R Willox

That the minutes of the Ordinary Meeting of Council of 21 June 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

Moved Cr T Tyzack, Seconded Cr E Evangel

That the recommendations of the following committees be approved:

- Management Committee Meeting – 12 July 2012
- Audit Committee Meeting – 2 August 2012
- CEO Performance Review Committee Meeting – 2 August 2012

The Motion was put and declared CARRIED (11/0).

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 9 AUGUST 2012

It was noted that the City of Perth has now executed the Power of Attorney document and will return the document to TPRC office ASAP.

Moved Cr F Cvitan, Seconded Cr A MacTiernan

[The recommendation in the agenda]

That the Council RECEIVE the Business Report for the period to 9 August 2012.

The Motion was put and declared CARRIED (11/0).

9.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JUNE & JULY 2012

It was agreed that the value of lots sales will periodically be sent to each owner Council.

Moved Cr G Amphlett, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of June and July 2012:

- **Month ending 30 June 2012 (Total \$756,468.18)**
- **Month ending 31 July 2012 (Total \$1,254,812.55)**
- **Total Paid - \$2,011,280.73**

The Motion was put and declared CARRIED (11/0).

9.3 SALES AND SETTLEMENT REPORT

Moved Cr D McLean, Seconded Cr R Willox

[The recommendation in the agenda]

That the Council RECEIVE the Sales Report to 9 August 2012.

The Motion was put and declared CARRIED (11/0).

9.4 SPONSORED CHARITY HOME PROPOSALS

[The recommendation in the agenda]

1. ACCEPT the proposal presented by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. APPROVE the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. NOTE the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr F Cvitan, Seconded Cr R Willox an alternative recommendation as follows:

1. **ACCEPT** the Tender submitted for the disposal of land for the development of a charity home by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. **APPROVE** the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. **NOTE** the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Moved Cr E Evangel, Seconded Cr A MacTiernan an addition to the recommendation as follows:

5. That options be investigated with Habitat for Humanity for a proposal within the next 12 months.

The Motion was put and declared LOST (7/4).

Against: Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr T Tyzack, Cr R Willox.

For: Cr E Evangel, Cr A MacTiernan, Cr D Michael, Cr T Vaughan.

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

9.5 TPRC DRAFT BUDGET FOR THE FINANCIAL YEAR 2012/2013

Cr D Michael departed the meeting during discussion on this item at 6.43pm.

[The recommendation in the agenda]

1. **ADOPTS** the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:
 - a. Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.
 - b. Statement of Financial Activity, showing cash at end of year position of \$11,407,460.
 - c. Rate Setting Statement, indicating no rates levied.
 - d. Notes 1 to 27 forming part of the Budget.
2. **ADOPT** the Significant Accounting Policies as detailed in pages 13 -18.
3. **ADOPT** a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.
4. Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.

Moved Cr T McLean, Seconded Cr T Tyzack an alternative recommendation as follows:

1. **ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:**
 - a. **Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.**
 - b. **Statement of Financial Activity, showing cash at end of year position of \$11,147,460.**
 - c. **Rate Setting Statement, indicating no rates levied.**
 - d. **Notes 1 to 27 forming part of the Budget, subject to the change in 1b.**
2. **ADOPT the Significant Accounting Policies as detailed in pages 13 -18.**
3. **ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.**
4. **Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.**

The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

Cr D Michael returned to the meeting at 6.45pm.

9.6 COMPLEMENTARY WATER SAVING MEASURES

Aaron Grant provided advice on the water saving measures.

Moved Cr T McLean, Seconded Cr R Willox

[The recommendation in the agenda]

1. To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.
2. To APPROVE the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
 - a. Waterwise irrigation controllers;
 - b. Water Crystals to enhance soil moisture retention abilities; and
 - c. Subsurface irrigation of garden beds to reduce water loss by evaporation.

Moved Cr A MacTiernan, Seconded Cr E Evangel an amendment to recommendation 2(b) as follows:

1. **To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.**

2. To **APPROVE** the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
 - a. **Waterwise irrigation controllers;**
 - b. **Enhance soil moisture retention abilities; and**
 - c. **Subsurface irrigation of garden beds to reduce water loss by evaporation.**

The Motion for amendment was put and declared CARRIED (10/1).

For: Cr G Amphlett, Cr F Cvitan, Cr E Evangel, Cr G Italiano, Cr A MacTiernan, Cr T McLean, Cr D Michael, Cr T Tyzack, Cr T Vaughan, Cr R Willox.

Against: Cr C MacRae.

The Motion as then amended was put and declared CARRIED (10/1).

9.7 STAGES 4 and 6A SALES PROCESS

Moved Cr G Amphlett, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **APPROVE** the sale of Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the same sales contract, building incentives and commercial terms.
2. **APPROVE** the disposal of the Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.
3. **APPROVE** the sale of Stage 4 medium density lots (7.5m rear loaded cottage lots) (Plan 2228-114A-01) as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.
4. **NOTE** that the Stage 4 group housing site will be the subject of a separate report in terms of the potential sales process, design guidelines and development methodology.

The Motion was put and declared CARRIED (11/0).

9.8 SALES OFFICE AND INFORMATION CENTRE TENDER ASSESSMENT

Moved Cr F Cvitan, Seconded Cr R Willox

[The recommendation in the agenda]

1. **ACCEPT** the National Homes Tender dated 30 July 2012, for the construction of a Sales Office and Information Centre within the Stage 2 Builders Display Village.

2. **AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the contract documents.**

The Motion was put and declared CARRIED (11/0).

9.9 NATIONAL STORMWATER CONFERENCE 2012

Moved Cr Evangel, Seconded Cr R Willox

[The recommendation in the agenda]

That the CEO be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012.

Moved Cr T Tyzack, Seconded Cr F Cvitan an addition to the recommendation as follows:

1. **That the CEO be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012.**
2. **That Cr Rod Willox be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012, within the adopted policy.**

The Motion for amendment was put and declared CARRIED (11/0).

The Motion as then amended was put and declared CARRIED (11/0).

9.10 STAGE 3 BUILDERS ALLOCATION LOTS TENDER – LATE ITEM

Moved Cr T Tyzack, Seconded Cr G Amphlett

[The recommendation in the agenda]

1. **APPROVE the allocation of Lots 66 – 69, to the Homebuyers Centre subject to the conditions of Tender 5/2012.**
2. **AUTHORISE the CEO and Chairman to sign and seal relevant Put Option Deed documentation.**

The Motion was put and declared CARRIED (11/0).

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. GENERAL BUSINESS

Cr A MacTiernan requested a review into the landscape gardening for the next stage of the Catalina Estate development, to ensure the landscaping is to the highest standard.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.08pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2012

as a true record of proceedings.

CHAIRMAN