



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 13 December 2012
Town of Victoria Park, 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 Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
Alternate Members	Cr Rudi Steffens (City of Wanneroo)
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) – from 6.10pm Mrs Kylie Jeffs (Executive Assistant) – from 6.30pm
Apologies Councillors	Cr Dianne Guise Cr David Michael
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	Mr John Giorgi (City of Vincent) Mr Arthur Kyron (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Jason Lyon (Town of Cambridge) Mr John Paton (City of Wanneroo) Mr Ross Povey (City of Stirling) Cr Stephanie Proud (City of Stirling) Mr Anthony Vuleta (Town of Victoria Park)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.09pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Dianne Guise, Cr David Michael and Cr MacTiernan who was expected to attend at 6.30pm due to a pre –existing commitment. Cr Rudi Steffens was nominated alternative member for Cr Guise.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 11 October 2012

Moved Cr Tyzack, Seconded Cr Willox

That the minutes of the Ordinary Meeting of Council of 11 October 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9.21 – Project Cashflow Review 2012/13

Item 9.22 – BGC Put Options/Department of Housing Purchase of Stage 3 Lots

8. REPORTS OF COMMITTEES

- Management Committee Meeting – 22 November 2012

Moved Cr Willox, Seconded Cr Cvitan

That the Council RECEIVE the minutes of the Management Committee Meeting dated 22 November 2012.

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

- Audit Committee Meeting – 29 November 2012

Moved Cr McLean, Seconded Cr Amphett

That the Council RECEIVE the minutes of the Audit Committee Meeting dated 29 November 2012.

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

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 6 DECEMBER 2012

Moved Cr Tyzack, Seconded Cr Willox

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 6 December 2012.

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF OCTOBER & NOVEMBER 2012

Moved Cr Amphett, Seconded Cr Tyzack

[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 October and November 2012:

- **Month ending 31 October 2012 (Total \$699,817.43)**
- **Month ending 30 November 2012 (Total \$4,731,513.40)**
- **Total Paid - \$5,431,330.83**

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

9.4 PROJECT FINANCIAL REPORT - OCTOBER 2012

Cr Evangel arrived during discussion on this item at 6.15 pm.

Moved Cr Willox, Seconded Cr Cvitan

[The recommendation in the agenda]

That the Council RECEIVE the Project Financial Report (October 2012) submitted by the Satterley Property Group.

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

9.5 SALES REPORT – PERIOD ENDING 6 DECEMBER 2012

Mr Nigel Satterley (Satterley Property Group) provided an update on the property and land sales market and expectations for 2013.

Moved Cr Cvitan, Seconded Cr Willox

[The recommendation in the agenda]

That the Council RECEIVE the Sales Report to 6 December 2012.

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

9.6 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2012

Moved Cr Tyzack, Seconded Cr Amphett

[The recommendation in the agenda]

That the Council ADOPT the Annual Report of the TPRC for the year ended 30 June 2012.

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

9.7 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2011 TO 30 JUNE 2012

Cr MacTiernan arrived during discussion on this item at 6.26 pm.

Moved Cr Tyzack, Seconded Cr McLean

[The recommendation in the agenda]

That the Council RECEIVE the Financial Report for the year ended 30 June 2012 and it be INCLUDED in the Annual Report of the TPRC Council.

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

9.8 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2012

Moved Cr McLean, Seconded Cr Cvitan

[The recommendation in the agenda]

1. **RECEIVE the Auditor's report for the financial year ended 30 June 2012.**
2. **NOTE that the Audit Report does not note or make recommendations on any matter requiring attention from the Annual Audit for the year ended 30 June 2012.**

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

9.9 CODE OF CONDUCT FOR ELECTED MEMBERS & STAFF

Moved Cr Evangel, Seconded Cr Vaughan

[The recommendation in the agenda]

That the Code of Conduct, dated 11 October 2012 of the Tamala Park Regional Council be ADOPTED.

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

9.10 FINANCIAL MANAGEMENT – SIGNIFICANT ACCOUNTING POLICIES

Moved Cr Tyzack, Seconded Cr McLean

[The recommendation in the agenda]

That the Council ADOPT the Policy, Financial Management – Significant Accounting Policies, dated 13 December 2012 and agree to a review of the Policy in December 2013.

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

9.11 DELEGATION AUTHORITY

Moved Cr Amphett, Seconded Cr McLean

[The recommendation in the agenda]

That Council APPROVE the amendments to the Delegation Register 2011/12, dated November 2012.

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

9.12 CATALINA SALES OFFICE – CHILDRENS PLAYGROUND

Mrs Kylie Jeffs (Executive Assistant) arrived during discussion on this item at 6.30pm.

Moved Cr Tyzack, Seconded Cr Evangel

[The recommendation in the agenda]

1. **RECEIVE the Satterley Property Group letter regarding assessment of risk of the Sales Office Children’s Play Area dated 8th November 2012.**
2. **NOTE the advice from the TPRC insurers (LGIS) that the TPRC Public Liability insurance would cover the TPRC, including councilors and officers, against any Public Liability claims which may be made against it as a result of the Children’s Play Area.**
3. **AGREE to the LGIS recommendations to reduce risk in relation to the Children’s Play Area and require the Satterley Property Group to implement the following ;**
 - a) **The playground to be designed under the ‘Australian Standards for Playground Safety’.**
 - b) **The playground to be subject to a regular/maintenance program in accordance with manufacturer requirements managed by the SPG;**
 - c) **The SPG provide a management strategy for the use of the Children’s Play Area for approval by the TPRC.**
4. **AGREE to LGIS undertaking a full risk management audit on completion of the facility.**

5. **REQUEST** the Satterley Property Group to demonstrate currency of insurance relating to Public Liability, Personal Accident/Workers Compensation Property/Equipment and Professional Indemnity relating to this matter.
6. **Subject to 1, 2, 3, 4 and 5 above, AGREE** that the risk assessment matters concerning the children's play area have been satisfactorily addressed.

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

9.13 STAGE 2B DESIGN GUIDELINES, INCENTIVES AND SALES PROCESS

Moved Cr Amphett, Seconded Cr McLean

[The recommendation in the agenda]

1. **APPROVE** the following modifications to the Catalina Central Cell Design Guidelines for single dwellings for the Stage 2B lots:-
 - a) Insert a requirement for an additional architectural feature to be provided at the front elevation of all dwellings; and
 - b) Insert a requirement for the design of upper storey elevations of two storey corner lots to address secondary street frontages.
2. **APPROVE** the sale of Lots 115 and 121 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 contracts, building incentives and commercial terms, with the addition of 1.1m high open style front boundary fencing being provided.
3. **APPROVE** the sale of Lots 116 – 120 as a single package to builders by public tender, via the use of Put Option Deeds approved by Council for the Stage 3 Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria, evaluation process, and terms and conditions; with the addition of a \$3,000 per lot cash rebate to the builder, subject to landscaping and fencing (including 1.1m high open style front side boundary fencing) being completed by the builder within 18 months following settlement of the lot.
4. **APPROVE** the sale of Lots 168 and 169, 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.
5. **APPROVE** the lease of Lots 169 and 171 – 174 from private purchasers, for an initial term of 3 years commencing from 1st April 2013, with four 12 month options at the discretion of the TPRC, and rent based on 7% of the purchase price per annum, with all outgoings paid for by the purchaser.
6. **APPROVE** the lease of Lot 168 from private purchasers, for an initial term of 3 years commencing from 1st April 2013, with one 12 month options at the discretion of the TPRC, and rent based on 7% of the purchase price per annum, with all outgoings paid for by the purchaser.
7. **APPROVE** the lease of Lot 170 and the Catalina Sales Office structure from private purchasers, for an initial term of 3 years commencing from 1st October 2013, with four 12 month options at the discretion of the TPRC, and rent based on 6.5% of the purchase price per annum, with all outgoings paid for by the purchaser.
8. **APPROVE** the disposal of Lots 115, 168, 169, 121 and 171 - 174 by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.

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

9.14 PHASE 1 PUBLIC ART IMPLEMENTATION PLAN

Mr Justin Crooks was invited to provide more information on the Public Art Implementation Plan (PAIP).

It was noted that the PAIP needs to be amended to focus on the selection of artwork rather than the artist.

Moved Cr T Tyzack, Seconded Cr R Willox

[The recommendation in the agenda]

1. APPROVE the Phase 1 Public Art Implementation Plan dated November 2012, submitted by the Satterley Property Group for the implementation of public art within Phase 1 of the Estate, subject to the following modifications:-
 - a) Step 2 identifying that selection of artists must be undertaken in accordance with the TPRC Procurement Policy;
 - b) Step 2 identifying that approval of preselected artists is required from the TPRC, based on the recommendations of the landscape architect and SPG;
 - c) Step 3 stipulating that work briefs are to include guidance drawn from the Catalina Public Art Strategy prepared by Artsource;
 - d) Step 4 being deleted;
 - e) Step 5 being amended to refer to 'presentation' as opposed to 'workshop';
 - f) Step 5 being amended to stipulate that final selection of an artist is to be approved by the TPRC, based on the recommendation of the landscape architect and SPG;
 - g) Step 6 being amended to delete the requirement for a model of proposed artwork to be provided;
 - h) Steps 8 and 9 being replaced with a single Step titled 'construction';
 - i) Step 10 being deleted;
 - j) Step 11 including the requirement for certification of the public artwork to be issued by the landscape architect and SPG;
 - k) Insert the need for public art outcomes of the Phase 1 area to be reviewed by the Satterley Property Group, following the completion of works, with recommendations provided to the Council; and
 - l) Amend the Public Art Implementation Plan to require involvement of an artist for design and delivery of the main feature public art piece.
2. REQUEST the Satterley Property Group to investigate further alternative funding options for the delivery of public art.
3. ACCEPT that Satterley Property Group has achieved Key Performance Indicator item 1.4.5 – TPRC Objective; Long term Health of the Social and Cultural Environment requires the Identification of Public Art opportunities of various levels and an action plan for implementation, subject to the receipt of a revised document addressing the above items.

Moved Cr A MacTiernan, Seconded Cr R Willox, a procedural motion as follows:

That Item 9.14 be deferred to the next meeting of Council in February 2013.

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

9.15 PUBLIC TRANSPORT INITIATIVES STRATEGY

Mr Justin Crooks & Mr Nigel Satterley were invited to speak on transport options and peak hour transport initiatives respectively.

Moved Cr G Amphlett, Seconded Cr T McLean

[The recommendation in the agenda]

1. RECEIVE the report by the Satterley Property Group dated 20th November 2012 regarding options to promote greater use of public transport.
2. REQUEST the Satterley Property Group to obtain written confirmation of the Early Engagement Programme allowing the location of bus stops and public transport infrastructure and budgeting implications to be determined in collaboration with the Public Transport Authority in the design of the Greenlink.
3. REQUEST the Satterley Property Group to request the Public Transport Authority to reconsider its refusal to re-route existing services through the Phase 1 area, to provide public transport services to initial residents of the Catalina Estate.
4. REQUEST the Satterley Property Group to investigate the feasibility and costs associated with a PTA funding agreement, to provide public transport services to initial residents of the Catalina Estate.
5. ADVISE the Satterley Property Group that Key Performance Indicator – Strategy and Planning; 3.2.2 Public Transport, requiring the preparation of a Public Transport Initiatives Strategy by June 2012, will be further considered following the resolution of items 3, 4 & 5.
6. ACCEPT that Key Performance Indicator - Effective Use Of Land And Infrastructure 1.2.3 requiring the Investigation and recommendation on the viability of a local area transit system linking local schools, rail station and shops has been ACHIEVED by the Satterley Property Group.

Moved Cr A MacTiernan, Seconded Cr E Evangel an Amendment to recommendation (5) as follows:

5. ADVISE the Satterley Property Group that Key Performance Indicator – Strategy and Planning; 3.2.2 Public Transport, requiring the preparation of a Public Transport Initiatives Strategy by June 2012, will be further considered following the resolution of items 2, 3 & 4.

Moved Cr A MacTiernan, Seconded Cr E Evangel an addition to the recommendation (7) as follows:

7. That consideration be given for a community bus service, for peak periods from 2014 to 2016 and that the SPG provide a report to the meeting of Council in April 2013.

The Motion for amendment was then read aloud as follows:

1. **RECEIVE the report by the Satterley Property Group dated 20th November 2012 regarding options to promote greater use of public transport.**

2. **REQUEST** the Satterley Property Group to obtain written confirmation of the Early Engagement Programme allowing the location of bus stops and public transport infrastructure and budgeting implications to be determined in collaboration with the Public Transport Authority in the design of the Greenlink.
3. **REQUEST** the Satterley Property Group to request the Public Transport Authority to reconsider its refusal to re-route existing services through the Phase 1 area, to provide public transport services to initial residents of the Catalina Estate.
4. **REQUEST** the Satterley Property Group to investigate the feasibility and costs associated with a PTA funding agreement, to provide public transport services to initial residents of the Catalina Estate.
5. **ADVISE** the Satterley Property Group that Key Performance Indicator – Strategy and Planning; 3.2.2 Public Transport, requiring the preparation of a Public Transport Initiatives Strategy by June 2012, will be further considered following the resolution of items 2, 3 & 4.
6. **ACCEPT** that Key Performance Indicator - Effective Use Of Land And Infrastructure 1.2.3 requiring the Investigation and recommendation on the viability of a local area transit system linking local schools, rail station and shops has been **ACHIEVED** by the Satterley Property Group.
7. **That consideration be given for a community bus service, for peak periods from 2014 to 2016 and that the SPG provide a report to the meeting of Council in April 2013.**

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

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

9.16 PROCUREMENT POLICY REVIEW

Moved Cr T Vaughan, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council APPROVE the modified TPRC Procurement Policy (14 November 2012).

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

9.17 PROJECT CONSULTANCY – MEDIA CONSULTANCY SERVICES TENDER

Moved Cr F Cvitan, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **ACCEPT** the OMD tender (dated 3rd September 2012) for media consultancy services in accordance with Tender 10/2012 (Media Consultancy Services, dated September 2012).

- 2. AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.**

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

9.18 STAGES 5 SALES PROCESS

Moved Cr G Amphlett, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. APPROVE the sale of Stage 5, 20 traditional lots and 17 cottage lots (Plan 2228-158A-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 5, 20 traditional lots and 17 cottage lots (Plan 2228-158A-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 5, 26 medium density lots (7.5m rear loaded cottage lots) (Plan 2228-158A-01) as builder allocation lots, in 6 parcels of between 2 and 10 lots each, by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.**

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

9.19 BUILT FORM AND DEMONSTRATION HOUSING STRATEGY

Mr Justin Crooks was invited to clarify the intent of the Built Form & Demonstration Housing Strategy.

Moved Cr T Vaughan, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. RECEIVE the Built Form and Demonstration Housing Strategy, June 2012, submitted by the Satterley Property Group.**
- 2. DETERMINE that the Key Performance Indicators, Built Form and Demonstration Housing Strategy, June 2011, requiring the preparation of a Built Form And Demonstration Housing Strategy, June 2012 has not been met; and that the Built Form And Demonstration Housing Strategy, is required to be modified to include consideration matters listed in (3).**
- 3. ADVISE the Satterley Property Group that the following matters require further consideration;**
 - a) The Strategy should be directed at encouraging a range of housing that meets the existing and future housing needs for the Catalina Project. The Strategy should seek to meet the demand for housing, as well as improving housing mix,**

- affordability, and the availability of housing for those with special needs. It should contain concrete measures to implement these objectives.
- b) The Strategy should articulate a clear framework to help guide TPRC decision making and planning, and should clearly communicate the TPRC's housing-related strategies and objectives. It should provide clarity and certainty about future housing within Catalina.
 - c) It should identify potential sites for innovation, demonstration projects and partnering. These sites should be subject to feasibility assessments, negotiation with builders, community housing providers and other levels of government.
 - d) It should identify circumstances and criteria where the TPRC may consider contributions towards affordable housing projects, as well as the nature of such contributions.
 - e) It should consider in detail the potential and impacts for housing projects being undertaken or managed by not-for-profit housing providers, social housing or community housing providers. The Strategy should provide direction in respect of further options to investigate delivery of such proposals.
 - f) The Strategy should include consideration of potential aged persons developments.
 - g) The Strategy recommends a contemporary approach to housing but does not demonstrate significant innovation or industry leadership. It does not outline any strategic direction for the Project to pursue alternative approaches worthy of investigation for the delivery of affordable housing.

Moved Cr C MacRae, Seconded Cr G Amphlett an amendment to recommendation (3) as follows:

3. ADVISE the Satterley Property Group that the following matters require further consideration;
- a) The Strategy should be directed at encouraging a range of housing that meets the existing and future housing needs for the Catalina Project. The Strategy should seek to meet the demand for housing, as well as improving housing mix, affordability, and the availability of housing for those with special needs. It should contain concrete measures to implement these objectives.
 - b) The Strategy should articulate a clear framework to help guide TPRC decision making and planning, and should clearly communicate the TPRC's housing-related strategies and objectives. It should provide clarity and certainty about future housing within Catalina.
 - c) It should identify potential sites for innovation, demonstration projects and partnering. These sites should be subject to feasibility assessments, negotiation with builders, community housing providers and other levels of government.
 - d) It should identify circumstances and criteria where the TPRC may consider contributions towards affordable housing projects, as well as the nature of such contributions.
 - e) It should consider in detail the potential and impacts for housing projects being undertaken or managed by not-for-profit housing providers, social housing or community housing providers. The Strategy should provide direction in respect of further options to investigate delivery of such proposals.
 - f) The Strategy should include consideration of potential aged persons developments.
 - g) The Strategy recommends a contemporary approach to housing but does not demonstrate significant innovation or industry leadership. It does not outline any strategic direction for the Project to pursue alternative approaches worthy of investigation for the delivery of affordable housing.

- h) A separate report be provided by the Satterley Property Group to Council outlining ways (3d and 3e) can be achieved).

The Motion for amendment then reads as follows:

1. **RECEIVE the Built Form and Demonstration Housing Strategy, June 2012, submitted by the Satterley Property Group.**
2. **DETERMINE that the Key Performance Indicators, Built Form and Demonstration Housing Strategy, June 2011, requiring the preparation of a Built Form And Demonstration Housing Strategy, June 2012 has not been met; and that the Built Form And Demonstration Housing Strategy, is required to be modified to include consideration matters listed in (3).**
3. **ADVISE the Satterley Property Group that the following matters require further consideration;**
 - a) **The Strategy should be directed at encouraging a range of housing that meets the existing and future housing needs for the Catalina Project. The Strategy should seek to meet the demand for housing, as well as improving housing mix, affordability, and the availability of housing for those with special needs. It should contain concrete measures to implement these objectives.**
 - b) **The Strategy should articulate a clear framework to help guide TPRC decision making and planning, and should clearly communicate the TPRC's housing-related strategies and objectives. It should provide clarity and certainty about future housing within Catalina.**
 - c) **It should identify potential sites for innovation, demonstration projects and partnering. These sites should be subject to feasibility assessments, negotiation with builders, community housing providers and other levels of government.**
 - d) **It should identify circumstances and criteria where the TPRC may consider contributions towards affordable housing projects, as well as the nature of such contributions.**
 - e) **It should consider in detail the potential and impacts for housing projects being undertaken or managed by not-for-profit housing providers, social housing or community housing providers. The Strategy should provide direction in respect of further options to investigate delivery of such proposals.**
 - f) **The Strategy should include consideration of potential aged persons developments.**
 - g) **The Strategy recommends a contemporary approach to housing but does not demonstrate significant innovation or industry leadership. It does not outline any strategic direction for the Project to pursue alternative approaches worthy of investigation for the delivery of affordable housing.**
 - h) **A separate report be provided by the Satterley Property Group to Council outlining ways (3d and 3e) can be achieved.**

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

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

9.20 STAGE 5 CIVIL CONSTRUCTION AND EXTERNAL SEWER

Moved Cr E Evangel, Seconded Cr F Cvitan

[The recommendation in the agenda]

1. **ACCEPT the Catalina Stage 5 civil works and external sewer pricing submitted by R J Vincent for the lump sum value of \$4,618,168.53 (excluding GST).**
2. **AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the Contract.**

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

Moved Cr T Tyzack, Seconded Cr R Willox that the meeting move behind closed doors at 7.25pm to allow confidential items 9.21 & 9.22 to be discussed.

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

9.21 PROJECT CASHFLOW REVIEW – 2012/2013 CONFIDENTIAL

Moved Cr T McLean, Seconded Cr F Cvitan

[The recommendation in the agenda]

1. **RECEIVE the review of the Project Cashflow (May12) for the 2012/2013 financial year submitted by the Satterley Property Group.**
2. **APPROVE the use of the review of the Project Budget 2012/13 (May12), submitted by the Satterley Property Group, as the basis of financial planning for the review of the TPRC Budget 2012/13.**

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

9.22 BGC PUT OPTIONS / DEPARTMENT OF HOUSING PURCHASE OF STAGE 3 LOTS - CONFIDENTIAL

Moved Cr R Willox, Seconded Cr G Amphlett

[The recommendation in the agenda]

1. Accepts the confidential legal advice relating to BGC Put Options and the Department of Housing potential purchase of Stage 3 Put Options Lots;
2. Authorises the Chief Executive Officer to take all necessary action to implement the recommendations of the confidential legal advice as referred to in 1, including engaging the Council's solicitors.

Motion was withdrawn by Cr R Willox and Cr G Amphlett

Moved Cr R Willox, Seconded Cr G Amphlett an alternative recommendation as follows:

1. Accepts the confidential legal advice relating to BGC Put Options and the Department of Housing potential purchase of Stage 3 Put Options Lots.

2. Decline to enter into any Land Contract with Department of Housing for Lots 11-18 and 20-25 which are the subject Put Option Deeds with the Buckeridge Group of Companies.
3. Authorises the Chief Executive Officer to take all necessary action to implement the recommendations of the confidential legal advice as referred to in 1, including engaging the Council's solicitors.
4. Approve an extension of 60 days to the Put Option Deeds relating to the Buckeridge Group of Companies for lots 11-18 and 20-25 subject to Put Option Deeds being amended to require Land Contracts to be drawn up with individual private purchasers; should BGC decline to agree to the extension the Put Option Deeds authorize the Chief Executive Officer to release the lots as builder allocation lots, in 2 parcels of 5 and 6 lots each, by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.

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

2. Decline to enter into a general Land Contract with Department of Housing for Lots 11-18 and 20-25 which are the subject Put Option Deeds with the Buckeridge Group of Companies but be prepared to enter into an agreement with Department of Housing on the provision that the housing be used under the shared equity scheme.

The Motion for amendment was then read aloud as follows:

1. **Accepts the confidential legal advice relating to BGC Put Options and the Department of Housing potential purchase of Stage 3 Put Options Lots.**
2. **Decline to enter into a general Land Contract with Department of Housing for Lots 11-18 and 20-25 which are the subject Put Option Deeds with the Buckeridge Group of Companies but be prepared to enter into an agreement with Department of Housing on the provision that the housing be used under the shared equity scheme.**
2. **Authorises the Chief Executive Officer to take all necessary action to implement the recommendations of the confidential legal advice as referred to in 1, including engaging the Council's solicitors.**
3. **Approve an extension of 60 days to the Put Option Deeds relating to the Buckeridge Group of Companies for lots 11-18 and 20-25 subject to Put Option Deeds being amended to require Land Contracts to be drawn up with individual private purchasers; should BGC decline to agree to the extension the Put Option Deeds authorize the Chief Executive Officer to release the lots as builder allocation lots, in 2 parcels of 5 and 6 lots each, by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.**

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

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

Moved Cr F Cvitan, Seconded Cr T Vaughan that standing orders be reopened and the meeting doors be opened at 7.45pm.

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

9.23 STAGE 4 BUILDERS ALLOCATION LOTS TENDER – LATE ITEM

Mr Justin Crooks was invited to comment on the monopoly the Homebuyers Centre & BGC seem to have on submission of tenders.

Moved Cr T Tyzack, Seconded Cr R Willox

[The recommendation in the agenda]

1. **APPROVE** the allocation of Lot Parcels B and C to Homebuyers Centre, subject to the conditions of Tender 17/2012, and Put Option Deeds being amended to require Land Contracts to be drawn up with individual private purchasers only.
2. **APPROVE** the allocation of Lot Parcel A to Buckeridge Group of Companies, subject to the conditions of Tender 17/2012, and Put Option Deeds being amended to require Land Contracts to be drawn up with individual private purchasers only.
3. **AUTHORISE** the CEO and Chairman to sign and seal relevant Put Option Deed documentation.

The Motion was put and declared CARRIED (8/3).

For: Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr T McLean, Cr R Steffens, Cr T Tyzack, Cr T Vaughan and Cr R Willox.

Against: Cr E Evangel, Cr C MacRae and Cr A MacTiernan.

9.24 MARMION AVENUE INTERSECTION CONSTRUCTION CONTRACT – LATE ITEM

Moved Cr G Amphlett, Seconded Cr T McLean

[The recommendation in the agenda]

1. **ACCEPT** the Marmion Avenue intersection bulk earthworks price submitted by R J Vincent for the lump sum value of \$515,146.41 (excluding GST).
2. **ACCEPT** the quote submitted by Telstra for underground service relocation works of \$104,183 (excluding GST).
3. **ACCEPT** the quote submitted by Optus for underground service relocation works of \$110,810 (excluding GST).
4. **ACCEPT** the quote submitted by ATCO for underground service relocation works of \$41,778 (excluding GST).
5. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the Contracts.

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

The Chairman announced the recommendations for items 9.21 and 9.22 in turn.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER 2012 - LATE ITEM

Moved Cr A MacTiernan, Seconded Cr T Tyzack

That Item 9.2 be deferred to the next meeting of Council in February 2013.

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

Item 9.21 – Project Cashflow Review 2012/13

Item 9.22 – BGC Put Options/Department of Housing Purchase of Stage 3 Lots

14. GENERAL BUSINESS

The Chairman thanked elected members, TPRC staff and Satterley Property Group for all the achievements in 2012 and wished everyone a merry Christmas.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 8.08pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2013

as a true record of proceedings.

CHAIRMAN