

TAMALA PARK
REGIONAL COUNCIL

Meeting of Council

AGENDA

Thursday 8 February 2007
Town of Vincent, 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 respectfully advised that the ordinary meeting of Council will be held in the Council Chambers of the Town of Vincent, 244 Vincent Street (cnr Loftus Street), Leederville at 5.30pm on Thursday 8 February 2007.

The business papers pertaining to the meeting follow.

Your attendance is requested.

Yours faithfully

R A CONSTANTINE
Chief Executive Officer

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Mayor Anderton	Cr Barlow
City of Joondalup	Mayor Pickard Cr John	Cr Fishwick * Cr Jacob *
City of Perth	Cr Evangel	Cr Sutherland
City of Stirling	Mayor Tyzack Cr Boothman Cr Clarey Cr Stewart	Cr Ham Cr Rose
Town of Victoria Park	Cr Nairn	Cr Skinner
Town of Vincent	Mayor Catania	Deputy Mayor Farrell
City of Wanneroo	Mayor Kelly Deputy Mayor Salpietro	Cr Treby Cr Roberts

*** Declaration of office to be completed**

PRELIMINARIES

1. OFFICIAL OPENING

DISCLOSURE OF INTERESTS

2. PUBLIC STATEMENT/QUESTION TIME

3. APOLOGIES AND LEAVE OF ABSENCE

4. PETITIONS

5. CONFIRMATION OF MINUTES

- Ordinary Meeting of Council – 30 November 2006

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 31 JANUARY 2007

Report Information

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

Recommendation

That the Business Report to 31 January 2007 be received.

Report Purpose

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

Relevant Documents

Attachments: 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

Since the last meeting of the Council held 30 November 2006, the following several matters have been transacted or come to notice:

1. Background research and information papers for the Enquiry by Design Workshop held 18 & 19 January 2007 have been completed.
A briefing paper for the Workshop was distributed to workshop participants.
Position papers prepared by public utility authorities were completed and distributed to workshop participants.
2. The Enquiry by Design Workshop was held (as scheduled) on 18 & 19 January 2007. Preliminary comments on the Workshop are contained in a separate item on this agenda (refer to item 9.3).
3. Necessary firebreaks have been completed in satisfaction of legislative requirements and to remove risk to properties adjacent to TPRC land.
4. The Department of Local Government & Regional Development was advised that there has been no financial transactions recorded in books of account for

the TPRC for the year ended 30th June 2006 and it was requested that the statutory requirement for completion of an audit of the affairs of the Council for the period ending 30 June 2006 be dispensed with. Advice has now been received that the Department does not propose to insist that the audit be undertaken. This is a pragmatic approach and will be cost saving for the TPRC.

5. Negotiations have continued with the West Australian Planning Commission and the Department of Planning & Infrastructure for cost sharing and participation in planning and Heritage studies which include:
 - a) 16 hectares of government land near the Clarkson Rail Station; and
 - b) POS/Bushforever land West of Marmion Avenue which interfaces with the TPRC "Oceanside" development area associated with the TPRC proposed development.
6. The ATO has advised that a GST Ruling relating to a future transfer of land by participant local governments to the TPRC will be provided.
7. Following Council's decision to appoint Barrett & Partners (Mr A Macri) as auditor to the TPRC for the year ending 30 June 2007, audit contracts have been completed and arrangements made for a pre-audit meeting to confirm audit arrangements for the 2006/07 financial year. The Audit Committee timetable for the ensuing calendar year has been advised to the external auditor.

9.2 FINANCIAL REPORT (JULY 2006-DECEMBER 2006)

Report Information

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

Recommendation

That the financial statements for the period 1 July 2006 to 31 December 2006 be RECEIVED and NOTED.

Report Purpose

To comply with the requirements of Regulation 34: Financial Management Regulations 1996.

Relevant Documents

Attachments: Income Statement by Nature and Type;
Balance Sheet as at 31 December 2006;
Financial Statements completed for the year to date period 1 July 2006 – 31 January 2007

Background

It is a requirement that a monthly statement of financial activity be prepared by local governments.

Monthly statements for the Tamala Park Regional Council have been constructed and are available for inspection.

The statements submitted herewith covers the year to date period 1 July 2006 – 31 December 2006.

Comment

Statements submitted for Council information are as follows:

- Income Statement by Nature and Type
- Balance Sheet as at 31 December 2006

The income statement shows incurred expenditure against budget for the half year period to 31 December 2006. A separate item on this agenda contains the statutory budget review for the year. The budget review is required to be conducted between 1 January – 31 March in each year and be reported to the Department of Local Government & Regional Development.

The financial report is submitted for information and receipt as part of the TPRC formal public record.

The financial statements updated to 31 January 2007 will be prepared prior to, and be available for distribution at the meeting on 8 February 2007.

Attachment: Income and Expenditure by Nature and Type:

**Tamala Park Regional Council
Statement of Financial Activity
For the period 1 July 2006 to 31 December 2006**

	<u>Jul - Dec 2006</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Expenses			
Depreciation	0.00		-2,500.00
Employee Costs	-120,602.05	-151,134.00	-264,680.00
Insurance	-6,067.00	-3,650.00	-4,650.00
Materials & Contracts MTC	-1,223.91	-200.00	-6,800.00
Materials & Contracts Other	-6,678.49	-64,098.00	-199,370.00
Other	-39,966.62	-20,333.00	-26,470.00
Utilities	0.00		-200.00
Total Expenses	<u>-174,538.07</u>	<u>-239,415.00</u>	<u>-504,670.00</u>
Revenue			
Interest Earnings	34,392.20	217,476.00	660,000.00
Total Revenue	<u>34,392.20</u>	<u>217,476.00</u>	<u>660,000.00</u>
TOTAL	<u><u>-140,145.87</u></u>	<u><u>-21,939.00</u></u>	<u><u>155,330.00</u></u>

Attachment: Financial Statements completed for the year to date period 1 July 2006 – 31 January 2007

TAMALA PARK REGIONAL COUNCIL
MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2006 TO 31 DECEMBER 2006

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Supplementary Information	
- Detailed Income Statement	
- Balance Sheet	

TAMALA PARK REGIONAL COUNCIL

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2006 TO 31 DECEMBER 2006

	NOTE	30 Dec 2006 Actual \$	30 Dec 2006 Y-T-D Budget \$	2006/07 Revised Budget \$	Variences Budget to Actual Y-T-D %
<u>Operating</u>					
Revenues/Sources					
Interest Earnings	1,2	34,392	217,476	660,000	(84.19%)
		<u>34,392</u>	<u>217,476</u>	<u>660,000</u>	
(Expenses)/(Applications)					
Employee Costs	1,2	-120,602	-151,134	-264,680	(20.20%)
Materials & Contracts		-7,902	-64,298	-206,170	(87.71%)
Utilities		0	0	-200	0.00%
Depreciation		0	0	-2,500	0.00%
Insurance		-6,067	-3,650	-4,650	66.22%
Other Expenditure		<u>-39,967</u>	<u>-20,333</u>	<u>-26,470</u>	96.56%
		<u>-174,538</u>	<u>-239,415</u>	<u>-504,670</u>	
<u>Adjustments for Non-Cash</u>					
<u>(Revenue) and Expenditure</u>					
Depreciation on Assets	2(a)	0	0	2,500	0.00%
<u>Capital Revenue and (Expenditure)</u>					
Purchase Furniture and Equipment	3	0	0	-3,500	0.00%
Contributed Equity	6	16,341,439	16,460,000	16,460,000	0.00%
ADD Net Current Assets July 1 B/Fwd	7	0	0	0	0.00%
Net Current Assets Year to Date	7	<u>16,201,293</u>	<u>16,438,061</u>	<u>16,614,330</u>	0.00%

This statement is to be read in conjunction with the accompanying notes.

TAMALA PARK REGIONAL COUNCIL

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2006 TO 31 DECEMBER 2006

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) Basis of Accounting

This statement has been prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

(c) Rounding Off Figures

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(f) Fixed Assets

Property, plant and equipment and infrastructure assets are brought to account at cost or fair value less, where applicable, any accumulated depreciation or amortisation and any accumulated impairment balances.

(g) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Infrastructure	30 to 50 years

TAMALA PARK REGIONAL COUNCIL

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2006 TO 31 DECEMBER 2006

2. STATEMENT OF OBJECTIVE

The Regional Council has a specific regional purpose which is:

- a) To undertake, in accordance with the objectives, the rezoning, subdivision, development marketing and sale of land comprising the developable portion of Lot 118 Mindarie; and
- b) To carry out and do all other acts and things which are reasonably necessary for the bringing into effect of the matters referred to in paragraph a).

The objectives of the Regional Council are:

- 1. To develop and improve the value of the land;
- 2. To maximise, and with prudent risk parameters, the financial return to the Participants;
- 3. To balance economic, social and environmental issues; and
- 4. To produce a quality development demonstrating the best urban design and development practice.

3. ACQUISITION OF ASSETS

The following assets have been acquired during the period under review:

By Program

Furniture and Equipment	0	3,500
	<u>0</u>	<u>3,500</u>

By Class

Furniture and Equipment	0	3,500
	<u>0</u>	<u>3,500</u>

4. DISPOSALS OF ASSETS

There has been no disposal of assets in the period under review. No assets have been budgeted for disposal in this financial year.

TAMALA PARK REGIONAL COUNCIL

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2006 TO 31 DECEMBER 2006

5. INFORMATION ON BORROWINGS

No borrowings have been made in the period under review. No borrowings are budgeted for the 2006-07 financial year.

6. CONTRIBUTED EQUITY

The Council has budgeted to receive an amount of \$16,564,927 from member Councils during the 2006/07 financial year.

To the end of November 2006, \$16,341,439 has been received from this source.

7. NET CURRENT ASSETS

	30 Dec 2006 Actual \$	Brought Forward 1-Jul \$
Composition of Estimated Net Current Asset Position		
 CURRENT ASSETS		
Cash - Unrestricted	16,210,130	0
Receivables	0	0
Inventories	0	0
	16,210,130	0
 LESS: CURRENT LIABILITIES		
Payables and Provisions	-8,837	0
	16,201,293	0
Less: Cash - Restricted/Committed	0	0
NET CURRENT ASSET POSITION	16,201,293	0

Attachment: Balance Sheet as at 31 December 2006

**Tamala Park Regional Council
Balance Sheet Prev Year Comparison
As of December 31, 2006**

	<u>Dec 31, 2006</u>	<u>Jun 30, 2006</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Current/Savings			
A01100 - Cash at Bank			
A01101 - Unrestricted Municipal Bank	131.56	0.00	131.56
A01102 - Unrestricted Short Term Investm	109,999.91	0.00	109,999.91
A01106 - Fixed Term Deposit_BankWest	16,099,999.00	0.00	16,099,999.00
Total A01100 - Cash at Bank	<u>16,210,130.47</u>	<u>0.00</u>	<u>16,210,130.47</u>
Total Current/Savings	<u>16,210,130.47</u>	<u>0.00</u>	<u>16,210,130.47</u>
Total Current Assets	<u>16,210,130.47</u>	<u>0.00</u>	<u>16,210,130.47</u>
TOTAL ASSETS	<u>16,210,130.47</u>	<u>0.00</u>	<u>16,210,130.47</u>
LIABILITIES			
Current Liabilities			
Accounts Payable			
L01215 - SUNDRY CREDITORS	165.00	0.00	165.00
Total Accounts Payable	<u>165.00</u>	<u>0.00</u>	<u>165.00</u>
Other Current Liabilities			
2100 - Payroll Liabilities			
L2001 - PAYG Deductions	3,264.00	0.00	3,264.00
L2002 - Superannuation Contributions	6,497.97	0.00	6,497.97
2100 - Payroll Liabilities - Other	119.23	0.00	119.23
Total 2100 - Payroll Liabilities	<u>9,881.20</u>	<u>0.00</u>	<u>9,881.20</u>
2200 - Tax Payable	-1,209.03	0.00	-1,209.03
Total Other Current Liabilities	<u>8,672.17</u>	<u>0.00</u>	<u>8,672.17</u>
Total Current Liabilities	<u>8,837.17</u>	<u>0.00</u>	<u>8,837.17</u>
TOTAL LIABILITIES	<u>8,837.17</u>	<u>0.00</u>	<u>8,837.17</u>
NET ASSETS	<u>16,201,293.30</u>	<u>0.00</u>	<u>16,201,293.30</u>
EQUITY			
L019001 - TVP Contributed Equity	1,361,786.60	0.00	1,361,786.60
L019002 - CP Contributed Equity	1,361,786.60	0.00	1,361,786.60
L019003 - TC Contributed Equity	1,361,786.60	0.00	1,361,786.60
L019004 - CJ Contributed Equity	2,723,573.19	0.00	2,723,573.19
L019005 - CW Contributed Equity	2,723,573.19	0.00	2,723,573.19
L019006 - TV Contributed Equity	1,361,786.60	0.00	1,361,786.60
L019007 - CS Contributed Equity	5,447,146.39	0.00	5,447,146.39
Net Income	-140,145.87	0.00	-140,145.87
TOTAL EQUITY	<u>16,201,293.30</u>	<u>0.00</u>	<u>16,201,293.30</u>

9.3 ENQUIRY BY DESIGN WORKSHOP – 18 & 19 JANUARY 2007

Report Information

Location: City of Wanneroo Centre (Dundebar Road, Wanneroo)
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer

Recommendation

1. That the preliminary report on the results of the Enquiry by Design Workshop (held on 18 & 19 January 2007) be RECEIVED.
2. That the presentation by Koltasz Smith (planning consultants to the Workshop) be RECEIVED.

Report Purpose

To provide preliminary feedback to the Council on the Enquiry by Design Workshop held on 18 & 19 January 2007 at the City of Wanneroo offices (Dundebar Road, Wanneroo).

To receive a verbal and diagrammatic presentation by planning consultants Koltasz Smith of matters raised at the Workshop (presentation to be a maximum of 15 minutes).

Relevant Documents

Attachments: Nil

Available for viewing at the meeting: Presentation Diagrams

Background

The Council approved an Enquiry by Design Workshop to establish the principles, values and possible guidelines for future general and structure planning of the Tamala Park Regional Council developable comprising pat lot 9504 Mindarie.

The Workshop was conducted along the lines set out in the Guidelines issued by the West Australian Planning Commission. These guidelines are based upon previous successful workshops and are aimed at ensuring adequate coverage of important points of principle and the various guidelines for developments set out by State Government agencies.

A pre-workshop site inspection of the TPRC developable land and the surrounding areas of Somerly, Kinross and Clarkson was conducted on 12 January 2007. The pre-workshop inspection was attended by 21 workshop participants.

Invitations were sent to 98 potential workshop attendees. 56 individual persons attended the workshop sessions over 2 days. 49 participants attended the starting session on 18 January 2007.

Workshop participants were provided with background briefing papers and position statements prepared by the TPRC and its consultants and by public utility agencies.

Comment

A report on the Workshop sessions and the suggested principles, values, guidelines and next steps is being prepared.

A first version of the report will be available before 11 February 2007. This report will be circulated to Council members and be available on the TPRC website as a limited distribution report.

A second and fuller report will be prepared and be available in the second week in March 2007. This report will include the Workshop outcomes report and additionally provide notes on the planning context and planning issues and critique the Workshop suggestions and proposals. This second report will be provided to all workshop participants and stakeholders and will be available for public access and review.

Workshop Themes

The Workshop touched on the themes contained generally within Smart Growth policies and specifically within the City of Wanneroo Smart Growth initiative, namely;

- Lifestyle and housing choice
- Effective use of land and infrastructure
- Long term health of the environment
- Identify, equity and inclusive
- Long term economic health
- People in government

The Workshop recognised unique advantages of the site relative to surrounding land, namely;

- Bushland – which surrounds the site on 3 sides
- The proximity to ocean foreshore and future recreation facilities
- Proximity to the Clarkson Rail Station
- Proximity to the Clarkson Commercial Centre
- The existing extensive coverage with public utility networks

The Department of Education and training had previously indicated a likely requirement for one primary school of 4 Hectares within the area. The workshop was advised that a re-assessment now suggests that at least one primary and one middle school would be required in the area between Marmion Avenue and Connolly Drive. The area to be allocated for these facilities will be at least 13 hectares.

Some Common Themes Relating to Land Use

The Workshop suggested mixed development throughout the entire area which could involve development to 4-5 storeys with the possibility of more intensive development in the vicinity of the coast, extending to approximately 12 storeys. Some intensification of development could occur close to the Clarkson commercial centre near Marmion Avenue and also in the immediate Clarkson rail station Precinct

A major issue raised concerns Marmion Avenue, Connolly Drive and Neerabup Road, all of which are major traffic arteries and service the developable TPRC land, but provide considerable difficulty for east/west access through the TPRC

development site. The roads in their current planned form also provide a barrier to access to the Clarkson Rail Station.

Suggestions were made that road couplets could be established on Neerabup, Connolly and Marmion so that the road carriageways could be separated with land between useable for multi-purpose activity. This outcome provides the possibility of four (instead of two) activated road frontages, slowing traffic and providing a lesser road width for easier pedestrian and bicycle crossing.

With respect to Neerabup Road, it was also suggested that if the current alignment of the road was maintained that Neerabup Road could be lowered in the vicinity of the Clarkson Rail Station with pedestrian bridges connecting the Rail Station to the land on the south. An alternative for Neerabup road was to re-align the road toward the southern part of the TPRC development, thus opening up access from land to the south of the Rail Station.

These and other concepts will be more fully covered in the forthcoming workshop reports and in the initial presentation of major workshop issues to be given at the meeting by representatives from the Koltasz Smith planning consultancy.

**9.4 ENQUIRY BY DESIGN WORKSHOP (18 & 19 JANUARY 2007)
PRESENTATION OF MAJOR PLANNING CONCEPTS – KOLTASZ SMITH**

Report Information

Location: City of Wanneroo (Dundebar Road, Wanneroo)
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer

Recommendation

That the Presentation by Koltasz Smith be RECEIVED .

Report Purpose

Koltasz Smith, Planning Consultants, were appointed to assist the TPRC Enquiry by Design Workshop. The consultancy was represented by Mr Larry Smith and Mr Lee Rodda.

In advance of the written reports on Workshop results, possibilities and next steps the consultants have agreed to provide a visual and oral presentation of some of the Key Findings from the workshop.

It is expected that the presentation will take approximately 15 minutes and the consultants will be available to answer questions.

The interaction with the consultants may also be useful to identify particular items for focus in the preparation of their final report which is scheduled to be completed early March 2007.

9.5 PROPOSED PLANNING STUDY – FUTURE USE OF THE COMPLETED MINDARIE REGIONAL COUNCIL LANDFILL SITE (PART LOT 9505 TAMALA PARK)

Report Information

Location: Part Lot 9504 Tamala Park – 22 hectares, land now leased to Mindarie Regional Council
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer

Recommendation

That it be PROPOSED to the 7 local authority owners of Lot 9504 Tamala Park, Mindarie Regional Council and the City of Wanneroo that a planning study be undertaken to examine the potential future of the completed MRC landfill site and matters associated with remediation, final contour, possible future uses and integration with the Tamala Park Regional Council land development and other local and regional developments.

Report Purpose

To address a predominant issue raised at the recent TPRC Enquiry by Design Workshop and also a matter of ongoing focus for the Mindarie Regional Council with respect to future use of the completed Mindarie Regional Council landfill.

Relevant Documents

Attachment: Plan showing Bush Forever Protection Area 323 (surrounding non-Bush Forever land, currently used by Mindarie Regional Council)
Available for viewing at the meeting: Nil

Background

The 7 local authorities which own Lot 9504 Tamala Park (previously Lot 118 Mindarie) also combine to form 2 businesses which operate on different parts of the land. Those businesses are:

- Mindarie Regional Council (MRC)
- Tamala Park Regional Council (TPRC)

The MRC holds a lease of 151 hectares of land located immediately north of Kinross between Marmion Avenue and Connolly Drive. The lease term expires in 2032. The current rate of utilisation of the leased land may see the landfill operation terminate before that date.

Notwithstanding the future use of land by MRC, remediation of the land already used will continue for many years. It is expected that landfill gas will be irrigated from the site until at least 2040 and that other remediation measures will continue to or past 2040.

The TPRC, which is concerned with the development of 180 hectares of land immediately north of the MRC land, has the opportunity of factoring into its

development integration with the Bush Forever land and the MRC land to the south, having regard for the future leisure and recreation requirements of the community that will be established at Tamala Park .

Comment

Both MRC and the TPRC will be concerned with public perception about the ongoing activities within the MRC lease site, particularly the stockpiled limestone on the site which is stockpiled to a height greater than the planned contour of the finished landfill because of the limited footprint available as a result of most of the leased land being limited by Bush Forever conservation zoning.

It is understood that the MRC is considering a number of measures to remove a large part of the stockpile from the site. Notwithstanding these measures, it is likely that part of the stockpile could be considered for use in the final contouring of the site.

The MRC has a Management Plan and Bush Forever Plan for the site. Both Plans are factored into ongoing licence approvals for use of part of the land as a refuse landfill site.

The MRC has expressed a desire to participate with the TPRC and landowners in a planning study to examine the possible uses for the completed landfill site. The study would inform future planning of the site by MRC and would also facilitate planning for the TPRC development and for integration of leisure and recreation activities through the whole of the public open space land extending from the ocean through to Neerabup National Park.

It is expected that a brief for a planning study may involve consideration of the following (among other matters):

- Slight changes to the proposed POS reservation boundaries under the MRS to provide for a logical arrangement of land uses around topological features;
- The future of the public utility zoned land that is not subject of Bush Forever reservation;
- Final proposed contours arising from the refuse landfill operation;
- The degree to which landform and landform features may change in respect of long term use of the land;
- Possible staged and long term use of the remediated landfill site;
- Access to the Bush Forever and completed landfill site from the TPRC development to the north;
- Interim uses:
 - a) associated with limestone
 - b) associated with water
 - c) associated with energy generation
 - d) associated with education and liesure
- Road access to and from the site to facilitate MRC operations to 2032 and also staged and long term leisure activity.

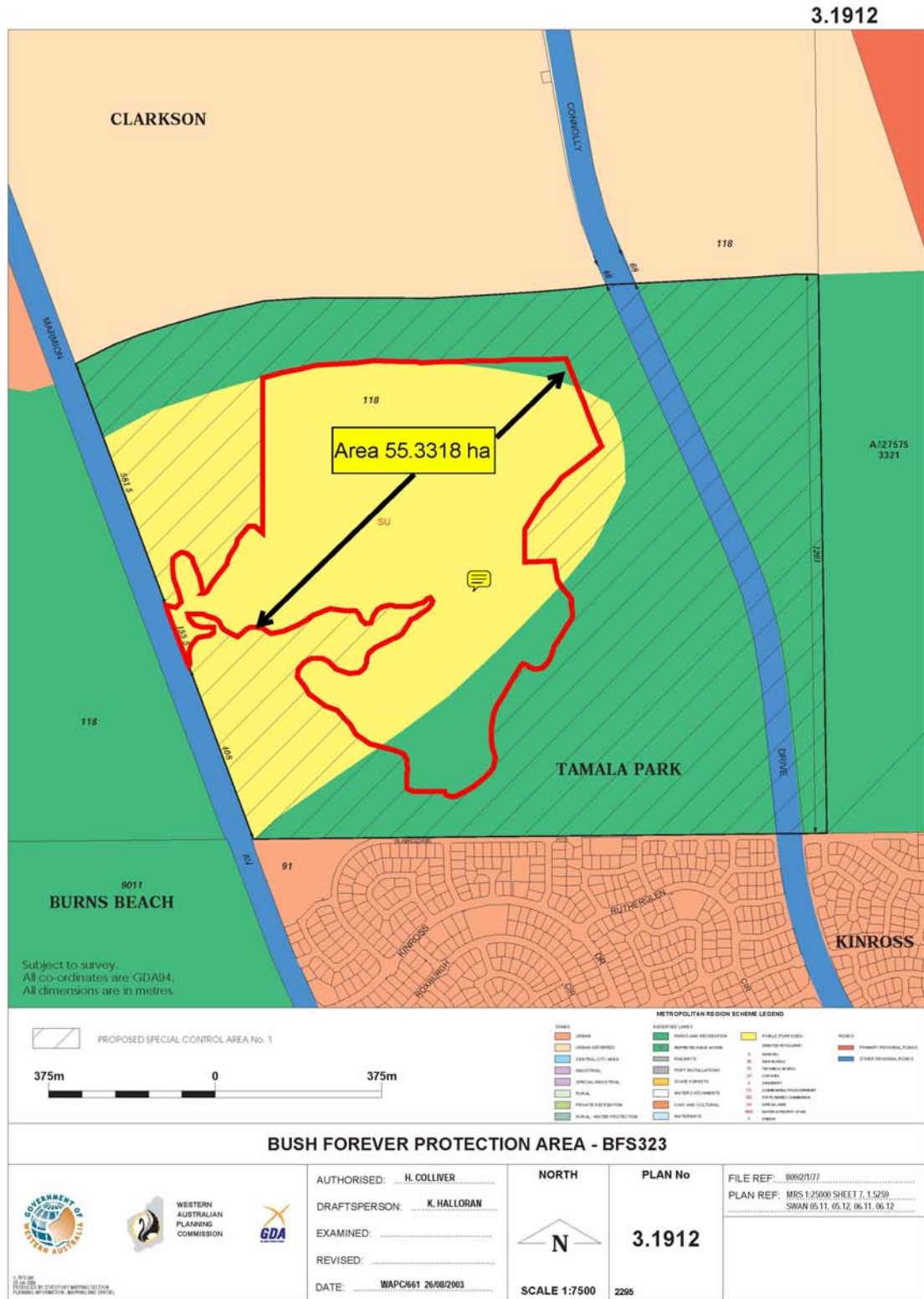
Because of the importance of the land in linking the coastal conservation reserve land and Neerabup National Park, it would be appropriate that any proposal for strategic planning for the completed landfill include representation by the West Australian Planning Commission, Department of Environment and the Department of Conservation and Land Management.

While it is acknowledged that plans may change over time, the ongoing strategic planning for best use of the completed landfill will be useful in guiding investment decisions and complementary planning by all involved stakeholders and will be invaluable in engaging with local residents and interest groups about future intentions and possibilities for the land.

The first step is to prepare a brief that will encompass the broad interests of stakeholders. Should the Council agree the TPRC and MRC, together, could compile the brief for further consideration by the respective Councils and the City of Wanneroo.

Attached is a plan showing the area within the current MRC lease which is zoned for public utility purposes (yellow) and is not subject to Bush Forever conservation zoning. This area comprises approximately 57 hectares. It is possible that the whole of this area could be subject to some form of active recreation and leisure activity in the future.

Attachment: Plan showing Bush Forever Protection Area 323 (surrounding non-Bush Forever land, currently used by MRC)



9.6 ABORIGINAL HERITAGE SITE IDENTIFICATION AND INVESTIGATION

Report Information

Location: Tamala Park Urban Development Land
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer

Recommendation

That Australian Interaction Consultants (AIC) be appointed to undertake the aboriginal heritage site identification and investigation in accordance with the brief issued by the Council and specifically:

Part A - Desktop study for the amount of \$6,270 and, subject to a requirement being established in consequence of the completion of Part A;

Part B - Site survey archaeological and ethnographic study for an amount of \$28,798.

Report Purpose

To advise the Council of the results of quotations sought for the conduct of an aboriginal site identification and investigation for the Tamala Park urban development land.

Relevant Documents

Attachment: Quotation submitted by AIC
Available for viewing at the meeting: Brief for the aboriginal heritage site identification and investigation approved by the Council at the meeting held 30 November 2006

Background

At the last Council meeting, approval was given to obtain quotations for an aboriginal heritage site identification and survey of the Tamala Park urban development land.

Quotations were sought in accordance with the Council's Procurement Policy from three consultants.

The following is the relevant extract of the Council's procurement policy relating to the appointment of consultants:

5.4. *Special Provisions with respect to Consultancy Services - More than \$5,000 and less than \$50,000*

- *Quotations must be made in reference to:*
 - *A written brief defining the services required;*
 - *The deliverables from the consultancy;*
 - *The start and end time;*
 - *The fee basis i.e. fixed, hourly, component completion;*

- *The basis for any variation fees; and*
- *Provisions for termination of services.*
- *Completion of a contract for consultancy services must be subject of a written agreement signed by the consultant and TPRC.*

The invitation to consultants was issued on 12 December 2006. Consultants were requested to complete submissions by 29 January 2007.

One response was submitted within the requested timeframe. The response was from AIC. AIC have previously undertaken investigations in the general area of Tamala Park and, specifically, within the MRC lease area.

One further consultant has requested an extension of time to make a submission. In the event that a submission is received prior to the Council meeting on 8 February, details will be provided for Council consideration.

Comment

The submission and quotation from AIC is made in reference to and in context of the brief issued for the task. The brief was fully reported in the Council agenda of 30 November 2006.

The brief follows guidelines set out by the Department of Indigenous Affairs to comply with the requirement of the Aboriginal Heritage Act 1972.

In summary, the objectives of the study are as follows:

Part A) Desktop Study

The main objective of the Preliminary Aboriginal Heritage Investigation will be to:

- Identify any known or potential Aboriginal heritage issues that may affect the proposed development.
- Identify if any further research and/or consultation will be required to meet the requirements of the *Aboriginal Heritage Act 1972*.
- Make recommendations regarding the scope of any further research and/or consultation that may be required.

Part B) [Subject to the results of (A)]

The main objective of the Ethnographic and Archaeological Aboriginal Heritage Investigation will be to:

- Identify any known or potential Aboriginal heritage issues that may affect the proposed development.
- Undertake research and/or consultation that may be required to meet the requirements of the *Aboriginal Heritage Act 1972*.
- Locate/record Aboriginal sites and any other Aboriginal heritage issues.
- Make recommendations regarding the management of the above sites, including any further research and/or consultation that may be required during or after the works component of the project.

NB. A summary of previous known reports has been researched by the TPRC office and made available to prospective consultants with the request for quotations

The brief for the study referenced the possibility that the area of concern could be enlarged and include areas not part of the TPRC urban development. The additional areas in prospect were part of the coastal conservation reserve adjacent to the western portion of the TPRC development and the government owned land adjacent to the eastern part of the TPRC urban development closest to the Clarkson Rail Station. The WAPC has been approached with the proposition that these areas might be included as the government deferred urban land closest to the Clarkson rail station will be included in structure planning for the area and the coastal conservation land west of Marmion Avenue will involve access from the TPRC urban development to the north. It is already known that there is a significant aboriginal site within the coastal conservation reserve.

At this time, there has been no response from the any of the Government agencies and the consultancy brief is therefore confined to the TPRC land. The government will continue to be approached advocating the advantages of the wider study.

It is desirable to proceed with the Heritage site investigation prior to commissioning any structure planning as the results of the investigation could impact significantly on structure planning and the potential for urban development of the land.

The quotation from Australian Interaction Consultants (AIC) is considered reasonable and reflects industry standards. Approximately one half of the heritage survey consultancy cost (if required) involves the engagement of aboriginal consultants and informants from the 5 groups that may be involved in the subject area. Australian Interaction Consultants have provided rates for additional work in the event of delays or change to the scope of work in the event of any significant matters being identified that require specific attention under the Aboriginal Heritage Act.

Quotes for additional work are \$150 per hour to a maximum of \$1,000 per day for senior consultants and \$100 per hour to a maximum of \$600 per day for field assistants (plus GST). These rates are considered reasonable.

AIC have confirmed that their reports will comply with the draft guidelines for heritage assessment under the Aboriginal Heritage Act.

AIC have provided timelines for both parts of the project. According to the timelines the project will be completed within 5 weeks of commencement.

Subject to any further submission being received prior to Council meeting that requires Council attention, it is proposed that AIC be appointed to conduct the surveys in accordance with the brief issued by the Council and the response and quotation by Australian Interaction Consultants.

Attachment: Quotation submitted by AIC



<small>Kiliran Pty Ltd atf The Parker Management Unit Trust abn 87 393 861 198 & trading as</small>	
<u>Australian Interaction</u> <u>Consultants</u>	
PO Box 90, Osborne Park WA 6917	
<small>Unit 1, 211 Main Street, Osborne Park WA 6017</small>	
<small>Phone: (08) 9440 0500</small>	<small>Fax: (08) 9440 0955</small>
<small>Email: admin@aicheritage.com.au</small>	<small>Mobile: 0419 193 691</small>

29 January 2007

Tamara Park Regional Council
25 Cedric Street,
Stirling,
WA, 6021.

Attention: Rod Constantine

Dear Rod,

Your Reference: Tamara Park Urban Development
Our Quotation Number: 17073

We thank you for your inquiry and have pleasure in providing you with our Quotation Estimate and terms for the completion of your project work scope as follows:

1. Short Project Description

As outlined in the brief received from R A Constantine on 13th December 2006, AIC will provide heritage advice to initially include archival research and reporting and dependant on the results will later provide archaeological investigation and anthropological consultation services with reporting for the proposed urban development south of Mindarie Keys and Clarkson.

2. Project Scope of Work

Tamara Park Regional Council proposes to undertake urban development at a site south of Mindarie Keys and Clarkson. The land that will be part of the future urban development comprises part of a total 432 hectare parcel, some of which is in the process of transfer to the State Government, as public open space. 151 hectares of the total parcel is leased to the Mindarie Regional Council its refuse disposal and ancillary operations.

The Tamara Park Regional Council, acting for the owners, is undertaking an Enquiry by Design Workshop in January 2007 as a precursor to more detailed structure plans. The proposed project areas will require an initial desktop survey and dependant on the results a subsequent ethnographic and archaeological survey.

AIC will conduct a full desktop study and any subsequent heritage survey required, these will include:

- Archival research comprising literature reviews of relevant surveys previously undertaken in the area, other books and articles related to the area, research of the

Department of Indigenous Affairs (DIA) Register and associated mapping and recording, compilation of cultural heritage information with commentary on the archaeological and ethnographic history of the project area and identification of the Aboriginal informants who have expressed interests and hold knowledge about the area.

- Ethnographic consultation with interested indigenous parties (including but not limited to the native title representative bodies). Aboriginal groups to be accompanied by AIC (anthropologists/archaeologists) and provided with details of the proposed scope of work within the project area. It is highly recommended that a representative of Tamara Park Regional Council (preferably the associated project manager) be present to assist for all consultations. All outcomes from consultations are documented, discussed and recorded in the field, including any confidentiality issues relating to limitation of information. The voicing of any recommendations and conditions are also discussed in detail with specific reference to the proposed project activities and recorded and signed for by all indigenous individuals present.

- Archaeological investigation of the project area to provisionally identify any potential for previously unregistered Aboriginal heritage sites. This will also include identification and documentation of sites through ground surveys, preparation of pre and post-fieldwork map(s) identifying site locations with GPS coordinates and tracking information.

- Final reporting, to include recommendations arising from ethnographic and archaeological survey and the impact of the activities proposed on site, incorporating any subsequent management requirements. Where new unregistered sites are identified, AIC will collate all information required for the purpose of Aboriginal site registration and forward information to the Department of Indigenous Affairs (DIA) at the conclusion of the reporting process.

3. Special Issues Noted

In the absence of all the required information needed to fully understand the scope of work, we have prepared this Quotation Estimate based on your initial request and, in the absence of project details have presumed our standard methods will apply. On your acceptance of this Quotation Estimate, you will be required to provide us with relevant documents and other necessary information to proceed with the Project.

All scope of work variations will be priced in accordance with our Variations Pricing terms included in this document.

Please note that Aboriginal Heritage survey consultation processes of this nature are conducted in accordance with the Aboriginal Heritage Act (1972).

Due to the large area of the site ethnographic heritage issues identified are likely to be broad in nature.

If applicable, the final report on the ethnographic and archaeological studies will be produced to complement a section 18 application to use the land where existing or newly identified Aboriginal sites are located. AIC will identify any known or potential Aboriginal Heritage issues that may affect the proposed works. Undertake research and consultation as required under the aboriginal Heritage Act (1972) and make recommendations that will inform the preparation and submission of a s.18 Application, including site recording, site verification.

4. Project Timing

Project commencement date is from the date we receive your confirmation accepting this Quotation Estimate and Terms. Project milestone completion periods are as follows:

Project Milestone Activities	Planned Completion Period
Pre-Consultation Client Meeting	Within 2 weeks of Commencement
Fieldwork	Within 3 weeks of Commencement
Preliminary Advice	Within 1 week of Fieldwork Completion
Draft Final Report	Within 2 weeks of Fieldwork Completion
Dispatch of Final Report Copies	Within 3 working days from receipt of client request.

Where applicable, planned completion dates are always subject to:

- You providing all documents required within 1 week of commencement
- Access to the field location being available when required
- Availability of the required Aboriginal people
- Additional meetings that may be required as a result of issues arising from either the pre-consultation or initial field consultation
- Additional time required to record multiple sites and fulfill DIA site recording processes
- Additional time required resulting from new sites identified or culturally sensitive issues arising that need further attention

5. Our Project Fees and other Cost Recoveries

Based on the project scope as defined in items 1 and 2 of this document we submit the following Project Estimate Summary to be read in conjunction with the following notes and the cost variation terms forming part of this Quotation:

(NB: Unless otherwise specified all fees exclude GST.)

DESKTOP

Item	Cost	GST	Total
Ethnographic Consultancy Fees	\$ 2,850	\$ 285	\$ 3,135
Archaeological Consultancy Fees	\$ 2,850	\$ 285	\$ 3,135
Total Project Estimate	\$ 5,700	\$ 570	\$ 6,270

HERITAGE SURVEY (Dependant on Desktop results)

Item	Cost	GST	Total
Ethnographic Consultancy Fees	\$ 6,484	\$ 648	\$ 7,132
Archaeological Consultancy Fees	\$ 2,466	\$ 247	\$ 2,713
Informant Costs	\$ 14,760	\$ 1,476	\$ 16,236
AIC Handling Fee	\$ 1,476	\$ 148	\$ 1,624
Other Project Cost Disbursements	\$ 994	\$ 99	\$ 1,094
Total Project Estimate	\$ 26,180	\$ 2,618	\$ 28,798

Note 1: If requested, AIC can provide a further quotation estimate should you wish to have a formal presentation of our Report at your premises delivered by AIC's assigned Lead Consultant(s).

Note 2: Due to the nature of the work quoted, our estimated Ethnographic and Archaeological Consultancy Fees shown above are subject to the terms of variation as outlined further in this Quotation.

Note 3: It must be emphasized that Informant Costs and our associated Handling Fee shown above are indicative only and subject to change depending on the group and who participates on the day. The convention to be adhered to is for people to receive full cash payment in the field on the day. As the Client, you may choose to make the cash payments to the Informants on the day of consultation, otherwise AIC will handle the payments for a fee of 10% of the value of Informant Costs. Our fee is for all administration and handling costs for the cash payments and for providing the necessary insurances covering the Informants' activities during consultation.

Our preliminary Informant Cost estimate is based on \$400 per person per day plus \$10 per person per day for provisions unless stated otherwise (plus GST). AIC have also included a travel allowance of \$500 to be dispersed to informants if required. If any part of this allowance is not utilized the remainder will be deducted from the final invoice amount. Any rate variations will be passed on to you. Initial project estimates are as follows:

Informant Group	# personnel	# days	Estimated Cost per group (excl GST)
Combined Metro	20	1	\$ 8,000
Ballaruk	4	1	\$ 1,600
Bibbulmun	4	1	\$ 1,600
IAEG	4	1	\$ 1,600
Jacobs	4	1	\$ 1,600
Provisions	36	1	\$ 360
Total Informant Cost Estimate			\$ 14,760
AIC Handling Fee @ 10%			\$ 1,476

Should Informant Fees be less than the above estimate then the cost will reduce accordingly.

Note 4: Other Project Cost Disbursements cover items such as fares – air, bus, taxi etc -, accommodation, all vehicle costs, other field expenses, mapping costs, report document costs and consumables used.

6. Project Variations and Fees for Additional Work

Additional costs (plus GST), will apply should one or more of the following events or circumstances occur:

- a) Our Quotation is based on all Consultancy work, including fieldwork, being completed from Monday to Friday. In the event that:
 - a. You request weekend work,
 - b. Indigenous Groups are only available to work on weekends, or
 - c. Other factors external to AIC's control cause the work to be completed during weekends,
 a 50% penalty loading shall be applied to the Consultancy Cost Estimates provided within this Quotation or any revised estimates made.

- b) Our Quotation allows for one on-location project area consultation with each of the Indigenous groups. Any additional meetings or consultation required (with Indigenous groups, client's representatives or as otherwise requested by the client) will incur the following additional costs:
 - AIC consulting time to attend further consultations will be charged at \$150 per hour
 - Additional Informants costs will be charged at cost + 10%.

- Additional Disbursement costs will be charged at cost + 10%. Full receipts will be available and every effort will be made to keep costs to the minimum.
- c) Where multiple new sites are found the greatest cost risk to our Clients is extended use of informants to administer site recordings. It is always our aim to keep these additional costs to a minimum by shifting as much of the recording time as possible to AIC staff on return from the project area consultations. In the event that new sites are identified during fieldwork, they will be recorded during fieldwork time where possible. However, where circumstances prevent this from occurring in the timeframe allocated to fieldwork, the following additional charges will apply:-
- Additional Consulting time taken to complete any additional research, site identification in the field, recording additional site details and additional report preparation time will be charged at \$150 per hour. Please note that we will look to every opportunity to minimise your cost by making the best use of time in the field with Informants.
 - Additional Informants costs will be charged at cost + 10% (minimisation strategy will apply)
 - Additional Disbursement costs such as travel, accommodation and vehicle hire where a consultant requires further time in the field to record the sites. These will be charged at cost + 10%.

Variations of this nature are unlikely for Metropolitan work.

- d) AIC Consultant's time required fulfilling any special induction processes such as medical and drug and alcohol tests, required by you, will be charged at \$150 per hour.
- e) Where the report is supporting an application being made under Section 18 of the Aboriginal Heritage Act (1972), the Department of Indigenous Affairs (DIA) will require the provision of 15 colour copies of the report. You may choose to print and submit the reports yourself or alternatively AIC will be able print and submit these reports at a further negotiated cost. AIC can also assist with the preparation and submission of a s.18 application, again at a cost to be negotiated.
- f) Any other Scope of Work Variations, including but not limited to additional archival research, pre consulting, fieldwork and report writing, will be charged at \$150 per hour to a maximum of \$1,000 per day for senior consultants and \$100 per hour to a maximum of \$600 per day for Field Assistants plus GST.
- g) Should you cancel or delay fieldwork trips or other components of the project resulting in additional project costs, these will be treated as additional Disbursement Costs payable by you.

Please note that AIC endeavors at all times to act in a professional, efficient manner, keeping additional costs to a minimum. Furthermore, in the event that actual activity times are less than those budgeted for in this quotation, we will pass these savings on to you.

7. Payment Terms

- a) **Informant Costs including Handling Fee:** Our invoice covering our current or revised estimate, as the case may be, is required to be paid at least 3 working days prior to the commencement of the consultation in order for us to facilitate cash payments on the day.
- b) **Disbursement Costs:** Our Disbursement Costs will be invoiced in full upon completion and delivery of our Preliminary Advice Report. All such invoices are payable within 14 days from date of invoice.

- c) **Consultancy Fees** : Our Archeological and/or Ethnographic Consulting Fees will be invoiced as follows:
- 80% of the current or revised estimate, as the case may be, will be invoiced upon completion and delivery of our Preliminary Advice Report.
 - The remaining 20% will be invoiced on completion and submission of our Draft Final Report.

All Consultancy Fee invoices are payable within 14 days from date of invoice.

Please note that on receipt of your confirmation advice to proceed to release our Draft Final report in Final copy presentation format, we will release the required number of bound/unbound copies.

8. Other Matters

Health and Safety Compliance

Our Health and Safety Fieldwork requirements and internal codes of practice, satisfy current health and safety regulations for placement of our Consultants in remote field operations and are considered a vital part of our service delivery for all such projects.

AIC Consultants

The consultants engaged will be fully experienced in similar projects and their CVs are available on request. AIC presently has a good working relationship with all groups that require consultation in this instance.

Insurance

We carry a full range of the required insurances such as Workers Compensation (including cover for all Indigenous participants where required) and Professional (\$10,000,000) and Public (\$20,000,000) Liability.

Reports

Our report format includes digital mapping using *Mapinfo* computer software for accuracy and clarity of any place that might be identified. AIC will submit a verbal report at the completion of the fieldwork, and a written summary of the proceedings, including maps of the routes taken and places of significance (if any) identified, within 7 days of final fieldwork. Copyright of report will not transfer to the client until full and final payment is received.

AIC provides separate drafts to all parties for comment and provides idiosyncratic reports to the various groups, when requested, to ensure that confidentiality is maintained. This stratagem has proven to create better harmony between all groups, and less obstruction to the particular project, after the survey has been completed.

Our reports will comply with the draft *Guidelines for Heritage Assessment under the Aboriginal Heritage Act (1972)* published by the Sites Department in 1994 and, as such, will meet DIA requirements.

Monitoring

AIC offers separate Monitoring Facilitation Services to Clients involved in ground disturbing works. Areas we handle include the arrangement of monitors and payments, induction for contractors and staff regarding cultural awareness and the requirements of the Aboriginal Heritage Act (1972), archaeological management, recording of cultural material, records management and summary report at completion. AIC staff can be immediately available should cultural material be found. Such work is always subject to separate quotation.

We hope the foregoing is of assistance to you and we look forward to your early instructions.

Our Quotation Acceptance Notice is attached for your completion and return when you are ready to proceed.

Yours sincerely,

Australian Interaction Consultants

A handwritten signature in black ink, appearing to read 'Ron Parker', written in a cursive style.

Ronald T. Parker *BA (Hons) anthrop*

Australian Interaction Consultants

Quotation Acceptance Notice

AIC Quotation Reference Number: 17073

AIC Quotation Date: 29 January 2007

Short Project Description: As outlined in the brief received from R. A. Constantine on 13th December 2006, AIC will provide heritage advice to initially include archival research and reporting and dependant on the results will later provide archaeological investigation and anthropological consultation services with reporting for the proposed urban development south of Mindarie Keys and Clarkson.

We, _____
insert full legal name and address

confirm our acceptance of the abovementioned Quotation with Commencement Date being the receipt date of this signed Acceptance Notice by Australian Interaction Consultants.

Signed by an authorised officer:

Signed: _____

Full Name of Signing Party: _____

Date Signed: _____

Please fax, post or scan/email to:

<small>Kilkiran Pty Ltd atf The Parker Management Unit Trust abn 87 393 861 198 & trading as</small>	
<u>Australian Interaction Consultants</u>	
PO Box 90, Osborne Park WA 6917	
Unit 1, 211 Main Street, Osborne Park WA 6017	
Phone: (08) 9440 0500	Fax: (08) 9440 0955
Email: admin@aicheritage.com.au	Mobile: 0419 193 691

9.7 REPAYMENT OF EQUITY CONTRIBUTION - \$120,000 PARTICIPANT COUNCILS

Report Information

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

Recommendation

That equity contributions totalling \$120,000 representing \$10,000 per equity share, to be refunded to participant Councils in June 2007.

Report Purpose

To request approval to refund equity contributions made by participant Councils anticipating receipt of funds from WAPC for land transfers.

Relevant Documents

Attachment: Nil
Available for viewing at the meeting: Nil

Background

At the Council meeting on 9 April 2006, the Council requested participants to pre-fund \$120,000 to cover expenses of the Council until such time as compensation funds were received for land transfers to WAPC.

When the 2006/07 Council budget was adopted on 3 August 2006, a note to the budget indicated that the advance payment of equity contributions should be refunded if this could be facilitated following receipt of compensation from WAPC.

Comment

Settlement with WAPC was originally scheduled in December 2005, then March 2006, June 2006 and finally November 2006.

In the event interest for the delayed settlement between July 2006 and November 2006 was paid by WAPC.

The combination of interest for delayed settlement and interest from investments will now enable refund to participants. The initial funding philosophy of retaining all of the compensation received for land transfers will provide sufficient funds to cover operating expenses and initial capital works for a first stage development. The refund now proposed will maintain the initial objective of ensuring no direct contribution of current Rate collections to fund the business of the TPRC.

The entitlements of each of the participant Councils is as follows:

- Town of Cambridge - \$10,000
- City of Joondalup - \$20,000

- City of Perth - \$10,000
- City of Stirling - \$40,000
- Town of Victoria Park - \$10,000
- Town of Vincent - \$10,000
- City of Wanneroo - \$20,000

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN
 - 12.1 COUNCILLOR QUESTIONS APPROVED BY THE CHAIRMAN

13. MATTERS BEHIND CLOSED DOORS

14. FORMAL CLOSURE OF MEETING