



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 17 October 2013
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 Jim Adamos	
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	Cr Joshua Topelberg	
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 Jim Adamos Cr Geoff Amphlett Cr Frank Cvitan (from 6.01pm) Cr Dianne Guise Cr Corinne MacRae Cr Tom McLean Cr David Michael Cr Joshua Topelberg Cr Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Nil
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Brenton Downing (Satterley Property Group) Mr Aaron Grant (Satterley Property Group) Mr Mark Hunter (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup)
In Attendance Participant Councils' Advisers	Mr John Giorgi (City of Vincent) Mr Stuart Jardine (City of Stirling) Mr Arthur Kyron (Town of Victoria Park) Mr John Paton (City of Wanneroo) Cr Stephanie Proud (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.00pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Disclosure of Interest forms were received as follows:

Satterley Property Group	Item 9.8	Impartial Interest
Cossill & Webley	Item 9.8	Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Nil

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 22 August 2013

Moved Cr R Willox, Seconded Cr C MacRae

That the minutes of the Ordinary Meeting of Council of 22 August 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (12/0).

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9.10 – Development Management Agreement – Key People
Item 9.11 – CEO Performance Review 2012-13

8. REPORTS OF COMMITTEES

- CEO Performance Review Committee Meeting – 3 October 2013
- Management Committee Meeting – 3 October 2013

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 10 OCTOBER 2013

Moved Cr R Willox, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 10 October 2013.

The Motion was put and declared CARRIED (12/0).

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2013

Moved Cr T McLean, Seconded Cr C MacRae

[The recommendation in the agenda]

That Council RECEIVE and NOTE the Statement of Financial Activity for the months ending:

- **31 July 2013; and**
- **31 August 2013.**

The Motion was put and declared CARRIED (12/0).

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF AUGUST & SEPTEMBER 2013

Moved Cr R Willox, Seconded Cr T 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 August and September 2013:

- **Month ending 31 August 2013 (Total \$2,460,180.06)**
- **Month ending 30 September 2013 (Total \$2,917,415.08)**
- **Total Paid - \$5,377,595.14**

The Motion was put and declared CARRIED (12/0).

9.4 PROJECT FINANCIAL REPORT – AUGUST 2013

Moved Cr J Adamos, Seconded Cr D Michael

[The recommendation in the agenda]

That the Council RECEIVE the Project Financial Report (August 2013) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (12/0).

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 OCTOBER 2013

Subject to the correction of the balance amount in the Financial/Budget Implications of \$40,783.240.

Mr Nigel Satterley (Satterley Property Group) provided an update on market conditions, lot sales and settlements.

Moved Cr J Topelberg, Seconded Cr J Adamos

[The recommendation in the agenda]

That the Council RECEIVE the Sales and Settlements Report to 10 October 2013.

The Motion was put and declared CARRIED (12/0).

9.6 COUNCIL MEETING SCHEDULE 2014

Moved Cr T McLean, Seconded Cr G Amphlett

[The recommendation in the agenda]

1. **That the schedule of Council meetings dates be APPROVED for 2014 as follows:**
 - **20 February 2014 (City of Perth)**
 - **10 April 2014 (City of Wanneroo)**
 - **19 June 2014 (Town of Cambridge)**
 - **21 August 2014 (City of Joondalup)**
 - **16 October 2014 (City of Stirling)**
 - **18 December 2014 (Town of Victoria Park)**
2. **That the schedule of meeting dates be ADVERTISED as required by the Local Government Act.**
3. **That the commencement time for meetings BE 6.00pm.**
4. **That Council meetings be HELD on a rotational basis at participant Council premises.**

The Motion was put and declared CARRIED 129/0).

9.7 MANAGEMENT COMMITTEE MEETING SCHEDULE 2014

Moved Cr D Michael, Seconded Cr T McLean

[The recommendation in the agenda]

1. **That the schedule of Management Committee meetings dates be APPROVED for 2014 as follows:**
 - **6 March 2014**
 - **29 May 2014**
 - **31 July 2014**
 - **25 September 2014**
 - **27 November 2014**
2. **That the schedule of meeting dates be ADVERTISED as required by the Local Government Act.**

3. That the commencement time for meetings BE 5.00pm.
4. That the venues for the 2014 Management Committee meetings be **DETERMINED** at the next Management Committee meeting being held on 5 December 2013.

The Motion was put and declared CARRIED (12/0).

9.8 STAGE 9 & 10 CIVIL WORKS CONTRACT AWARD

Satterley Property Group declared an impartial interest in this item.

Cossill & Webley declared an impartial interest in this item.

Moved Cr J Topelberg, Seconded Cr R Willox

[The recommendation in the agenda]

1. **ACCEPT** the Catalina Stage 9 and 10 civil works pricing submitted by R J Vincent (in accordance with approved Tender 5/2013) for the lump sum value of \$4,387,966 (excluding GST), subject to relevant statutory approvals being obtained.
2. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the Contract.

The Motion was put and declared CARRIED (12/0).

9.9 CATALINA HOUSING AND BUILT FORM STRATEGY

Moved Cr C MacRae, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **RECEIVE** the Catalina Housing and Built Form Strategy, September 2013, submitted by the Satterley Property Group, for strategic guidance in delivering housing and built form outcomes within the Catalina project.
2. **REQUEST** the Satterley Property Group to review the outcomes and strategic direction of the Catalina Housing and Built Form Strategy, September 2013 in 24 months.
3. **DETERMINE** that the Key Performance Indicator Item 3.6.1, Built Form and Demonstration Housing Strategy, June 2011, requiring the preparation of a Built Form And Demonstration Housing Strategy, June 2012, has been met.

The Motion was put and declared CARRIED (12/0).

Moved Cr R Willox, Seconded Cr D Michael

That the meeting move behind closed doors at 6.15pm to allow confidential items 9.10 and 9.11 to be discussed.

The Motion was put and declared CARRIED (12/0).

9.10 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE - CONFIDENTIAL

Moved Cr D Michael, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council resolve to APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement;

Name of Person	Job
Nigel Satterley	Marketing

Name of Replacement Person	Job
Anthea Halliday	Marketing

The Motion was put and declared CARRIED (12/0).

9.11 CEO PERFORMANCE REVIEW 2012-13 – CONFIDENTIAL

Moved Cr T Tyzack, Seconded Cr R Willox

[The recommendation in the agenda]

1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.
2. That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.
3. That the Council COMMENCES discussions regarding a further contract beyond 12 October 2014, in accordance with the terms of the current contract of employment.

Moved Cr F Cvitan, Seconded Cr C MacRae

An amendment to recommendation 3 as follows:

3. **That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.**

The Motion was put and declared CARRIED (12/0).

Moved Cr J Topelberg, Seconded Cr D Guise

An additional recommendation 4 as follows:

4. **ENGAGE an external consultant to assist with the development of the CEO's contract.**

The Motion was put and declared CARRIED (11/1).

For: Cr J Adamos, Cr F Cvitan, Cr D Guise, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr D Michael, Cr J Topelberg, Cr T Tyzack, Cr T Vaughan and Cr R Willox.

Against: Cr G Amphlett

Moved Cr F Cvitan, Seconded Cr C MacRae

An additional recommendation 5 as follows:

- 5. That the 2013/14 CEO Performance Review be COMPLETED in time for presentation to the October 2014 Council meeting.**

The Motion was put and declared CARRIED (12/0).

The Motion for amendment was then read aloud as follows:

- 1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.**
- 2. That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.**
- 3. That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.**
- 4. ENGAGE an external consultant to assist with the development of the CEO's contract.**
- 5. That the 2013/14 CEO Performance Review be COMPLETED in time for presentation to the October 2014 Council meeting.**

The Motion for amendment was put and declared CARRIED (12/0).

The Motion as then amended was put and declared CARRIED (12/0).

Moved Cr D Michael, Seconded Cr F Cvitan

That standing orders be reopened and the meeting doors be opened at 6.45pm.

The Motion was put and declared CARRIED (12/0).

The recommendations for items 9.10 and 9.11 were read out as follows:

Item 9.10

That the Council resolve to APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement;

<i>Name of Person</i>	<i>Job</i>
<i>Nigel Satterley</i>	<i>Marketing</i>

<i>Name of Replacement Person</i>	<i>Job</i>
<i>Anthea Halliday</i>	<i>Marketing</i>

Item 9.11

- 1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.*

2. *That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.*
3. *That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.*
4. *ENGAGE an external consultant to assist with the development of the CEO's contract.*
5. *That the 2013/14 CEO Performance Review be COMPLETED in time for presentation to the October 2014 Council meeting.*

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 9.10 – Development Management Agreement – Key People
- Item 9.11 – CEO Performance Review 2012-13

14. GENERAL BUSINESS

The Chairman thanked the councillors for their efforts over the previous 2 years and expressed his pleasure in performing his role as Chairman of the TPRC. He thanked the TPRC CEO (Mr Tony Arias), Senior Projects Officer (Mr Wayne Burns) and Executive Assistant (Mrs Kylie Jeffs) for their efforts. He thanked Mr Nigel Satterley and all the team at Satterley Property Group and also Cr Stephanie Proud (City of Stirling) for her role as deputy member.

The Chairman outlined the achievement of the past 2 years including the following:

- Structure Plan approval;
- Environmental issues approved;
- \$45M worth of lot sales;
- 350 lots sold; and
- First dividend to be distributed in December 2013.

The Chairman concluded by wishing his fellow councillors well with the upcoming local government election.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 6.55pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2013

as a true record of proceedings.

CHAIRMAN