



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 19 December 2013
City of Vincent, 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 Louis Carr	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Janet Davidson OAM JP	Cr Jim Adamos
City of Stirling	Mayor Giovanni Italiano JP Cr David Michael Cr Terry Tyzack Cr Rod Willox AM JP	Cr Elizabeth Re JP
Town of Victoria Park	Mayor Trevor Vaughan	
City of Vincent	Cr Joshua Topelberg	
City of Wanneroo	Cr Dianne Guise Cr Brett Treby	Cr Frank Cvitan Cr Hugh Nguyen

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 Louis Carr Cr Janet Davidson Cr Dianne Guise Cr Tom McLean Cr David Michael Cr Joshua Topelberg Cr Brett Treby 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) Ms Vickie von Stieglitz (Executive Assistant)
Apologies Councillors	Cr Terry Tyzack
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Brenton Downing (Satterley Property Group) Mr Aaron Grant (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Arthur Kyron (Town of Victoria Park) Mr Gary Hunt Mr Daniel Sims
In Attendance Participant Councils' Advisers	Mr John Giorgi (City of Vincent) Mr Stuart Jardine (City of Stirling) Mr Jason Lyon (Town of Cambridge) Mr Mike Tidy (City of Joondalup) Mr Pas Braconi (City of Wanneroo)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.08pm 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 9.12

Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Terry Tyzack

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 17 October 2013

Moved Cr G Amphlett, Seconded Cr T McLean

That the minutes of the Ordinary Meeting of Council of 17 October 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

Special Meeting of Council – 28 November 2013

Moved Cr B Treby, Seconded Cr R Willox

That the minutes of the Special Meeting of Council of 28 November 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

Nil

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 12 DECEMBER 2013

Moved Cr D Michael, Seconded Cr R Willox

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 12 December 2013.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2013

Moved Cr G Amphlett, Seconded Cr T McLean

[The recommendation in the agenda]

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

- **30 September 2013; and**
- **31 October 2013.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF OCTOBER & NOVEMBER 2013

Moved Cr B Treby, Seconded Cr R Willox

[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 2013:

- **Month ending 31 October 2013 (Total \$4,270,782.97)**
- **Month ending 30 November 2013 (Total \$3,596,935.58)**
- **Total Paid - \$7,867,718.55**

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

9.4 PROJECT FINANCIAL REPORT – OCTOBER 2013

Moved Cr D Guise, Seconded Cr J Topelberg

[The recommendation in the agenda]

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

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 12 DECEMBER 2013

Moved Cr D Guise, Seconded Cr R Willox

[The recommendation in the agenda]

That the Council RECEIVE the Sales and Settlements Report to 12 December 2013.

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

9.6 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2013

Moved Cr D Guise, Seconded Cr T McLean

[The recommendation in the agenda]

That the Council ADOPT the Annual Report of the Tamala Park Regional Council for the year ended 30 June 2013.

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

9.7 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2012 TO 30 JUNE 2013

Moved Cr B Treby, Seconded Cr T McLean

[The recommendation in the agenda]

That the Council RECEIVE the Annual Financial Report for the year ended 30 June 2013 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 2013

Moved Cr T McLean, Seconded Cr J Davidson

[The recommendation in the agenda]

That the Council

- 1. RECEIVE the Auditor's report for the financial year ended 30 June 2013.**
- 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 2013.**

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

9.9 PROJECT CASHFLOW REVIEW – 2012/2013

Moved Cr R Willox, Seconded Cr G Amphlett

[The recommendation in the agenda]

Cr Willox also requested that the CEO be recognised for his leadership and efforts in achieving the very beneficial outcome on GST with the ATO, which will substantially improve profit to the Project and distributions to Member Local Governments.

That the Council

1. **RECEIVE the review of the Project Cashflow (March 13) for the 2013/2014 financial year submitted by the Satterley Property Group.**
2. **APPROVE the use of the review of the Project Budget 2012/13 (March13), submitted by the Satterley Property Group, as the basis of financial planning for the review of the TPRC Budget 2013/14.**

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

9.10 UDIA 2014 NATIONAL CONGRESS

Moved Cr R Willox, Seconded Cr D Michael

[The recommendation in the agenda]

Moved Cr R Willox, Seconded Cr D Michael an amendment to the recommendation as follows:

That the CEO and Chairman be AUTHORISED to attend the 2014 Urban Development Institute of Australia National Congress in Brisbane to be held on 26 - 28 March 2014.

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

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

9.11 DELEGATION AUTHORITY

Moved Cr G Amphlett, Seconded Cr T McLean

[The recommendation in the agenda]

That Council APPROVE the Delegation Register 2012/13 (dated December 2013), as amended.

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

9.12 STAGE 9 BUILDERS ALLOCATION LOTS TENDER

Moved Cr D Guise, Seconded Cr B Treby

[The recommendation in the agenda]

That the Council

1. **APPROVE the following allocation of the Stage 9 Builder Allocation Lots in accordance with the terms and conditions of Tender 14/2013:-**
 - a. **Lot Parcels A, B and C to Bilton Corp**

- b. Lot Parcel D to Homebuyers Centre
 - c. Lot Parcel E to Prime Projects
 - d. Lot Parcel F to Content Living
 - e. Lot Parcel G to Affordable Living
2. **RESOLVE** that in the event allocations in Recommendation 1 are not accepted by builders, that the lots be disposed of in the following manner:-
- a. 7.5m wide lots be tendered in accordance with the approved Allocation procedure, and the selection criteria, put option deeds and terms and conditions of the approved Builders Allocation Lots procedure.
 - b. All other lots be disposed of by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.
3. **AGREE** to modify the approved option period under Put Option Deeds to 16 weeks for all mandatory 2 storey lots disposed of via future Builder Allocation tenders.

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

9.13 LOT 248 GROUPED HOUSING SITE DEVELOPMENT AND DISPOSAL

Moved Cr J Topelberg, Seconded Cr Willox

[The recommendation in the agenda]

That the Council

1. **APPROVE** the disposal of Lot 248 by Public Tender in accordance with Section 3.58(2) of the Local Government Act 1995.
2. **APPROVE** the following terms and conditions to form part of the Tender:-
 - a. Offers to purchase being unconditional only;
 - b. A deposit of 5% of the lot sale price paid within 3 days of acceptance;
 - c. Settlement 60 days from contract of sale or 21 days from the issue of title, whichever is later;
 - d. A minimum 1.5kW capacity photovoltaic solar power system being provided to all dwellings constructed;
 - e. Participation in the Catalina Waste Recycling Program;
 - f. Agreement to the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site.
3. **APPROVE** the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site (November 2013).
4. **APPROVE** the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site (November 2013) being used as the basis of a restrictive covenant to be applied to the Lot 248 grouped housing site.

Moved Cr J Topelberg, Seconded Cr L Carr an amendment to recommendation 2 as follows:

- g. An average star rating of 7 on NatHERS scale be required across the development of Lot 248.

The Motion was put and declared LOST (8/3)

Against: Cr J Davidson, Cr R Willox, Cr B Treby, Cr D Michael, Cr G Amphlett, Cr D Guise, Cr T McLean, Cr G Italiano

For: Cr J Topelberg, Cr L Carr, Cr T Vaughan

Moved Cr D Guise, Seconded Cr B Treby an amendment as follows:

- 4. APPROVE the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site (November 2013) being used as the basis of a restrictive covenant to be applied to the Lot 248 grouped housing site subject to modifications to incorporate the provisions of 2.d. above as a mandatory requirement into part 4.0 and part 5.0 of the Guidelines to the satisfaction of the Chief Executive Officer.

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

Moved Cr D Guise, Seconded Cr B Treby a further amendment to recommendation 2 to incorporate the additional clauses:

- g. Installation of a shared common bore (subject to licensing requirements).
- h. Installation of 5 star rated water using appliances.

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

For: Cr D Guise, Cr B Treby, Cr J Topelberg, Cr L Carr, Cr J Davidson, Cr T Vaughan, Cr D Michael, Cr G Italiano

Against: Cr R Willox, Cr G Amphlett, Cr T McLean

The Motion as amended was as follows:

That the Council

- 1. APPROVE the disposal of Lot 248 by Public Tender in accordance with Section 3.58(2) of the Local Government Act 1995.**
- 2. APPROVE the following terms and conditions to form part of the Tender:-**
 - a. Offers to purchase being unconditional only;**
 - b. A deposit of 5% of the lot sale price paid within 3 days of acceptance;**
 - c. Settlement 60 days from contract of sale or 21 days from the issue of title, whichever is later;**
 - d. A minimum 1.5kW capacity photovoltaic solar power system being provided to all dwellings constructed;**
 - e. Participation in the Catalina Waste Recycling Program;**
 - f. Agreement to the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site.**
 - g. Installation of a shared common bore (subject to licensing requirements).**

h. Installation of 5 star rated water using appliances.

3. **APPROVE** the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site (November 2013).
4. **APPROVE** the Catalina Central Design Guidelines for Lot 248 Grouped Housing Site (November 2013) being used as the basis of a restrictive covenant to be applied to the Lot 248 grouped housing site subject to modifications to incorporate the provisions of 2.d. above as a mandatory requirement into part 4.0 and part 5.0 of the Guidelines to the satisfaction of the Chief Executive Officer.

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

9.14 LANDSCAPE CONSTRUCTION WORKS CONTRACT – STAGE 8 POS AND NORTHERN BIODIVERSITY CONSERVATION AREA

Moved Cr T McLean, Seconded Cr J Davidson

[The recommendation in the agenda]

That the Council

1. **ACCEPT** the pricing submitted by LD Total to undertake the following works in accordance with approved Tender 9/2013, subject to relevant statutory approvals being obtained:-
 - a) Stage 8 POS for the lump sum value of \$429,563 (excluding GST).
 - b) Northern Biodiversity Conservation Area for the lump sum value of \$287,675 (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).

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. GENERAL BUSINESS

The Chairman advised that he had two matters of general business.

The Chairman expressed his pleasure in announcing the latest milestone for the TPRC project, and most significant to date. He advised that the first dividend payment was to be paid to member local governments this week. The total dividend was \$4 million, which was in accordance with 2013/14 budget estimates, with further dividends planned in early 2014. He thanked the Council and the CEO for achieving this very important milestone.

The Chairman also announced that the TPRC Executive Assistant (Mrs Kylie Jeffs) was to take maternity leave from December. He thanked Mrs Jeffs for her hard work and wished her good luck with the birth of her baby. He then welcomed Ms Vickie von Stieglitz who will be Executive Assistant during Mrs Jeffs' maternity leave.

The Chairman concluded by wishing his fellow councillors Season's Greetings.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 6.50pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2014

as a true record of proceedings.

CHAIRMAN