



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 11 December 2014, 6:00pm
City of Stirling
25 Cedric Street, Stirling

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

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Louis Carr	
City of Joondalup	Cr John Chester 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

PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Louis Carr Cr John Chester Cr Diane Guise Cr Tom McLean Cr David Michael (arrived 6:18pm) Cr Joshua Topelberg Cr Brett Treby Cr Terry Tyzack Cr Rod Willox
Staff	Mr Tony Arias (Chief Executive Officer) Mr Luke Aitken (Project Coordinator) Ms Vickie von Stieglitz (Minute Clerk)
Apologies	Cr Janet Davidson Cr Trevor Vaughan
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Nigel Satterley (Satterley Property Group) Mr Mark Hunter (Satterley Property Group) Mr Brenton Downing (Satterley Property Group) Mr Aaron Grant (Satterley Property Group)
Councils' Advisors Apologies	Mr Len Kosova (City of Vincent) Mr Garry Hunt (City of Joondalup)
Councils' Advisors in Attendance	Mr Daniel Simms (City of Wanneroo) Mr Phil St John (City of Wanneroo) Mr John Phillips (John Phillips Consulting)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The meeting was declared open at 6:04pm. The Chairman welcomed Cr Chester (City of Joondalup) as the replacement member for Cr Amphlett who had resigned from the TPRC.

DISCLOSURE OF INTERESTS

Disclosure of Interest forms were received as follows:

Satterley Property Group Items 9.19 Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Davidson and Cr Vaughan.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 16 October 2014

Moved Cr McLean, Seconded Cr Willox.

That the minutes of the Ordinary Meeting of Council of 16 October 2014 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

The Chairman advised that he had a number of announcements to make:

- 1. Cr Amphlett had formally resigned from the TPRC. The Chairman requested that Council formally acknowledge the significant contribution Cr Amphlett made on the TPRC during his 5 years as a member.*

2. *Mrs Kylie Jeffs has formally resigned from the TPRC. The Chairman wanted to thank Kylie for her work on the TPRC since 2006.*
3. *A Distribution had been made today to Member Councils totalling \$14M. This was consistent with the TPRC Budget forecast.*
4. *Metropolitan Regional Councils Working Group. The Chairman advised that he and the CEO attended a meeting of the Working Group on 10 December 2014 to discuss impacts on Regional Councils associated with the LG reform. The purpose of the Working Group is to determine impacts and facilitate arrangements so that Regional Councils can function after 1 July 2015. It is anticipated that the CEO will seek legal advice and prepare a report for the Council's consideration for February 2015.*

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- Item 9.18 Mitchell Freeway Extension Tender - Site Compound Lease.
Item 9.19 Earthworks and Subdivision Works Tender – Extension of Contract.
Item 9.20 CEO Performance Review 2013/14.

8. REPORTS OF COMMITTEES

- CEO Performance Review Committee Meeting – 10 November 2014
- Management Committee Meeting – 27 November 2014

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.20)

9.1 BUSINESS REPORT – PERIOD ENDING 4 December 2014

Moved Cr Guise, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council RECEIVE the Business Report to 4 December 2014.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2014

Moved Cr McLean, Seconded Cr Treby.

[The recommendation in the agenda]

Recommendation

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

- 30 September 2014; and
- 31 October 2014.

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF SEPTEMBER & OCTOBER 2014

Moved Cr Treby, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of September and October 2014:

- Month ending 30 September 2014 (Total \$1,724,409.59)
- Month ending 31 October 2014 (Total \$3,739,814.86)
- Total Paid - \$5,464,224.45

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

9.4 PROJECT FINANCIAL REPORT – OCTOBER 2014

Moved Cr Chester, Seconded Cr McLean.

[The recommendation in the agenda]

Recommendation

That the Council RECEIVE the Project Financial Report (October 2014) submitted by the Satterley Property Group.

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 4 DECEMBER 2014

Moved Cr Tyzack, Seconded Cr Topelberg.

[The recommendation in the agenda]

Cr Michael arrived during discussion on this Item (6:18pm).

Recommendation

That the Council RECEIVE the Sales and Settlements Report to 4 December 2014.

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

9.6 REVIEW OF PURCHASER TERMS AND CONDITIONS

Moved Cr Willox, Seconded Cr Topelberg.

[The recommendation in the agenda]

Recommendation

That the Council:

1. APPROVE the following Sales Terms/Conditions and Incentives for all public release lots:-

- 1. Use of the 2011 REIWA Offer and Acceptance Contract with Special Conditions and Annexure.**
- 2. A \$5,000 deposit to be used in the Sales Contracts.**
- 3. A finance approval period of 60 days where the estimated issue of title is greater than 3 months, and 45 days where the estimated issue of title is less than 3 months.**
- 4. A 21 day settlement period from finance approval or the issue of titles, whichever is the later.**
- 5. Waterwise front landscaping package.**
- 6. A \$2,000 rebate for all homes constructed with a minimum 1.5kV capacity photovoltaic solar power system.**
- 7. Side and rear boundary fencing (behind the building line).**
- 8. A non-potable water supply to all front loaded lots within Stages 4, 5 & 7 of Catalina.**
- 9. Sales incentives (Items 1.5 – 1.8) being subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.**

2. APPROVE the following Sales Terms/Conditions and Incentives for all builders allocation lots after Stage 8:-

- 1. Use of the 2011 REIWA Offer and Acceptance Contract with Special Conditions and Annexures.**
- 2. A \$5,000 deposit to be used in the Sales Contracts.**
- 3. A finance approval period of 60 days where the estimated issue of title is greater than 3 months, and 45 days where the estimated issue of title is less than 3 months.**
- 4. A 21 day settlement period from finance approval or the issue of titles, whichever is the later.**
- 5. Provision of a \$2,000 rebate for all homes constructed with a minimum 1.5kV capacity photovoltaic solar power system.**
- 6. Waterwise front landscaping package.**

7. **Sales incentives (items 2.5 and 2.6) being subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.**
3. **AUTHORISE the Satterley Property Group to offer builders who have entered into Put Options for Stages 9-13 the opportunity to have the TPRC complete a waterwise front landscaping to the lot in lieu of the \$2,000 per lot rebate.**
4. **REQUEST the Satterley Property Group to review the Sales Terms/Conditions and Incentives for public release and builder allocation lots in twelve months and provide a report to Council.**
5. **REQUEST the Satterley Property Group to provide Council with a status report on Put Options, builder allocation lots, for the February 2015 meeting, outlining options and recommendations.**

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

9.7 MANAGEMENT COMMITTEE – TERMS OF REFERENCE/DELEGATIONS

Moved Cr Treby, Seconded Cr Guise.

[The recommendation in the agenda]

Recommendation

That the Council:

1. **APPROVE the Terms of Reference and Delegations to the Management Committee, dated December 2014.**
2. **REQUIRE that the approved Terms of Reference and Delegations to the Management Committee be reviewed in twelve months.**

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

9.8 PROJECT FORECAST 2012-2029

Moved Cr Topelberg, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council:

1. **APPROVE the Project Forecast 2012-2029 (November 2014), submitted by the Satterley Property Group as the basis of project and financial planning.**

2. **ACCEPT** that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.2 requiring the completion of a Review of Project Cashflow every three years (due 2014).

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

9.9 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2014

Moved Cr Michael, Seconded Cr Tyzack.

[The recommendation in the agenda]

Recommendation

That the Council ADOPT the Annual Report of the Tamala Park Regional Council for the year ended 30 June 2014.

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

9.10 APPOINTMENT OF COMMITTEE MEMBER – MANAGEMENT COMMITTEE

Moved Cr Tyzack, Seconded Cr Willox.

That in accordance with the provisions of the Local Government Act 1995, Cr McLean is elected to the Management Committee to replace Cr Geoff Amphlett.

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

9.11 SPONSORSHIP POLICY

Moved Cr Topelberg, Seconded Cr Michael.

[The recommendation in the agenda]

Recommendation

That the Council:

1. **APPROVE** the Sponsorship Policy (November 2014).
2. **DELEGATE** to the Chief Executive Officer approval to determine sponsorship requests to a maximum of \$500 in accordance with the TPRC Sponsorship Policy.
3. **APPROVE** to amend the Delegation Register 2012/13 in accordance with (2) above.

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

9.12 UDIA 2015 NATIONAL CONGRESS

Moved Cr Topelberg, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council AUTHORISE the Chairman, Cr Tyzack and the CEO to attend the 2015 Urban Development Institute of Australia National Congress in Sydney to be held on 17 - 19 March 2015.

Moved Cr Guise, an amendment to the Recommendation “*That Cr Treby also attend the 2015 Urban Development Institute of Australia National Congress in Sydney*”.

Cr Treby withdrew his interest in attending the 2015 Urban Development Institute of Australia National Congress in Sydney.

The Motion was withdrawn by Cr Guise.

Moved Cr Topelberg, Seconded Cr Willox an amendment to add a Recommendation 2 as follows:

2. That the CEO prepare a report for Council consideration in future when Conferences/Congresses are being considered outlining potential benefits of Councillor attendance.

The Motion as amended was as follows:

- 1. That the Council AUTHORISE the Chairman, Cr Tyzack and the CEO to attend the 2015 Urban Development Institute of Australia National Congress in Sydney to be held on 17 - 19 March 2015.**
- 2. That in future the CEO prepare a report for Council consideration when Conferences/Congresses are being considered outlining potential benefits of Councillor attendance.**

For: Cr Carr, Cr Chester, Cr Guise, Cr Italiano, Cr Michael, Cr McLean, Cr Tyzack and Cr Willox

Against: Cr Treby and Cr Topelberg.

The Motion was put and declared CARRIED (8/2).

9.13 REVIEW OF PROJECT MILESTONES

Moved Cr McLean, Seconded Cr Michael.

[The recommendation in the agenda]

Recommendation

That the Council:

- 1. RECEIVE the Satterley Property Group report on Project Milestones (September 2014).**
- 2. ADVISE the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two Milestone Reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second Milestone Review is satisfactorily completed.**

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

9.14 DELEGATION AUTHORITY

Moved Cr Topelberg, Seconded Cr Chester.

[The recommendation in the agenda]

Recommendation

That Council APPROVE the Delegation Register 2013/14 (dated December 2014), as amended.

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

9.15 CHRISTMAS CLOSURE

Moved Cr Michael, Seconded Cr Tyzack.

[The recommendation in the agenda]

Recommendation

That the TPRC administrative office be CLOSED over the Christmas period from 25 December 2014 to 2 January 2015 (inclusive).

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

9.16 REVIEW OF CATALINA SALES OFFICE OPENING HOURS

Moved Cr Tyzack, Seconded Cr Guise.

[The recommendation in the agenda]

Recommendation

That the Council:

1. **RECEIVE** the Satterley Property Group report on the revised opening hours for the Catalina Sales Office, dated 25 November 2014.
2. **APPROVE** the revised opening hours for a further twelve months for the Catalina Sales Office of Monday – Sunday 12pm – 5pm, with the office closed on Thursday, on a trial basis. Subject to the Satterley Property Group providing 2 sales representatives to work at the Catalina Sales Office on Saturday - Monday and public holidays.
3. **ADVISE** the Satterley Property Group that a report on the trial of the revised opening hours for the Catalina Sales Office based on sales against budget and feedback from the public and display builders will be required to be presented for Council's consideration at its December 2015 meeting.

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

9.17 SPONSORSHIP REQUEST – WANNEROO CHRISTMAS LUNCH

Moved Cr Topelberg, Seconded Cr McLean.

[The recommendation in the agenda]

Recommendation

That the Council APPROVE the sponsorship of the 2014 Wanneroo Christmas Lunch to be held on Christmas Day 2014 at the Wanneroo Showgrounds to a value of \$2,000.

Moved Cr Topelberg, Seconded Cr Tyzack an amendment to the Recommendation as follows:

That the Council APPROVE the sponsorship of the 2014 Wanneroo Christmas Lunch to be held on Christmas Day 2014 at the Wanneroo Showgrounds to a value of \$1,000.

The Motion was withdrawn by Cr Topelberg.

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

That the Council APPROVE the sponsorship of the 2014 Wanneroo Christmas Lunch to be held on Christmas Day 2014 at the Wanneroo Showgrounds to a value of \$2,000.

Moved Cr Guise, Seconded Cr Willox.

That Standing Orders be suspended and the meeting move behind closed doors to allow Confidential Items 9.18, 9.19 and 9.20 to be discussed.

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

9.18 MITCHELL FREEWAY EXTENSION TENDER - SITE COMPOUND LEASE – CONFIDENTIAL

Moved Cr Guise, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council:

- 1. SUPPORT in principle a proposed lease of 1.5 – 2.0 hectares for a Site Compound to accommodate a temporary office block and car parking associated with the Mitchell Freeway Extension in the area south of Neerabup Road and west of the Mitchell Freeway, subject to a negotiation of commercial terms for the lease generally in accordance with Appendix 9.18.**
- 2. CONSIDER the use of the Site Compound for the storage of and processing of road building materials such as topsoil, sub base and base course subject to the Lessee preparing a Management Plan to address potential land contamination issues to the absolute satisfaction of the TPRC. This would require approval by the full Council.**

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

9.19 EARTHWORKS AND SUBDIVISION WORKS TENDER – EXTENSION OF CONTRACT - CONFIDENTIAL

Moved Cr Willox, Seconded Cr Guise.

[The recommendation in the agenda]

Recommendation

That the Council APPROVE the option for a 1 year contract extension to RJ Vincent (from 24 April 2015 to 23 April 2016) for earthwork and subdivision works services in accordance with Tender 5/2013 (Earthworks and Subdivision Works, dated March 2013), subject to the same terms and conditions.

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

9.20 CEO PERFORMANCE REVIEW 2013/14 - CONFIDENTIAL - LATE ITEM

Moved Cr Tyzack, Seconded Cr Willox.

[The recommendation in the agenda]

Recommendation

That the Council:-

- 1. RECEIVE the Annual Appraisal Report, dated 10 November 2014, submitted by John Phillips Consulting.**
- 2. APPROVE the CEO remuneration package as per the recommendations of the CEO Performance Review Committee meeting of 10 November 2014.**
- 3. ENDORSE the modified Key Result Areas (November 2014) and the performance indicators to be used for 2014/2015 for the CEO Annual Performance review as per the recommendations of the CEO Performance Review Committee meeting of 10 November 2014.**

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

Moved Cr Tyzack, Seconded Cr McLean.

That Standing Orders be reopened and the meeting doors be opened.

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

The recommendations for items 9.18, 9.19 and 9.20 were read out as follows:

Item 9.18 MITCHELL FREEWAY EXTENSION TENDER - SITE COMPOUND LEASE – **CONFIDENTIAL**

That the Council:

- 1. SUPPORT in principle a proposed lease of 1.5 – 2.0 hectares for a Site Compound to accommodate a temporary office block and car parking associated with the Mitchell Freeway Extension in the area south of Neerabup Road and west of the Mitchell Freeway, subject to a negotiation of commercial terms for the lease generally in accordance with Appendix 9.18.*
- 2. CONSIDER the use of the Site Compound for the storage of and processing of road building materials such as topsoil, sub base and base course subject to the Lessee preparing a Management Plan to address potential land contamination issues to the absolute satisfaction of the TPRC. This would require approval by the full Council.*

Item 9.19 EARTHWORKS AND SUBDIVISION WORKS TENDER – EXTENSION OF CONTRACT - **CONFIDENTIAL**

That the Council APPROVE the option for a 1 year contract extension to RJ Vincent (from 24 April 2015 to 23 April 2016) for earthwork and subdivision works services in accordance with Tender 5/2013 (Earthworks and Subdivision Works, dated March 2013), subject to the same terms and conditions.

Item 9.20 *CEO PERFORMANCE REVIEW 2013/14 - CONFIDENTIAL - LATE ITEM*

That the Council:-

- 1. RECEIVE the Annual Appraisal Report, dated 10 November 2014, submitted by John Phillips Consulting.*
- 2. APPROVE the CEO remuneration package as per the recommendations of the CEO Performance Review Committee meeting of 10 November 2014.*
- 3. ENDORSE the modified Key Result Areas (November 2014) and the performance indicators to be used for 2014/2015 for the CEO Annual Performance review as per the recommendations of the CEO Performance Review Committee meeting of 10 November 2014.*

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 9.18 Mitchell Freeway Extension Tender - Site Compound Lease.
Item 9.19 Earthworks and Subdivision Works Tender – Extension of Contract.
Item 9.20 CEO Performance Review 2013/14.

14. GENERAL BUSINESS

The Chairman acknowledged the good work of Council and the TPRC office over the last year which had resulted in positive outcomes for the Tamala Park Project and thanked everyone for their contributions. He wished everyone a safe and merry Christmas and good 2015.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7:14 pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2015

as a true record of proceedings.

CHAIRMAN