



TAMALA PARK
REGIONAL COUNCIL

Ordinary Meeting of Council

MINUTES

Thursday 24 April 2008
Town of Cambridge, 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

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Cr Albert Jacob Mayor Troy Pickard	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Paul Collins Cr John Italiano Cr David Michael Cr Bill Stewart	Cr Kathryn Thomas Cr Terry Tyzack
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	Cr Steed Farrell
City of Wanneroo	Cr Tracey Roberts Cr Bob Smithson	Cr Alan Blencowe Cr Frank Cvitan

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.

TABLE OF CONTENTS

MEMBERSHIP2

PRESENT4

1. OFFICIAL OPENING.....4

DISCLOSURE OF INTERESTS4

2. PUBLIC STATEMENT/QUESTION TIME5

3. APOLOGIES AND LEAVE OF ABSENCE5

4. PETITIONS5

5. CONFIRMATION OF MINUTES5

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION).....6

7. MATTERS FOR WHICH MEETING MAY BE CLOSED.....6

8. REPORTS OF COMMITTEES6

9. ADMINISTRATION REPORTS6

9.1 BUSINESS REPORT – PERIOD ENDING 31 MARCH 20086

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS FEBRUARY
2008 AND MARCH 2008 6

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS
FEBRUARY 2008 AND MARCH 2008..... 7

9.4 INDICATIVE PROJECT CASH FLOW – DEVELOPMENT LOT 9504
MINDARIE..... 7

9.5 TENDER STATUS REPORT – STRUCTURE PLANNING LOT 9504,
MINDARIE..... 7

9.6 STRUCTURE PLAN EVALUATION – PART LOT 9504 MINDARIE 8

9.7 NEGOTIATIONS FOR ACQUISITION OF LAND – CORNER NEERABUP
ROAD, MITCHELL FREEWAY - CLARKSON 8

9.8 NEERABUP ROAD 9

9.9 WESTERN POWER – LAND ACQUISITION..... 10

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.11

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS
BEEN GIVEN11

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN11

13. MATTERS BEHIND CLOSED DOORS.....11

14. GENERAL BUSINESS.....11

15. FORMAL CLOSURE OF MEETING.....11

PRESENT

Chairman	Cr Troy Pickard
Deputy Chairman	Cr Tracey Roberts
Councillors	Cr Nick Catania Cr Paul Collins Cr Eleni Evangel (departed meeting at 6.24pm and returned at 6.26pm) Cr John Italiano Cr Albert Jacob (departed meeting 6.26pm) Cr David Michael Cr Bob Smithson Cr Bill Stewart (departed meeting at 6.38pm and returned at 6.40pm) Cr Trevor Vaughan Cr Simon Withers
Alternate Members	Nil
Staff	Rod Constantine (Chief Executive Officer) Kylie Jeffs (Minute Clerk)
Apologies Councillors	Nil
Leave of Absence	Nil
Absent	Nil
Consultants	Nil
Apologies Represented Councils' Advisers	Nil
In Attendance	Mr Lewis Bond (City of Perth) Mr Brian Callander (Town of Victoria Park) Mr Jason Buckley (Town of Cambridge) Mr John Giorgi (Town of Vincent) Mr Garry Hunt (City of Joondalup) Mr Charles Johnson (City of Wanneroo) Mr Jason Lyon (Town of Cambridge)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The meeting was declared open at 5.53pm.

DISCLOSURE OF INTERESTS

- Cr Bill Stewart declared an interest affecting impartiality for Item 8 due to his support for Mr Rod Constantine's award of Freeman of the City of Stirling.
- Cr Troy Pickard declared an interest affecting impartiality for Item 9.5 due to his previous working relationship with one of the potential tenderers of tender number 18.121.624 1/2008.
- Cr Paul Collins declared an interest affecting impartiality for Item 9.5 as he has had business dealings with a number of the potential tenderers.
- Cr John Italiano declared an interest affecting impartiality for Item 9.5 due to his knowledge of one of the potential tenderers of tender number 18.121.624 1/2008.
- Cr Bill Stewart declared an interest affecting impartiality for Item 9.5 due to him being a Councillor of the City of Stirling when Mr Tony Vallelonga served as Mayor (Mr Vallelonga is the major shareholder of Davco Holding Pty Ltd). Davco Holding Pty Ltd was issued with a tender package attended the tender briefing session for tender number 18.121.624 1/2008.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr David Michael requested a leave of absence for the period 1 May 2008 to 28 June 2008 inclusive.

Moved Cr E Evangel, Seconded Cr J Italiano

That leave of absence from Council and other meetings be granted to Cr David Michael for the period 1 May 2008 to 28 June 2008 inclusive.

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

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 21 February 2008

Moved Cr B Stewart, Seconded Cr P Collins

That the minutes of the Ordinary Meeting of Council of 21 February 2008 be confirmed, and signed by the Chairman, as a true and correct record of proceedings, subject to an amendment in Item 12 paragraph 1 to change the words 'Business Arising from the Meeting' to 'Business Arising from the Minutes' and the words 'after General Business' to 'after Confirmation of Minutes'.

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

Special Meeting of Council – 13 March 2008

Moved Cr T Vaughan, Seconded Cr P Collins

That the minutes of the Special Meeting of Council of 13 March 2008 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

- The Chairman advised that the CEO Performance Review Committee had met to discuss the feedback from Council members on the KRA assessments previously distributed by Workplace Solutions. The feedback has also been discussed with TPRC CEO Mr R Constantine.

A report will be presented to the next meeting of Council noting satisfaction with the performance of the TPRC CEO for the assessment period of October 2006 to October 2007 and recommending salary CPI increases in accordance with contract.

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

CEO Performance Review Committee Meeting Minutes – 13 March 2008

Moved Cr B Stewart, Seconded Cr T Roberts

That the minutes of the CEO Performance Review Committee meeting of 13 March 2008 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 31 MARCH 2008

Moved Cr E Evangel, Seconded Cr A Jacob

[The Motion recommended in the agenda]

That the Business Report to 31 March 2008 be RECEIVED.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS FEBRUARY 2008 AND MARCH 2008

Moved Cr P Collins, Seconded Cr T Vaughan

[The Motion recommended in the agenda]

That the Council RECEIVE and NOTE the Statement(s) of Financial Activity for the months ending 29 February 2008 and 31 March 2008.

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS FEBRUARY 2008 AND MARCH 2008

Moved Cr B Stewart, Seconded Cr P Collins

[The Motion recommended in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for each of the months February 2008 and March 2008:

- **Month ending 29 February 2008 (Total \$100,680.14); and**
- **Month ending 31 March 2008 (Total \$42,875.95)**
- **Total Paid \$143,556.09**

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

9.4 INDICATIVE PROJECT CASH FLOW – DEVELOPMENT LOT 9504 MINDARIE

[The Motion recommended in the agenda]

- 1) That the draft project cash flow be NOTED.**
- 2) That a review of the project cash flow be UNDERTAKEN periodically and reported during the planning phase for the project at 6 monthly intervals or more often, as changed circumstances may require.**

Moved Cr P Collins, Seconded Cr J Italiano that the Motion be amended by the addition of a clause 3 to read as follows:

- 1) That the draft project cash flow be NOTED.**
- 2) That a review of the project cash flow be UNDERTAKEN periodically and reported during the planning phase for the project at 6 monthly intervals or more often, as changed circumstances may require.**
- 3) That future project cash flows be SUBMITTED to the Council as confidential items.**

Cr A Jacob retired from the meeting at 6.26pm during debate and before voting on this item.

The Amendment and Amended Motion were put and declared CARRIED (11/0).

9.5 TENDER STATUS REPORT – STRUCTURE PLANNING LOT 9504, MINDARIE

Cr T Pickard, Cr P Collins, Cr J Italiano and Cr B Stewart declared an interest affecting impartiality for item 9.5.

Moved Cr D Michael, Seconded Cr T Vaughan

[The Motion recommended in the agenda]

That the report be RECEIVED.

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

9.6 STRUCTURE PLAN EVALUATION – PART LOT 9504 MINDARIE

[The Motion recommended in the agenda]

1. **That subject to (2) the Council APPROVE the listed schedule of items for evaluation of the tenders for structure planning of Part Lot 9504 Mindarie and adjacent land.**
2. **That in lieu of Council meeting prospective appointees on 15 May 2008, the Council AWAIT completion of a recommendation by the tender evaluation panel or, alternatively, appoint a Council representative to the evaluation panel.**
3. **That an alternative evaluation timetable PROVIDE a 2-week contingency period and that, if necessary, the schedule be brought back to the Council with an alternative date for the Council to resolve the appointment of a success tenderer.**

Moved Cr P Collins, Seconded Cr J Italiano that the Motion be amended as follows:

1. **That the Council APPROVE the project schedule for evaluation of the tenders for structure planning of Part Lot 9504 Mindarie and adjacent land as shown in appendix item 9.6.**
2. **That Council INVITE all tenderers to present a PowerPoint presentation to TPRC Council on 15 May 2008 of 20 minutes with up to 10 minute question time on the same terms and directions as decided by the TPRC CEO.**
3. **That Council ENDORSE the tender evaluation panel of:**
 - **CEO Tamala Park Regional Council – R Constantine**
 - **CEO Town of Cambridge – J Buckley**
 - **CEO Town of Vincent – J Giorgi**
 - **Director of Planning City of Stirling – R Povey**
 - **Project Officer City of Perth – L Bond**

The Amendment and Amended Motion were put and declared CARRIED (11/0).

9.7 NEGOTIATIONS FOR ACQUISITION OF LAND – CORNER NEERABUP ROAD, MITCHELL FREEWAY - CLARKSON

[The Motion recommended in the agenda]

- 1) That the WAPC be FURTHER REQUESTED to proceed with an Improvement Plan for the Main Roads WA and DPI land comprising 10.8 hectares at the corner of Neerabup Road and the Mitchell Freeway at Clarkson and to NEGOTIATE the sale of the subject land to the TPRC in keeping with the tenor of the Negotiated Planning Solution between the WAPC and the owners of Lot 118 (now Lot 9504) Mindarie dated 27 September 2006.
- 2) That in the absence of a substantive response by 1 May 2008 (i.e. the closing date for submissions for structure planning) a DEPUTATION comprising the Chairman and representatives of the TPRC be ARRANGED with the WAPC to advance progress with a land transfer or some other mutually agreed solution that includes arrangements relating to shared involvement in structure planning for the Government land.
- 3) That respondents to the TPRC invitation to tender for consultancy services for structure planning be kept ADVISED of the progress of negotiations referred to in (1) and (2) above.

Moved Cr P Collins, Seconded Cr B Smithson that the Motion be amended as follows:

- 1) That the WAPC be FURTHER REQUESTED to proceed with an Improvement Plan for the Main Roads WA and DPI land comprising 10.8 hectares at the corner of Neerabup Road and the Mitchell Freeway at Clarkson and to NEGOTIATE the sale of the subject land to the TPRC in keeping with the tenor of the Negotiated Planning Solution between the WAPC and relevant agencies and Government Ministers and the owners of Lot 118 (now Lot 9504) Mindarie dated 27 September 2006.
- 2) That in the absence of a substantive response by 1 May 2008 (i.e. the closing date for submissions for structure planning) urgent DEPUTATIONS comprising the Chairman and representatives of the TPRC be ARRANGED with the WAPC to advance progress with a land transfer or some other mutually agreed solution that includes arrangements relating to shared involvement in structure planning for the Government land.
- 3) That respondents to the TPRC invitation to tender for consultancy services for structure planning be kept ADVISED of the progress of negotiations referred to in (1) and (2) above.

The Amendment and Amended Motion were put and declared CARRIED (11/0).

NB: In discussion on this item it was noted that under the agenda sub-heading 'Previous Minutes' the date '12 April 2008' should read '12 April 2007'.

9.8 NEERABUP ROAD

Moved Cr D Michael, Seconded Cr T Vaughan

[The Motion recommended in the agenda]

1. That the Council **RECEIVE** and **NOTE** the advice from MRWA in reference to the request for consideration of realignment of Neerabup Road to the southern boundary of the TPD.
2. That solutions to minimise the barrier created by Neerabup Road and other arterial roads surrounding the TPD land including potential solutions raised through the EBD process **CONTINUE** to be investigated through the structure planning.

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

9.9 WESTERN POWER – LAND ACQUISITION

[The Motion recommended in the agenda]

1. That the TPRC **NEGOTIATE** with Western Power and WAPC for the acquisition of the Main Roads WA land at the corner of Neerabup Road and the Mitchell Freeway for the following outcomes:
 - That the intent of the 2006 NPS be respected and TPRC be given priority rights in negotiation for the MRWA land at the corner of Neerabup Road and the Mitchell Freeway; and
 - That the TPRC recommend to the landowners of Lot 9504 Mindarie that a site within Lot 9504, preferably on the southern border of the land adjacent to or within land zoned POS be provided free of cost on the basis that:
 - The money saved by Western Power in acquiring a 1 hectare site for commercial value be used to underground transmission lines to the substation on the site provided free of cost.
 - That the Public Transport Authority work with the TPRC and other local planning agencies to provide such vehicle parking as is necessary in a solution that includes multi-purpose use of land.

Moved Cr P Collins, Seconded Cr T Roberts that the Motion be amended as follows:

1. That the TPRC **NEGOTIATE** with Western Power, WAPC and relevant Government Ministers for the acquisition of the Main Roads WA land at the corner of Neerabup Road and the Mitchell Freeway for the following outcomes:
 - That the intent of the 2006 NPS be respected and TPRC be given priority rights in negotiation for the MRWA land at the corner of Neerabup Road and the Mitchell Freeway; and
 - That the TPRC recommend to the landowners of Lot 9504 Mindarie that a site within Lot 9504, preferably on the southern border of the land adjacent to or within land zoned POS be provided free of cost on the basis that:
 - The money saved by Western Power in acquiring a 1 hectare site for commercial value be used to underground transmission lines to the substation on the site provided free of cost.

- That the Public Transport Authority work with the TPRC and other local planning agencies to provide such vehicle parking as is necessary in a solution that includes multi-purpose use of land.

The Amendment and Amended Motion were 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

Cr B Smithson raised a concern over the large number of kangaroos entering and leaving the Tamala Park area. The TPRC CEO is to assess the situation and make constructive recommendations as appropriate.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.40pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2008

as a true record of proceedings.

CHAIRMAN