



Ordinary Meeting of Council

Minutes

**Thursday 18 October 2018, 6:00pm
City of Vincent
244 Vincent Street, Leederville**

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

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TAMALA PARK REGIONAL COUNCIL

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jo McAllister
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Sophie Dwyer Cr Christine Hamilton-Prime
City of Perth	Commissioner Andrew Hammond	Commissioner Gaye McMath
City of Stirling	Cr Karen Caddy Cr Joe Ferrante Cr Giovanni Italiano (CHAIRMAN) Cr Bianca Sandri	Cr Suzanne Migdale
Town of Victoria Park	Cr Claire Anderson	Cr Ronhhda Potter
City of Vincent	Mayor Emma Cole	Cr Jimmy Murphy
City of Wanneroo	Cr Samantha Fenn Cr Brett Treby (DEPUTY CHAIRMAN)	Cr Russell Driver Cr Domenic Zappa

PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Claire Anderson Cr John Chester Cr Emma Cole Cr Samantha Fenn (arrived 6:11pm) Cmr Andrew Hammond Cr Nige Jones Cr Bianca Sandri Cr Brett Treby
Alternate Members	Cr Suzanne Migdale
Staff	Mr Tony Arias (Chief Executive Officer) Mr Luke Aitken (Project Coordinator) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Karen Caddy Cr Joe Ferrante Cr Andres Timmermanis
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Carl Buckley (Satterley Property Group) Mr Brenton Downing (Satterley Property Group) Ms Lauren Vidler (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr John Giorgi (Town of Cambridge) Mr Martin Mileham (City of Perth) Mr Stuart Jardine (City of Stirling) Mr Anthony Vuleta (Town of Victoria Park) Mr Daniel Simms (City of Wanneroo)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Greg Bowering (City of Stirling) Mr Emille van Heyningen (City of Wanneroo) Mr David MacLennan (City of Vincent)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chairman declared the meeting open at 6:05pm and welcomed Councillors to the Tamala Park Regional Council meeting. The Chairman welcomed Mr David MacLennan, CEO City of Vincent to the TPRC meeting.

DISCLOSURE OF INTERESTS

The Chief Executive Officer confirmed a Disclosure of Interest - Impartial Interest in relation to Item 9.13.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Caddy, Cr Ferrante and Cr Timmermanis.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 16 August 2018

Moved Cr Sandri, Seconded Cr Cole.

That the minutes of the Ordinary Meeting of Council of 16 August 2018 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

9.11 *Catalina Housing and Built Form Strategy FYE 2019 - Confidential*

9.12 *Development Manager's Key Performance Indicators – FYE 2018 - Confidential*

9.13 *CEO Performance Review 2017/2018 - Confidential*

8. REPORTS OF COMMITTEES

CEO Performance Review Committee Meeting – 5 September 2018

Cr Jones – Chairman, CEO Performance Review Committee Meeting advised that the Committee considered a report on the CEO Performance Review for 2017/2018 which had been endorsed by the Committee and was recommended for Council's endorsement.

Management Committee Meeting – 20 September 2018

Cr Treby – Chairman, Management Committee advised that the Committee considered a number of Items listed in this agenda and that there had been significant discussion on Item 9.11. He advised that he would provide further comments when the items were formally considered.

Audit Committee Meeting – 18 October 2018

In absence of the Chairman (Cr Ferrante) Cr Sandri acted as Chair for Audit Committee Meeting of 18 October 2018. Cr Sandri advised that the Committee considered a number of Items listed in this agenda and that Council's appointed Auditor (Mr Marius van der Merwe) attended the meeting and provided an overview of the Auditor's Report for FYE 2018.

Cr Fenn arrived during discussion on this Item (6:11pm).

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.13)

9.1 BUSINESS REPORT – PERIOD ENDING 10 OCTOBER 2018

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 10 October 2018.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2018

Moved Cr Migdale, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- **31 July 2018; and**
- **31 August 2018.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JULY & AUGUST 2018

Moved Cmr Hammond, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of July and August 2018:

- **Month ending 31 July 2018 (Total \$189,791)**
- **Month ending 31 August 2018 (Total \$624,668)**
- **Total Paid - \$814,459**

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

9.4 PROJECT FINANCIAL REPORT – AUGUST 2018

Moved Cr Chester, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (August 2018) submitted by the Satterley Property Group.

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 OCTOBER 2018

Moved Cr Migdale, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 10 October 2018.

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

9.6 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2017 TO 30 JUNE 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2018 and that it be INCLUDED in the Annual Report.

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

9.7 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Auditor's Report for the financial year ended 30 June 2018.**
- 2. NOTES 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 2018.**
- 3. NOTES that the Council's Auditor (Butler Settineri) met with the Audit Committee at its meeting of 18 October 2018 to discharge the statutory obligation to meet with the Local Government at least once per annum.**

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

9.8 FINANCIAL MANAGEMENT – SIGNIFICANT ACCOUNTING POLICIES REVIEW 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council APPROVES the Financial Management – Significant Accounting Policies (September 2018).

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

9.9 CATALINA DISPLAY VILLAGE STRATEGY – CATALINA BEACH SALES OFFICE

Moved Cr Migdale, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the update on the Sales Strategy of the Catalina Beach Sales Office prepared by the Satterley Property Group (dated September 2018).**
- 2. APPROVES Lot 2094 and Lot 9025 being retained in Council ownership until the completion of the Catalina Beach Sales Office function when both sites will be sold.**
- 3. REQUESTS that the Satterley Property Group undertake a review and report on the sale and lease back options by October 2020 for Council's consideration.**

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

9.10 COUNCIL MEETING SCHEDULE 2019

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

1. That the schedule of Council meetings dates be APPROVED for 2019 as follows:
 - 14 February 2019 (Town of Cambridge)
 - 18 April 2019 (City of Joondalup)
 - 20 June 2019 (City of Stirling)
 - 15 August 2019 (Town of Victoria Park)
 - 17 October 2019 (City of Vincent)
 - 5 December 2019 (City of Perth)
2. That the commencement time for Council meetings be 6:00pm.
3. That Council meetings be held on a rotational basis at participant Council premises.
4. That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:
 - 14 March 2019
 - 23 May 2019
 - 18 July 2019
 - 19 September 2019
 - 7 November 2019
5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

The Motion as amended was as follows:

1. **That the schedule of Council meetings dates be APPROVED for 2019 as follows:**
 - **18 April 2019 (City of Joondalup)**
 - **20 June 2019 (City of Stirling)**
 - **15 August 2019 (Town of Victoria Park)**
 - **17 October 2019 (City of Vincent)**
 - **5 December 2019 (City of Perth)**
2. **That the commencement time for Council meetings be 6:00pm.**
3. **That Council meetings be held on a rotational basis at participant Council premises.**
4. **That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:**
 - **14 March 2019**
 - **23 May 2019**
 - **18 July 2019**
 - **19 September 2019**
 - **7 November 2019**

5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

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

Moved Cr Sandri, Seconded Cr Treby.

That Items 9.11 to 9.13 be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2) of the *Local Government Act 1995*.

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

9.11 CATALINA HOUSING AND BUILT FORM STRATEGY FYE 2019 - CONFIDENTIAL

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Catalina Housing and Built Form Strategy (July 2018) submitted by the Satterley Property Group, for strategic guidance for the delivery of housing and built form outcomes within the Catalina Project.
2. **ADVISES** the Satterley Property Group that based on the implementation actions and measurement requirements in the Catalina Housing and Built Form Strategy that the Development Manager's Key Performance Indicator 2.9 requiring an annual review of the Housing and Built Form Strategy has been satisfied.
3. **REQUESTS** the Satterley Property Group to monitor and implement the Catalina Housing and Built Form Strategy nominated actions/strategies to ensure that a strategic position is achieved to provide the opportunity for the delivery of significant built form outcomes in FYE 2020.

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

Council's Consultants vacated the meeting.

9.12 DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS – FYE 2018 - CONFIDENTIAL

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Satterley Property Group – Key Performance Indicators 2017/2018 Report.

2. ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 by the achievement of in excess of the 80% minimum achievement requirement set out in the Development Managers Key Performance Indicators (2014), having regard to the residential market conditions and economic forces outside of the control of the Development Manager.
3. ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Managers Key Performance Indicators (2014) in the future.

The Motion lapsed due to a lack of Mover and Seconder.

Moved Cr Cole, Seconded Cr Treby.

[An alternative recommendation]

That the Council:

1. **RECEIVES the Satterley Property Group – Key Performance Indicators 2017/2018 Report.**
2. **ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 in relation to the Development Manager's Key Performance Indicators (2014). Noting that three of the six Key Performance Indicators not achieved (3.3, 4.1 and 4.3) due to residential market conditions outside of the control of the Development Manager.**
3. **ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.**
4. **Note the Development Manager's KPIs are to be reviewed by Council in early 2019 with the objective of making them more clearly defined and meaningful; quantified and measured and relevant in achieving TPRC objectives for the Catalina Project.**

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

The CEO and Councils' Officers vacated the meeting.

9.13 CEO PERFORMANCE REVIEW 2017/2018 - CONFIDENTIAL

Moved Cr Sandri, Seconded Cr Treby.

That TPRC Standing Order 10.2 be SUSPENDED to allow discussion of the Item.

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

Moved Cmr Hammond, Seconded Cr Treby.

That the Item be DEFERRED to the December meeting pending receipt of the CEO Performance Review Committee Minutes by Council.

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

Moved Cr Sandri, Seconded Cr Treby.

That Standing Order 10.2 be reinstated.

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

Moved Cr Sandri, Seconded Cr Migdale.

That the Meeting be REOPENED to the public.

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

Councils' Officers and Consultants joined the meeting.

The recommendations for Confidential Items 9.11 to 9.13 were read out as follows:

9.11 CATALINA HOUSING AND BUILT FORM STRATEGY FYE 2019 - CONFIDENTIAL

That the Council:

1. *RECEIVES the Catalina Housing and Built Form Strategy (July 2018) submitted by the Satterley Property Group, for strategic guidance for the delivery of housing and built form outcomes within the Catalina Project.*
2. *ADVISES the Satterley Property Group that based on the implementation actions and measurement requirements in the Catalina Housing and Built Form Strategy that the Development Manager's Key Performance Indicator 2.9 requiring an annual review of the Housing and Built Form Strategy has been satisfied.*
3. *REQUESTS the Satterley Property Group to monitor and implement the Catalina Housing and Built Form Strategy nominated actions/strategies to ensure that a strategic position is achieved to provide the opportunity for the delivery of significant built form outcomes in FYE 2020.*

9.12 DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS – FYE 2018 - CONFIDENTIAL

That the Council:

1. *RECEIVES the Satterley Property Group – Key Performance Indicators 2017/2018 Report.*

2. *ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 in relation to the Development Manager's Key Performance Indicators (2014). Noting that three of the six Key Performance Indicators not achieved (3.3, 4.1 and 4.3) due to residential market conditions outside of the control of the Development Manager.*
3. *ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.*
4. *Note the Development Manager's KPIs are to be reviewed by Council in early 2019 with the objective of making them more clearly defined and meaningful; quantified and measured and relevant in achieving TPRC objectives for the Catalina Project.*

9.13 CEO PERFORMANCE REVIEW 2017/2018 – **CONFIDENTIAL**

That the matter be DEFERRED to the December meeting pending receipt of the CEO Performance Review Committee Minutes by Council.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION – COUNCILLOR SUZANNE MIGDALE – ELECTED MEMBER ALLOWANCES

Moved Cr Migdale, Seconded Cr Sandri.

That TPRC Standing Order 3.9 be SUSPENDED to allow Motion 10.1 to be discussed without four days' notice.

The Motion was put and declared CARRIED (6/4).

For: Cr Anderson, Cr Cole, Cr Chester, Cr Italiano, Cr Migdale and Cr Sandri.

Against: Cr Fenn, Cmr Hammond, Cr Jones and Cr Treby.

Moved Cr Migdale, Seconded Cr Sandri.

That a report comes back to Council addressing the inequity between elected member allowances for Councillors and the sitting fees of an alternate Council member.

The Mover of the Motion agreed to withdraw.

Moved Cr Hammond, Seconded Cr Treby.

(An alternative Motion)

That the CEO prepares a report to come back to Council on elected member allowances for Councillors and the sitting fees of an alternate Council member.

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

Moved Cr Treby, Seconded Cr Sandri.

That Standing Orders be reinstated.

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

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

- 9.11 *Catalina Housing and Built Form Strategy FYE 2019 - Confidential*
- 9.12 *Development Manager's Key Performance Indicators – FYE 2018 - Confidential*
- 9.13 *CEO Performance Review 2017/2018 - Confidential*

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7:41pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2018

as a true record of proceedings.

CHAIRMAN