

**TAMALA PARK
REGIONAL COUNCIL**

Meeting of Council

AGENDA

**Thursday 16 April 2009
City of Joondalup, 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

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TAMALA PARK REGIONAL COUNCIL

Councillors of the Tamala Park Regional Council are respectfully advised that the ordinary meeting of Council will be held at the City of Joondalup, Boas Avenue, Joondalup at 5.30pm on Thursday 16 April 2009.

The business papers pertaining to the meeting follow.

Your attendance is requested.

Yours faithfully



R A CONSTANTINE
Chief Executive Officer

MEMBERSHIP

| OWNER COUNCIL | MEMBER | ALTERNATE MEMBER |
|-----------------------|--|--------------------------------------|
| Town of Cambridge | Mayor Simon Withers | |
| City of Joondalup | Cr Michele Rosano (nee John) 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.

PRELIMINARIES

PRAYER

1. OFFICIAL OPENING

DISCLOSURE OF INTERESTS

2. PUBLIC STATEMENT/QUESTION TIME

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies have been received from Cr T Roberts.

4. PETITIONS

5. CONFIRMATION OF MINUTES

Council meeting – 26 February 2009
Special Council meeting – 12 March 2009

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

Minutes of the CEO Performance Review Committee Meeting – 9 April 2009

The Committee recommends to Council:

1. That the report be **RECEIVED**.
2. That it be **RECOMMENDED** to the Council that the approach to be taken to progress the TPD into the future be based upon a core Local Government compliance and Project management staff with site development and its associated marketing and sales functions being facilitated through a partnership or alliance with a suitably qualified third party that can bring appropriate expertise to site development, project tasks and project objectives.
3. That Landcorp be **APPROACHED** to make a presentation to the Council or a Council Committee or Workshop on alliance, partnering and general contracting arrangements in use that may be appropriate for Council consideration.
4. That a Project Steering Committee be **ESTABLISHED** for the specific purpose of:
 - a. Receiving from, researching and recommending to the Council the structure and contracts required for management of the development

and its associated marketing and sales in context of the Council and project established objectives.

- b. Such other associated matters as may be referred to the Committee by the Council.
- c. That the Committee comprise no more than 7 members.

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.8)

9.1 BUSINESS REPORT – PERIOD ENDING 31 MARCH 2009

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: N/A

Recommendation

That the Business Report to 31 March 2009 be RECEIVED.

Voting Requirements

Simple Majority

Report Purpose

To advise Council of matters of interest not requiring formal resolutions.

Relevant Documents

Attachments: Feedback Report from Creating Communities Open Day
Available for viewing at the meeting: Nil

Background

The business of the Council requires adherence to many legislative provisions, policies and procedures that aim at best practice. There are also many activities that do not need to be reported formally to the Council but will be of general interest to Council members and will also be of interest to the public who may, from time to time, refer to Council minutes.

In context of the above, a Business Report provides the opportunity to advise on activities that have taken place between meetings. The report will sometimes anticipate questions that may arise out of good governance concerns by Council members.

Comment

1. Status of negotiations with Western Power

Western Power has continued discussions with TPRC and have indicated possible agreement with a site within the MRC lease. Geotechnical details for the site are still under discussion. A letter request has been sent to MRC for formal approval for use of a site adjacent to the existing power generating plant.

2. Status of negotiations with MRWA

Following receipt of valuations by TPRC and advice to Council, negotiations have recommenced with MRWA for acquisition of Lot 807 Neerabup Road for an amount of \$2M in lieu of the asking price of \$2,350,000. MRWA are seeking an assurance that a sale will proceed in the event that they agree the price reduction. TPRC is continuing to explore the viability of acquisition of the DPI land immediately to the south as the 2 parcels must be taken together in the

consideration of structure plan outcomes. The DPI land contains a number of trees considered significant in the recently completed tree survey and the viability of acquisition of the land is being examined relative to approval for mixed use development.

3. Community consultation update

Creating Communities have held a number of meetings with the objective of engaging local stakeholders in discussion about the TPRC project. Most recent meetings have been with local community associations and with the Quinns Rock Environmental Group. A feedback report from the open day held in February 2009 has been received and is attached for Council information and part of the TPRC public record.

4. Contacts with Government representatives and agencies

Contact with agencies is intensifying now that the structure plan report is being drafted. Agencies have also been approached for updates infrastructure utility provision for inclusion in project cashflow reports.

5. CSIRO

The CSIRO work aimed at options for reducing potable water to 50% of standard supplies to households is progressing. A meeting of CSIRO representatives and TPG consultants will be held in the week commencing 20 April 2009 preparatory to the preparation of the CSIRO final report and recommendations.

6. Project timetable

The structure planning work is on track for the report and plan to be provided to Council members in the second half of April 2009 to make possible a workshop on or about 30 April 2009 prior to completion of the structure plan in final form and its submission for adoption by Council on 18 June 2009.

7. Federal Environmental Issues - Carnaby's Cockatoos

City of Wanneroo has sponsored a workshop to formulate a workable outcome for developments within the northern corridor (COW). In particular, possibilities for developers contributing to a fund to facilitate rehabilitation of sites to provide alternative foraging areas and nesting habitat for land proposed for urban development. Approximately 60 persons attended the workshop. City of Wanneroo is proposing policies and options in a paper to be available in June or July 2009. The TPRC will need to refer its project for federal environmental assessment and will look to enhancing habitat for avian fauna within the adjacent Neerabup National Park, closed Mindarie landfill and the coastal conservation reserve.

8. Structure plan approval process City of Wanneroo procedural changes

The City of Wanneroo has indicated a change to structure plan submission requirements. Structure plans will now contain an outline of land uses connectivity with surrounding facilities and intent with respect to the provision of public amenities and utilities. Detailed area plans will then be prepared on a progressive basis. It is thought that this process will speed up adoption of structure plans and will allow greater flexibility to change land uses and detail

within the initial structure plan concept as a response to change in community and market demand.

9. Interim audit has been completed

An interim audit of the accounts and affairs of the TPRC since 1 July 2008 has been concluded by the TPRC appointed auditors (Marcri & Partners). No matters of concern were identified for report.

10. Community Facilities Strategy & Plan

A preliminary community facilities plan and strategy for the TPD has been prepared for discussion by Creating Communities – the community consultation consultants for the project. The strategy is currently being assessed by primary stakeholders. A copy of 1) The preliminary community facility strategy and 2) the preliminary community development plan are attached for Council information and discussion.

11. Major roads issues - MRWA

Consultants Uloth (traffic) and Tabec (civil engineering) together with TPG and the TPRC office, have compiled suggestions for improvements for access along and across major roads and around the Clarkson rail and bus precinct.

Chairman Pickard has facilitated a meeting with representatives from the Minister for Transport's office. A plan and summary letter detailing matters referred for consideration will be presented on Wednesday 15 April 2009 and copies of the documents will be available for councillors at the meeting.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF FEBRUARY 2009 AND MARCH 2009

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.401.0

Recommendation

That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 28 February 2009 and 31 March 2009.

Voting Requirements

Simple Majority

Report Purpose

Submission of the Statement(s) of Financial Activity required under the Local Government Act.

Relevant Documents

Appendix: Monthly Statement of Financial Activity for the months ending 28 February 2009 and 31 March 2009

Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Local Government Act 1995: Sect 6.4(1): Financial Report Required
- Local Government (Financial Management) Regulations 1996: Regulation 34 Composition of Report
- Local Government (Financial Management) Regulations 1996: Regulation 34 (5) Material Variance Reports [10%]
- Local Government (Audit) Regulations 1996: Regulation 14 Compliance Audit Item

Background

It is a mandatory requirement that the Council receives, reviews and records in the Regional Council's public minutes a statement of financial activity showing annual budget estimates and the figures for budget estimates, income and expenditure and variances at the end of each month. The report is also to show the composition of assets and other relevant information.

Comment

The detailed Statements contained in the Appendices reflect the budget proposals and direction adopted by the Council.

Variances at January 2009 exceeding 10% were experienced in relation to the following:

| | |
|--------------------------------|--|
| Governance Expense | There is a 14% under expenditure created through no funds being utilised for conference expenses to date. |
| Employee costs | The budget anticipated employment of a project manager from January 2009. The appointment of this additional staff member is yet to be made. |
| Insurance | Insurance premiums have increased past expectations with a consequence of an addition \$1,488 cost for the year. This will be partially offset by an anticipated credit of \$240 in respect of workers compensation premiums charged in 2007/2008. |
| Materials & Contracts Other | There is a general under expenditure through containment of budget costs and alternative methods to achieve outcomes. Accommodation expenses are in excess of budget because of arrangements for advance payments for bookings. It is expected that annual expenditure will be on target. |
| Professional consultant fees | Budget expenditures were based upon a commencement of all consultancies in June 2008 with first accounts being received from July 2008. In the event the commencement of major consultancies occurred in August 2008 and first accounts were not received until October 2008. The consultancy work is now on schedule and it is expected that expenditures will match budget provisions in March 2009. |

The information in the appendices is summarised in the tables below:

Investment Summary

TPRC invested funds at 31 January 2009 totalled \$17,652,000. The funds were all invested in top rated securities – cash at call at Westpac Bank and bank fixed term deposits.

The TPRC has not had and does not have any exposure to subprime and related securities.

The Investment Policy requires investment at a benchmark exceeding the 30 day bank bill swap rate nominal return. The graph and figures entitled 'Investment Summary' at the end of this report indicates that this benchmark has been achieved. Investment return for the 5 month period to end November 2008 is under budget on a cash basis as funds matured in October have been reinvested for longer than normal periods in consideration of the decline in official interest rates and the expectation of further reductions.

The overall revenue from interest from investments will be less than budget if interest rates remain at current or reduced levels. The budget for the year anticipated average investment interest between 7% - 7.3% over the year. The current investment rate is in the region of 4% and the impact over the whole of the financial year could be as much as \$200,000.

Financial Snapshot as at 28 February 2009

| | Jul '08 - Feb 09 | YTD Budget | \$ Over + (- under) Budget | % of Budget | Annual Budget |
|------------------------------|--------------------|----------------------|----------------------------------|----------------|----------------------|
| Revenue | | | | | |
| Interest Earnings | 705,268.90 | 754,151.00 | -(48,882) | 93.52% | 1,053,095.00 |
| Other Revenue | 680.49 | | 680.49 | | |
| Total Revenue | 705,949.39 | 754,151.00 | -(48,202) | 93.61% | 1,053,095.00 |
| Expenses | | | | | |
| Depreciation | 0.00 | -2.00 | -(2) | 0.0% | -4,502.00 |
| Employee Costs | -148,459.69 | -206,233.00 | -(57,773) | 71.99% | -328,414.00 |
| Insurance | -5,738.50 | -4,250.00 | 1,489 | 135.02% | -4,250.00 |
| Materials & Contracts MTC | -527.27 | -700.00 | -(173) | 75.32% | -2,700.00 |
| Materials & Contracts Other | -11,463.38 | -72,657.00 | -(61,194) | 15.78% | -93,348.00 |
| Other | -76,366.17 | -81,375.00 | -(5,009) | 93.85% | -114,000.00 |
| Professional/Consultant Fees | -238,218.36 | -756,118.00 | -(517,900) | 31.51% | -1,047,200.00 |
| Total Expenses | -480,773.37 | -1,121,335.00 | -(640,562) | 42.88% | -1,594,414.00 |
| Unclassified | 0.00 | 0.00 | (0) | 0.0% | 0.00 |
| TOTAL Feb 2009 | 225,176.02 | -367,184.00 | -(592,360) | -61.33% | -541,319.00 |

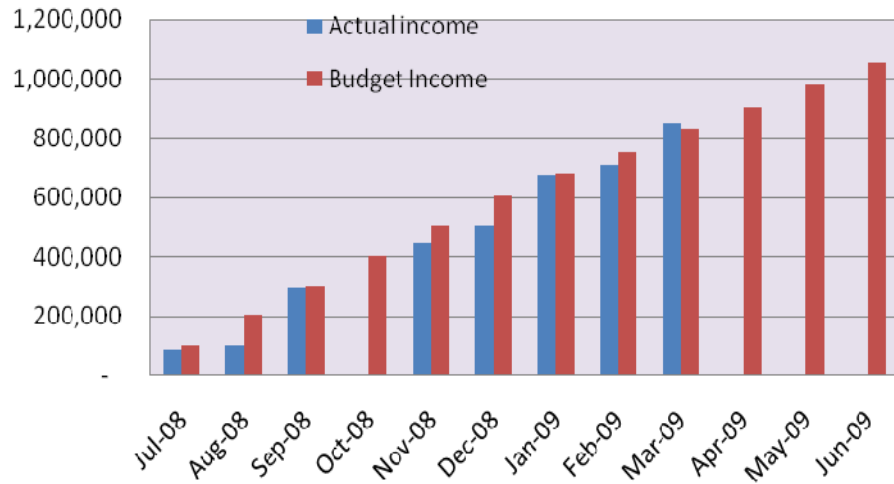
Financial Snapshot as at 31 March 2009

| | Jul '08 - Mar 09 | YTD Budget | \$ Over+(- under)Budget | % of Budget | Annual Budget |
|------------------------------|--------------------|----------------------|----------------------------|----------------|----------------------|
| Revenue | | | | | |
| Interest Earnings | 846,774.51 | 829,272.00 | 17,502.51 | 102.11% | 1,053,095.00 |
| Other Revenue | 920.50 | | | | |
| Total Revenue | 847,695.01 | 829,272.00 | 18,423.01 | 102.22% | 1,053,095.00 |
| Expenses | | | | | |
| Depreciation | 0.00 | -2.00 | -2.00 | 0.0% | -4,502.00 |
| Employee Costs | -165,037.23 | -235,279.00 | -70,241.77 | 70.15% | -328,414.00 |
| Insurance | -5,498.50 | -4,250.00 | 1,248.50 | 129.38% | -4,250.00 |
| Materials & Contracts MTC | -527.27 | -700.00 | -172.73 | 75.32% | -2,700.00 |
| Materials & Contracts Other | -19,889.67 | -78,665.00 | -58,775.33 | 25.28% | -93,348.00 |
| Other | -76,366.17 | -85,375.00 | -9,008.83 | 89.45% | -114,000.00 |
| Professional/Consultant Fees | -416,122.52 | -801,005.00 | -384,882.48 | 51.95% | -1,047,200.00 |
| Total Expenses | -683,441.36 | -1,205,276.00 | -521,834.64 | 56.7% | -1,594,414.00 |
| Unclassified | 0.00 | 0.00 | 0.00 | 0.0% | 0.00 |
| TOTAL | 164,253.65 | -376,004.00 | -540,257.65 | -43.68% | -541,319.00 |

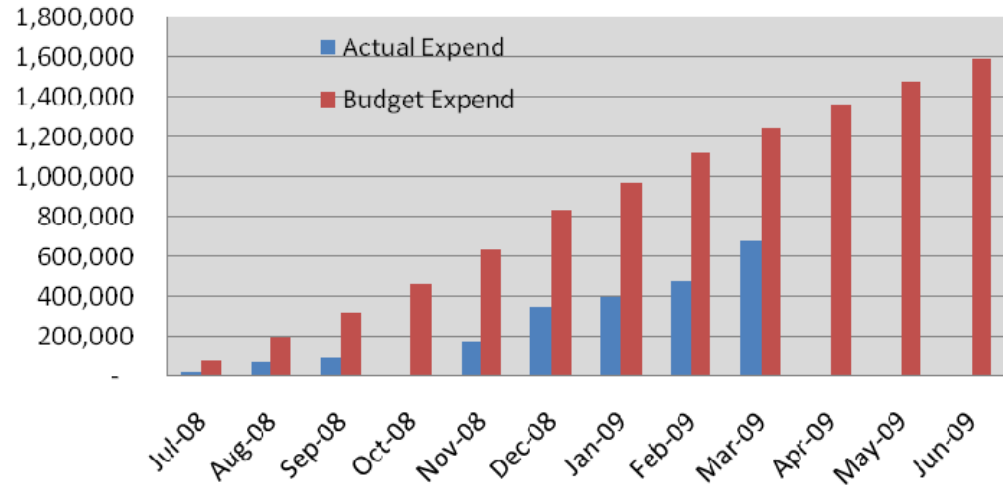
Balance Sheet Summary as at 31 March 2009

| Balance Sheet Summary | Jun-08 | Dec-08 | Jan-09 | Feb-09 | Mar-09 |
|-----------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Cash At bank | 17,300,798 | 17,585,972 | 17,656,075 | 17,578,898 | 17,512,401 |
| Accounts receivable | 79,435 | 404 | 404 | 404 | 96 |
| Other Current Assets | 1,030 | 1,030 | 1,030 | 1,030 | 1,030 |
| Total Current assets | 17,381,263 | 17,587,406 | 17,657,509 | 17,580,332 | 17,513,335 |
| Fixed Assets | 17,414 | 17,414 | 17,414 | 17,414 | 17,414 |
| Total Assets | 17,398,677 | 17,604,820 | 17,674,923 | 17,597,746 | 17,530,750 |
| Less Current Liabilities | 42,012 | 99,574 | 45,466 | 15,905 | 9,831 |
| Net Assets | 17,356,665 | 17,505,247 | 17,629,458 | 17,581,841 | 17,520,919 |

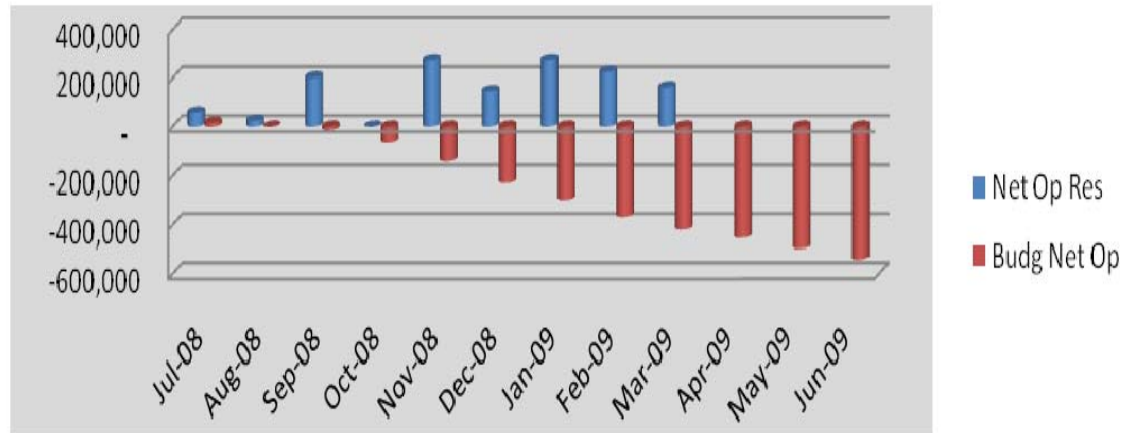
YTD Income V Budget by Month



YTD Exp V Budget by Mnth



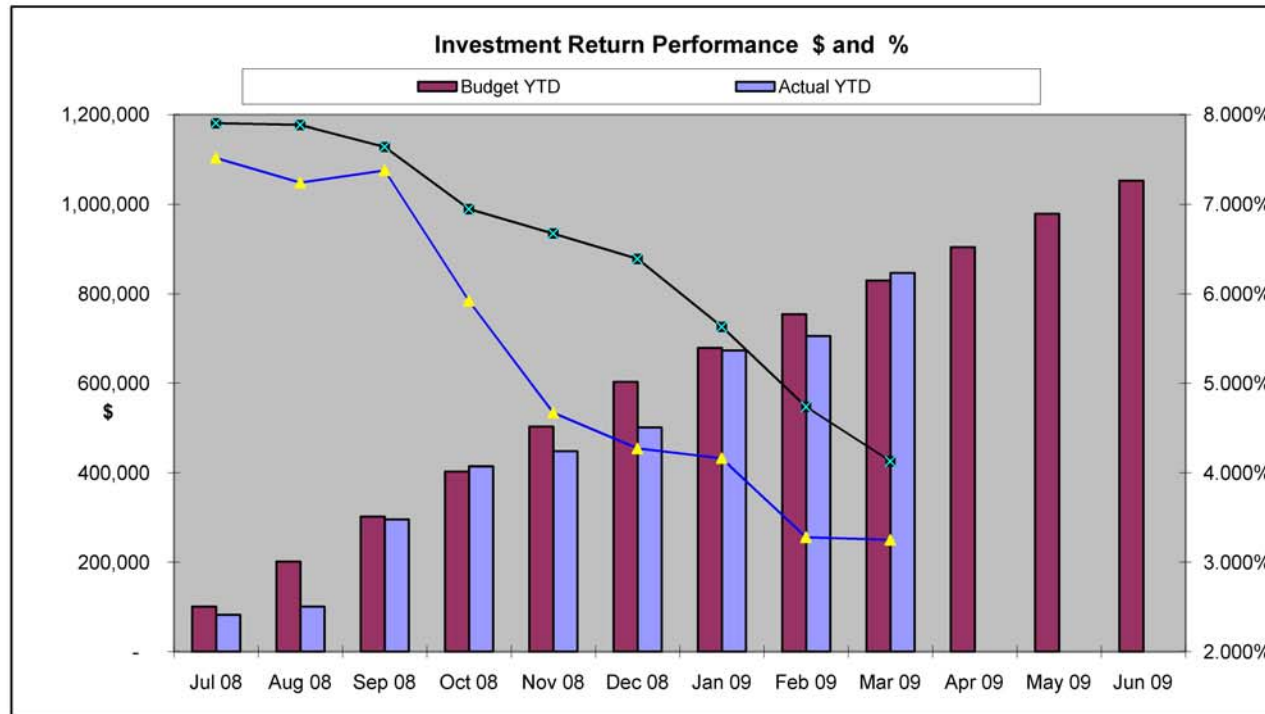
YTD Net Operating V YTD Net Operating



Agenda TPRC Meeting of Council – 16 April 2009

Tamala Park Regional Council
Investment Summary July 2008 through March 2009

| | Jul 08 | Aug 08 | Sep 08 | Oct 08 | Nov 08 | Dec 08 | Jan 09 | Feb 09 | Mar 09 | Apr 09 | May 09 | Jun 09 |
|---|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------|---------|-----------|
| Budget I032030 · Interest on Investment | 100,637 | 100,731 | 100,634 | 100,558 | 100,285 | 99,810 | 75,947 | 75,549 | 75,121 | 74,822 | 74,619 | 74,382 |
| Actual I032030 · Interest on Investment | 82,280 | 18,495 | 194,674 | 118,401 | 34,107 | 53,146 | 171,951 | 32,216 | 141,505.61 | | | |
| Budget YTD | 100,637 | 201,368 | 302,002 | 402,560 | 502,845 | 602,655 | 678,602 | 754,151 | 829,272 | 904,094 | 978,713 | 1,053,095 |
| Actual YTD | 82,280 | 100,775 | 295,449 | 413,850 | 447,956 | 501,102 | 673,053 | 705,269 | 846,775 | | | |
| Invested Funds | | | | | | | | | | | | |
| A(-1+) A01102 · At Call | 25,685 | 123,847 | 286,727 | 274,991 | 199,491 | 91,317 | 3,382 | 112,410 | 129,312 | | | |
| A(-1+) A01106 · Fixed Term Deposits | 17,413,755 | 17,273,512 | 17,292,043 | 17,408,980 | 17,442,138 | 17,480,700 | 17,652,586 | 17,464,690 | 17,382,580 | | | |
| Actual Invest 08-09 | 17,439,440 | 17,397,359 | 17,578,770 | 17,683,971 | 17,641,629 | 17,572,017 | 17,655,968 | 17,577,101 | 17,511,891 | | | |
| Benchmark Return 30 d bbsr(bbsw) | 7.518% | 7.242% | 7.380% | 5.920% | 4.670% | 4.270% | 4.160% | 3.280% | 3.250% | | | |
| Benchmark Return 60 d bbsr(bbsw) | 7.628% | 7.230% | 7.352% | 5.750% | 4.650% | 4.300% | 4.250% | 3.350% | 3.350% | | | |
| Average Return | 7.904% | 7.885% | 7.642% | 6.947% | 6.674% | 6.390% | 5.630% | 4.736% | 4.128% | 0.000% | 0.000% | 0.000% |



9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF FEBRUARY 2009 AND MARCH 2009

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.401.0

Recommendation

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the month of February 2009 and March 2009:

- **Month ending 28 February 2009 (Total \$109,392.98)**
- **Month ending 31 March 2009 (Total \$219,690.56)**
- **Total Paid \$329,083.54**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 28 February 2009 and 30 March 2009.

Relevant Documents

Appendix: Cheque Detail for Months Ending 28 February 2009 and 31 March 2009
Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Local Government Act 1995: Sect 5.42 - Delegation given for Payments
- Local Government (Financial Management) Regulations 1996: Regulation 13(1) - Monthly Payment list required
- Local Government (Audit) Regulations 1996: Regulation 13 - Compliance Audit Item

Background

A list of accounts paid under delegation or submitted for authorisation for payment is to be submitted to the Council at each meeting.

It is a specific requirement of Regulations that list state the month (not the period) for which the account payments or authorisation relates.

Comment

Payments made are in accordance with authorisations by Council, budget procurement and other Policies.

Payments are subject of review by TPRC Accountants Haines Norton following

completion of each months accounts.

There have been no unusual payment in the periods under review that warrant specific comment.

**Summary Payment List
February 2009**

**Tamala Park Regional Council
Summary Payment List**

| Date | Name | February 2009 Description | Amount |
|------------|----------------------------------|--|--------------------|
| 03/02/2009 | Westpac | Bank fees for cheque account for February 2 | -21.50 |
| 05/02/2009 | WALGSP | Superannuation payment for period 15/1/09 to | -3,867.07 |
| 05/02/2009 | Haines Norton | Accounting services for Nov 2008, Dec 2008 | -1,980.00 |
| 05/02/2009 | TPG Town Planning & Urban Design | Liaison with TPRC; prep of PCG minutes and | -21,700.53 |
| 05/02/2009 | Collins, Paul | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | John, Michele | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Michael, David | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Pickard, Troy | Nov/Dec/Jan Payment | -5,000.00 |
| 05/02/2009 | Roberts, Tracey | Nov/Dec/Jan Payment | -2,125.00 |
| 05/02/2009 | Smithson, Bob | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Vaughan, Trevor | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Withers, Simon | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Evangel, Eleni | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Italiano, John | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Stewart, Bill | Nov/Dec/Jan Payment | -1,750.00 |
| 05/02/2009 | Catania, Nick | Nov/Dec/Jan Payment | -1,750.00 |
| 12/02/2009 | Telstra | Telephones & Faxes - usage charges to 27 Ja | -118.14 |
| 12/02/2009 | WALGA | Superannuation contribution | -652.16 |
| 12/02/2009 | Kylie Jeffs | Wages for period 29/1/09 to 11/2/09 | -1,169.68 |
| 12/02/2009 | Rod A Constantine | Wages for period 29/1/09 to 11/2/09 | -2,328.02 |
| 12/02/2009 | WALGSP | Superannuation contributions for period 29/1 | -3,867.07 |
| 12/02/2009 | R A Constantine | Reimbursement for Seagate FreeAgent 320G | -181.87 |
| 26/02/2009 | Kylie Jeffs | Wages for period 12/2/09 to 25/2/09 | -1,169.68 |
| 26/02/2009 | Rod A Constantine | Wages for period 12/2/09 to 25/2/09 | -2,328.02 |
| 26/02/2009 | WALGSP | Superannuation payment for period 12/25/2/0 | -3,867.07 |
| 26/02/2009 | Amcom | ADSL direct 512k/512k for period 1/3/09 to 1/4 | -79.00 |
| 26/02/2009 | City of Stirling | Internet Provider Costs - content filtering, fir | -110.00 |
| 26/02/2009 | Kyocera Mita | Photocopying - black/white & colour copies f | -30.53 |
| 26/02/2009 | R A Constantine | Reimbursement for Sony stereo IC recorder i | -246.99 |
| 26/02/2009 | Syrinx | Tamala Park DRF and Priority Flora and Faur | -40,976.65 |
| 26/02/2009 | City of Stirling | Hire of R1 SCC for PCG meeting 17 march 20 | -74.00 |
| | | Total | -109,392.98 |

**Summary Payment List
March 2009**

**Tamala Park Regional Council
Summary Payment List**

| Date | Name | Description | Amount |
|------------|-----------------------------|--|--------------------|
| 01/03/2009 | Westpac Bank | Bank fees for cheque account for March 2009 | -24.75 |
| 12/03/2009 | Kylie Jeffs | | -1,169.68 |
| 12/03/2009 | Rod A Constantine | | -2,328.02 |
| 12/03/2009 | WALGSP | Superannuation contribution 26/2/09 to 11/3/09 | -3,867.07 |
| 12/03/2009 | City of Stirling | E145025 · Other Accom & Property Costs - Rental of MR1 | -74.00 |
| 12/03/2009 | City of Stirling | Rental of MR1 SCC for CEO Group meeting 9 April 2009 & | -148.00 |
| 12/03/2009 | TPG Town Planning & Urban C | Liaise with TPRC, project team, review public consultatio | -110,026.40 |
| 19/03/2009 | Telstra | Office Telephones & Faxes - usage charges to 27/2/09 | -151.04 |
| 26/03/2009 | Kylie Jeffs | | -1,169.68 |
| 26/03/2009 | Rod A Constantine | | -2,328.02 |
| 30/03/2009 | WALGSP | Superannuation payment for period 12/3/09 to 25/3/09 | -3,867.07 |
| 30/03/2009 | Amcom | Internet Provider Costs - ADSL direct for period 1/4/09 to | -79.00 |
| 30/03/2009 | CSIRO | Consultancy - Tamala Park Urban Development Water Us | -7,200.00 |
| 30/03/2009 | Haines Norton | TAM801 | -330.00 |
| 30/03/2009 | Kyocera Mita | Photocopying - colour and b/w copies for period 28/1/09 t | -164.21 |
| 30/03/2009 | Landgate | Plans - valuation Lot 807 Neerabup Road, Clarkson & Par | -7,040.00 |
| 30/03/2009 | Stardata | Office Telephones & Faxes - Technician services to inves | -396.00 |
| 30/03/2009 | Syrinx | TP DRF and Priority Flora & Fauna Survey | -11,640.20 |
| 30/03/2009 | TPG Town Planning & Urban C | TPG Direct Component - liaison with TPRC; prep and atte | -66,497.98 |
| 30/03/2009 | City of Stirling | Rental and electricity of MR3 SCC for period 1/2/09 to 28/ | -377.60 |
| 30/03/2009 | City of Stirling | Rental & Electricity R3 Scarborough Civic Centre for peric | -396.48 |
| 30/03/2009 | City of Stirling | Rental & Electricity R3 Scarborough Civic Centre for peric | -415.36 |
| | | Total March 2009 | -219,690.56 |

9.4 PROGRESS REPORT STRUCTURE PLAN

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

1. That the plan and table of land uses provided be **AGREED** as the basis for preparation of the draft structure plan report to be considered by the Council on or about 30 April 2009 preparatory to receipt of the proposed structure plan for adoption by the Council on 18 June 2009.
2. That the report regarding action taken for environmental assessment of land west of Marmion Avenue be **NOTED**.
3. That it be **NOTED** that civil engineering design work and costings have been commissioned from Tabec as a variation of the TPG contract. The amount of variation is the fixed sum of \$15,000.

Voting Requirements

Simple Majority

Report Purpose

To advise specific actions taken as a result of discussion and requests in relation to structure plan progress at the 26 February 2009 Council meeting.

Relevant Documents

Appendix: Yield Plan
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Ordinary Council Meeting – 26 February 2009 (Item 9.4 - Structure Plan Options – Presentation of Options by Consultants following 29 January 2009 Workshop)

Background

At the 26 February 2009 Council meeting an update on structure planning was received.

The Council requested that further work be undertaken with respect to the provision of open space and open space design.

From the previous meeting, it was also requested that research be undertaken on the impact of maintaining natural contours, particularly in reference to the western portion of the TPD land because of the impact that severe contours have on road design and construction, water harvesting, capital costs for building construction and for the area requirements of steeply contoured lots.

A further issue listed for clarification was the extent of environmental assessment that may be necessary for the western portion of the TPD.

Comment

Relative to the 3 issues listed, the following summary outlines actions taken:

1. There has been a redesign of land uses. The plan shown as Appendix 9.4 represents the current design following guidelines suggested by the Council.

The land allocation metrics are as follows:

| | WEST | CENTRAL | EAST | TOTAL | TOTAL% |
|-----------------------|------------------|-------------------|------------------|--------------|-----------------------|
| Total Area | 32.54 | 97.9929 | 49.4464 | | 100% |
| Development | 22 | 48 | 30 | 100 | 56% |
| Open Space | 1.7812 | 27.4 | 5.42 | 34.6012 | 19% |
| Roads | 9 | 19 | 14 | 42 | 23% |
| School | | 4 | | 4 | 2% |
| Low Density Cent Nth | 14.8 | 15.45 | 0 | | |
| Low Density Cent Sth | | 12.45 | | 42.7 | |
| Med Density | 6.6 | 8.02 | 20.9 | | |
| Med Density(Cent Sth) | | 4.42 | | 39.94 | |
| Mixed use Nth | | 3.35 | 8.1 | | |
| Mixed use Sth | | 1.3 | | 12.75 | |
| Business Nth | | 2.34 | | | |
| Business Sth | | 0 | | 2.34 | |
| Node | 0.4 | 0.55 | 0.9 | 1.85 | |
| Total Lots | 469.33333 | 1077.33333 | 972.66667 | 99.58 | 2519.3333 lots |

The Council had indicated a target of 20% POS should be attempted. The plan currently responds to this request showing 19% POS.

Based upon the land use allocations shown on the plan a total of 2,519 lots would be provided.

TPG are now preparing the draft structure plan report based upon the plan and land use allocations shown in the table above.

2. With respect to environmental assessment for land west of Marmion Avenue, a meeting was arranged with the Department of Environment & Conservation to ascertain the status of the undertakings given in the NPS made with respect to the whole of the TPD land with WAPC in November 2006. The meeting also sought to obtain feedback on the preferred parceling of land to be conserved for environmental purposes and for information on environmental assessments required for lifting of the deferred urban zoning for part of the TPD land and likely requirements of Federal agencies with respect to protected flora and fauna

falling within the particular interest of the Federal Department of Environment & Conservation.

The NPS 2006 provided that only 5% POS would be required west of Marmion Avenue in consideration of the transfer of 90 hectares of land west of Marmion Avenue to the Crown and the juxtaposition of the coastal conservation reserve to the TPD land. The NPS further provided that there would be no environmental assessment required on the land west of Marmion Avenue which is already zoned for residential purposes.

3. The meeting was held on 17 March 2009 and was attended by the Chairman, the CEO and representative consultants from the TPG group.
4. The meeting was followed immediately by a PCG meeting where the environmental issues arising were also discussed with representatives of the City of Wanneroo.
5. In summary, the responses from the DEC and COW suggest:
 - Connected corridors of open space are preferred small pocket parks;
 - Pocket parks have a lesser protective value for flora and fauna and are problematic for cost and physical maintenance;
 - DEC suggested that notwithstanding the provisions of the NPS it would be desirable that a survey concentrating on declared and protected flora would be advantageous and that additional survey information over a wider area of public open space land would be advantageous in assessing retention requirements within the TPD land.

Based upon the advice given, Syrinx have been requested to undertake a site survey of the land now owned and land previously owned by the TPRC west of Marmion Avenue. The cost of the survey will be \$21,000. The necessary orders for work have been issued. Syrinx have commenced survey work.

6. The study to gauge infrastructure impacts and impacts on building costs for lots in steep contour areas has been commissioned from Tabec. The substance of the commission is as follows:

Provide a 3D model and CAD drawing of the site and develop preliminary road designs and earthworks/level drawings; main boulevard through Tamala Park site to be designed to suit universal access requirements; consider the interface with the future Neerabup Road, Connolly Drive and Marmion Avenue; provide cross sections across the site (number to be agreed); provide engineering requirements and costs for a standard benching lot production model and a modified model with minimum contouring to optimize lot character, provision of infrastructure and facility for pedestrian and bicycle movement; provide a preliminary cost estimate comparing the cost of the 2 options; develop a preferred option which enhances benefits of both forms of design within the subject site area; discussion regarding mixed uses and other landform uses.

A lump sum price of \$15,000 has been agreed for this work. A preliminary report has been requested in advance of the Council meeting to be held on 16 April 2009.

9.5 STRUCTURE PLAN – CONSULTANTS REPORT FOR THE PERIOD ENDING 9 APRIL 2009

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

1. That the report from TPG on consultant activity relative to structure planning for the period ending 9 April 2009 be RECEIVED.
2. That the Council NOTE that work to end of March 2009 is in accordance with the time program and project phases listed for the TPD structure planning project.

Voting Requirements

Simple Majority

Report Purpose

To provide the Council with an update of consultant activity relative to the TPD structure plan program.

Relevant Documents

Appendix: Updated Gantt chart showing project progress to date
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Ordinary meeting of Council – 4 December 2008 (Item 9.6 – Structure Plan Consultants Report for the Period Ending 26 November 2008)
Ordinary meeting of Council – 26 February 2009 (Item 9.8 - Structure Plan Consultants Report for the Period Ending 18 February 2009)

Background

The contract for structure planning required a periodic report for Council information on progress with each stage of structure plan activity. The consultants have scheduled reports to coincide with Council meetings.

Comment

Following the Council meeting on 26 February 2009 and the Special Council meeting on 12 March 2009 the structure plan has been reviewed to achieve the outcomes requested from those meetings.

Item 9.4 of this agenda provides metrics and a plan supporting the current proposed land uses.

Additional work has been commissioned from Syrinx to ensure that all of the reports necessary to support the structure plan and to ensure no delays in the assessment of proposals by the DEC. The work includes a flora survey of part of the TPD land west of Marmion Avenue.

Tabec civil engineers have been asked to undertake specific work to examine the implications of modifying the existing topography to optimize road and lot design and to ensure workable contours for pedestrian and cycle movement through the estate. The Tabec work will examine the costs of modifying contours against the costs to provide infrastructure within existing contours and costs that will be incurred by landholders for building construction if existing type contours predominantly in the western cell, are retained.

The Tabec work has been requested by 16 April 2009 to enable discussion of options by the Council. The volume of work involved is considerable and has not been possible to have it completed for issue with this agenda.

The schedule of consultant expenditures attached includes all of the additional commissions for consultant work. The overall budget has increased by \$34,297.

SUMMARY REPORT OF ACTIVITY FROM CONSULTANTS

AS AT 9 APRIL 2009

The following summary provides a description of the works undertaken to date in relation to the Tamala Park Structure Planning Project. The summary addresses the following stages of the project:

- Stage 4 – Preparation of Structure Plan Options Phase;
- Stage 5 – Preliminary Client and Stakeholder Consultation Phase; and
- Stage 6 – Develop Preferred Structure Plan Option.

TPG TOWN PLANNING AND URBAN DESIGN (PLANNING/URBAN DESIGN)

- Stages 1 to 3 of the project have been completed.
- Further structure plan options have been developed and were referred to a Tamala Park Regional Council (TPRC) workshop on the 12 March 2009 at the Town of Cambridge. Feedback has now been received and incorporated into a preferred structure plan layout. The preferred structure plan layout may still change pending further feedback on environmental constraints from Syrinx Environmental, terrain response from TABEC and responses on overcoming various traffic/transport constraints.
- Development of estimated yields in relation to the preferred structure plan configuration.
- Attendance at Project Control Group meetings on 17 March 2009 and meeting scheduled for 14 April 2009.
- Attendance at meeting with Department of Environment and Conservation (DEC) with TPRC CEO and Chairman with Syrinx Environmental on 17 March 2009 to discuss approach to resolution of environmental issues and what the DEC expects in this regard.
- Attendance at meeting with TPRC CEO at TABEC on 20 March 2009 to discuss additional work relating to preliminary civil design for preferred structure plan layout to identify degree of cut and fill or alternative development options that could be applied to minimise terrain interference.
- Attendance at meeting with TPRC CEO, TABEC and Uloth and Associates on 27 March 2009 to discuss approach to resolution of transport and other issues associated with the structure plan prior to meeting with the Minister for Transport representatives.
- Preparation of correspondence to be provided to the Minister for Transport at a meeting on the 15 April 2009 raising various transport related matters for discussion including freeway off ramp, public transport and pedestrian access crossing points on Marmion Avenue, Connolly Drive and Neerabup Road, treatments of Neerabup Road and Connolly Drive.

- Attendance at meeting at City of Wanneroo with TPRC CEO and Syrinx Environmental on 1 April 2009 to discuss expectations for the content of the structure plan and process that will be followed once the structure plan is formally lodged.
- Ongoing revision of public consultation process and program in consultation with TPG in order to maintain project timeframe, including meeting with Creating Communities on 2 April 2009 to synchronise ongoing community consultation with structure planning process.
- Attendance at PPWG meetings on 16 February 2009 and 23 March 2009 and Community Open Day at Ocean Keys Shopping Centre on 21 February 2009 with Creating Communities.
- Attendance at meeting with Quinns Rock Environmental Group with Creating Communities and Syrinx on 2 April 2009.
- Commencement of preparation of structure plan documentation in consultation with Syrinx.
- Liaison with TPRC and subconsultant team members as required in respect to project requirements and preparation of relevant documentation.

SYRINX ENVIRONMENTAL (ENVIRONMENTAL/SUSTAINABILITY)

- Attendance at Tamala Park Regional Council (TPRC) workshop on the 12 March 2009 at the Town of Cambridge on structure plan options.
- Attendance at meeting with Department of Environment and Conservation (DEC) with TPRC CEO and Chairman and TPG 17 March 2009 to discuss approach to resolution of environmental issues and what the DEC expects in this regard.
- Attendance at meeting at City of Wanneroo with TPRC CEO and TPG on 1 April 2009 to discuss expectations for the content of the structure plan and process that will be followed once the structure plan is formally lodged.
- Commencement of preparation of structure plan documentation in consultation with TPG.
- Attendance at Project Control Group meeting on 17 March 2009.
- Ongoing provision of advice to TPG in relation to environmental constraints and sustainability initiatives to inform the preparation of the additional structure plan options and preferred structure plan.

- Ongoing review of draft sustainability matrix for project and associated revisions as project progresses.
- Additional environmental investigations including site vegetation survey for western cell and interpretation as required.

CREATING COMMUNITIES (PUBLIC CONSULTATION/COMMUNITY NEEDS ASSESSMENT)

- Ongoing revision of public consultation process and program in consultation with TPG in order to maintain project timeframe, including meeting with TPG on 2 April 2009 to synchronise ongoing community consultation with structure planning process.
- Facilitation of two PPWG meetings on 16 February 2009 and 23 March 2009.
- Organisation and attendance at Community Open Day held at Ocean Keys Shopping Centre on 21 February 2009.
- Meeting with the Community Development Manager, City of Wanneroo, on 3 March 2009 to talk about the Community Development Plan strategies.
- Facilitation of meeting with Quinns Rock Environmental Group in Clarkson on 2 April 2009.
- Community Development and Facilities Plans provided to TPG in draft form for feedback from the TPRC.

TABEC (CIVIL ENGINEERING AND SERVICING)

- Preliminary report completed relating to the provision of services and infrastructure.
- Attendance at meeting with TPRC CEO and TPG on 20 March 2009 to discuss additional work relating to preliminary civil design for preferred structure plan layout to identify degree of cut and fill or alternative development options that could be applied to minimise terrain interference.
- Attendance at meeting with TPRC CEO, Uloth and Associates and TPG on 27 March 2009 to discuss approach to resolution of transport and other issues associated with the structure plan prior to meeting with the Minister for Transport representatives.
- Assistance with preparation of correspondence to be provided to the Minister for Transport at a meeting on the 15 April 2009 raising various transport related matters for discussion including freeway off ramp, public transport and pedestrian access crossing points on Marmion Avenue, Connolly Drive and Neerabup Road, and treatments of Neerabup Road and Connolly Drive.

- Commencement of preparation of preliminary civil design for preferred structure plan configuration.
- Commencement of discussions with Transperth/PTA regarding bus/train interchange and potential for bus routes through the subject development.

ULOTH AND ASSOCIATES (TRAFFIC)

- Attendance at meeting with TPRC CEO, TABEC and TPG on 27 March 2009 to discuss approach to resolution of transport and other issues associated with the structure plan prior to meeting with the Minister for Transport representatives.
- Assistance with preparation of correspondence to be provided to the Minister for Transport at a meeting on the 15 April 2009 raising various transport related matters for discussion including freeway off ramp, public transport and pedestrian access crossing points on Marmion Avenue, Connolly Drive and Neerabup Road, and treatments of Neerabup Road and Connolly Drive.
- Provision of ongoing advice to TPG on regional road and infrastructure planning focussing on issues associated with the Neerabup Road/ Freeway interchange and potential treatments for Neerabup Road and Conolly Drive to facilitate appropriate development forms.
- Commencement of preparation of traffic model for preferred structure plan configuration.

PRACSYS ECONOMIC CONSULTANTS (COMMERCIAL/RETAIL/EMPLOYMENT)

- Ongoing liaison with TPG in respect to required input into structure plan, in particular location and composition of centres, and economic viability of land uses within the development.
- Completion of the spatial Economic Activation and Precinct Study for Tamala Park (Stage 4).
- Completion of a benchmarking study comparing the characteristics of Neerabup Road (existing and future) with Perth Metropolitan benchmarks.
- Initiation of review of retail floor space requirements based upon updated yields provided by TPG.

DOUGLAS PARTNERS (GEOTECHNICAL)

- Detailed geotechnical report, setting out the data recovered during investigations and providing conclusions and recommendations completed and provided.

**Tamala Park Regional Council
Consultant Expense Summary
July 2008 through March 2009**

| Expense | Jul '08 - Mar 09 | Budget | \$ Over Budget | % of Budget | Annual Budget |
|--|---------------------------|---------------------------|--------------------------|----------------------|-----------------------------|
| E14 · OTHER PROPERTY & SERVICES. | | | | | |
| E145 · Administration | | | | | |
| E145079 · Consultancy | | | | | |
| E145400 · Structure Planning TPG Main | | | | | |
| E145401 · TPG Direct Component | 100,999.42 | 124,530.00 | -23,530.58 | 81.1% | 158,478.00 |
| E145405 · TPG Syrinx Component | 113,615.00 | 92,567.00 | 21,048.00 | 122.74% | 99,346.00 |
| E145406 · TPG Creating Communit Component | 86,081.60 | 113,696.00 | -27,614.40 | 75.71% | 124,032.00 |
| E145407 · TPG Douglas Partners Component | 42,145.45 | 54,999.00 | -12,853.55 | 76.63% | 54,999.00 |
| E145408 · TPG Tabec Component | 9,095.28 | 9,620.00 | -524.72 | 94.55% | 9,620.00 |
| E145409 · TPG Uloth & Assoc Component | 7,893.09 | 48,860.00 | -40,966.91 | 16.16% | 48,860.00 |
| E145410 · TPG Pracsys Econ Component | 23,282.73 | 32,745.00 | -9,462.27 | 71.1% | 35,445.00 |
| E145411 · TPG _Tabec Varn_LotContourAnaly | 0.00 | 0.00 | 0.00 | 0.0% | 15,000.00 |
| Total E145400 · Structure Planning TPG Main | <u>383,112.57</u> | <u>477,017.00</u> | <u>-93,904.43</u> | <u>80.31%</u> | <u>545,780.00</u> |
| E145430 · Other Struct_PI Consultancies | | | | | |
| E145431 · CSIRO - Water Balance Design | 6,545.45 | 22,131.00 | -15,585.55 | 29.58% | 72,131.00 |
| E145432 · Syrinx Env- Flora Fauna Study | 10,582.00 | 30,288.00 | -19,706.00 | 34.94% | 50,288.00 |
| E145433 · Env Mgmt Rept - St Plan-992/33 | 0.00 | 0.00 | 0.00 | 0.0% | 23,199.00 |
| E145434 · Syrinx Env_Flora Targ Surv West | 0.00 | 0.00 | 0.00 | 0.0% | 19,297.00 |
| E145430 · Other Struct_PI Consultancies - Other | 0.00 | 239,569.00 | -239,569.00 | 0.0% | 294,305.00 |
| Total E145430 · Other Struct_PI Consultancies | <u>17,127.45</u> | <u>291,988.00</u> | <u>-274,860.55</u> | <u>5.87%</u> | <u>459,220.00</u> |
| E145079 · Consultancy - Other | 0.00 | 0.00 | 0.00 | 0.0% | 0.00 |
| Total E145079 · Consultancy | <u>400,240.02</u> | <u>769,005.00</u> | <u>-368,764.98</u> | <u>52.05%</u> | <u>1,005,000.00</u> |
| Total E145 · Administration | <u>400,240.02</u> | <u>769,005.00</u> | <u>-368,764.98</u> | <u>52.05%</u> | <u>1,005,000.00</u> |
| Total E14 · OTHER PROPERTY & SERVICES. | <u>400,240.02</u> | <u>769,005.00</u> | <u>-368,764.98</u> | <u>52.05%</u> | <u>1,005,000.00</u> |
| Total Expense | <u>400,240.02</u> | <u>769,005.00</u> | <u>-368,764.98</u> | <u>52.05%</u> | <u>1,005,000.00</u> |
| Net Income | <u><u>-400,240.02</u></u> | <u><u>-769,005.00</u></u> | <u><u>368,764.98</u></u> | <u><u>52.05%</u></u> | <u><u>-1,005,000.00</u></u> |

9.6 LOCAL GOVERNMENT AMENDMENT BILL 2009

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 13.45.262.0

Recommendation

1. That the report be RECEIVED.
2. That the approaches to the Local Government Department to REVIEW the Local Government Act Amendment Bill provisions, as outlined in the report, be ENDORSED.

Voting Requirements

Simple Majority

Report Purpose

To advise Council about proposals to amend the Local Government Act provisions relating to Regional Councils.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Local Government Amendment Bill 2009

Policy Reference

Tamala Park Regional Council Establishment Agreement

Local Government Act/Regulation

LGA - Section 3.64 LGA dealing with matters for establishment agreements.
LGA - Section 5.98 relating to payment of Council members.

Previous Minutes

Not applicable

Background

In 2006 the Council authorised a request to the Hon Minister for Local Government for changes to local government legislation to provide for the appointment of deputy Council members by participant Councils of a Regional Council and also for appropriate provisions for payment of attendance fees and other costs for deputy Council members. These matters have been addressed in part in the Local Government Amendment Bill 2009 introduced recently to the Legislative Council.

Comment

The amendments suggested in the current Bill do not appear to answer all of the issues raised by

the Council in submissions and discussions with the Local Government department.

The Bill contains provisions relating to a number of matters. Individual local governments will have the opportunity of addressing those matters relating to constitutional issues elections and financial management (valuations) and rates and some other minor matters.

Comment in this report is reserved solely to the matters concerning deputy members for Regional Councils.

Section 11 of the Bill proposes a change to section 3.64 of the Local Government Act which sets out the requirements to be included in an Establishment Agreement for a Regional Council.

The specific change in section 3.64 is to include in 3.64(d) the words ‘deputy members as part of the provision that requires that the establishment agreement provide for the appointment of an d tenure of office for members of the Regional Council’.

Previously the omission of the words ‘deputy members’ precluded deputies to be appointed by a participant council to act in the event that a nominated participant of the Council was unavailable. The change makes it possible for a participant council to nominate a council member who will always be available to act as a deputy at a regional council formal council or committee meeting. This contrasts with the previous position where an appointment could only be made on a case by case basis with prior authorisation being given. The authorisation also needed to be for a specific meeting or meetings.

Changes Required to the TPRC Establishment Agreement

The TPRC Establishment Agreement already provides for the appointment of alternate members and therefore requires no change with respect to that action.

The Establishment Agreement details the tenure of office of members but does not refer to tenure of alternate members. The agreement will need to be changed to specifically provide for the tenure of alternate members and replacement of alternate members where necessary. In essence what is required is the tenure period for alternate members matches the tenure period for ordinary members of the Council.

Clause 20 of the Amendment Bill deals with the appointment of deputy committee members. The clause does not specifically refer to deputy committee members of Regional Councils.

With the facilitation of appointment of deputy members under clause 11 there is now a question as to how deputy members will work in relation to committees of Regional Councils.

In the case of a Regional Council there could be the proposition that if a regular council member is absent from the committee, the alternate member appointed could automatically take the place of the regular member at the committee by virtue of the appointment under the provisions in clause 11. In this case the deputy Regional Council member would simply be deputising for the absent regular council member. The complication arises if the Regional Council decides to appoint deputy members from within the Council for members of the committees of the TPRC Council. The argument then is whether the deputy appointed by the participant Council should act in preference to the deputy appointed by the Regional Council. The participant Council would suggest that the alternate member should take precedence because, in cases where there is only one participant member from a Council, in the absence of the regular appointed committee member there would be no possibility of the participant Council being represented.

The preferred position would be that the alternate member nominated by the participant Council would have precedence as this would best provide for participant Council involvement.

Clause 33 of the Amendment Bill amends section 5.98 of the Act which deals with the payment of fees to Council. The amendment makes no reference to deputy members to Regional Councils. It was hoped that the amendment would provide that a Regional Council could pay a deputy member a per meeting attendance fee. As matters stand, section 5.98 of the Act is worded so that if a Council makes an election to provide annual payments to Council members a pro rata payment or meeting attended payment to deputy members is not possible. The difficulty then is whether a deputy member could be considered a member for the purposes of Section 5.98. If that were possible, the Regional Council then only has the option of paying all members a per meeting attendance fee or payment to all members of an annual fee in lieu of a meeting attendance fee. Regional Councils could consider this position inequitable as an alternate member may not be required to attend any meetings during a term of appointment which could be as long as 2 years. The inequity would be magnified if a participant Council decided to appoint more than 1 deputy for each of its regular participant members.

If there is no provision for the payment of a deputy member to a Regional Council it may still be possible for a participant nominating Council to meet the expense of the deputy members' attendance from participant Council funds.

A submission has been made to the Local Government Department asking that further attention be given to the Bill to clarify precedence for attendance at Committee meetings where a participant Council appoints a deputy member and the Regional Council appoints deputy members to a Committee from within the Council.

Also, to provide for a per attendance meeting fee for deputy members in addition to the Regional Council adopting an option of paying regular Council members an annual fee. In the event that this request is not granted to provide that a participant Council may only appoint one deputy for each participant position authorised by the Establishment Agreement.

9.7 CONTOURING & CIVIL ENGINEERING DEVELOPMENT & PRIVATE BUILDING ISSUES

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

- 1. That the report be NOTED.**
- 2. That a presentation of the engineering and cost results commissioned from Tabec Civil Engineering Consultants be PROVIDED to the meeting (subject to completion of sufficient work by meeting date).**

Voting Requirements

Simple Majority

Report Purpose

To advise actions taken in response to a request from the special meeting of Council on 12 March 2009 that research and analysis be conducted in relation to the relative costs and infrastructure issues for benched and natural contour developments.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

Not applicable

Local Government Act/Regulation

Not applicable

Previous Minutes

Special meeting of Council – 12 March 2009

Background

The brief for TPD structure planning set an objective of utilizing natural contours within the TPD area as part of an overall objective of retaining natural vegetation and interface with the surrounding parklands and to allow natural drainage and aesthetic interest within the development.

The structure plan work has proceeded accordingly. As the structure plan design is nearing completion, it has become apparent that a number of areas within the development have extremely severe contours necessitating steep road configurations and requiring lot design to east/west alignment rather than north/south (solar) orientation.

It has also become apparent that the topography within the TPD provides some difficulty to achieve preferred transit routes for pedestrians and cyclists through areas that have gentle contours rather than problematic contours that could prove to be a disincentive for non-vehicular people movement particularly for people at both ends of the age spectrum.

Comment

The principle issues for research identified through previous discussions are:

1. The relative infrastructure costs associated with a (now) standard cut and bench development and a natural contour development;
2. The impact of a natural contour development on lot sizes where contours are severe;
3. The impact of natural contour developments on road and lot orientation;
4. Relative maintenance costs for a cut and bench and natural contour development;
5. The extent to which different development options facilitate natural water discharge and water harvesting for reuse through 3 pipe and local retention reservoirs;
6. The cost issues for private home owners associated with retention of natural contours; and
7. Guidelines that may be required to sustain desired outcomes for a standard and natural contour developments.

In order to provide necessary information to address the engineering and cost issues, Tabec Civil Engineering Consultants have been asked to assess engineering infrastructure and contouring required for optional development outcomes.

Tabec have indicated that they may have information available that could be presented to the Council to facilitate ongoing discussion and potential resolution for an option to be included in the structure plan. The work being undertaken is considerable. At this stage the work is still in progress but may be advanced to the point where a presentation could be possible for the Council meeting. This report is presented to provide an agenda item to facilitate the presentation and also to advise progress on the Council request from the meeting on 12 March 2009.

9.8 CEO PERFORMANCE REVIEW 2008

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference:

Recommendation

That the report submitted by Workplace Solutions advising results of the CEO performance review 2008 be RECEIVED.

Voting Requirements

Simple Majority

Report Purpose

To receive a report from consultants on work commissioned by the Council.

Relevant Documents

Appendix: CEO Annual Appraisal Report 2008
Available for viewing at the meeting: Nil

Policy Reference

Not applicable

Local Government Act/Regulation

Local Government Act requires performance review for the CEO and all employees annually.

Previous Minutes

Council meeting – 26 February 2009 (Item 8 – Minutes of the CEO Performance Review committee meeting 26 February 2009)

Background

The CEO Performance Review Committee has completed the annual CEO performance review and reported results to the Council meeting on 26 February 2009.

Comment

The consultant appointed to assist the review has now submitted a final report. The report was recommended for advice to and adoption by the Council. The report confirms the work of the CEO Performance Review Committee – now completed.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN
11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
12. URGENT BUSINESS APPROVED BY THE CHAIRMAN
13. MATTERS BEHIND CLOSED DOORS
14. GENERAL BUSINESS
15. FORMAL CLOSURE OF MEETING