



TAMALA PARK  
REGIONAL COUNCIL

## Ordinary Meeting of Council

# MINUTES

Thursday 15 October 2009  
Town of Victoria Park, 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**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Cr Michele Rosano 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.

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**PRESENT**

<b>Chairman</b>	Cr Troy Pickard
<b>Councillors</b>	Cr Paul Collins Cr Eleni Evangel Cr John Italiano Cr Tracey Roberts Cr Michele Rosano Cr Bob Smithson Cr Bill Stewart Cr Trevor Vaughan
<b>Alternate Members</b>	Nil
<b>Staff</b>	Tony Arias (Chief Executive Officer) Rod Constantine Kylie Jeffs (Minute Clerk)
<b>Apologies Councillors</b>	Cr Nick Catania Cr David Michael Cr Simon Withers
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Nil
<b>Apologies Participant Councils' Advisers</b>	Mr Garry Hunt (City of Joondalup)
<b>In Attendance Participant Councils' Advisers</b>	Mr Lewis Bond (City of Perth) Mr John Gioigi (Town of Victoria Park) Mr Len Kosova (City of Wanneroo) Mr Jason Lyon (Town of Cambridge) Mr Ross Povey (City of Stirling) Mr Daniel Simms (City of Wanneroo) Mr Mike Tidy (City of Joondalup) Mr Anthony Vuleta (Town of Victoria Park)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

**PRELIMINARIES**

**1. OFFICIAL OPENING**

The meeting was declared open at 5.42pm.

**DISCLOSURE OF INTERESTS**

Nil

**2. PUBLIC STATEMENT/QUESTION TIME**

Nil

**3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies were received from Cr Nick Catania, Cr David Michael and Cr Simon Withers.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 13 August 2009*

Moved Cr M Rosano, Seconded Cr T Roberts

That the minutes of the Ordinary Meeting of Council of 13 August 2009 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 THE MINUTES**

Nil

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

- The Chairman welcomed Mr Tony Arias to the position of TPRC Chief Executive Officer.
- The Chairman advised that Mr Rod Constantine will continue to contribute to TPRC in a role dedicated to special projects, specifics of the role will be announced by Mr Arias.
- The Chairman reminded all councillors that they will retire from the TPRC Council following the local government elections on Saturday 17 October 2009. He thanked them for their contribution and reiterated that a great deal had been achieved in progressing the planning for the development at Tamala Park.

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

Nil

**8. REPORTS OF COMMITTEES**

Nil

**9. ADMINISTRATION REPORTS**

**9.1 BUSINESS REPORT – PERIOD ENDING 30 SEPTEMBER 2009**

Moved Cr P Collins, Seconded Cr B Stewart

[The recommendation in the agenda]

**That the Business Report to 30 September 2009 be RECEIVED.**

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

**9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF AUGUST 2009 AND SEPTEMBER 2009**

Moved Cr B Smithson, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 31 August 2009 and 30 September 2009.**

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

**9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF AUGUST 2009 AND SEPTEMBER 2009**

Moved Cr M Rosano, Seconded Cr E Evangel

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the month of August 2009 and September 2009:**

- **Month ending 31 August 2009 (Total \$88,682.05)**
- **Month ending 30 September 2009 (Total \$72,182.00)**
- **Total Paid \$160,864.05**

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

**9.4 STRUCTURE PLAN – CONSULTANTS REPORT FOR THE PERIOD ENDING 6 OCTOBER 2009**

Moved Cr T Roberts, Seconded M Rosano

[The recommendation in the agenda]

1. **That the report from TPG on consultant activity relative to structure planning for the period ending 6 October 2009 be RECEIVED.**
2. **That the Council NOTE that work to end of September 2009 is in accordance with the time program and project phases listed for the TPD structure planning project except that the formal submission of the Structure Plan was deferred from the 18 June 2009 meeting to facilitate participant local authorities reviewing and providing comments on the Structure Plan.**

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

#### **9.5 TPRC STRUCTURE PLAN STATUS UPDATE**

[The recommendation in the agenda]

That the status report in relation to the TPRC Structure Plan be RECEIVED.

Moved Cr T Roberts, Seconded P Collins

1. **That the status report in relation to the TPRC Structure Plan be RECEIVED.**
2. **That the Council NOTE an update report from the City of Wanneroo that:**
  - a. **Advertising of the Structure Plan for public consultation will commence 27 October 2009;**
  - b. **The closing date for public comment submissions on the Structure Plan is 7 December 2009; and**
  - c. **The assessment of the Structure Plan is anticipated to go to the City of Wanneroo Council meeting to be held in February 2010.**

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

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

#### **9.6 LOCAL GOVERNMENT AMENDMENT BILL 2009 – LEAVE OF ABSENCE (COUNCIL MEMBERS)**

Moved Cr B Stewart, Seconded Cr M Rosano

[The recommendation in the agenda]

1. **That the changes to the LGA in respect of leave of absence by Council members from ordinary Council meetings be NOTED.**
2. **That the request for leave of absence form be ADOPTED for use by the Council and Council members.**

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

#### **9.7 MEETING SCHEDULE 2010**

[The recommendation in the agenda]

1. That the schedule of meetings dates be APPROVED for 2010 as follows:
  - 18 February 2010 (Town of Cambridge)
  - 15 April 2010 (City of Joondalup)
  - 24 June 2010 (City of Perth)
  - 19 August 2010 (City of Stirling)
  - 14 October 2009 (Town of Victoria Park)
  - 16 December 2009 (Town of Vincent)
2. That the schedule of meeting dates be ADVERTISED as required by the LGA.



3. That the commencement time for meetings BE 5.30pm.
4. That Council meetings be HELD on a rotational basis at participant Council premises.

Moved Cr E Evangel, Seconded Cr B Smithson

1. **That the schedule of meetings dates be APPROVED for 2010 as follows:**
  - 11 February 2010 (Town of Cambridge)
  - 15 April 2010 (City of Joondalup)
  - 24 June 2010 (City of Perth)
  - 19 August 2010 (City of Stirling)
  - 14 October 2010 (Town of Victoria Park)
  - 16 December 2010 (Town of Vincent)
2. **That the schedule of meeting dates be ADVERTISED as required by the LGA.**
3. **That the commencement time for meetings BE 5.30pm.**
4. **That Council meetings be HELD on a rotational basis at participant Council premises.**

The Motion for amendment was put and declared CARRIED (9/0).  
The Motion as then amended was put and declared CARRIED (9/0).

## 9.8 GST UPDATE

Moved Cr M Rosano, Seconded Cr P Collins

[The recommendation in the agenda]

1. **That the status report on GST issues relative to transfer of land from the TPRC local authority participants be RECEIVED.**
2. **That a further status report be PROVIDED to the Council within a period of 12 months.**

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

## 9.9 CONTAMINATED SITES CLASSIFICATION

Moved Cr M Rosano, Seconded Cr T Vaughan

[The recommendation in the agenda]

1. **That a formal application be MADE to the DEC for a declaration that the notice issued under the Contaminated Sites Act in respect of Lot 9504 Mindarie which contains the TPRC proposed urban development land relates to the MRC landfill site only and not to the TPRC urban deferred and residential zoned land.**

2. That the application be **BASED** upon a survey diagram prepared by Whelans Surveyors and Planners.
3. That the **MRC** and the local authority owners of the land be **REQUESTED** to formally support the application to **DEC**.

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

#### **9.10 CREDIT CARD POLICY**

Moved Cr M Rosano, Seconded Cr J Italiano

[The recommendation in the agenda]

1. That the credit card policy dated 27 August 2009 submitted as part of the agenda be **APPROVED**.
2. That the policy be **REVIEWED** in December 2010.

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

1. That the credit card policy dated 27 August 2009 submitted as part of the agenda be **APPROVED** with the following two changes:
  - **Page 2 Expenditure Authorisation Table** change ‘Chairman of TPRC’ to read ‘Finance Manager’; and
  - **Page 5 (insert Item 11 and renumber thereafter):** The CEO’s corporate credit card statement to be presented to the Audit Committee.
2. That the policy be **REVIEWED** in December 2010.

The Motion for amendment was put and declared **CARRIED** (5/4).

For: Cr J Italiano, Cr T Pickard, Cr M Rosano, Cr B Stewart, Cr T Vaughan

Against: Cr P Collins, Cr E Evangel, Cr T Roberts, Cr B Smithson

The Motion as then amended was put and declared **CARRIED** (5/4).

#### **9.11 LAND ACQUISITION OF LOT 807 NEERABUP ROAD FROM MAIN ROADS WA**

Moved Cr T Roberts, Seconded Cr M Rosano

[The recommendation in the agenda]

1. That Council **CONFIRM** previous negotiations and **REITERATE** its resolution to acquire Lot 807 Neerabup Road from Main Roads WA for an amount of \$2M.
2. That the necessary formalities to facilitate transfer of the land to TPRC be **COMPLETED**.
3. That Council **NOTES** the subject land has been included as part of the land to be developed by TPRC in the Structure Plan submitted to City of Wanneroo for approval.

Moved Cr P Collins, Seconded Cr B Smithson that the motion be amended in Part 1 as follows:

1. That Council **CONFIRM** previous negotiations and **REITERATE** its resolution to acquire Lot 807 Neerabup Road from Main Roads WA for an amount of \$2M (including GST).
2. That the necessary formalities to facilitate transfer of the land to TPRC be **COMPLETED**.
3. That Council **NOTES** the subject land has been included as part of the land to be developed by TPRC in the Structure Plan submitted to City of Wanneroo for approval.

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

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (9/0).

#### 9.12 **CONTRIBUTION TO PURCHASE INDICATORS SURVEY 2010 – STRATEGIC MARKETING & RESEARCH**

[The recommendation in the agenda]

1. That the Council **AGREE** syndicate involvement in market research targeting the reasons that attract purchasers to new estates through participation in a study to be undertaken by Strategic Marketing & Research (SMR) in 2010 at an estimated cost of between \$3,000-\$5,000.
2. That SMR be **INVITED** to provide a presentation of its 2009 study results to the Council and to discuss TPRC input to the proposed study in 2010.

Moved Cr B Stewart, Seconded Cr M Rosano

1. That the Council **AGREE** syndicate involvement in market research targeting the reasons that attract purchasers to new estates through participation in a study to be undertaken by Strategic Marketing & Research (SMR) in 2010 at an estimated cost of between \$3,000-\$5,000.
2. That SMR be **INVITED** to provide a presentation (inclusive of the final cost) of its 2009 study results to the Council and to discuss TPRC input to the proposed study in 2010.
3. That member Councils be **INVITED** to provide a list of questions for consideration by SMR.

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

Moved Cr T Pickard, Seconded Cr E Evangel that the motion be further amended as follows:

1. That the Council **AGREE** syndicate involvement in market research targeting the reasons that attract purchasers to new estates through participation in a study to be undertaken by Strategic Marketing & Research (SMR) in 2010 at an estimated cost of between \$3,000-\$5,000.

2. That SMR be INVITED to provide a presentation (inclusive of the final cost) of its 2009 study results to the Council and to discuss TPRC input to the proposed study in 2010.
3. That member Councils be INVITED to provide a list of questions for consideration by SMR.
4. That a future report be PRESENTED to Council identifying additional strategic marketing and research requirements.

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

The Motion as then amended was put and declared CARRIED (9/0)

#### 9.13 VARIATION TO CONTRACT – CONSULTANT SERVICES AGREEMENT CSIRO

Moved Cr M Rosano, Seconded Cr E Evangel

[The recommendation in the agenda]

**That the consultant services Agreement 2008093039 between CSIRO and TPRC in relation to water management analysis options and reports be VARIED as proposed in Variation Agreement 1 with a consequential reduction in the GST exclusive amount payable by TPRC from \$72,131 to \$51,818.**

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

#### 9.14 TAMALA PARK LEVEL 2 FLORA & VEGETATION SURVEY – SYRINX CONSULTANCY

Moved Cr M Rosano, Seconded Cr T Vaughan

[The recommendation in the agenda]

1. That the Council NOTE that a spring (level 2) flora and vegetation survey has been commissioned for the deferred urban land included in the Tamala Park proposed urban development.
2. That action taken in commissioning the survey be ENDORSED.

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

#### 9.15 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2009

Moved Cr M Rosano, Seconded Cr J Italiano

[The recommendation in the agenda]

**That the annual report of the TPRC for the year ended 30 June 2009 be ADOPTED.**

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

**9.16 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2008 TO 30 JUNE 2009**

Moved Cr B Stewart, Seconded Cr J Italiano

[The recommendation in the agenda]

**That the financial report for the year ended 30 June 2009 be RECEIVED and INCLUDED in the annual report of the TPRC Council.**

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

**9.17 TPRC BANK ACCOUNT AUTHORISATIONS**

Moved Cr M Rosano, Seconded Cr T Roberts

[The recommendation in the agenda]

**That the following authority be GIVEN for transaction of TPRC bank and investment accounts:**

- a) **That CEO together with one of the Chairman, Deputy Chairman or Executive Assistant for payment of accounts, transfer of monies between accounts and transfer of funds to or from investment accounts;**
- b) **That in absence of the CEO that the Chairman, Deputy Chairman and Executive Assistant (3 persons) be required to transact payments and transfers from accounts.**

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

**9.18 LOT 9504 MINDARIE ZONED POS AND PUBLIC UTILITY – INCLUDING MRC LANDFILL**

Moved Cr P Collins, Seconded Cr M Rosano

[The recommendation in the agenda]

1. **That TPRC PROPOSE to the joint landowners, the MRC and the WAPC that TPRC coordinate and fund a study on the future use of Lot 9504 Mindarie (south of the existing boundary of that part of Lot 9504 which is zoned Urban Deferred) under the MRS.**
2. **That a project plan for the study be DEVELOPED by TPRC together with resources required and possible stakeholder consultation.**

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

**9.19 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2009**

Moved Cr B Stewart, Seconded Cr J Italiano

[The recommendation in the agenda]

1. That the Auditor's report for the financial year ended 30 June 2009 be **RECEIVED**.
2. That it be noted that the Audit report **DOES NOT NOTE** or make recommendations on any matter requiring attention arising from the annual Audit for the year ended 30 June 2009.
3. That the Auditors report be **REFERRED** for review by the TPRC Audit Committee.

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

**9.20 LOCAL GOVERNMENT ACT AMENDMENT 2009 – DEPUTIES FOR REGIONAL COUNCILS**

Moved Cr B Stewart, Seconded Cr M Rosano

[The recommendation in the agenda]

1. That it be **RECOMMENDED** to participant Councils that they do not appoint deputies under the new provisions of the Local Government Act (Amendment 2009) and instead, continue to use the permissible provisions of the Interpretation Act to appoint deputies on an as-required basis.
2. That the Minister for Local Government be **REQUESTED** to urgently provide for the interim application of a regulation under Section 5.98 (2) of the LGA to enable payment of an attendance fee for a Council member deputising for a Regional councillor.

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

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

Nil

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

Nil

**12. URGENT BUSINESS APPROVED BY THE CHAIRMAN**

Nil

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. GENERAL BUSINESS**

The Council expressed its appreciation to the City of Wanneroo for the professional manner in progressing the Structure Plan to date.

**15. FORMAL CLOSURE OF MEETING**

The Chairman declared the meeting closed at 7.08pm.

These minutes were confirmed at a meeting on .....

SIGNED this ..... day of ..... 2009

as a true record of proceedings.

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CHAIRMAN