



**TAMALA PARK**  
**Regional Council**

# Ordinary Meeting of Council

## MINUTES

Thursday 20 June 2013  
City of Joondalup, 6.00pm

TAMALA PARK  
REGIONAL COUNCIL  
(TPRC)  
COMPRISES THE  
FOLLOWING  
COUNCILS:

Town of Cambridge  
City of Joondalup  
City of Perth  
City of Stirling  
Town of Victoria Park  
City of Vincent  
City of Wanneroo

**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Jim Adamos	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

**TABLE OF CONTENTS**

MEMBERSHIP .....	2
1. OFFICIAL OPENING.....	4
DISCLOSURE OF INTERESTS .....	4
2. PUBLIC STATEMENT/QUESTION TIME.....	5
3. APOLOGIES AND LEAVE OF ABSENCE .....	5
4. PETITIONS .....	5
5. CONFIRMATION OF MINUTES.....	5
5A. BUSINESS ARISING FROM THE MINUTES.....	5
6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION) .....	5
7. MATTERS FOR WHICH MEETING MAY BE CLOSED .....	5
8. REPORTS OF COMMITTEES .....	5
9. ADMINISTRATION REPORTS .....	6
9.1 BUSINESS REPORT – PERIOD ENDING 13 JUNE 2013.....	6
9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MARCH & APRIL 2013	6
9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF APRIL & MAY 2013	6
.....	6
9.4 PROJECT FINANCIAL REPORT – APRIL 2013 .....	6
9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 13 JUNE 2013 .....	7
9.6 PROJECT BUDGET 2013/2014 .....	7
9.7 CEO PERFORMANCE REVIEW 2013.....	7
9.8 DRAFT STRATEGIC COMMUNITY PLAN 2013-2023 AND CORPORATE BUSINESS PLAN	8
2013-2017 .....	8
9.9 CATALINA RISK MANAGEMENT PLAN.....	8
9.10 SPONSORSHIP PROPOSAL – 2013 INTERNATIONAL BIODIVERCITIES CONFERENCE	8
9.11 LANDSCAPE CONSTRUCTION AND MAINTENANCE - FIXED RATES TENDER .....	9
9.12 LOT 1 NEERABUP ROAD BUILT FORM PARTNERING TENDER - CONFIDENTIAL .....	9
9.13 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE - CONFIDENTIAL .....	10
10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	11
11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	11
12. URGENT BUSINESS APPROVED BY THE CHAIRMAN.....	11
13. MATTERS BEHIND CLOSED DOORS .....	11
14. GENERAL BUSINESS .....	11
15. FORMAL CLOSURE OF MEETING .....	12

**PRESENT**

<b>Chairman</b>	Cr Giovanni Italiano
<b>Councillors</b>	Cr Jim Adamos (from 6.20pm) Cr Geoff Amphlett Cr Dianne Guise Cr Corinne MacRae Cr Tom McLean Cr David Michael (from 6.15pm) Cr Terry Tyzack Cr Trevor Vaughan
<b>Alternate Members</b>	Cr Stephanie Proud
<b>Staff</b>	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
<b>Apologies Councillors</b>	Cr Frank Cvitan Cr Alannah MacTiernan Cr Rod Willox
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr Brenton Downing (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Mr John Giorgi (City of Vincent)
<b>In Attendance Participant Councils' Advisers</b>	Mr Garry Hunt (City of Joondalup) Mr Jason Lyon (Town of Cambridge) Mr John Paton (City of Wanneroo) Mr Ross Povey (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

**1. OFFICIAL OPENING**

At 6.05pm the Chairman declared the meeting of the Tamala Park Regional Council open.

The Chairman welcomed Cr Stephanie Proud as alternate member for Cr Rod Willox.

**DISCLOSURE OF INTERESTS**

Disclosure of Interest forms were received as follows:

Mr Tony Arias	Items 9.11 & 9.12	Impartial Interest
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Emerge Associates	Item 9.11	Impartial Interest
Satterley Property Group	Item 9.6, 9.11 & , 9.12	Impartial Interest

**2. PUBLIC STATEMENT/QUESTION TIME**

Nil

**3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies were received from Cr Frank Cvitan, Cr Alannah MacTiernan and Cr Rod Willox. Apologies were also received from Cr Bob Smithson, who was nominated alternative member for Cr Frank Cvitan.

At the City of Stirling Ordinary Meeting of Council on 4 June 2013 Cr Stephanie Proud was nominated alternative member for Cr Rod Willox.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 18 April 2013*

Moved Cr G Amphlett, Seconded Cr T McLean

That the minutes of the Ordinary Meeting of Council of 18 April 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (8/0).

**5A. BUSINESS ARISING FROM THE MINUTES**

Nil

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

Nil

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

- Item 9.12 – Lot 1 Neerabup Road Built Form Partnering Tender
- Item 9.13 – Development management Agreement – Key People

**8. REPORTS OF COMMITTEES**

Management Committee Meeting – 6 June 2013

Moved Cr G Amphlett, Seconded Cr T McLean

**That the Council RECEIVE the minutes of the Management Committee meeting dated 6 June 2013.**

The Motion was put and declared CARRIED (8/0).

**9. ADMINISTRATION REPORTS**

**9.1 BUSINESS REPORT – PERIOD ENDING 13 JUNE 2013**

Moved Cr T Tyzack, Seconded Cr S Proud

[The recommendation in the agenda]

**That the Council RECEIVE the Business Report to 13 June 2013**

The Motion was put and declared CARRIED (8/0).

**9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MARCH & APRIL 2013**

Moved Cr T Tyzack, Seconded Cr D Guise

[The recommendation in the agenda]

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

- **31 March 2013; and**
- **30 April 2013.**

The Motion was put and declared CARRIED (8/0).

**9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF APRIL & MAY 2013**

Moved Cr T Tyzack, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of April and May 2013:**

- **Month ending 30 April 2013 (Total \$545,631.76)**
- **Month ending 31 May (Total \$3,172,426.55)**
- **Total Paid - \$3,718,058.31**

The Motion was put and declared CARRIED (8/0).

**9.4 PROJECT FINANCIAL REPORT – APRIL 2013**

Moved Cr G Amphlett, Seconded Cr S Proud

[The recommendation in the agenda]

**That the Council RECEIVE the Project Financial Report (April 2013) submitted by the Satterley Property Group.**

The Motion was put and declared CARRIED (8/0).

**9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 13 JUNE 2013**

*Cr Michael arrived during discussion on this item at 6.15pm.*

*Mr Nigel Satterley (Satterley Property Group) provided an update on lot sales, market population growth and consumer confidence.*

Moved Cr D Guise, Seconded Cr G Amphlett

[The recommendation in the agenda]

**That the Council RECEIVE the Sales and Settlements Report to 13 June 2013.**

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

**9.6 PROJECT BUDGET 2013/2014**

*Cr Adamos arrived during discussion on this item.*

*Satterley Property Group declared an interest in this item.*

*Mr Brenton Downing provided a presentation on the FYE2014 budget which included the following information:*

- *Construction plan*
- *Sales, selling prices & settlements*
- *Development Program & triggers*
- *Infrastructure & landscape works*
- *Cashflow summary & whole of life*
- *Income & escalation rates*
- *Profit distributions*

Moved Cr T Tyzack, Seconded Cr S Proud

[The recommendation in the agenda]

- 1. APPROVE the Project Budget 2013/2014 (March 2013), submitted by the Satterley Property Group, as the basis of financial planning for the 2013/2014 TPRC budget.**
- 2. RECEIVE the Project Budget 2014/2015 (March 2013) and Whole of Project Cashflow (2013-2026), submitted by the Satterley Property Group.**
- 3. APPROVE the Stage Sales Triggers, as recommended by the Satterley Property Group for 2013/14.**
- 4. ACCEPT that the Satterley Property Group has achieved Key Performance Indicator KPI 5.3.2 requiring the preparation of Project Budgets by March each year.**

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

**9.7 CEO PERFORMANCE REVIEW 2013**

Moved Cr T McLean, Seconded Cr D Michael

**That the Council APPROVE the proposal, dated 26 May 2013 for \$2,200 (inc GST) from WALGA Workplace Solutions to assist the Council with the CEO Performance Review.**

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

**9.8 DRAFT STRATEGIC COMMUNITY PLAN 2013-2023 AND CORPORATE BUSINESS PLAN 2013-2017**

Moved Cr T Tyzack, Seconded Cr S Proud

- 1. NOTE the changes to the draft Strategic Community Plan 2013-2023 and draft Corporate Business Plan 2013-2017.**
- 2. APPROVE the Strategic Community Plan 2013-2023 (June 2013) and the Corporate Business Plan 2013-2017 (June 2013) and forward to the Executive Director of the Department of Local Government for endorsement.**

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

**9.9 CATALINA RISK MANAGEMENT PLAN**

Moved Cr T Vaughan, Seconded Cr D Michael

- 1. APPROVE the Risk Management Plan (May 2013) and recommended mitigation actions submitted by the Satterley Property Group.**
- 2. ACCEPT that the Satterley Property Group has achieved Key Performance Indicator item 8.4.1 – Relationships; Risk: To prepare a Risk Management Plan to identify and respond to project risk issues.**
- 3. REQUIRE the Satterley Property Group to continually review and update the Risk Management Plan and report to Council annually.**

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

**9.10 SPONSORSHIP PROPOSAL – 2013 INTERNATIONAL BIODIVERCITIES CONFERENCE**

Moved Cr G Amphlett, Seconded Cr T McLean

- 1. APPROVE the sponsorship of the 2013 International BiodiverCities Conference, as a Supporting Sponsor for a fee of \$5,000 (excl GST).**
- 2. APPROVE the provision of funds in the 2013/2014 TPRC budget to accommodate the Supporting Sponsor fee of \$5,000 and additional costs of \$5,000 for the design and production of promotional material for the Conference.**

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



**9.11 LANDSCAPE CONSTRUCTION AND MAINTENANCE - FIXED RATES TENDER**

*Satterley Property Group, Emerge Associates & Mr Tony Arias declared an interest in this item.*

Moved Cr G Amphlett, Seconded Cr T McLean

- 1. ACCEPT Tender 09/2013 (Landscape and Irrigation Construction and Maintenance Works) submitted by LD Total for the following;**
  - a. Landscape and Irrigation Construction and Two year Maintenance Works for the Stage 4 Public Open Space; Stage 3 and 4 Public Accessways; Stage 3, 4 & 5 Neerabup Road Verge; and Stage 6A Verge Works, for a lump sum value of \$1,864,468 (excluding GST), subject to obtaining all necessary statutory approvals.**
  - b. The award of further stages of landscape and irrigation construction and maintenance works based on the tendered Fixed rates, for a two year period (until June, 2015), with an option to extend a further 12 months (to June 2016), at the absolute discretion of the TPRC.**
- 2. AWARD further stages of works in accordance with item 1b above, at the absolute discretion of the TPRC and subject to;**
  - a. Approval of lump sum amounts, in accordance with the tendered rates,**
  - b. Market conditions and Sales Rates,**
  - c. Ongoing satisfactory performance of the contractor, during the execution of each separable portion of the contract.**
- 3. AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.**

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

**9.12 LOT 1 NEERABUP ROAD BUILT FORM PARTNERING TENDER - **CONFIDENTIAL****

*Satterley Property Group & MR Tony Arias declared an interest in this item.*

*Representatives from ABN Group provided 2 presentations, members were as follows:*

- *Mr Andrew Auret*
- *Mr Peter Gianoli*
- *Mr Max Pirone*
- *Mr Mitch Whalan*
- *Mr Dale Alcock submitted his apology*

*The first presentation covered items such as:*

- *Project overview*
- *Homes layout*
- *Benefits for TPRC*
- *Alternate materials and techniques*
- *Target demographic*

*The second presentation covered items such as:*

- *Risk aversion and maximising return*

- *Key objectives*
  - *Control built form*
  - *Early financial return*
  - *Low risk profit*
  - *Demonstration project*

Moved Cr D Michael, Seconded Cr T McLean

That the meeting move behind closed doors at 7.20pm to allow confidential items 9.12 & 9.13 to be discussed. Representatives from ABN Group departed the meeting, representatives from Satterley property Group remained.

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

Moved Cr T Tyzack, Seconded Cr S Proud

1. **APPROVE the Alcock Brown Neaves Group as the preferred tender for Tender 15/2012 for the Lot 1 Built Form Partnering Project.**
2. **AUTHORISE the CEO to progress a Project Agreement with the Alcock Brown Neaves Group in accordance with the design concepts, commercial terms and administrative arrangements set out in its correspondence dated 31<sup>st</sup> May 2013.**
3. **ADVISE the Satterley Property Group that fees payable must be in accordance with the Development Management Agreement (13 September 2010) for Development Management Fee and Selling Fee.**

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

**9.13 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE - CONFIDENTIAL**

*Representatives from Satterley Property Group departed the meeting at 7.45pm.*

Moved Cr S Proud, Seconded Cr D Guise

**That the Council APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:-**

<b>Name of Person</b>	<b>Job</b>
Danuta Wnek	Sales Representative

<b>Name of Replacement Person</b>	<b>Job</b>
Paul Szijarto	Sales Representative

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

Moved Cr S Proud, Seconded Cr D Guise

That standing orders be reopened and the meeting doors be opened at 7.46pm.

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

The Chairman read aloud the recommendations for item 9.12 & 9.13 as follows:

Item 9.12

1. APPROVE the Alcock Brown Neaves Group as the preferred tender for Tender 15/2012 for the Lot 1 Built Form Partnering Project.
2. AUTHORISE the CEO to progress a Project Agreement with the Alcock Brown Neaves Group in accordance with the design concepts, commercial terms and administrative arrangements set out in its correspondence dated 31<sup>st</sup> May 2013.
3. ADVISE the Satterley Property Group that fees payable must be in accordance with the Development Management Agreement (13 September 2010) for Development Management Fee and Selling Fee.

Item 9.13

That the Council APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:-

Name of Person	Job
Danuta Wnek	Sales Representative

Name of Replacement Person	Job
Paul Szijarto	Sales Representative

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

Nil

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

Nil

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

Nil

**13. MATTERS BEHIND CLOSED DOORS**

- Item 9.12 - Lot 1 Neerabup Road Built Form Partnering Tender
- Item 9.13 - Development Management Agreement – Key People

**14. GENERAL BUSINESS**

Cr Proud raised the format of the table in the Sales & Settlement position (item 9.5) and the potential for an additional column for lots 'under offer'. The SPG indicated that the format of the table was being reviewed.

It was noted that more information on the Local Government reforms (and how they will affect Regional Councils) will be known at the next meeting of Council in August 2013.

**15. FORMAL CLOSURE OF MEETING**

The Chairman declared the meeting closed at 7.50pm.

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

SIGNED this ..... day of ..... 2013

as a true record of proceedings.

\_\_\_\_\_  
CHAIRMAN