

TAMALA PARK
Regional Council

Meeting of Council

AGENDA

Thursday 15 December 2011
Town of Victoria Park, 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

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TAMALA PARK REGIONAL COUNCIL

Councilors of the Tamala Park Regional Council are advised that the ordinary meeting of Council will be held in the Council Chambers at the Town of Victoria Park, 99 Shepperton Road, Victoria Park at 6.00pm on Thursday 15 December 2011.

The business papers pertaining to the meeting follow.

Your attendance is requested.

Yours faithfully



TONY ARIAS
Chief Executive Officer

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
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.

PRELIMINARIES

1. OFFICIAL OPENING

DISCLOSURE OF INTERESTS

2. PUBLIC STATEMENT/QUESTION TIME

3. APOLOGIES AND LEAVE OF ABSENCE

4. PETITIONS

5. CONFIRMATION OF MINUTES

- Council Meeting – 13 October 2011
- Special Meeting of Council – 10 November 2011

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.12)

9.1 BUSINESS REPORT – PERIOD ENDING 15 DECEMBER 2011

Report Information

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

Recommendation

That the Council RECEIVE the Business Report to 15 December 2011.

Voting Requirements

Simple Majority

Report Purpose

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

Relevant Documents

Appendix: Nil
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. Project Status – Phase 1

The following provides a brief outline of progress of Phase 1 key works components to date;

- Phase 1 Fauna relocation complete,
- Phase 1 Grass tree and Zamia Palms relocation complete,
- Phase 1 clearing and mulching complete,
- Biodiversity Conservation Area construction fencing complete,
- Bulk Earthworks 85% complete,
- Lot Preparation 40% complete;
- Stage 1 Civil Works – Sewer construction 20% complete.

2. GST Status

The TPRC has appointed Ernst & Young to provide professional advice on GST issues affecting the Project and to provide strategies for managing GST issues.

The Scope of Works includes the provision of professional advice on the following key areas:

1. GST liability in the event of the transfer of the participant's (the seven Local Government's) land to the TPRC.
2. The implication of transferring the land to the TPRC as a bare trustee for the seven member Councils, in relation to stamp duty on the transaction and GST implications.
3. The implications of any changes to the ownership structure since the original land purchased.
4. The impact on the TPRC of recent legal precedent in relation to the calculation of Margin Scheme GST as it applies to Government bodies and Local Government Authorities.
5. Advice in relation to the Margin Scheme GST that would be payable on the sale of residential allotments.
6. Current legal position in relation to calculation of Margin Scheme for land held by TPRC.
7. If concessional treatment of the Margin Scheme GST is available to TPRC, details in relation to the appropriate method or formula for calculation of the Margin Scheme GST.
8. Coordinate and liaise with the ATO to obtain agreement to the proposed GST arrangement.
9. Preparation of sales contracts to maximize GST benefit to TPRC.

It is anticipated that advice on this matter will be presented to Council at its next meeting.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER, OCTOBER & NOVEMBER 2011

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 30 September 2011; 31 October 2011 and 30 November 2011.

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 month ending 30 September 2011; 31 October 2011 and 30 November 2011
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 November 2011 exceeding 10% were experienced in relation to the following:

Interest Earnings	Interest earnings exceed budget projections as the investment principal is larger as a result of lower expenditure to date and investment interest rates being higher than estimated.
Employee Costs	The positive variance relates to employee costs for proposed Project Manager.
Materials & Contracts MTC	The positive variance reflects that expenditure is below budget projections, particularly marketing, this is expected to rectify over the next 2-3 months as significant claims are lodged.
Other	The variation is due to payment of Councillor fees which will be balanced over the next 3 months.
Professional/Consultant Fees	The variance is due to timing of payments associated with Stages 1 and 2 civil design. This will be brought back into budget over the next 2 months.
Lot Production Cost	The variance is due to timing of payments associated with Bulk Earthworks for Phase 1 and Stage 1 Civil works. This will be brought back into budget over the next 4 months.

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

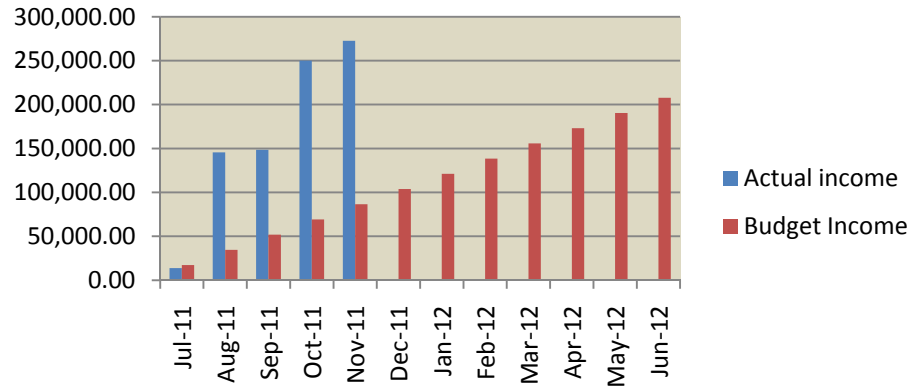
Financial Snapshot as at 30 November 2011

	Jul - Nov 11	YTD Budget	\$ Over/Under Budget	Variance	Annual Budget
Revenue					
Interest Earnings	272,657.99	105,927.00	166,730.99	157.4%	207,700.00
Other Revenue	868.00				1,894,752.00
Total Revenue	273,525.99	105,927.00	167,598.99	158.22%	2,102,452.00
Expenses					
Depreciation	0.00	-2,025.00	2,025.00	-100.0%	-4,501.00
Employee Costs	-148,892.78	-258,955.00	110,062.22	-42.5%	-569,370.00
Insurance	-8,433.13	-7,400.00	-1,033.13	13.96%	-7,400.00
Materials & Contracts MTC	-6,687.82	-469,535.00	462,847.18	-98.58%	-1,261,316.00
Materials & Contracts Other	-105,156.59	-103,230.00	-1,926.59	1.87%	-229,958.00
Other	-51,066.37	-64,640.00	13,573.63	-21.0%	-118,500.00
Professional/Consultant Fees	-36,499.46	-249,250.00	212,750.54	-85.36%	-445,000.00
Land Production Cost (Land Held for Resale)	-450,764.39	-901,442.00	450,677.61	-50.0%	-13,249,209.00
Utilities	0.00	0.00	0.00	0.0%	0.00
Total Expenses	-807,500.54	-2,056,477.00	1,248,976.46	-60.73%	-15,885,254.00
Unclassified	0.00	0.00	0.00	0.0%	0.00
TOTAL	-533,974.55	-1,950,550.00	1,416,575.45	-72.62%	-13,782,802.00

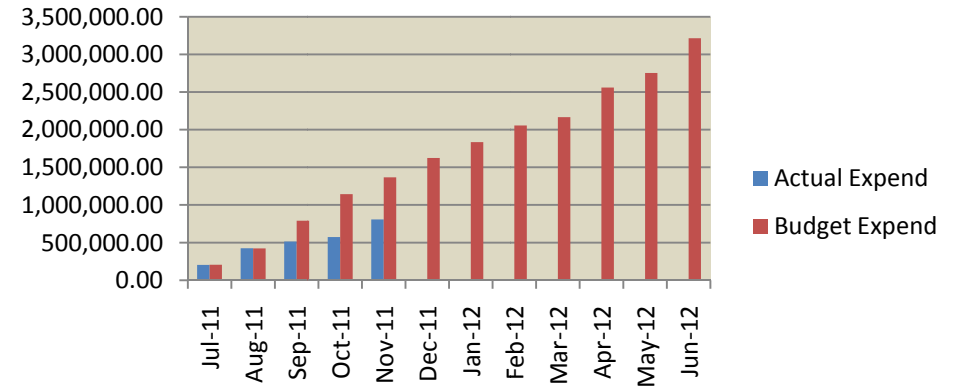
Balance Sheet Summary as at 30 November 2011

	Nov 30, 11	Nov 30, 11	\$ Change	% Change	Nov 30, 10
Cash and Investments	14,268,017.23	14,832,167.37	-564,150.14	-3.80%	15,192,329.72
Accounts Receivable	0.00	18,518.59	-18,518.59	-100.00%	0.00
Other Current Assets (inc Land Held for Resale)	451,794.39	1,030.00	450,764.39	43763.53%	1,030.00
Total Current Assets	14,719,811.62	14,851,715.96	- 131,904.34	-0.89%	15,193,359.72
Fixed Assets	16,734,235.50	16,865,280.84	-131,045.34	-0.78%	17,212,122.60
Total Assets	2,014,423.88	2,013,564.88	859.00	0.04%	2,018,762.88
Less Current Liabilities	52,711.80	100,546.98	-47,835.18	-47.58%	43,836.28
Less Long Term Liabilities	13,046.69	13,046.69	0.00	0.00%	6,918.42
Total Liabilities	65,758.49	113,593.67	-47,835.18	-42.11%	50,754.70
Net Assets	1,948,665.39	1,899,971.21	48,694.18	47.62%	1,968,008.18

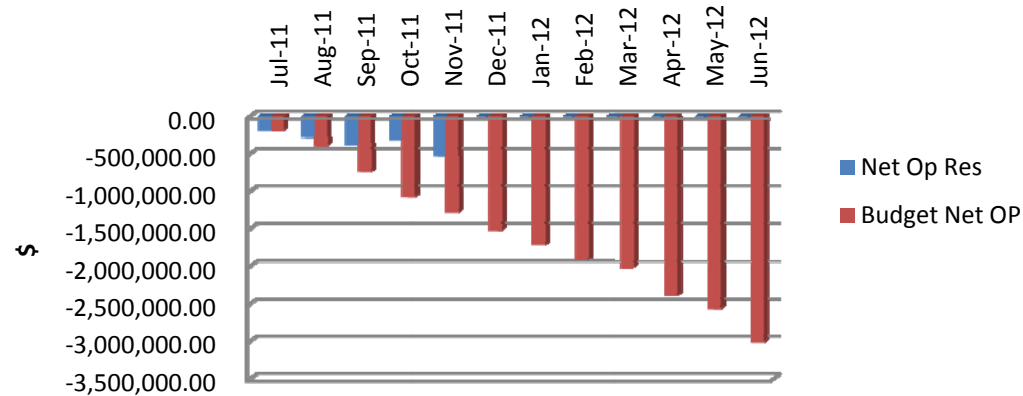
Cumulative YTD Income V Budget



Cumulative YTD Exp V Budget

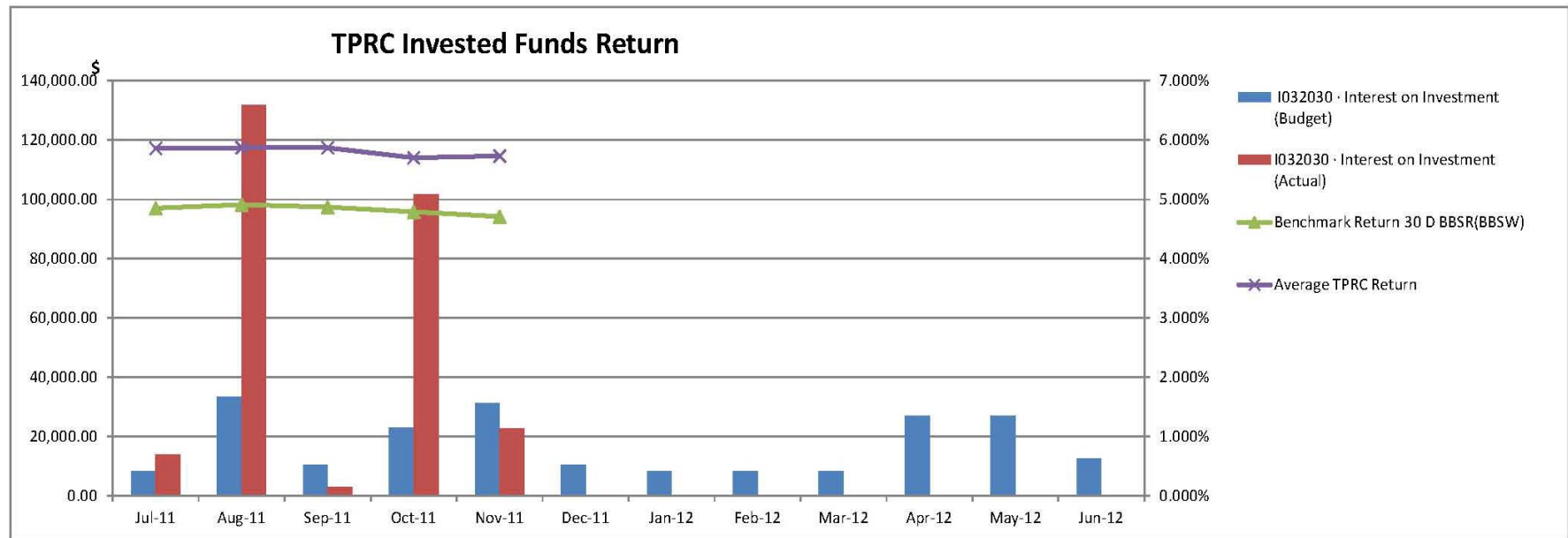


Cumulative YTD Net Operating V YTD Budget Net Operating



**Tamala Park Regional Council
TPRC Investments Summary
1 July 2011 - 30 November 2011**

		Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12
Budget	I032030 - Interest on Investment (Budget)	8,308.00	33,232.00	10,385.00	22,847.00	31,155.00	10,385.00	8,308.00	8,308.00	8,308.00	27,001.00	27,001.00	12,462.00
Actual	I032030 - Interest on Investment (Actual)	13,806.54	131,703.24	2,925.21	101,594.56	22,628.44							
	Budget YTD	8,308.00	41,540.00	51,925.00	74,772.00	105,927.00							
	Actual YTD	13,806.54	145,509.78	148,434.99	250,029.55	272,657.99							
Invested Funds													
A(-1+)	A01102 - Unrestricted At Call	595.24	596.28	597.23	312,035.26	323,252.57							
A(-1+)	A01106/7/8/9 - Fixed Term Deposits	14,475,550.14	14,193,715.44	14,080,541.99	13,864,820.74	13,894,820.74							
	Act Invest 09-10	14,476,145.38	14,194,311.72	14,081,139.22	14,176,856.00	14,218,073.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00



9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTH OF SEPTEMBER, OCTOBER & NOVEMBER 2011

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 months of September 2011, October 2011 and November 2011:

- **Month ending 30 September 2011 (Total \$77,386.51)**
- **Month ending 31 October 2011 (Total \$55,748.60)**
- **Month ending 30 November 2011 (Total \$251,352.34)**
- **Total Paid - \$384,487.45**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 30 September 2011, 31 October 2011 and 30 November 2011.

Relevant Documents

Appendix: Cheque Detail for Month Ending 31 October 2011 and 30 November 2011
Summary Payment List for September 2011; October 2011 and November 2011
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 from Council, approved budget, TPRC procurement and other relevant policies.

Payments are reviewed by TPRC Accountants Haines Norton following completion of each months accounts.

9.4 PROPOSED CHANGE OF SUBURB NAME – CLARKSON

Report Information

Location: Not Applicable.
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.103.630

Recommendation

That the Council RESOLVE to request the City of Wanneroo to support the renaming of that part of the Clarkson locality within the Tamala Park project (generally bounded by Mitchell Freeway, Neerabup Road, Marmion Avenue and the Tamala Park landfill site) to ‘Catalina’ and that the request be forwarded to the Geographic Names Committee for approval.

Voting Requirements

Simple Majority

Report Purpose

To consider a report on the change of name of part of Clarkson suburb within the Tamala Park project to ‘Catalina’.

Relevant Documents

Appendix: Suburb Renaming Plan
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Council Meeting – 23 June 2011 (Item 9.14 – GNC Change of Suburb Name)

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145042 (Branding/Marketing):

Budget Amount: \$20,000
Spent to Date: \$ 1,455
Balance: \$18,545

Background

At its meeting of 23 June 2011 the TPRC Council resolved to request the City of Wanneroo to initiate the renaming of that part of Clarkson locality within the Tamala Park Project, generally bounded by the Mitchell Freeway, Neerabup Road, Marmion Avenue and Tamala Park landfill site, to 'Catalina' (Appendix 9.4 Suburb Renaming Plan).

The TPRC considered that the renaming of this portion of the Clarkson suburb to Catalina would have significant benefit to the Tamala Park project. The proposal to rename portion of the suburb was recommended by the Development Managers and independent research consultants.

The suburb name of Clarkson was proposed in 1979 in honour of an early settler who held large leases of land in the area. However, the part of Clarkson locality within the Tamala Park Project has not been associated with the Clarkson suburb, rather it is locally known as Tamala Park. This is in part due to the significant barrier created by Neerabup Road and the association with the Tamala Park Landfill to the south.

It was considered that any change to the Clarkson suburb would not have any effect on the integrity of the remainder of the Clarkson locality and would not have any impact in terms of the local community. Further, that Neerabup Road provided a logical boundary to the southern boundary of the Clarkson suburb. This compiled with the Geographic Names Committee (GNC) requirements that substantial roads or features provide the definition of boundaries to suburbs.

The GNC guidelines suggest that any renaming of localities should occur prior to urban zoning being finalised and in the case of development areas and new residents moving into the development.

Comment

The City of Wanneroo has provided the following advice from Geographic Names Committee (GNC), which indicates that it would not support the proposed change of suburb.

The key areas of opposition from GNC are:

- Site deemed too small in comparison with the size of adjoining suburbs in the City of Wanneroo.
- Considered more appropriate to rationalize the locality boundaries by amalgamating the subject site with the portion of Tamala Park east of Marmion Avenue, to become part of the locality with which the subject site is already associated with.
- Catalina is not acceptable as a locality name because that name would not be unique within Australia (Catalina NSW); furthermore the name is the e4staet name and as such is also non-compliant. There is a strong preference that locality names have an Australian emphasis, particularly with names associated directly with the area's history (Aboriginal, locational or descriptive name etc).
- The City of Wanneroo would be required to undertake consultation with the community/residents and other interest groups (including Australia Post) to give the broader community an opportunity to comment as well as a chance to forward other names for consideration should the City wish to consider new locality names.

Direct discussions with representatives of the GNC have indicated that there is likely to be strong opposition from the GNC to the renaming of portion of the Clarkson suburb to Catalina.

The proposed renaming of portion of the Clarkson suburb to Catalina would comply with a number of the GNC guidelines and many of the issues raised by the GNC can be satisfactorily addressed. However, a significant issue is that there is already a locality named Catalina in Australia, located in New South Wales. The GNC has adopted AS/NZS 4819:2011, which sets criteria for street names and locality names, this prevents the duplication of locality based on safety grounds. It is understood there have been problems with the provision of emergencies when there has been the duplication of locality names.

Should the Council wish to pursue renaming of portion of the Clarkson suburb to Catalina then the next step would be seek the City of Wanneroo to determine the request and forward it to the Geographic Names Committee for determination. Should the GNC not support the proposal then there is an appeal avenue to the Minister for Lands.

9.5 CHANGE OF NAME – TAMALA PARK REGIONAL COUNCIL

Report Information

Location: Not Applicable.
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.103.630

Recommendation

That the Council RESOLVE to request approval from member Councils and the Minister for Local Government to a change of name of Council from ‘Tamala Park Regional Council’ to ‘Catalina Regional Council’.

Voting Requirements

Simple Majority

Report Purpose

To consider report on the possibility of a change of name of Council from ‘Tamala Park Regional Council’ to ‘Catalina Regional Council’.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Management Committee Meeting – 22 September 2011 (Item 8.7 – TPRC Logo Refresh)

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145042 (Branding/Marketing):

Budget Amount: \$20,000
Spent to Date: \$ 1,455
Balance: \$18,545

Background

At its meeting of 22 September 2011 the Management Committee resolved to explore the possibility of a change of name of Council from ‘Tamala Park Regional

Council' to 'Catalina Regional Council'.

There was concern that the similarity between the name of the Tamala Park Land fill site and the Regional Council was causing confusion and could impact on the purchasers perception of what land was being developed as part of the Catalina project and whether it formed part of the former or current landfill site. This confusion could affect the value of the Catalina project. The suggested name change would assist in removing the misconception between the Catalina site and the Tamala Park landfill site.

It was also noted that the Tamala Park Project is located within the Clarkson and Mindarie localities, whereas Tamala Park Land fill site is located within the Tamala Park locality which causes further confusion.

The suggested renaming of the TPRC to Catalina Regional Council was also seen as consistent with possible change of suburb name change to Catalina, being proposed by the Council.

Comment

The naming of the Regional Council is pursuant to the TPRC Establishment Agreement (2006). Should the Council wish to change the Regional Council's name then the Establishment Agreement will need to be amended which would require the approval of the seven member Councils and the Minister for Local Government.

It is considered that the suggested renaming of the TPRC to Catalina Regional Council would more closely align the Council with the Project and marketing name. It would also more accurately represent the activities of the Council and the land being developed as part of the Catalina project. It would also remove any nexus to the Tamala Park Land fill site.

9.6 SUSTAINABILITY INITIATIVES PLAN

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

That the Council;

1. **RECEIVE** the Sustainability Initiatives Plan (dated September 2011) submitted by the Satterley Property Group, prepared by Active Sustainability.
2. **Approve** the use of the following sustainability initiatives Stage 1:
 - Third Pipe (non potable water supply system) - \$3,500 per lot allowance;
 - Waterwise landscape package - \$4,500 per lot allowance
 - Solar panels rebate - \$2,000 per lot allowance;
 - Fibre Optic service - \$1,000 per lot allowance;
 - Community Development - \$1,200 per lot allowance; and
 - Waste recycling (housing construction) - \$2,000 per lot allowance
3. **Approve** the reallocation of \$47 per lot from the Community Development budget to the Sustainability Initiatives budget.

Voting Requirements

Simple Majority

Report Purpose

To review the Sustainability Initiatives Plan, September 2011, prepared by Active Sustainability and consider sustainability initiatives for Stage 1.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

Expenditure under this matter will be incurred under the following items:

Item 99.2 (Lot Production):

Budget Amount: \$7,053,544
Spent to Date: \$ 225,087
Balance: \$6,803,228

Item E145216 (Direct Selling Costs):

Budget Amount: \$250,316
Spent to Date: \$0
Balance: \$250,316

Item 99.7 (Community Development):

Budget Amount: \$40,002
Spent to Date: \$0
Balance: \$40,002

All the recommended initiatives can be accommodated within approved budget items.

Relevant Documents

Appendix: Review and Recommendations Report; Letter from SPG dated 15 November 2011; Letter from SPG dated 1 December 2011
Available for viewing at the meeting: Nil

Background

At its meeting of 17 March 2011 the Management Committee considered the Draft Sustainability Initiatives Plan (dated March 2011, SPG) and resolved as follows;

1. RECEIVE the Draft Sustainability Initiatives Plan (dated March 2011) submitted by the Satterley Property Group.
2. ACCEPT that the Draft Sustainability Initiatives Plan (dated March 2011) be used as the basis of more detailed planning and investigation in relation to the feasibility, implementation and market acceptance of the proposed Sustainability Initiatives.
3. ADVISE the Satterley Property Group that the Key Performance Indicator, Planning and Strategy – Sustainability – Overall Strategic has not been met by the Draft Sustainability Initiatives Plan (dated March 2011) and that further information is required on the feasibility, implementation, practices by other contemporary Western Australian projects and market acceptance of the proposed Sustainability Initiatives prior to formal endorsement by the Council of the Sustainability Initiatives Plan.

The Draft Sustainability Initiatives Plan considered 30 potential Sustainability Initiatives under the following categories;

- Estate Energy;
- Housing Energy;
- Water conservation;
- Waste Management;
- Residents and Occupants;

- Transport; and
- Design and Accreditation.

The Development Manager recommended that the Council adopt the majority of the Sustainability Initiatives. It recommended that the following Sustainability Initiatives not be proceeded with on the basis there were not feasible or too costly to implement;

- Centralized solar collector on Mt Tamala.
- Geothermal energy for estate heating and cooling.
- Wind Farm on MRC landholding.
- Project Light Rail System.

The following Sustainability Initiatives were recommended by the Development Manager and would have a direct cost to the Project as follows;

- Provide a financial incentive of \$1,000 to purchasers who install solar water heating with gas booster or heat pump systems.
- Provide a financial incentive of \$1,000 to purchasers who install minimum 1.5kW grid interactive photovoltaic (PV) array.
- Implement a groundwater fed secondary 3rd pipe water scheme for non-potable uses such as irrigation of public and private open space and extending to toilet flushing at an estimated cost of \$3,500 per lot
- Provide a financial incentive of \$1,000 to purchasers who install minimum 2.5kl rainwater tank plumbed to laundry and also high efficiency fittings and fixtures, toilets to be a minimum 6 star WELS rated and taps and showers minimum 3 star WELS rated.
- Provide fibre to the home (FttH) either through NBN Co or a private provider at an estimated cost of \$2,500 per lot.

The cost of these Sustainability Initiatives was estimated by the Development Manager at \$14,000 per lot. This excluded infrastructure costs associated with matters such as Water Sensitive Urban Design, best practice drainage management and water wise landscapes which are to be undertaken as part of the civil and landscape construction works.

Comment

Active Sustainability was engaged to undertake an assessment of the sustainability initiatives for Catalina, particularly in relation to the feasibility, implementation and market acceptance of the proposed Sustainability Initiatives. The report is attached Appendix 9.6.

The Development Manager has considered the Active Sustainability report and has provided recommendations for the Council's consideration Appendix 9.6. The Development Manager recommends that for the following Sustainability Initiatives for the project for 2012 and 2013:

1. *Waterwise landscape package - \$6,300 per lot allowance*
2. *Third Pipe (non potable water supply system) - \$3,500 per lot allowance;*
3. *Waste recycling (housing construction) - \$2,000 per lot allowance;*
4. *Fibre Optic service - \$1,000 per lot allowance*

It also recommends that EnviroDevelopment certification in the elements of Energy, Water, Waste, Community and Ecosystem be sought from the UDIA.

The Development Manager considers the Sustainability Initiatives are best directed toward sustainability in Water. A 3rd pipe scheme is recommended on the basis it is more desirable by the consumer and enhances estate presentation. Its experience with targeting Energy initiatives (Photo Voltaic Cells) is that these do not generate any additional sales or increase in revenue as the consumer does not see them as value offer and has not recommended their use in Catalina. Advice is pending from the Water Authority on agreement and pricing arrangements for the proposed 3rd pipe scheme

The Sustainability Initiatives Plan promotes EnviroDevelopment (ED), which is the Urban Development Institute of Australia best industry model for measuring a projects sustainability credentials. Sustainability credentials are measured against six elements, *Energy, Water, Waste, Community, Ecosystem and Materials*. The report concludes that Catalina is well placed to achieve five elements, *Energy, Water, Community, Waste and Ecosystem*.

At its meeting of 24 November 2011 the Management Committee considered the date/time, the form of contract of sale and building incentives for Stage 1 lots and resolved to recommend that Council;

1. *RECEIVE the Sustainability Initiatives Plan (dated September 2011) submitted by the Satterley Property Group, prepared by Active Sustainability.*
2. *Approve the following sustainability initiatives:*
 - *Third Pipe non potable water supply system \$3,500 per lot allowance;*
 - *Waterwise landscape package - \$4,500 per lot allowance*
 - *\$2,000 per lot solar panels rebate;*
 - *Provision of Fibre Optic service - \$1,000 per lot allowance;*
 - *Community Development - \$1,200 per lot allowance; and*
 - *Provision of waste management strategy (housing construction) at a cost of \$2,000 per lot.*

The majority of the proposed Sustainability Initiatives recommended by the Management Committee are accounted for in the approved Project Cashflow, however, as indicated below the following table is a variance of \$47 per lot. This minor shortfall in budget could be funded from expected savings from the Community Development budget allowance or from within the project contingency allowance.

Summary of Initiatives against Approved Budget			
Initiative	Cost	Sustainability Initiatives Budget	Budget Variance
Water wise front garden	\$4,500 per lot	\$5,500	+ \$1,000
3 rd pipe scheme	\$3,500 per lot	\$5,000	+ \$1,500
Waste recycling	\$2,000 per lot	\$0	- \$2,000
Fibre to the lot	\$1,000 per lot	\$2,453	+ \$1,453
Solar panel rebate	\$2,000	\$0	- \$2,000
TOTAL	\$13,000	\$12,953	- \$47

The Development Manager has reviewed the Management Committee's recommendation on sustainability initiatives from its meeting of 24 November 2011 and has indicated its support for the recommended initiatives (refer correspondence from the Development Manager dated 1 December 2011 is attached at Appendix 9.6).

The proposed Sustainability Initiatives reflect a contemporary approach to urban development and would appear to be well received in the market place. The 3rd Pipe non potable water supply system provides a good opportunity to achieve significant savings in the use of potable water on landscapes.

The EnviroDevelopment (ED) certification by the Urban Development Institute of Australia being implemented and achieving five elements, Energy, Water, Waste, Community and Ecosystem will enhance the projects sustainability credentials and recognition as best industry practice.

9.10 CATALINA CENTRAL DESIGN GUIDELINES – SINGLE RESIDENTIAL LOTS

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

- 1. APPROVE the Catalina Central Design Guidelines – Single Residential Lots, (November 2011) for the Central precinct.**
- 2. APPROVE the Catalina Central Design Guidelines – Single Residential Lots, (November 2011) being used as the basis of restrictive covenants to be applied to Stage 1.**

Voting Requirements

Simple Majority

Report Purpose

To consider the Catalina Central Design Guidelines – Single Residential Lots.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145218 (Sales & Marketing):

Budget Amount: \$1,000,000
Spent to Date: \$ 5,346
Balance: \$ 994,654

Expenditure will be accommodated within this item.

Relevant Documents

Appendix: Catalina Central Design Guidelines – Single Dwelling Lots
Available for viewing at the meeting: Nil

Background

At its meeting of 17 March 2011 the Management Committee considered the Built Form and Housing Design Guidelines, March 2011 prepared by the Development Manager and resolved;

1. RECEIVE the Built Form and Housing Design Guidelines, March 2011, submitted by the Satterley Property Group.
2. ACCEPT that the Built Form and Housing Design Guidelines, March 2011 be used as the basis of more detailed planning and investigation and discussion with relevant stakeholders and market acceptance.

The objectives of the Built Form and Housing Design Guidelines were listed as follows;

- To encourage a range of materials & construction methods;
- To create village precincts that have distinctive construction materials selections that reflect locality & topography, ie, beachside, central & train station via mandating building materials selections;
- To mandate certain design requirements in particular on medium density narrow fronted dwellings;
- To mandate building height (2 storey) where appropriate;
- To encourage & incentivise passive solar design & low energy usage principles in dwelling construction;
- To encourage & incentivise water sensitive design both inside & outside the home; &
- Achieve suitable accreditation.

Comment

Mackay Urban Design was engaged to prepare Design Guidelines for the central precinct of the Catalina project. The Design Guidelines are attached Appendix 9.10.

The Development Manager has recommended the Council's endorsement of the Catalina Central Design Guidelines – Single Residential Lots. It considers that the draft Design Guidelines will achieve high standard housing housing, result in good streetscapes.

The Satterley Property Group has consulted with the building industry when preparing the guidelines and is confident they can be applied without any onerous impact on building construction.

The Design Guidelines – Single Residential Lots sets out the Mandatory requirements and provides recommendations on design elements which assist in achieving good dwelling design.

The Design Guidelines aim to;

- Respond to the climate and conditions on and surrounding the lot
- Include high quality design detailing to create an attractive character and contemporary appearance
- Incorporate principles of environmental design and energy and water conservation
- Contribute to community safety and security.

Developer's Approval will be required for each dwelling proposal. This is to be managed by the Development Manager.

The Design Guidelines outlines a number of Mandatory Requirements, which includes the following;

- A two-storey element of the dwelling on nominated lots.
- Compliance with the Detailed Area Plans as approved by the City of Wanneroo for nominated lots.
- The front elevation to include at least two features such as a:
 - roof gable or gablet, arch, portico, projecting sill course, verandah, bay window and balcony
 - substantial feature material or colour that is in contrast to the main wall material or colour.
- The ceiling height for rooms located on the front elevation to be minimum 32 vertical brick courses (2.7m).
- The main roof of a dwelling to be pitched at 24 degrees minimum for a traditional roof and 5 degrees minimum for a skillion roof.
- The dwelling front elevation to include a minimum of two different materials or colours
- A double garage is required for a front loaded Lot with a width of 13m or more.
- All pipes, wired services, clothes drying areas, hot water storage tanks, air conditioning and other such service items to be screened from public view.

The Design Guidelines outlines a number of Recommendations to improve housing design, which includes the following;

- The front elevation being visible from the public realm and include at least one major opening to a habitable room.
- Roof eaves overhang of 450mm minimum and gable overhang of 300mm minimum.
- Passive Solar Design and Natural Ventilation design elements.
- Wall colours and trims to reflect the character of the native bushland and the rustic and textured planned landscape at Catalina Central.

There are also recommendations to improve environmental performance and to reduce the consumption and cost of household energy and water, including;

- Incorporation of additional shade devices that allow northern winter sun in to living areas and the outdoor living area and prevent summer sun access. Shade devices include pergolas, deciduous vegetation and awnings.
- Minimise openings to the west and east and provide additional shade devices.
- Installation of high star-rated electrical appliances (such as the fridge, freezer, television, washing machine, air conditioner, lighting etc.).
- Installation of high star-rated water using appliances (such as toilet, taps, shower head etc.).
- Installation of a heat pump or roof mounted solar hot water.
- Installation of roof mounted photo voltaic.

The lots adjacent Neerabup Road, which are located in a Mixed Use Zone, will be subject to a number of requirements to promote the opportunity for living and working.

The dwellings on lots that face Neerabup Road and Marmion Avenue will be potentially affected by traffic noise and, therefore, are required to be of a “quiet house design”. These requirements will minimise the impact of any traffic noise.

It is proposed that the Design Guidelines will form part of the Sales contract, as a special condition. The Design Guidelines will also form the basis of the Restrictive Covenants which are to form part of the Sales contract.

At this stage the City of Wanneroo has yet to formally respond to the proposed Design Guidelines. It is anticipated that any comments or modifications can be incorporated prior to consideration of the Design Guidelines by the Council. There is no statutory requirement for the City of Wanneroo to approve Design Guidelines.

The Design Guidelines reflect a contemporary approach to housing design. They are consistent with guidelines utilised in similar projects in the region. They promote good housing design, positive streetscape outcomes and promote sustainability and building innovation. Based on the Development Managers advice and similar application of guidelines in the region there would appear to be general market acceptance to the inclusion of such design guidelines in projects such as Catalina.

At its meeting of 24 November 2011 the Management Committee considered the Catalina Central Design Guidelines – Single Residential Lots and resolved to recommend that Council;

1. APPROVE the Catalina Central Design Guidelines – Single Residential Lots, (November 2011) for the Central precinct.
2. APPROVE the Catalina Central Design Guidelines – Single Residential Lots, (November 2011) being used as the basis of restrictive covenants to be applied to Stage 1.

9.11 INTERNET & COMMUNICATION SERVICES TENDER

Recommendation

1. **DECLINE to ACCEPT any of the Tenders for the provision of pit and pipe and an open access fibre optic internet service to the premises at Catalina for the Phase 1 area.**
2. **AGREE to enter into an agreement with NBN Co fund the installation of Pit & Pipe and NBN Co to backhaul fibre into the estate for delivery of internet services within 6 months from title of the first lots**
3. **That the Chairman and the CEO be AUTHORISED to sign and affix the TPRC common seal to the Contracts.**

Voting Requirements

Simple Majority

Relevant Documents

Appendix: Letter from Satterley Property Group dated 14 November 2011, Catalina Internet & Communication Services Brief
Available for viewing at the meeting: Nil

Report Purpose

To consider a tender report for the provision of Internet & Communication Services Tender for Phase 1.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

Expenditure under this matter will be incurred under item 99.2 (Lot Production):

Budget Amount:	\$7,053,544
Spent to Date:	\$ 225,087
Lot Allowance:	\$ 2,453
Balance:	\$6,803,228

Background

On 14 May 2011 the TPRC requested tenders for the provision of pit and pipe and an open access fibre optic internet service to the premises at Catalina for the Phase 1 area. The TPRC sought tenders from licensed and experienced providers of internet services.

The scope of works is attached at Appendix 9.11.

The Tender was advertised in the West Australian Newspaper on Saturday 8 October 2011. The tender period was between 8 October 2011 and 31 October 2011.

The tender document outlined that the assessment of the tenders would involve a weighted assessment matrix based on specified criteria listed below.

Comment

At the close of the Tender period 2 tenders were received from the following companies;

- OptiComm; and
- Service Elements.

Attached at Appendix 9.11 is a letter from the Development Manager with advice and recommendations.

The proposed tenders are substantially below the budget estimate in the approved Project Cashflow.

National Broadband Network (NBN Co) was unable to tender as its legislation does not permit. However, it has provided, separate to the tender, a draft agreement which the TPRC may consider in conjunction with the tenders. It should be noted that subject to the TPRC installing pit & pipe at its cost for subsequent installation of optic fibre NBN Co installs all other infrastructure. The estimated cost of pit & pipe installation is \$1000 per lot.

A summary of the costings of the proposals received from OptiComm, Service Elements and NBN Co follows:

- OptiComm - \$1500 per lot (exc GST)
- Service Elements - \$1695 per lot (exc GST).
- National Broadband Network (NBN Co) - NBN installs all other infrastructure at its cost, TPRC to install pit & pipe at its cost - \$1000 per lot (exc GST).

The approved cashflow has an allowance of \$2,453 per lot for installation / provision of a fibre optic communications and internet service. All three proposals can be met within this budget. All proposals represent potential cost saving in this cost area.

It is the Development Manager's experience that the provision of internet services system does not result in a significant increase in the rate of sale or increase in price. There is however an expectation from the market that internet services would be available. It has also indicated that competing estates in the northern corridor have shifted towards utilising NBN Co., probably in response to cost savings.

A decision on the form of the system is required by the end of November in order to meet the program for installation of services in February 2012. All three proposals offer guarantees of delivery of the fibre optic infrastructure within time frames that meet the earliest projected completion of homes in the estate.

It is the Development Manager's recommendation that the TPRC enter into an agreement with NBN Co fund the installation of Pit & Pipe with NBN Co to backhaul fibre into the estate and have ready for delivery of internet services within 6 months from title of the first lots. This is based on NBN Co being the lowest cost option, has government backing and provides a greater choice of service providers.

At its meeting of 24 November 2011 the Management Committee considered the Internet & Communication Services Tender and resolved to recommend that Council;

1. DECLINE to ACCEPT any of the Tenders for the provision of pit and pipe and an open access fibre optic internet service to the premises at Catalina for the Phase 1 area.
2. AGREE to enter into an agreement with NBN Co fund the installation of Pit & Pipe and NBN Co to backhaul fibre into the estate for delivery of internet services within 6 months from title of the first lots
3. That the Chairman and the CEO be AUTHORISED to sign and affix the TPRC common seal to the Contracts.

9.12 ELECTED MEMBER ALLOWANCES

Report Information

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

Recommendation

- a) That the Local Government allowance for Chairman of the Council be 50% of the permitted maximum i.e. a payment of \$6,000 per annum.
- b) That the Local Government Allowance for Deputy Chairman be 25% of the amount paid to the Chairman.
- c) That the attendance fee for Chairman of the Council be an amount of \$14,000 per annum.
- d) That attendance fees for Council members be an amount of \$7,000 per annum.
- e) Council members do not claim separate telecommunications, IT allowances or travelling allowance to meetings.
- f) That while the Local Government Act, in its present form, does not provide for the appointment of a Deputy or Alternate Members. The Council also notes the Interpretation Act (section 51) provides circumstances in which a Council may nominate a person to act in the absence of a 'regular' member but the Local Government Act does not facilitate any payment to a person attending as an appointee under the Interpretation Act.
- g) Fees to be reviewed following the next ordinary Council elections (next scheduled for October 2011) for the intent that the Council in place sets the fees that will apply in its tenure of office and is responsible for the budget allocations that will be needed to facilitate the payments.
- h) Elected member allowances are to be made quarterly in arrears.

Voting Requirements

Absolute Majority

Report Purpose

To establish elected member allowances to apply until the next ordinary local government elections.

Relevant Documents

Attachments: Nil
Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Section 5.98 Elected Member Allowances
- Regulation 33
- Regulation 34
- Local Government Administration Regulations

Previous Minutes

- Council Meeting – 9 December 2009 (Item 14.5: Elected Member Allowance)
- Council Meeting - 19 June 2008 (Item 9.6: Review of Council Member Fees)
- Council Meeting - 9 August 2007 (Item 9.4: Budget & 9.5 Elected Member Allowances)
- Council Meeting - 8 June 2006 (Item 9.5:- Elected Member Allowances)

Background

On 9 December 2009 the Council reviewed elected member fees and resolved as follows:

- a) That the Local Government allowance for Chairman of the Council be 50% of the permitted maximum i.e. a payment of \$6,000 per annum.*
- b) That the Local Government Allowance for Deputy Chairman be 25% of the amount paid to the Chairman.*
- c) That the attendance fee for Chairman of the Council be an amount of \$14,000 per annum.*
- d) That attendance fees for Council members be an amount of \$7,000 per annum.*
- e) Council members do not claim separate telecommunications, IT allowances or travelling allowance to meetings.*
- f) That while the Local Government Act, in its present form, does not provide for the appointment of a Deputy or Alternate Members. The Council also notes the Interpretation Act (section 51) provides circumstances in which a Council may nominate a person to act in the absence of a 'regular' member but the Local Government Act does not facilitate any payment to a person attending as an appointee under the Interpretation Act.*
- g) Fees to be reviewed following the next ordinary Council elections (next scheduled for October 2011) for the intent that the Council in place sets the fees that will apply in its tenure of office and is responsible for the budget allocations that will be needed to facilitate the payments.*
- h) Elected member allowances are to be made quarterly in arrears.*

In accordance with resolution g) above the elected Members Fees are required to be reviewed.

The following sets out the current approved fees for Members and the permitted maximum fees under the Local Government (Administration) Regulations 1996;

	Current Fees Approved 2009/10	Permitted maximum annual fees
Chair/Deputy Allowances		
Chair	6,000	12,000
Deputy 25%	1,500	3,000
Attendance Fees		
Chairman	14,000	14,000
Council members	7,000	7,000
Council Members (12)		

The adopted budget provisions for 2011/12 make allowance for payment for all members at the current approved fees i.e. the amounts shown in the first column in the above table.

Comment

Fees payable to Elected Members are at the election of the Council, within prescribed maximums under the Local Government (Administration) Regulations 1996. The current Elected Members fees arrangement reflect the previous practice and the fees previously agreed to by the Council.

As a result of the special circumstances of regional councils, it has previously been recommended that there be no allowances paid for travelling, telephone or communication expenses and that the permitted maximum fee prescribed by Local Government legislation be paid to Council Members.

The Council has previously adopted a practice of setting the member fees at a level that covers the alternative allowances that might be paid for travel, telephone and communication.

It is recommended that the previously adopted practice be approved by Council to determine Elected Members fees.

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

APPENDICES