

Ordinary Meeting of Council

MINUTES

Thursday 18 June 2020, 6:00pm

Due to the current pandemic situation, this meeting was conducted electronically.

TABLE OF CONTENTS

MEMBERSHIP	4
1. OFFICIAL OPENING.....	6
DISCLOSURE OF INTERESTS	6
2. PUBLIC STATEMENT/QUESTION TIME	6
3. APOLOGIES AND LEAVE OF ABSENCE.....	6
4. PETITIONS	6
5. CONFIRMATION OF MINUTES.....	6
5A BUSINESS ARISING FROM MINUTES	6
6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION).....	6
7. MATTERS FOR WHICH MEETING MAY BE CLOSED.....	6
8. COUNCIL REPORTS 8.1 – 8.6	7
8.1 BUSINESS REPORT – PERIOD ENDING 11 JUNE 2020	7
8.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MARCH & APRIL 2020.....	7
8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF MARCH & APRIL 2020.....	7
8.4 PROJECT FINANCIAL REPORT – APRIL 2020	7
8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 11 JUNE 2020.....	8
8.6 CATALINA SALES OFFICE OPENING HOURS	8
9. COMMITTEE REPORTS 9.1 - 9.9.....	8
AUDIT COMMITTEE (18 JUNE 2020).....	8
9.1 REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK AND RISK REGISTER.....	8
9.2 AUDIT COMMITTEE AUDIT CHARTER & ANNUAL AUDIT PLAN REVIEW	9
9.3 INVESTMENT POLICY REVIEW	9
9.4 PROCUREMENT POLICY REVIEW	9
MANAGEMENT COMMITTEE (21 MAY 2020).....	9
9.5 PROJECT FORECAST 2020	9
9.6 PROJECT BUDGET FYE 2021	10
9.7 ANNUAL PLAN FYE 2021 – CONFIDENTIAL.....	11
9.8 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING UPDATE - CONFIDENTIAL.....	12
CEO ANNUAL PERFORMANCE REVIEW COMMITTEE MEETING (11 MAY 2020).....	12
9.9 CEO ANNUAL PERFORMANCE REVIEW FOR 2019/2020 - APPOINTMENT OF CONSULTANT - CONFIDENTIAL.....	12
10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	15
11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	15

12. URGENT BUSINESS APPROVED BY THE CHAIR.....	15
13. MATTERS BEHIND CLOSED DOORS	15
14. GENERAL BUSINESS	15
15. FORMAL CLOSURE OF MEETING	15

TAMALA PARK REGIONAL COUNCIL

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis (DEPUTY CHAIR)	Cr Gary Mack
City of Joondalup	Cr John Chester Cr Phillipa Taylor	Cr Christopher May Cr Suzanne Thompson
City of Perth	Cmr Andrew Hammond	Cmr Gaye McMath
City of Stirling	Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri	Cr Karlo Perkov
Town of Victoria Park	Cr Claire Anderson	
City of Vincent	Mayor Emma Cole	Cr Joanne Fotakis
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

PRESENT

Chair	Cr Karen Caddy
Councillors	Cr Claire Anderson Cr John Chester Mayor Emma Cole Cmr Andrew Hammond Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri (arrived 6:05pm) Cr Philippa Taylor Cr Andres Timmermanis Cr Brett Treby
Alternate Members	Cr Natalie Sangalli
Staff	Mr Tony Arias (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Domenic Zappa
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Nigel Satterley (Satterley Property Group) Mr Charlie Lawlor (Satterley Property Group) Mr John Silla (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Ms Lena Kozak (Satterley Property Group) Mr Alan Abel (Satterley Property Group) Mr Ross Carmichael (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Stuart Jardine (City of Stirling) Mr John Giorgi (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park) Mr Murray Jorgensen (City of Perth) Mr Daniel Simms (City of Wanneroo)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Jon Morellini (Town of Victoria Park) Mr Stevan Rodic (City of Stirling) Mr Emille Van Heyningen (City of Wanneroo)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:04pm and welcomed Cr Sangalli to her first Tamala Park Regional Council meeting.

DISCLOSURE OF INTERESTS

Mayor Emma Cole advised a Disclosure of Interest – Impartial Interest in relation to Items 9.6 (she is a member of the WAPC) and 9.8 (she is a member of the MRC).

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Nil

4. PETITIONS

Nil

Cr Sandri joined meeting at 6:05pm

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 11 May 2020

Moved Cr Timmermanis, Seconded Cmr Hammond

That the minutes of the Ordinary Meeting of Council of 11 May 2020 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (12/0).

5A BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

9.7 Annual Plan FYE 2021

9.8 Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Update

9.9 CEO Annual Performance Review For 2019/2020 - Appointment of Consultant

8. COUNCIL REPORTS 8.1 – 8.6

8.1 BUSINESS REPORT – PERIOD ENDING 11 JUNE 2020

Moved Cr Timmermanis, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 11 June 2020.

The Motion was put and declared CARRIED (12/0).

The recommendations for Items 8.2, 8.3 and 8.4 were moved and seconded en bloc.

Moved Cr Timmermanis, Seconded Cr Sandri.

8.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MARCH & APRIL 2020

[The recommendation in the agenda]

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

- 31 March 2020; and
- 30 April 2020.

8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF MARCH & APRIL 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of March and April 2020:

- Month ending 31 March 2020 (Total \$186,086.13)
- Month ending 30 April 2020 (Total \$387,934.68)
- Total Paid - \$574,020.81

8.4 PROJECT FINANCIAL REPORT – APRIL 2020

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (April 2020) submitted by the Satterley Property Group.

The Motions were put and CARRIED en bloc (12/0).

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 11 JUNE 2020

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 11 June 2020.

The Motion were put and CARRIED (12/0).

8.6 CATALINA SALES OFFICE OPENING HOURS

Moved Cr Chester, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council:

1. **APPROVES the following opening hours for the Catalina Sales Office on a trial basis from 1 July 2020 until 31 December 2020:**

Day	Opening Hours
Monday	1:00pm to 5:00pm
Tuesday	1:00pm to 5:00pm
Wednesday	12:00pm to 5:00pm
Thursday	Closed
Friday	Closed
Saturday	9:00am to 5:00pm
Sunday	9:00am to 5:00pm

2. **REQUIRES the Satterley Property Group to provide a report at the Council's December 2020 meeting on the outcomes of the trial of the revised Sales Office opening hours, including advice on northern corridor estates' sales office opening hours, sales against budget and feedback from the public and display builders and a recommendation on opening hours to apply beyond 31 December 2020.**

The Motion were put and CARRIED (12/0).

9. COMMITTEE REPORTS 9.1 - 9.9

AUDIT COMMITTEE (18 JUNE 2020)

The recommendations for Items 9.1 – 9.4 were moved and seconded en bloc.

Moved Cr Sandri, Seconded Cr Migdale.

9.1 REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK AND RISK REGISTER

[Audit Committee recommendation]

That the Council APPROVES the Tamala Park Regional Council Risk Management Framework (2020) and the Tamala Park Regional Council Corporate Risk Register (2020).

9.2 AUDIT COMMITTEE AUDIT CHARTER & ANNUAL AUDIT PLAN REVIEW

[Audit Committee recommendation]

That the Council:

- 1. APPROVES the TPRC Audit Charter (May 2020).**
- 2. ADOPTS the Audit Plan 2020/2021.**

9.3 INVESTMENT POLICY REVIEW

[Audit Committee recommendation]

That the Council APPROVES the Investment Policy (2020).

9.4 PROCUREMENT POLICY REVIEW

[Audit Committee recommendation]

That the Council APPROVES the Procurement Policy (June 2020).

The Motions were put and CARRIED en bloc (12/0).

MANAGEMENT COMMITTEE (21 MAY 2020)

9.5 PROJECT FORECAST 2020

[The recommendation in the agenda]

That the Management Committee recommends that Council ENDORSES Project Forecast Scenario 2 (2020), submitted by the Satterley Property Group.

Moved Cr Migdale, Seconded Cr Sandri.

[An Alternative Motion]

That the Council:

- 1. DEFERS consideration of the Project Forecast Scenarios (2020), submitted by the Satterley Property Group.**
- 2. REQUESTS the Satterley Property Group to update the Forecast Scenarios (2020) for Council's consideration in August 2020 in light of amended lot pricing and supporting analysis.**

- 3. AUTHORISES the Chief Executive Officer to engage an independent consultant with the relevant experience to review the Project Forecast 2020 and to undertake a benchmarking exercise on key project elements and provide advice and recommendations to Council.**

The Chair put Recommendations 1, 2 and 3 separately.

That the Council:

- 1. DEFERS consideration of the Project Forecast Scenarios (2020), submitted by the Satterley Property Group.**

The Motion was put and declared CARRIED (12/0).

- 2. REQUESTS the Satterley Property Group to update the Forecast Scenarios (2020) for Council's consideration in August 2020 in light of amended lot pricing and supporting analysis.**

The Motion was put and declared CARRIED (12/0).

- 3. AUTHORISES the Chief Executive Officer to engage an independent consultant with the relevant experience to review the Project Forecast 2020 and to undertake a benchmarking exercise on key project elements and provide advice and recommendations to Council.**

The Motion was put and declared CARRIED (10/2).

For: Cr Anderson, Cr Chester, Cr Cole, Cr Hammond, Cr Lagan, Cr Migdale, Cr Sandri, Cr Sangalli, Cr Taylor and Cr Treby.

Against: Cr Caddy and Cr Timmermanis

9.6 PROJECT BUDGET FYE 2021

[The recommendation in the agenda]

That the Management Committee recommends that Council APPROVES the Project Budget FYE 2021 (May 2020), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2021, subject to:

1. The WAPC Land acquisition (\$10.2M) being made in two payments in May 2021 and December 2022;
2. Long Beach Promenade Connection – Catalina Beach (\$0.81M) being included for construction in FYE 2021.

Moved Cr Migdale, Seconded Cr Chester.

[An Alternative Motion]

That the Council:

1. **APPROVES the Project Budget FYE 2021 (May 2020), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2021, subject to the following modifications:**
 - i) **Project revenue being adjusted to reflect the following revised approach to lot pricing, with no sales incentive rebate (July 2020 – December 2020):**

a. Central – 375m ² :	\$258,000
b. Central – 450m ² :	\$293,000
c. Beach – 375m ² :	\$345,000
d. Beach – 450m ² :	\$385,000
 - ii) **Bring forward construction of Stages 16, 27 and 28 to achieve titles by December 2020;**
 - iii) **The WAPC Land acquisition (\$10.2M) being made in two payments in May 2021 and December 2022;**
 - iv) **Long Beach Promenade Connection – Catalina Beach (\$0.81M) being included for construction in FYE 2021.**
2. **APPROVES the immediate release of titled lots in Stage 26D and 26E of Catalina Beach.**

The Motion was put and declared CARRIED (10/2).

For: Cr Anderson, Cr Caddy, Cr Chester, Cr Cole, Cmr Hammond, Cr Lagan, Cr Migdale, Cr Sangalli, Cr Taylor and Cr Treby.

Against: Cr Sandri and Cr Timmermanis

The Motion was put and declared CARRIED (10/2).

9.7 ANNUAL PLAN FYE 2021 – CONFIDENTIAL

[The recommendation in the agenda]

That the Management Committee recommends that Council:

1. **APPROVES the Annual Plan FYE 2021, prepared by the Satterley Property Group as the basis for financial planning for the TPRC Budget FYE 2021, but this approval does not extend to the contents of Annexures C, D, E and F.**
2. **ACCEPTS that the Satterley Property Group has achieved the Key Performance Indicator – Governance, requiring the preparation of a Project Annual Plan.**

Moved Cr Migdale, Seconded Cr Treby.

[An Alternative Motion]

That the Council:

- 1. APPROVES the Annual Plan FYE 2021, prepared by the Satterley Property Group as the basis for financial planning for the TPRC Budget FYE 2021, but this approval does not extend to the contents of Annexures C, D, E and F, and subject to it being modified to reflect the content of the Project Budget FYE 2021, as approved by the Council on 18 June 2020.**
- 2. ACCEPTS that the Satterley Property Group has achieved the Key Performance Indicator – Governance, requiring the preparation of a Project Annual Plan.**

The Motion was put and declared CARRIED (12/0).

Moved Cr Treby, Seconded Cr Cole.

That Standing Orders be suspended to allow Confidential Items 9.8 and 9.9 to be discussed.

The Motion was put and declared CARRIED (11/1).

For: Cr Anderson, Cr Caddy, Cr Chester, Cr Cole, Cmr Hammond, Cr Lagan, Cr Migdale, Cr Sandri, Cr Sangalli, Cr Taylor and Cr Treby.

Against: Cr Timmermanis

9.8 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING UPDATE - CONFIDENTIAL

Moved Cr Timmermanis, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the update on groundwater monitoring.

The Motion was put and declared CARRIED (12/0).

CEO ANNUAL PERFORMANCE REVIEW COMMITTEE MEETING (11 MAY 2020)

9.9 CEO ANNUAL PERFORMANCE REVIEW FOR 2019/2020 - APPOINTMENT OF CONSULTANT - CONFIDENTIAL

Moved Cr Lagan, Seconded Cmr Hammond.

[The recommendation in the agenda]

That the Committee recommends that Council:

- 1. APPROVES the use of an external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.**

2. APPROVES the CEO Performance Review Committee seeking proposals from the following consultants for a 3 year term to assist the Council with the CEO Annual Performance Review, in accordance with the Council's Procurement Policy:
 - a) Acumen Alliance
 - b) Anne Lake Consulting
 - c) Beilby Downing Teal
 - d) Gary Martin
 - e) Gerard Daniels
 - f) John Phillips Consulting
 - g) Learning Horizons
 - h) Portland Broome
 - i) Price Consulting Group

3. APPROVES the following CEO Annual Performance Review Methodology and that it be included in the request for proposals from consultants to assist the Council with the CEO Annual Performance Review for 2019/2020:
 - Preparation and distribution of a self-assessment report to CEO;
 - Preparation and distribution of a questionnaire to Councillors, to enable provision of feedback on CEO's performance, with interviews where required;
 - Preparation of an Appraisal Report;
 - Attendance at the Council's offices to facilitate the Appraisal;
 - Meeting with CEO to brief on the process and provide an overview of the Feedback Report;
 - Meeting with the CEO Performance Review Committee to brief on outcomes and the Appraisal Report;
 - Develop Performance Objectives for the following year.

4. APPROVES a \$10,000 budget provision relating to Recruitment – Human Resources for the TPRC Budget 2020/2021 for the costs of the external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.

The Motion as amended was as follows:

That the Committee recommends that Council:

1. **APPROVES the use of an external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.**

2. **APPROVES that in accordance with Regulation 9 of the *Local Government (Rules of Conduct) Regulations 2007* authorises the Chair of the CEO Performance Review Committee to seek proposals from the following consultants for a 3 year term to assist the Council with the CEO Annual Performance Review, in accordance with the Council's Procurement Policy:**
 - a) **Acumen Alliance**
 - b) **Anne Lake Consulting**
 - c) **Beilby Downing Teal**
 - d) **Gary Martin**
 - e) **Gerard Daniels**
 - f) **John Phillips Consulting**
 - g) **Learning Horizons**
 - h) **Portland Broome**
 - i) **Price Consulting Group**

3. **APPROVES** the following CEO Annual Performance Review Methodology and that it be included in the request for proposals from consultants to assist the Council with the CEO Annual Performance Review for 2019/2020:
 - Preparation and distribution of a self-assessment report to CEO;
 - Preparation and distribution of a questionnaire to Councillors, to enable provision of feedback on CEO's performance, with interviews where required;
 - Preparation of an Appraisal Report;
 - Attendance at the Council's offices to facilitate the Appraisal;
 - Meeting with CEO to brief on the process and provide an overview of the Feedback Report;
 - Meeting with the CEO Performance Review Committee to brief on outcomes and the Appraisal Report;
 - Develop Performance Objectives for the following year.
4. **APPROVES** a \$10,000 budget provision relating to Recruitment – Human Resources for the TPRC Budget 2020/2021 for the costs of the external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.

The Chair put Recommendations 1, 2 and 3 separately.

That Council:

1. **APPROVES** the use of an external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.
2. **APPROVES** that in accordance with Regulation 9 of the *Local Government (Rules of Conduct) Regulations 2007* authorises the Chair of the CEO Performance Review Committee to seek proposals from the following consultants for a 3 year term to assist the Council with the CEO Annual Performance Review, in accordance with the Council's Procurement Policy:
 - a) Acumen Alliance
 - b) Anne Lake Consulting
 - c) Beilby Downing Teal
 - d) Gary Martin
 - e) Gerard Daniels
 - f) John Phillips Consulting
 - g) Learning Horizons
 - h) Portland Broome
 - i) Price Consulting Group
3. **APPROVES** the following CEO Annual Performance Review Methodology and that it be included in the request for proposals from consultants to assist the Council with the CEO Annual Performance Review for 2019/2020:
 - Preparation and distribution of a self-assessment report to CEO;
 - Preparation and distribution of a questionnaire to Councillors, to enable provision of feedback on CEO's performance, with interviews where required;
 - Preparation of an Appraisal Report;
 - Attendance at the Council's offices to facilitate the Appraisal;
 - Meeting with CEO to brief on the process and provide an overview of the Feedback Report;
 - Meeting with the CEO Performance Review Committee to brief on outcomes and the Appraisal Report;

- **Develop Performance Objectives for the following year.**

The Motions were put and declared CARRIED (12/0).

The Chair put Recommendation 4.

- 4. APPROVES a \$10,000 budget provision relating to Recruitment – Human Resources for the TPRC Budget 2020/2021 for the costs of the external consultant to assist the Council with the CEO Annual Performance Review for 2019/2020.**

The Motion was put and declared CARRIED by ABSOLUTE MAJORITY (12/0).

Moved Cr Treby, Seconded Cr Cole.

That the Meeting be REOPENED to the public.

The Motion was put and declared CARRIED (12/0).

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 CHAIR

Nil

13. MATTERS BEHIND CLOSED DOORS

- 9.8 *Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Update*
9.9 *CEO Annual Performance Review For 2019/2020 - Appointment of Consultant*

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:26pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2020

as a true record of proceedings.

CHAIR