

TAMALA PARK  
REGIONAL COUNCIL

# Ordinary Meeting of Council

## MINUTES

Thursday 26 February 2009  
Town of Cambridge, 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 (nee John) Mayor Troy Pickard	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Paul Collins Cr John Italiano Cr David Michael Cr Bill Stewart	Cr Kathryn Thomas Cr Terry Tyzack
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	Cr Steed Farrell
City of Wanneroo	Cr Tracey Roberts Cr Bob Smithson	Cr Alan Blencowe Cr Frank Cvitan

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

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## **PRESENT**

<b>Chairman</b>	Cr Troy Pickard
<b>Councillors</b>	Cr Nick Catania (departed 8pm) Cr Paul Collins (from 5.43pm) Cr Eleni Evangel (from 5.46pm and departed 8pm) Cr David Michael (from 5.43pm) Cr Tracey Roberts Cr Michele Rosano (nee John) (from 5.55pm) Cr Bob Smithson Cr Bill Stewart Cr Trevor Vaughan Cr Simon Withers
<b>Alternate Members</b>	Nil
<b>Staff</b>	Rod Constantine (Chief Executive Officer) Kylie Jeffs (Minute Clerk)
<b>Apologies Councillors</b>	Cr John Italiano
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr John de Brun (Syrinx) Mr Murray Casselton (TPG Town Planning & Urban Design) Mr Brett Wood Gush (TPG Town Planning & Urban Design) Ms Rada Tomanovic (Syrinx)
<b>Apologies Represented Councils' Advisers</b>	Mr John Giorgi (Town of Vincent) Mr Daniel Simms (City of Wanneroo)
<b>In Attendance</b>	Mr Lewis Bond (City of Perth) Mr John Bonker (Town of Victoria Park) Mr Jason Buckley (Town of Cambridge) Mr Mark Dickson (City of Wanneroo) Mr Garry Hunt (City of Joondalup) Mr Jason Lyon (Town of Cambridge) Mr Ross Povey (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## **PRELIMINARIES**

### **1. OFFICIAL OPENING**

The meeting was declared open at 5.36pm.

## **DISCLOSURE OF INTERESTS**

- Cr Bill Stewart declared an interest affecting impartiality for Item 8 Reports of Committees, as Mr R Constantine was the former Deputy CEO of the City of Stirling and also for his support for Mr Constantine's award of Freeman of the City of Stirling.

## **2. PUBLIC STATEMENT/QUESTION TIME**

Nil

## **3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies were received from Cr John Italiano.

## **4. PETITIONS**

Nil

## **5. CONFIRMATION OF MINUTES**

- Ordinary Meeting of Council Minutes – 4 December 2008
- Notes of Structure Plan Options Workshop – 29 January 2009

*Ordinary Meeting of Council – 4 December 2008*

Moved Cr T Pickard, Seconded Cr B Stewart

That the minutes of the Ordinary Meeting of Council of 4 December 2008 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (7/0).

*Notes of Structure Plan Options Workshop – 29 January 2009*

Moved Cr T Pickard, Seconded Cr B Stewart

That the notes of the Structure Plan Options Workshop of 29 January 2009 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (7/0).

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

Nil

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

The Chairman advised that he and Mr R Constantine attended a meeting with the Minister for Energy the Hon. Peter Collier MLC on Tuesday 24 February 2009 and was greeted with a warm reception. Outcomes of the meeting included:

- 1) TPRC to formally write to the Minister with specific objectives that require advice or other responses from Western Power and Synergy; and
- 2) The Minister encouraged TPRC to write to the Department of Premier & Cabinet outlining TPRC initiatives for the new urban development seeking co-

ordination through the Department of Premier & Cabinet for a whole of Government support for the TPD project and for appreciation of the benefit that the project may have for setting standards and policies for future developments.

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

Nil

**8. REPORTS OF COMMITTEES**

*Audit Committee Meeting – 26 February 2009*

It was noted that 2 items from the postponed Audit Committee meeting agenda have been referred as late items on the current agenda. Items are as follows:

Item 9.10 – Local Government Compliance Audit for Year Ended 31 December 2008; and

Item 9.11 – TPRC Budget Review 1 July 2008 to 30 June 2009 at 26 February 2009

*CEO Performance Review Committee Meeting – 26 February 2009*

*Cr P Collins, Cr E Evangel, Cr D Michael and Cr M Rosano arrived during discussion on this item.*

- The Chairman advised that the CEO Performance Review Committee had completed its review of the CEO performance for the year ended 10 October 2008 supported by specialist consultant services from WALGA 'Workplace Solutions'. The Chairman requested that all councillor members participate in the review process for future reviews.
- The Chairman advised that a letter had been received from the CEO Mr R Constantine advising:
  - The contract of employment of the CEO requires discussions relating to contract extension commence prior to 6 months before contract expiry;
  - The current contract of employment of the CEO expires on 10 October 2009;
  - That the incumbent CEO will not seek a continuation of contract as CEO;
  - That the completion of contract roughly coincides with completion of the structure planning phase for the project and is a logical time for any change in personnel and structure leading into the development phase of the project; and
  - That the CEO will be prepared to continue until appointment of a replacement CEO and also to complete work on innovative aspects of the project, (communications, power generation, water and LED lighting and signs), if required.

The Committee recommends to Council that:

Moved Cr B Smithson, Seconded Cr D Michael

1. That the Annual Performance Review Feedback report be NOTED.
2. That the CEO be CONGRATULATED for his outstanding contribution to the TPRC during the review period October 2007 to October 2008.
3. That the CEO be PROVIDED with a salary increase of 10% effective from 11 October 2008.

The Motion was put and declared CARRIED (11/0).

The Committee recommends to Council that:

Moved Cr T Roberts, Seconded Cr T Vaughan

That the Committee MEET again within a period of 6 weeks with a view of a Committee report to the next Council meeting (on 16 April 2009) to consider the future management structure and staffing for TPRC and the CEO be asked to provide options for Council consideration on those matters.

The Motion was put and declared CARRIED (11/0).

## **9. ADMINISTRATION REPORTS**

### **9.1 BUSINESS REPORT – PERIOD ENDING 31 JANUARY 2009**

Moved Cr N Catania, Seconded Cr D Michael

[The Motion recommended in the agenda]

**That the Business Report to 31 January 2009 be RECEIVED.**

The Motion was put and declared CARRIED (11/0).

### **9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF NOVEMBER 2008, DECEMBER 2008 AND JANUARY 2009**

*The Appendix item - Monthly Statement of Financial Activity for the months ending 30 November 2008, 31 December 2008 and 31 January 2009 were distributed prior to the meeting.*

Moved Cr B Stewart, Seconded Cr T Vaughan

[The Motion recommended in the agenda]

**That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 30 November 2008, 31 December 2008 and 31 January 2009.**

The Motion was put and declared CARRIED (11/0).

### **9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF NOVEMBER 2008, DECEMBER 2008 AND JANUARY 2009**

Moved Cr B Smithson, Seconded D Michael

[The Motion recommended in the agenda]

**That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the month of November 2008, December 2008 and January 2009:**

- **Month ending 30 November 2008 (Total \$74,857.84)**
- **Month ending 31 December 2008 (Total \$108,663.00)**

- **Month ending 31 January 2009 (Total \$101,847.80)**
- **Total Paid \$285,368.64**

The Motion was put and declared CARRIED (11/0).

***At the conclusion of Item 9.3 the following formal motion was received by the Chairman and put to the meeting.***

Moved Cr N Catania, Seconded Cr M Rosano that Item 9.8 item be discussed prior to Item 9.4 of this agenda.

**9.8 STRUCTURE PLAN – CONSULTANTS REPORT FOR THE PERIOD ENDING 18 FEBRUARY 2009**

The Motion was put and declared CARRIED (11/0).

***The meeting then proceeded to Item 9.8 of the agenda***

Moved Cr M Rosano, Seconded Cr B Smithson

[The Motion recommended in the agenda]

1. **That the report from TPG on consultant activity relative to structure planning for the period ending 18 February 2009 be RECEIVED.**
2. **That the Council NOTE that work to end of January 2009 is in accordance with the time program and project phases listed for the TPD structure planning project.**

The Motion was put and declared CARRIED (11/0).

**9.4 STRUCTURE PLAN OPTIONS – PRESENTATION OF OPTIONS BY CONSULTANTS FOLLOWING 29 JANUARY 2009 WORKSHOP**

*TPG and Syrinx were invited to present a PowerPoint presentation to Council on 2 structure plan options. Hard copies of Option 1 (urban village option) and Option 2 business corridor were distributed.*

*Cr N Catania and Cr E Evangel departed the meeting during discussion on this item.*

Moved Cr P Collins, Seconded Cr M Rosano

[The recommendation be formulated as follows]

1. **That the presentation from TPG and sub-consultants be NOTED.**
2. **That a Special Council meeting be HELD in March 2009 to CONSIDER a revised structure plan which has regard for the discussion on the elements shown and emphasised in the consultants presentation.**

**NB a copy of the PowerPoint presentation given by the consultants is attached for inclusion in the minutes.**

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



## 9.5 APOLOGIES & LEAVE OF ABSENCE PROPOSED TPRC COUNCIL PROTOCOL

Moved Cr D Michael, Seconded Cr B Stewart

[The Motion recommended in the agenda]

**That the protocol for apologies and leave of absence from TPRC Council and Committee meetings be ADOPTED.**

The Motion was put and declared CARRIED (9/0) with the following amendment to the Protocol.

1. The tendering of an apology or a request for a formal leave of absence in respect of meetings of the TPRC Council should be made having regard to normal courtesy, the proper functioning of the Council and to maximize the opportunity for intended representation of constituent Councils to occur for all Council (and Committee) meetings.
2. A Council member should:
  - a) Advise the CEO of the TPRC where the member intends to be absent from a scheduled meeting of the Council.
  - b) Should submit an apology for non-attendance as a courtesy to the members of the Council and for recording in Council minutes.
  - c) Should, where wishing to formally apply for a leave of absence for consideration of approval by the Council (LGA Section 2.25) make the application:
    - As early as possible;
    - ~~Make the application in writing;~~
    - ~~State the reason for the intended absence;~~
    - State the ordinary Council meetings for which leave of absence is sought and the general period in which leave is sought for any other meetings of the Council or Council Committees.
  - d) Notify the CEO of the Council of which the member is a nominee of the application for leave of absence from TPRC meetings and request the CEO to facilitate the nomination of an alternate nominee from the Council to attend the meetings of the TPRC subject to appointment of an alternate nominee being possible within the provisions of relevant legislation (currently section 52 of the Interpretation Act).

NB 1: The LGA does not currently provide for a Council to appoint a Deputy or an alternate member to automatically take the place of a Council nominee who is unable to attend a Regional Council meeting.

NB 2: The TPRC has requested an amendment to the LGA to facilitate appointment of deputy members that can provide representation for a participant Council in the same way that deputies can be appointed within Councils to substitute for Committee members who are unable to attend scheduled meetings.

NB 3: The Interpretation Act provides the one legal opportunity for an alternate member to be appointed to represent a participant local government in circumstances where the appointed nominee will be absent but only if the 'regular member' is absent:

- a) Due to Illness
- b) Absent from state
- c) Incapacity to act

An appointment of an alternate representative under Section 51 of the Interpretation Act must be made in each case that an absence occurs and must be by a Council resolution, advice of which is conveyed to the CEO of the Regional Council.

- e) Council members should use the form provided (refer attachment) for completeness of necessary information, for clarity and formal Council records.
- f) ~~Unless impractical~~, Make the application before the Council meeting for which leave of absence is required.

## **9.6 ENVIRONMENTAL MANAGEMENT PLAN & ASSOCIATED WORK**

Moved Cr D Michael, Seconded Cr B Smithson

[The Motion recommended in the agenda]

1. That Syrinx Environmental be ENGAGED to prepare an environmental management plan, submissions to the City of Wanneroo in relation to the City's requirements for an important tree survey over Lot 9504 Mindarie and for the preparation of required submissions for reference to the Federal Department of Conservation & Environment for clearances to proceed with development on Lot 9504 Mindarie.
2. That the value of work at \$25,518 be AUTHORISED and subject of the necessary contract and orders in favour of Syrinx Environmental.

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

## **9.7 NEERABUP ROAD**

Moved Cr T Vaughan, Seconded Cr B Smithson

[The Motion recommended in the agenda]

1. MRWA be requested to re-examine the pedestrian underpass proposed for Neerabup Road and in particular to widen the underpass, have consideration for surrounding contours for providing friendly pedestrian access and change the geometry of the underpass to enable passage by a public transport vehicle.
2. That the PTA and MRWA be requested to re-examine the proposals for bus traffic off Mitchell Freeway and Neerabup Road, particularly with regard to the traffic movements that the existing road infrastructure demands to facilitate most convenient use of the public transport system by the public and to reduce the kilometers and time for buses within the train/bus interchange precinct.
3. That MRWA be invited to consider a combination roundabout and signaled public transport system for Marmion Avenue at a point approximately mid-way between Neerabup Road and the southern boundary of the TPD. See

**Appendix 9.7.**

4. That having regard for the importance of recommendations 1-3, existing committed plans and designs that the Council consider a deputation to appropriate Ministers to gain support for a coordinated approach to these matters by State infrastructure and planning agencies.

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

**9.8 STRUCTURE PLAN – CONSULTANTS REPORT FOR THE PERIOD ENDING 18 FEBRUARY 2009**

*This item was discussed after Item 9.3 and prior to Item 9.4 on the agenda.*

Moved Cr M Rosano, Seconded Cr B Smithson

[The Motion recommended in the agenda]

1. That the report from TPG on consultant activity relative to structure planning for the period ending 18 February 2009 be RECEIVED.
2. That the Council NOTE that work to end of January 2009 is in accordance with the time program and project phases listed for the TPD structure planning project.

The Motion was put and declared CARRIED (11/0).

**9.9 LOT 807 MINDARIE – CONFIDENTIAL ITEM**

Moved Cr T Vaughan, Seconded Cr B Smithson

[The Motion recommended in the agenda]

1. That the report advising the valuation obtained from the Valuer General be ACKNOWLEDGED.
2. That action taken requesting MRWA to review its price for sale of Lot 807 Mindarie be ENDORSED.
3. That progress with negotiations be REPORTED to the 16 April 2009 Council meeting.

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

**9.10 LOCAL GOVERNMENT COMPLIANCE AUDIT FOR YEAR ENDED 31 DECEMBER 2008**

*This item was submitted as a late item on the agenda.*

Moved Cr B Stewart, Seconded Cr D Michael

[The Motion recommended in the agenda]

**That the Compliance Audit Return for the TPRC for the year ended 31 December 2008 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Executive Director as required by the Local Government Act and Regulations.**

The Motion was put and declared CARRIED (9/0) by a unanimous vote.

**9.11 TPRC BUDGET REVIEW – 1 JULY 2008 TO 30 JUNE 2009 AT 26 FEBRUARY 2009**

*This item was submitted as a late item on the agenda.*

Moved Cr B Stewart, Seconded Cr T Vaughan

[The Motion recommended in the agenda]

**That the Budget Review for the period 1 July 2008 to 30 June 2009 (as at 26 February 2009) be RECEIVED, NOTED and FORWARDED to the Department of Local Government and Regional Development.**

The Motion was put and declared CARRIED (9/0) by a unanimous vote.

**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**

Nil

**15. FORMAL CLOSURE OF MEETING**

The Chairman declared the meeting closed at 8.44pm.

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

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

as a true record of proceedings.

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CHAIRMAN



Tamala Park

Structure Plan Options Workshop

26 February 2009

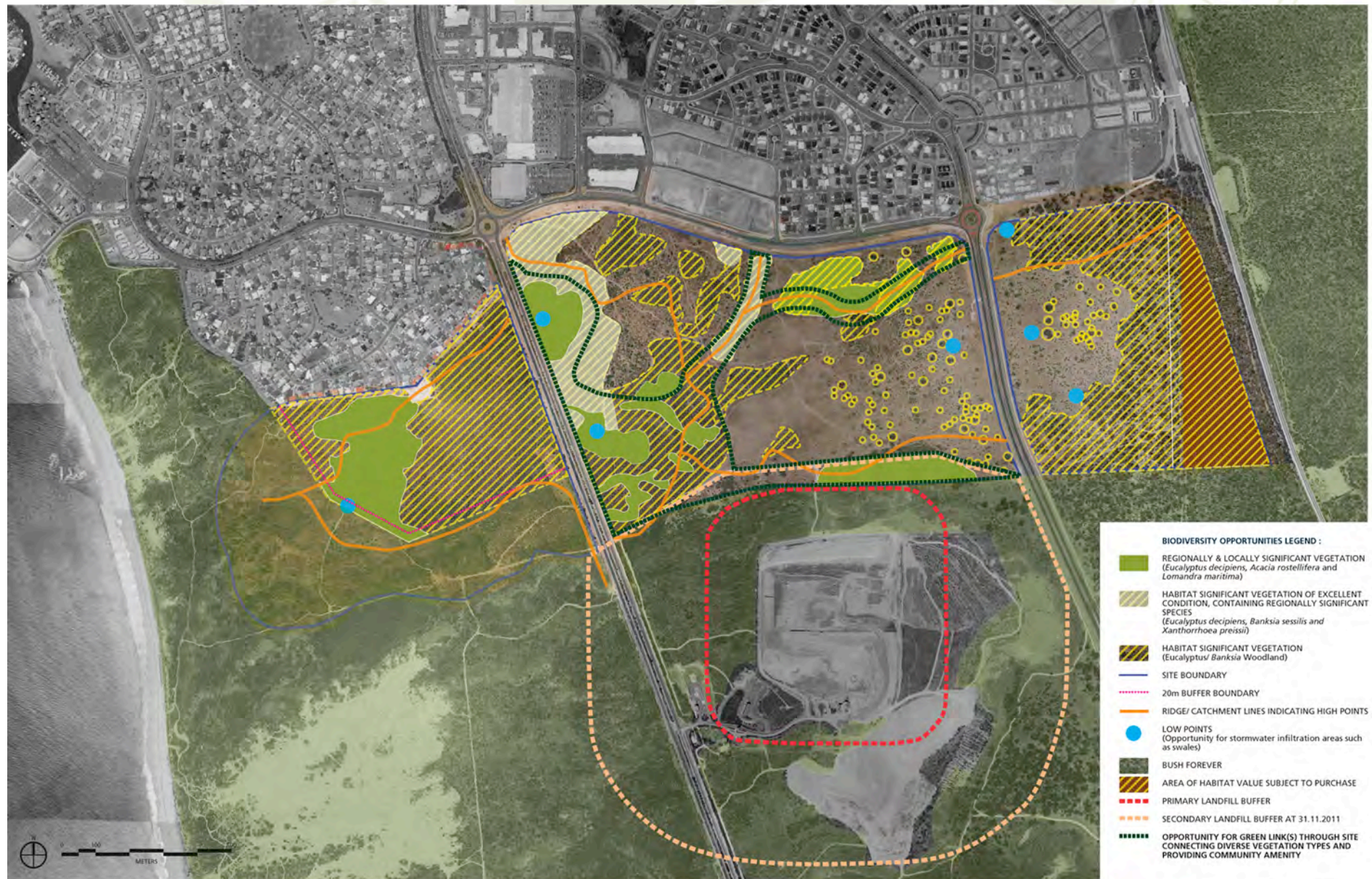


# Tasks and Progress Since January.

1. Progress Ecological Site Assessment
2. Meet with City of Wanneroo (As regulatory Authority)
3. Discuss strategy to deal with Transit Interchange.
4. Confirm requirements for Schools
5. Seek community input

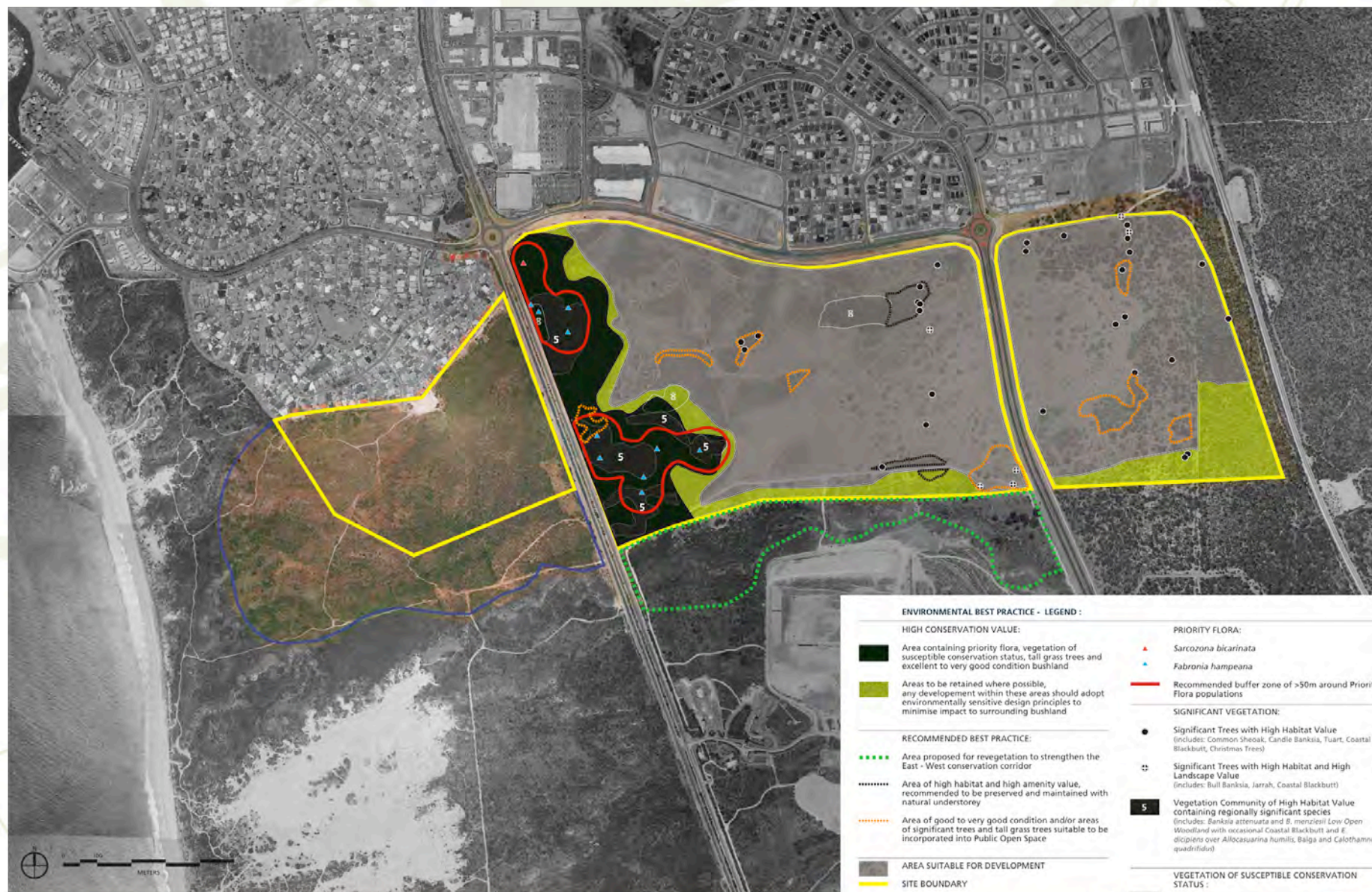


# Biodiversity Opportunities – Jan 2009





# Biodiversity Opportunities – February 2009



CLIENT : TAMALA PARK REGIONAL COUNCIL  
PROJECT : TAMALA PARK STRUCTURE PLAN  
PROJECT NUMBER : 0823

DRAWING : ENVIRONMENTAL BEST PRACTICE - DRAFT  
DRAWING NUMBER : 01  
DRAWING REFERENCE : D4

DATE : 26.02.2009  
SCALE : 1:5000 @ A1  
DRAWN BY : JW | RT



# Biodiversity Opportunities – February 2009



CLIENT : TAMALA PARK REGIONAL COUNCIL  
PROJECT : TAMALA PARK STRUCTURE PLAN  
PROJECT NUMBER : 0823

DRAWING : SIGNIFICANT VEGETATION ON SITE  
DRAWING NUMBER : 01  
DRAWING REFERENCE : D4

DATE : 23.02.2009  
SCALE : 1:5000 @ A1  
DRAWN BY : JW / RT

**SYRINX**  
environmental pl



# Options – From January 2009 & Directions



## Conclusion:

1. It was agreed that Options 1 & 2 of the presented structure plan options did not meet the Council's expectations for the perceived objectives of the development and would not be pursued.
2. It was agreed that Option 3 would be used as a base point to move forward and address different issues and challenges for Council to consider in due course.
3. Draw some conservative development principles to be developed i.e. low rise saleable properties, while referring back to the adopted matrix.
4. It was agreed the consultant team would develop two options for further and early consideration of the Council

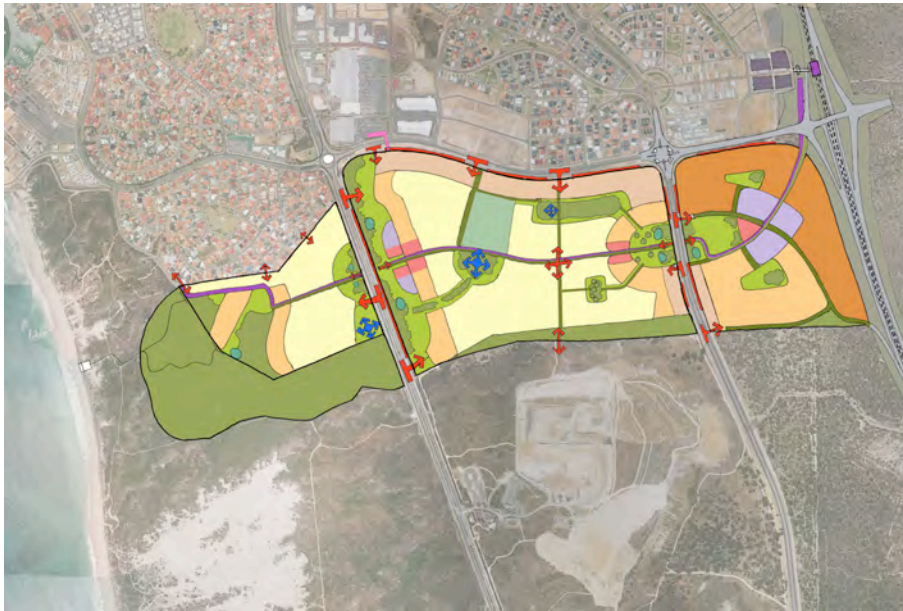


## Response to Brief –





# Revised Schematic Structure Plan



## Key Features/ Changes

- 1.School relocated to south (Agreed with DET/ No HS Required);
- 2.Response to new biological information;
- 3.Assumes vehicle link to Freeway and bus link to station;
- 4.Assumes no acquisition of land to east;
- 5.Removes conservation areas in western precinct;
- 6.Redistributes open space in response to other changes;
- 7.Realigns central linier boulevard to link in to Neerabup;

# Response to Brief – Lot and Housing Diversity

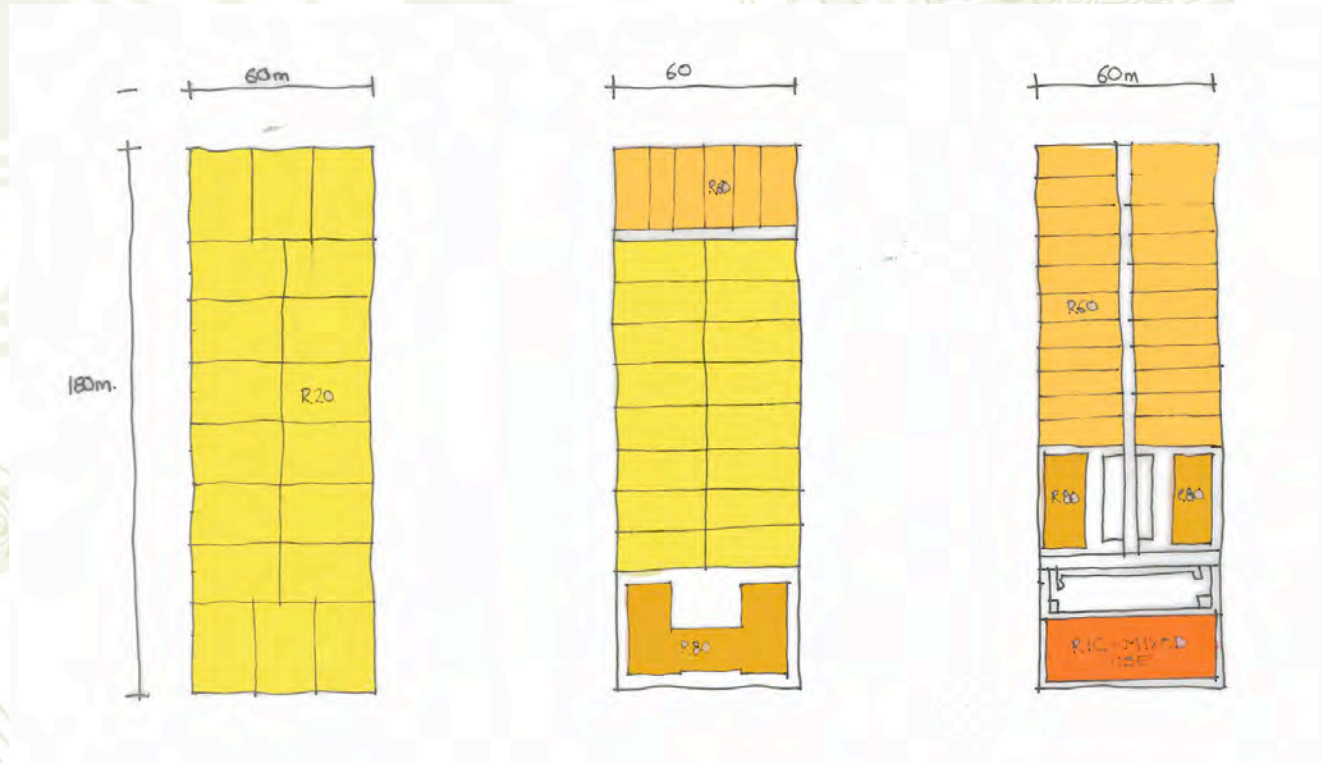
## Lifestyle and Affordability





## Response to Brief –

Lot and Housing Diversity  
Lifestyle and affordability  
Employment, market



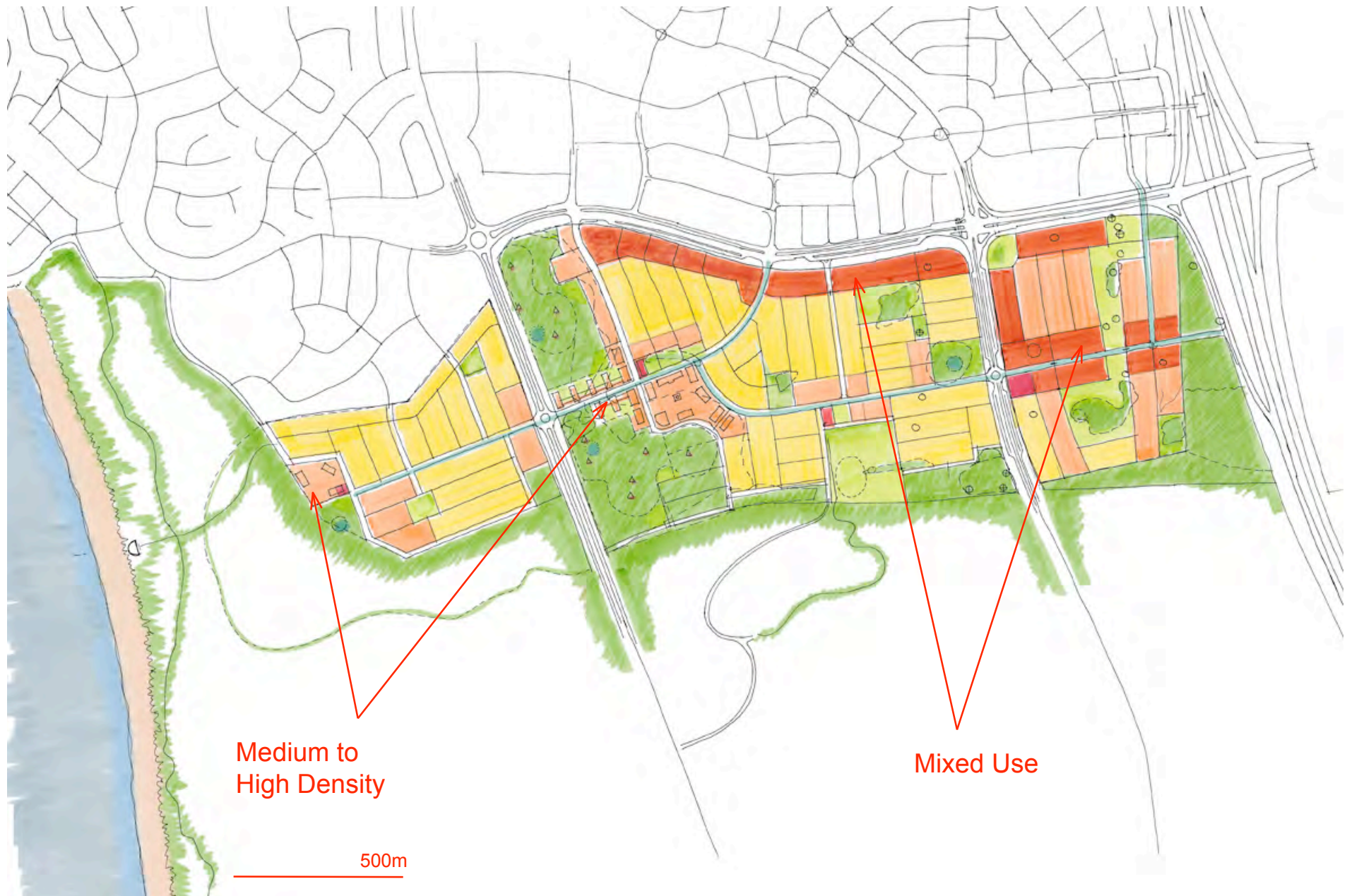
# Response to Brief – Lot and Housing Diversity

## Lifestyle and affordability





## Response to Brief – Alternative Ownership



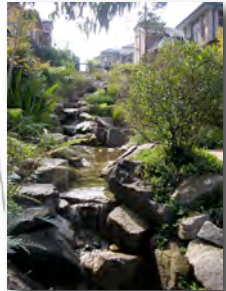


# Response to Brief – Integrate Foreshore and MRC Site





# interaction

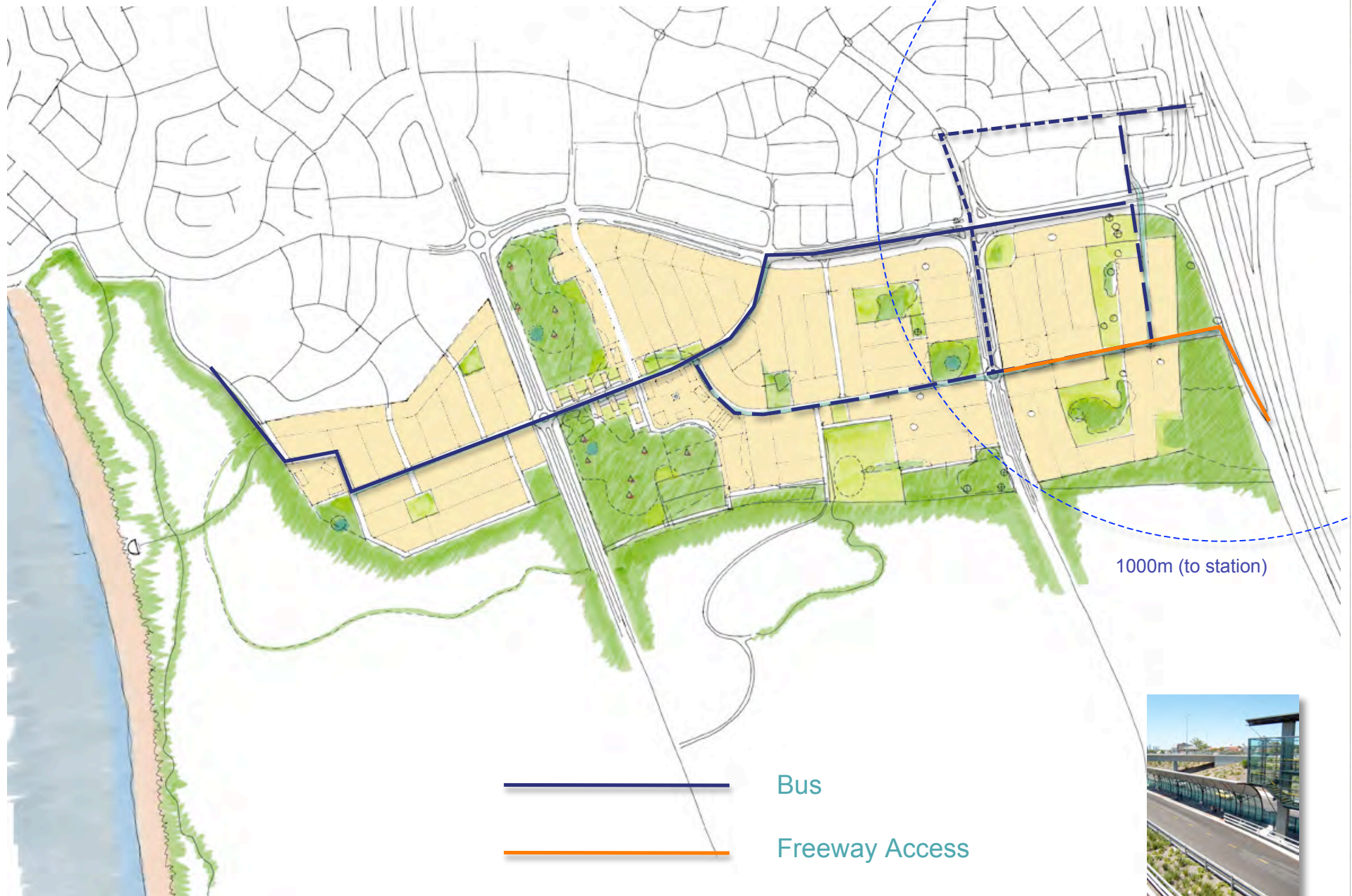




# Response to Brief – TOD Opportunities

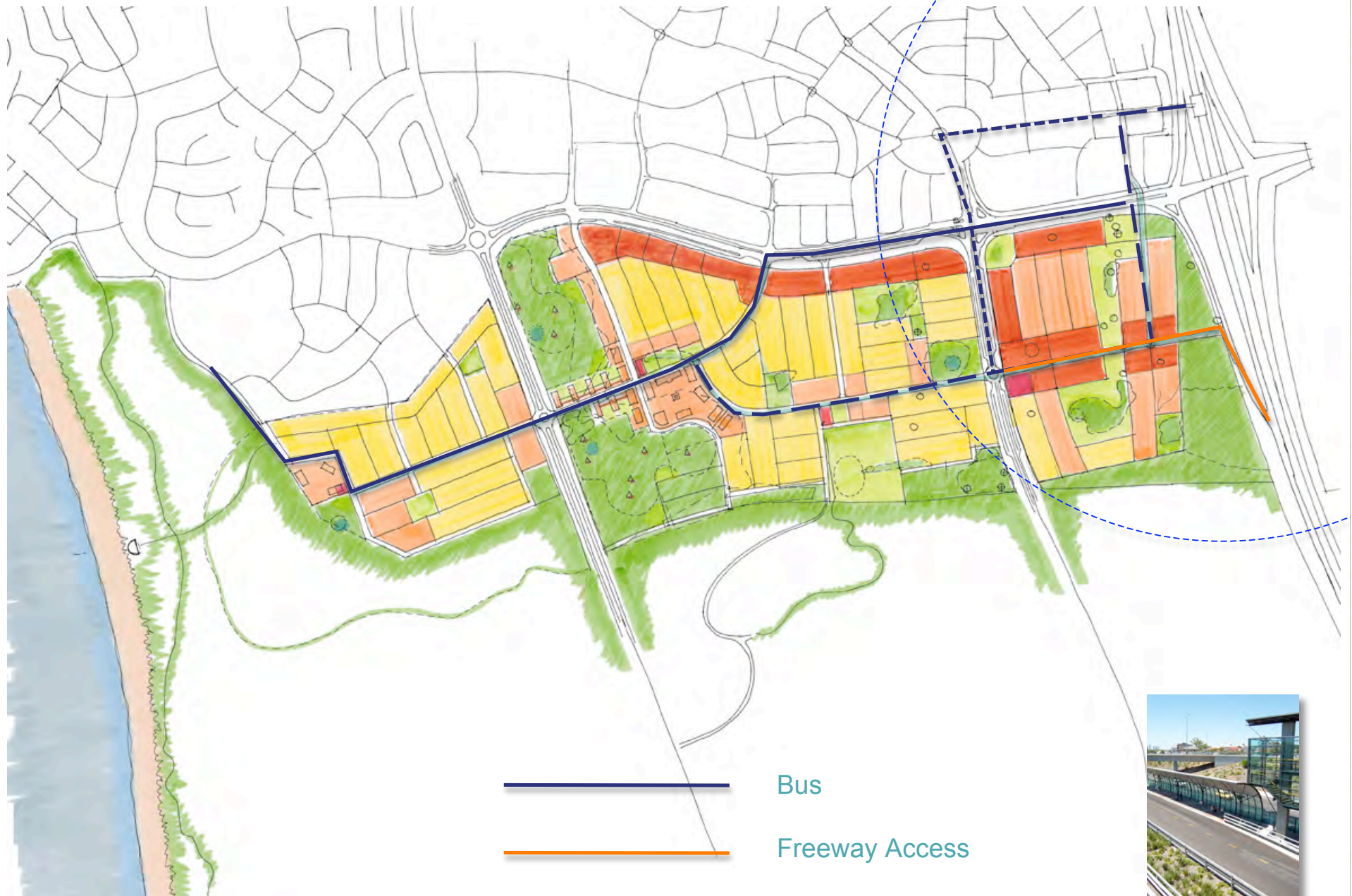


# Response to Brief – TOD Opportunities





# Response to Brief – TOD Opportunities



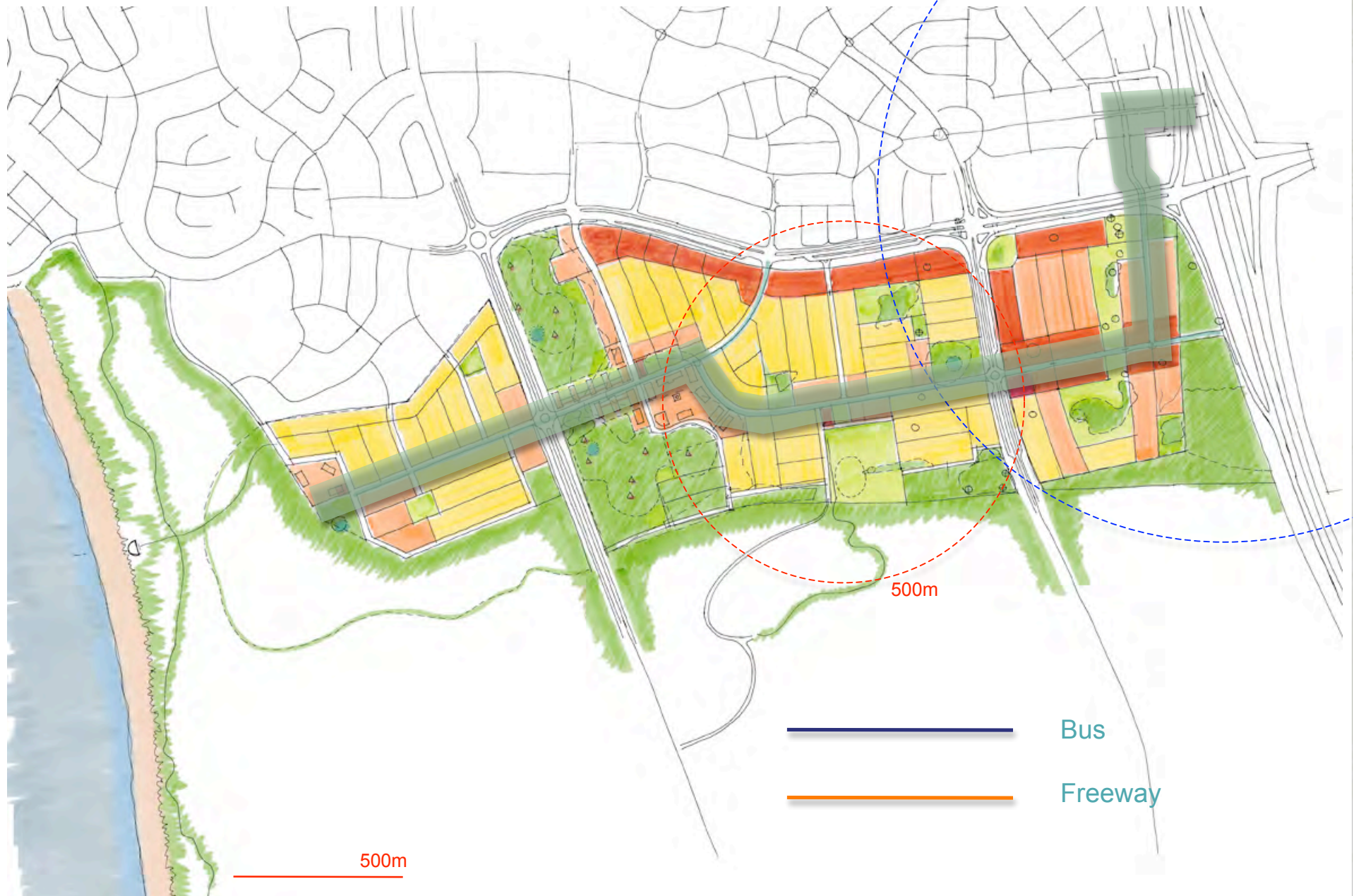


## Response to Brief – Activated east west link and TOD link





# Response to Brief – Adaptive Community Uses

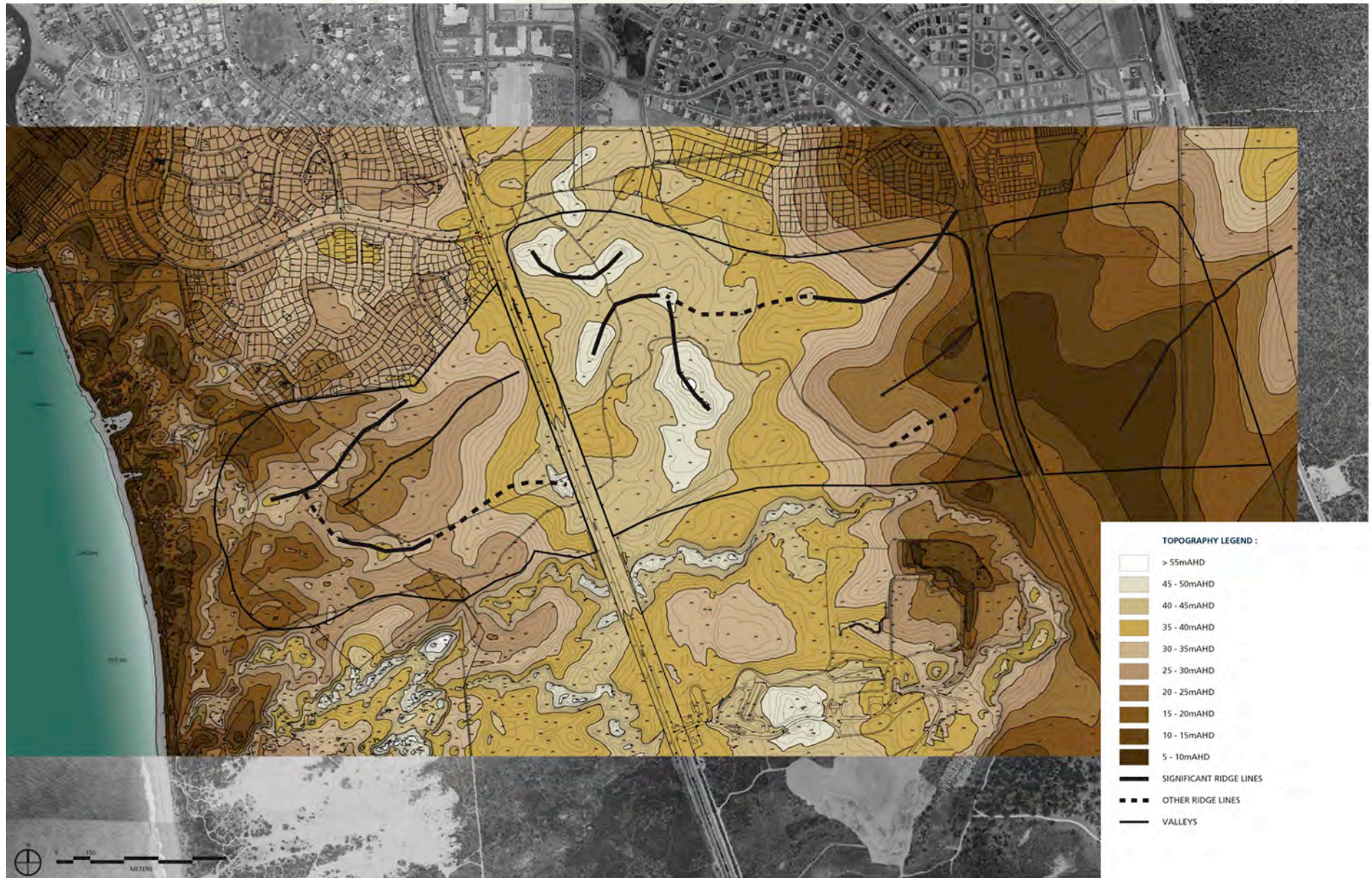


# Response to Brief – Earth Working, Sustainable Infrastructure, Reuse and Water Management



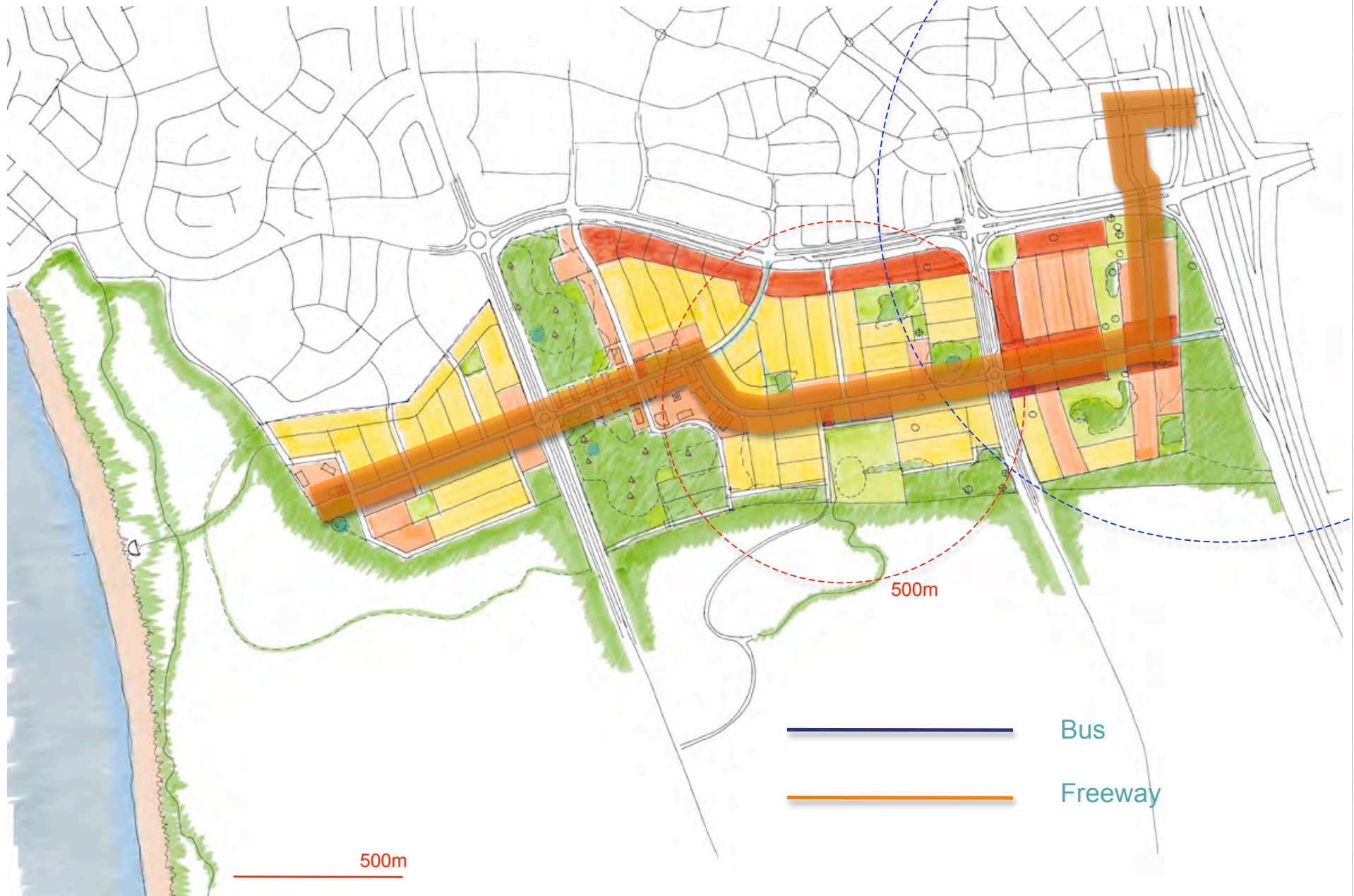


# Topography





## Response to Brief – Safe Links





# Site





## Response to Brief – Aboriginal Heritage



## Response to Brief – Consideration of Special Needs





## Response to Brief – Business and Home Based Business

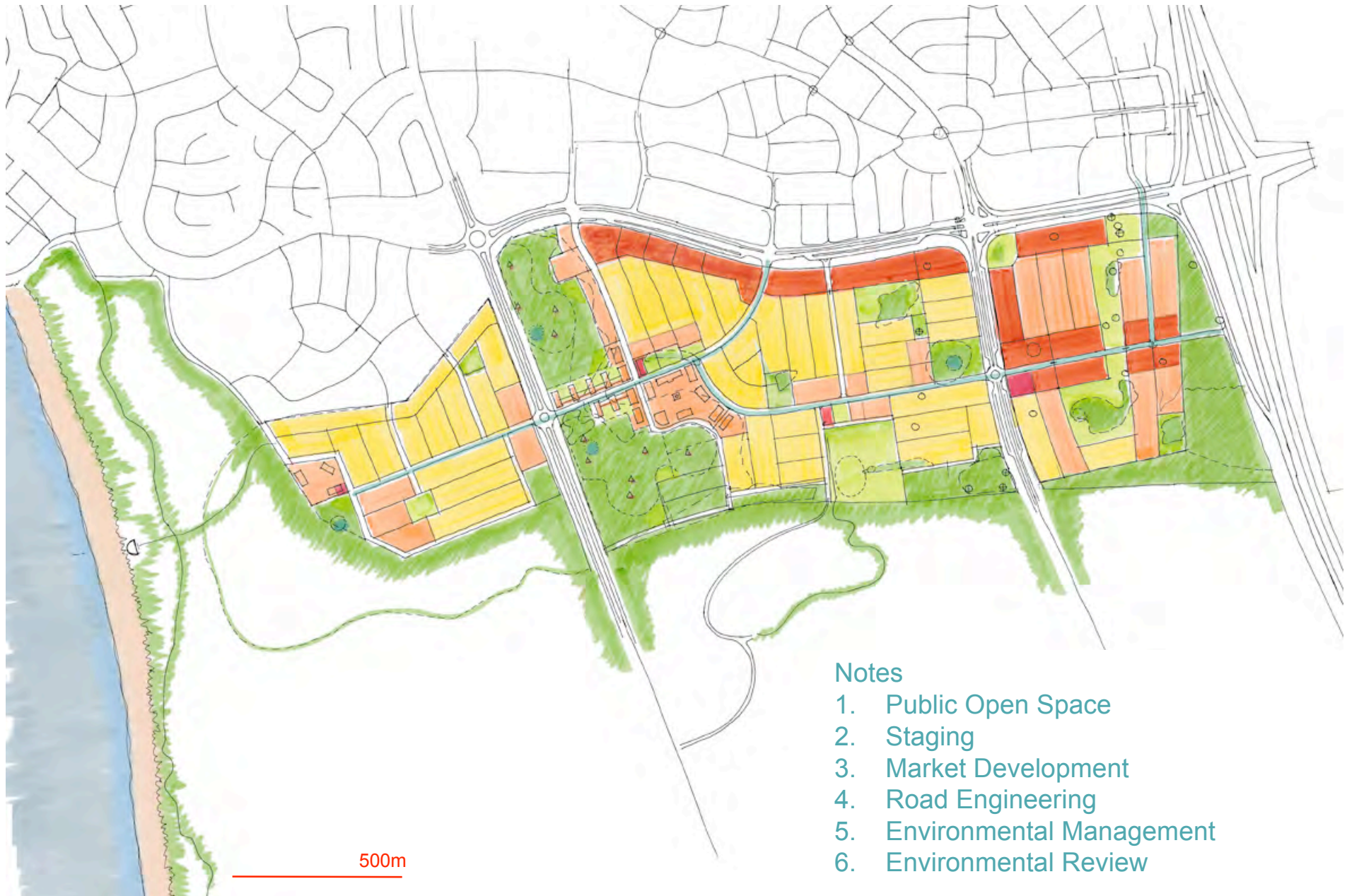


# Response to Brief – Business and Home Based Business



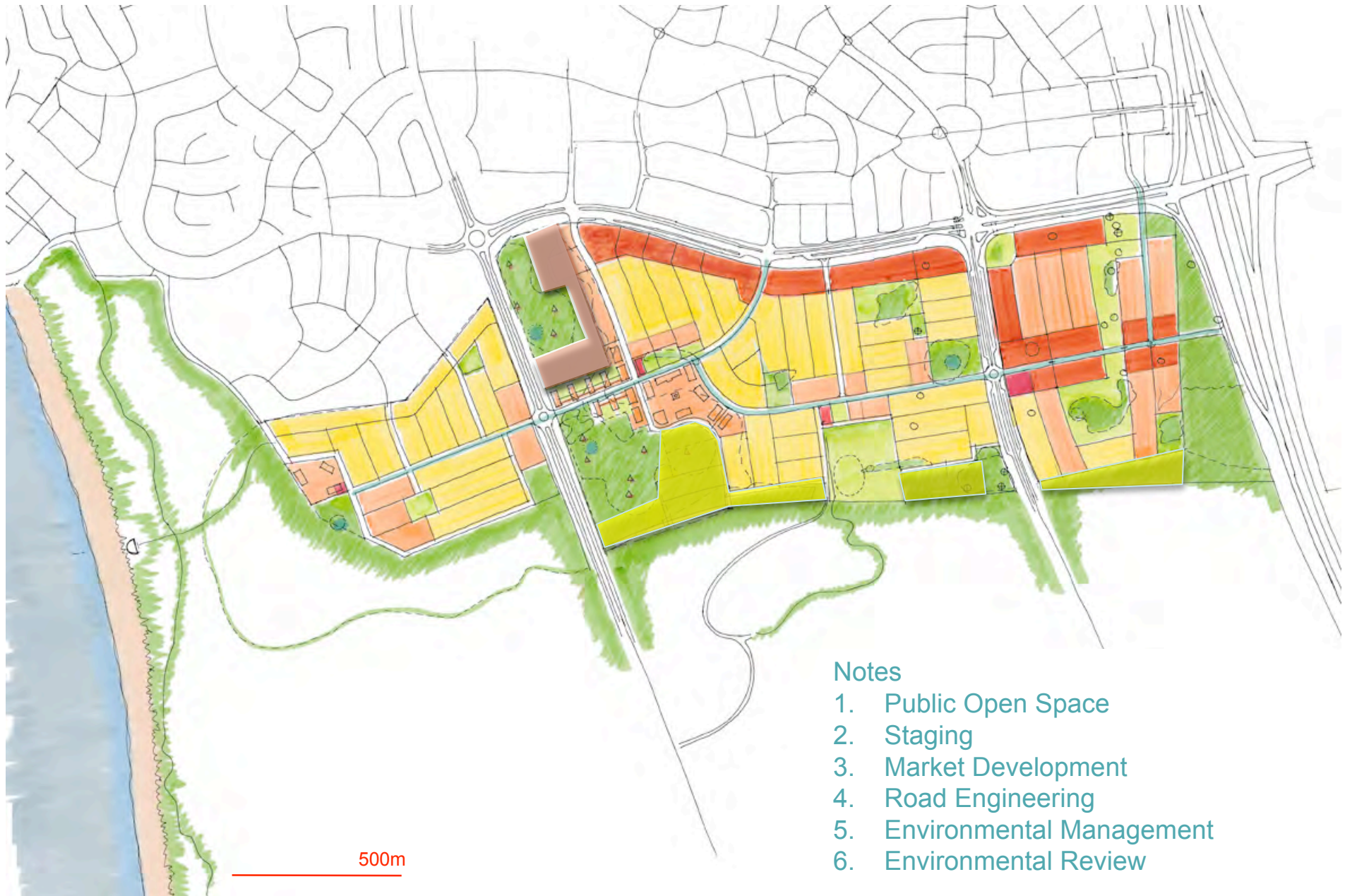


# Notes





# Notes





## Response to Brief –





# Progress

