

# Ordinary Meeting of Council

Thursday 14 October 2021

# MINUTES

**City of Stirling**  
**25 Cedric Street, Stirling WA, 6021**

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**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
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	Cr Brent Fleeton	Cr Clyde Bevan
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	Cr Joanne Fotakis	Cr Alex Castle
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

## **PRESENT**

<b>Chair</b>	Cr Karen Caddy
<b>Councillors</b>	Cr Andres Timmermanis Cr Claire Anderson Cr John Chester Cr Joanne Fotakis Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri Cr Philippa Taylor
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Jon Morellini (Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Ms Gemma Tonkin (Executive Assistant)
<b>Apologies Councillors</b>	Cr Brett Treby Cr Domenic Zappa Cr Brent Fleeton
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr Carl Buckley (Satterley Property Group) Ms Julia Nelson (Satterley Property Group)
<b>Apologies Participant Councils’ Advisers</b>	Mr John Giorgi (Town of Cambridge) Mr Stuart Jardine (City of Stirling) Mr David MacLennan (City of Vincent) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park)
<b>In Attendance Participant Councils’ Advisers</b>	Mr Stevan Rodic (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## 1. OFFICIAL OPENING

The Chair declared the meeting open at 6:05pm.

## DISCLOSURE OF INTERESTS

Cr Sandri disclosed an Impartiality Interest for Item 13.4 - Surveying Services Tender 05/2021 as her business utilises MNG mapping services.

## 2. PUBLIC STATEMENT/QUESTION TIME

Nil

## 3. APOLOGIES AND LEAVE OF ABSENCE

**Apologies:** Cr Fleeton, Cr Treby & Cr Zappa

## 4. PETITIONS

Nil

## 5. CONFIRMATION OF MINUTES

Moved Cr Timmermanis, Seconded Cr Fotakis.

**That the Minutes of the Ordinary Meeting of Council Thursday 19 August 2021 be confirmed and signed by the chair as a true and correct record of proceedings.**

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

## 5A BUSINESS ARISING FROM MINUTES

Nil

## 6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Cr Caddy made a statement thanking Councillors for their service during her Term as Chair. Cr Caddy wished those Councillors up for re-election at the upcoming Council Elections all the best.

## 7. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 7.1 – 7.9)

### 7.1 BUSINESS REPORT – PERIOD ENDING 7 OCTOBER 2021

Moved Cr Migdale, Seconded Cr Timmermanis.

[The recommendation in the agenda]

**That the Council RECEIVES the Business Report to 7 October 2021.**

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

## **7.2 PROJECT FINANCIAL REPORT – AUGUST 2021**

Moved Cr Timmermanis, Seconded Cr Migdale

[The recommendation in the agenda]

**That the Council RECEIVES the Project Financial Report (August 2021) submitted by the Satterley Property Group.**

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

## **7.3 SALES AND SETTLEMENT REPORT – PERIOD ENDING 7 OCTOBER 2021**

Moved Cr Migdale, Seconded Cr Fotakis.

[The recommendation in the agenda]

**That the Council RECEIVES the Sales and Settlement Report to 7 October 2021.**

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

## **7.4 STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2021**

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending 31 August 2021.**

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

## **7.5 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTH OF AUGUST 2021**

Moved Cr Lagan, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council:**

**1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for August 2021:**

**Month ending 31 August 2021 (\$1,656,479)**

**Total Paid - \$1,656,479**

**2. APPROVES the CEO Credit Card Statement for the period August – September 2021.**

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

## **7.6 COUNCIL MEETING SCHEDULE 2022**

Moved Cr Timmermanis, Seconded Cr Anderson.

[The recommendation in the agenda]

**1. That the schedule of Ordinary Council meetings dates be APPROVED for 2022 as follows:**

- 17 February 2022 (City of Perth)
- 14 April 2022 (City of Wanneroo)
- 16 June 2022 (Town of Victoria Park)
- 18 August 2022 (City of Stirling)
- 20 October 2022 (Town of Cambridge)
- 9 December 2022 (City of Joondalup)

**2. That the commencement time for Council meetings be 6:00pm.**

**3. That Council meetings be held on a rotational basis at participant Council premises.**

**4. That the schedule of Management Committee meetings dates be APPROVED for 2022 as follows:**

- 17 March 2022
- 19 May 2022
- 21 July 2022
- 15 September 2022
- 17 November 2022

**5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 6:00pm.**

**6. That the schedule of meeting dates be advertised as required by the *Local Government Act 1995*.**

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

## **7.7 CATALINA GREEN BUILDERS DISPLAY VILLAGE 1 – COMMERCIAL TERMS AND LOT ALLOCATION PROCESS**

Moved Cr Migdale, Seconded Cr Chester

[The recommendation in the agenda]



That the Council **APPROVES** the commercial terms and conditions, the lot allocation process and the criteria for the sale of lots to builders in the Catalina Green Builders Display Village 1, as set out in the Satterley Property Group correspondence dated 28 September 2021.

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

## **7.8 PROJECT FORECAST (2021)**

Moved Cr Sandri, Seconded Cr Lagan.

[The recommendation in the agenda]

**That the Council:**

1. **RECEIVES** the Satterley Property Group correspondence dated 2 September 2021 in relation to opportunities to increase lot income and reduce development costs to maximise Project financial returns.
2. **REQUESTS** the Satterley Property Group to prepare an updated Project Forecast as part of its mid-year review of the Project Budget FYE 2022 for consideration at its November 2021 workshop, incorporating updated pricing as set out in its correspondence dated 2 September 2021.

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

## **7.9 TAMALA PARK REGIONAL COUNCIL MEETING PROCEDURES LOCAL LAW 2021**

Moved Cr Lagan, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council:**

1. **NOTES** the notice of the Chair, in accordance with Section 3.12 of the *Local Government Act 1995* of the purposes and the effect of the proposed Tamala Park Regional Council Meeting Procedures Local Law 2021 (Proposed Local Law).
2. **AUTHORISES** the giving of local public notice, under section 3.12(3)(a) of the *Local Government Act* in relation to the Proposed Local Law.
3. **REQUESTS** the Chief Executive Officer to comply with the other requirements of section 3.12(3) of the *Local Government Act* in relation to the Proposed Local Law.
4. **NOTES** that the matter will be referred back to the Council for consideration after the last day for submissions under the local public notice.

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

**7.10 STATEMENTS OF FINANCIAL ACTIVITY FOR SEPTEMBER 2021 – LATE ITEM**

Moved Cr Migdale, Seconded Cr Lagan.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statements of Financial Activity for the month ending 30 September 2021.**

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

**7.11 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR SEPTEMBER 2021 – LATE ITEM**

Moved Cr Sandri, Seconded Cr Timmermanis.

[The recommendation in the agenda]

**That the Council:**

**1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the month of September 2021:**

**Month ending 30 September 2021 (\$456,856.32)**

**Total Paid - \$456,856.32**

**2. APPROVES the CEO Credit Card Statement for the period August – September 2021.**

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

**8. COMMITTEE REPORTS 8.1**

**AUDIT COMMITTEE (11 AUGUST 2021)**

**8.1 REVIEW OF THE AUDITOR REPORT FOR THE FINANCIAL YEAR ENDED JUNE 2021**

Item deferred by Administration to December 2021 meeting.

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

Nil

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

Nil

## 11. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

## 12. GENERAL BUSINESS

Cr Timmermanis thanked the Chair for her guidance and support during her tenure.

## 13. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Lagan, Seconded Cr Migdale.

### That the Council:

Move into Closed Session and exclude members of the press and public from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 5.23 of the *Local Government Act 1995*, as items 13.1 – Confidential: Review of Deliverables – Development Manager’s Key Performance Indicators 13.2 – Confidential: Catalina Green Neighbourhood Centre Business Case, 13.3 – Catalina Central Local Centre Site – Proposed Subdivision, 13.4 Confidential: Surveying Services Tender 05/2021

- c) *a contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c));*
- d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; or*
- e) *a matter that if disclosed, would reveal –*
  - i) *Information that has a commercial value to a person; or*
  - ii) *Information about the business, professional, commercial or financial affairs of a person where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).*

The Motion was put and declared CARRIED (8/1).

**For:** Crs Anderson, Caddy, Chester, Fotakis, Lagan, Migdale, Sandri and Taylor

**Against:** Cr Timmermanis

Members of Satterley Property Group left the meeting at 7:19pm.

### 13.1 **CONFIDENTIAL:** REVIEW OF DELIVERABLES – DEVELOPMENT MANAGER’S KEY PERFORMANCE INDICATORS

Moved Cr Timmermanis, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Satterley Property Group report (September 2021) on the review of deliverables required by the Development Manager's Key Performance Indicators (February 2020).
2. **ACCEPTS** that the Satterley Property Group has achieved the deliverables required by the Development Manager's Key Performance Indicators (February 2020) for the period between 1 July 2020 and 30 June 2021.
3. **ENDORSES** the Development Manager's Key Performance Indicators (September 2021) as the basis for review of the Development Manager's performance in FYE 2022 and 2023.

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

### **13.2 CONFIDENTIAL: CATALINA GREEN NEIGHBOURHOOD CENTRE BUSINESS CASE**

Moved Cr Treby, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council **APPROVES** the recommendation in the Catalina Green Neighborhood Centre Business Case prepared by Satterley Property Group to guide the marketing and sales of the Neighborhood Centre land holding in Catalina Green.

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

### **13.3 CONFIDENTIAL CATALINA CENTRAL LOCAL CENTRE SITE – PROPOSED SUBDIVISION**

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council **AGREES** to the proposed subdivision of Lot 646 Aviator Boulevard, Clarkson in accordance with the plan dated 8 July 2021, subject to suitable arrangements being made to the satisfaction of the Chief Executive Officer to ensure:

- i) existing legal rights of the Council and obligations for the completion of the development of the site are transferred onto the lot resulting from the subdivision upon which development is yet to commence; and
- ii) sufficient security is provided to the Council in the form of a performance bond or bank guarantee prior to implementation of the subdivision approval to ensure completion of the remaining development within the established timeframes.

The Motion as amended was as follows:

That the Council **AGREES** to the proposed subdivision of Lot 646 Aviator Boulevard, Clarkson in accordance with the plan dated 8 July 2021, subject to suitable arrangements being made to the satisfaction of the Chief Executive Officer to ensure:

- i) existing legal rights of the Council and obligations for the completion of the development of the site are transferred onto the lot resulting from the subdivision upon which development is yet to commence; and
- ii) sufficient security is provided to the Council in the form of a performance bond or bank guarantee prior to implementation of the subdivision approval to ensure completion of the remaining development within the established timeframes.
- iii) a suitable management plan is prepared as part of the subdivision for ongoing maintenance of the shared access and carparking areas to ensure compliance in perpetuity by the owners of the subdivided lots.

The Motion was put and declared CARRIED (8/1).

**For:** Crs Anderson, Caddy, Chester, Fotakis, Lagan, Migdale, Sandri and Taylor

**Against:** Cr Timmermanis

#### **13.4 CONFIDENTIAL: SURVEYING SERVICES TENDER 05/2021**

Cr Sandri disclosed an Impartiality Interest as her business utilises MNG mapping services.

Moved Cr Timmermanis, Seconded Cr Lagan.

[The recommendation in the agenda]

That the Council **ACCEPTS** the MNG tender submission (dated September 2021), for the provision of surveying services in accordance with Tender 05/2021 (Catalina Surveying Services).

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

Moved Cr Migdale, Seconded Cr Timmermanis.

**That the Meeting be REOPENED to the public.**

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

#### **14. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 7:25pm.