

Ordinary Meeting of Council

Thursday, 20 April 2023

MINUTES

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Alaine Haddon-Casey	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr Bianca Sandri Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

PRESENT

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Brent Fleeton Cr Alaine Haddon-Casey (<i>arrived 6:04pm</i>) Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker Cr Karlo Perkov (<i>left 6:44pm</i>) Cr Brett Treby Cr Ashley Wallace (<i>left 6:46pm</i>)
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Office Manager/Executive Assistant) Mr Daniel Govus (Senior Governance Officer – City of Stirling)
Apologies Councillors	Nil
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Alex Maguire (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Stuart Jardine (City of Stirling) Mr Mat Humfrey (City of Joondalup) Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr Stevan Rodic (City of Stirling) Mr Kelton Hincks (Town of Cambridge)
Members of the Public	Nil
Press	Nil

DISCLOSURE OF INTERESTS

Cr John Chester declared an impartial interest in Item 14.3 as two directors of Natural Area Holdings Pty Ltd are known to him.

The CEO declared a financial interest in Item 14.5 as the Item related to his contract as CEO.

1. APOLOGIES AND LEAVE OF ABSENCE

Nil

2. OFFICIAL OPENING

The Chair declared the meeting open at 6:01pm.

3. PUBLIC STATEMENT/QUESTION TIME

Nil

4. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

5. PETITIONS

Nil

6. CONFIRMATION OF MINUTES

6.1. CONFIRMATION OF MINUTES

Moved Cr Parker, Seconded Cr Perkov.

That the Council CONFIRMS and the Chair signs the minutes from the Ordinary Meeting of Council held 16 February 2023 and the Special Meeting of Council held on 17 March 2023 as true and accurate records of proceedings.

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

7. BUSINESS ARISING FROM MINUTES

Nil

8. ADMINISTRATION REPORTS AS PRESENTED

Cr Haddon-Casey joined the meeting at 6:04pm.

8.1. BUSINESS REPORT – MONTH ENDING 31 MARCH 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council RECEIVES the Business Report for the month ending 31 March 2023.

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

8.2. PROJECT FINANCIAL REPORT - FEBRUARY 2023

Moved Cr Ife, Seconded Cr Jones.

That the Council RECEIVES the Project Financial Report (February 2023) submitted by the Satterley Property Group.

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

8.3. STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 28 February 2023.

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

8.4. LIST OF MONTHLY ACCOUNTS SUBMITTED - FEBRUARY 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for February 2023 - \$2,415,772.68.**
- 2. APPROVES the CEO Credit Card Statement for February 2023.**

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

8.5. STATEMENT OF FINANCIAL ACTIVITY - MARCH 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 March 2023.

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

8.6. LIST OF MONTHLY ACCOUNTS SUBMITTED - MARCH 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for March 2023 - \$1,074,253.90.**
- 2. APPROVES the CEO Credit Card Statement for March 2023.**

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

8.7. SALES AND SETTLEMENT REPORT – MONTH ENDING 31 MARCH 2023

Moved Cr Migdale, Seconded Cr Treby.

That the Council RECEIVES the Sales and Settlement Report for the month ending 31 March 2023.

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

8.8. CATALINA GREEN ENTRY STATEMENTS - WIND TREES

Moved Cr Ife, Seconded Cr Krsticevic.

That the Council SUPPORTS the:

- 1. Proposed installation of two Wind Trees within the Catalina Green entry statements.**
- 2. Use of the sole supplier provisions of the *Local Government (Functions and General) Regulations 1996 11(2)(f)*.**

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

8.9. 2023/24 DRAFT BUDGET ASSUMPTIONS

Moved Cr Migdale, Seconded Cr Treby.

That Council SUPPORTS utilising the budget assumptions as listed in the Details/Discussion section of this report as the basis of preparation of the TPRC 2023/24 Budget.

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

8.10. CATALINA CENTRAL: FUTURE SOUTHWARDS DEVELOPMENT

Moved Cr Chester, Seconded Cr Migdale.

That the Council:

1. **NOTE** the planning and environmental challenges associated with the proposed development of the southern area of the Catalina Green Estate.
2. **REQUEST** that the CEO and Chair of TPRC hold regular discussions with the Mindarie Regional Council (MRC) CEO and Chair regarding:
 - a. Future plans for their respective projects;
 - b. Current odour, noise, landfill gas, groundwater and dust monitoring programs and findings; and
 - c. Current and future remediation programs that are scheduled in and around the MRC site;and report back to the TPRC Council periodically on these matters.
3. **As a component of the 2023/2024 Budget process, ADJUSTS** the development and sales timeframe for Catalina Central to reflect potential development of the southern area of Catalina Green commencing in FYE 2030 as opposed to current plans which show development and sales commencing earlier.

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

8.11. REVIEW OF OCCUPATIONAL HEALTH AND SAFETY POLICY

Moved Cr Migdale, Seconded Cr Treby.

That the Council ADOPTS the Work Health and Safety Policy.

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

8.12. COUNCIL MEETING DATE - JUNE 2023

Moved Cr Jones, Seconded Cr Haddon-Casey.

That the Council APPROVE that the June 2023 Ordinary Council meeting be held on 22 June 2023 at the City of Stirling at 6:00pm and that the meeting date be advertised as required by the *Local Government Act 1995*.

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

8.13. REPEAL OF TPRC POLICIES

Moved Cr Migdale, Seconded Cr Treby.

That the Council REPEALS the following Policies:

1. **Charity Home Sponsorship Policy**
2. **Petty Cash Policy**
3. **Financial Management - Significant Accounting Policies**

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

9. COMMITTEE REPORTS

MANAGEMENT COMMITTEE (16 MARCH 2023)

9.1. STRATEGIC LAND DEVELOPMENT: OPTIONS ANALYSIS

Moved Cr Migdale, Seconded Cr Chester.

That the Council:

1. **NOTE** the options that have been reviewed for potential Special Site development by the TPRC.
2. **ADOPT** the following Special Site development options being actively explored/pursued in the short term:
 - a. **Green Display Village**
 - b. **Beach Commercial Site**
 - c. **Beach Group Housing South**
 - d. **Green 7.5M Lots**
3. **That a status report of the special site development options be PRESENTED to Council within six months.**

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

9.2. CATALINA SALES INCENTIVES - EXTENSION OF REDEMPTION VALIDITY PERIOD

Moved Cr Haddon-Casey, Seconded Cr Jones.

That the Council AUTHORISES the Chief Executive Officer to approve a further extension of up to six months (for a total extension of up to 12 months) to the eligibility period for the redemption of sales incentive packages on Catalina lots that:

1. **Settled between 1 October 2020 and 31 August 2021; and**
2. **Have been the subject of delayed completion of home construction due to high levels of demand on home builders.**

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. GENERAL BUSINESS

Nil

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Migdale, Seconded Cr Krsticevic.

That:

1. Item 14.1 – **CONTRACT VARIATION – CIVIL CONSTRUCTION TERM CONTRACT – RETAINING WALL COSTS** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - 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)); and*
 - e) *A matter that if disclosed would reveal –*
 - ii) *information that has commercial value to a person; or*
 - iii) *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)).
2. Item 14.2 – **CATALINA CENTRAL LOCAL CENTRE SITE (LOT 800 AVIATOR BOULEVARD) – DEVELOPMENT UPDATE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (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)); and*
 - (e) *a matter that if disclosed would reveal –*
 - ii) *information that has a commercial value to a person; or*
 - iii) *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)).
3. Item 14.3 – **OFFSET VEGETATION AND MAINTENANCE TENDER 01/2023** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
 - (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)); and*
 - (e) *A matter that if disclosed would reveal –*
 - ii) *information that has commercial value to a person; or*
 - iii) *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)).
4. Item 14.4 – **DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(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)); and

(e) A matter that if disclosed would reveal –

ii) information that has commercial value to a person; or

iii) 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)).

5. Item 14.5 – TPRC CEO SECONDARY EMPLOYMENT be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(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)); and

(e) A matter that if disclosed would reveal –

ii) information that has commercial value to a person; or

iii) 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 (12/0).

At 6:33pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

14.1. CONFIDENTIAL: CONTRACT VARIATION - CIVIL CONSTRUCTION TERM CONTRACT - RETAINING WALL COSTS

Moved Cr Migdale, Seconded Cr Ife.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.

2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

14.2. CONFIDENTIAL: CATALINA CENTRAL LOCAL CENTRE SITE (LOT 800 AVIATOR BOULEVARD) - DEVELOPMENT UPDATE

Moved Cr Chester, Seconded Cr Migdale.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.

2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

14.3. CONFIDENTIAL: OFFSET REVEGETATION AND MAINTENANCE TENDER 01/2023

Moved Cr Chester, Seconded Cr Treby.

That the Council:

1. **PROCEEDS** with the amended confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

Representatives from Satterley Property Group left the meeting.

14.4. CONFIDENTIAL: DEVELOPMENT MANAGEMENT AGREEMENT - KEY PEOPLE

Moved Cr Treby, Seconded Cr Parker.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

14.5. CONFIDENTIAL: CONSIDERATION OF SECONDARY EMPLOYMENT FOR TPRC CEO – LATE ITEM

The CEO, Mr Chris Adams, left the room prior to consideration of the item at 6:40pm.

Councillor Karlo Perkov left the meeting at 6:44pm during consideration of Item 14.5.

Councillor Ashley Wallace left the meeting at 6:46pm during consideration of Item 14.5.

Moved Cr Fleeton, Seconded Cr Migdale.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.

2. RESOLVES that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

The CEO returned to the room at 7:04pm.

Moved Cr Migdale, Seconded Cr Treby.

That the meeting be REOPENED to the public.

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

At 7:05pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:05pm.