

TAMALA PARK
Regional Council

Meeting of Council

AGENDA

Thursday 16 August 2012
City of Stirling, 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 City of Stirling Administration Centre, 25 Cedric Street, Stirling at 6.00pm on Thursday 16 August 2012.

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 – 21 June 2012

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

- Management Committee Meeting – 12 July 2012
- Audit Committee Meeting – 2 August 2012
- CEO Performance Review Committee Meeting – 2 August 2012

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.9)

9.1 BUSINESS REPORT – PERIOD ENDING 9 AUGUST 2012

Report Information

Reporting Officer: Chief Executive Officer

Recommendation

That the Council RECEIVE the Business Report for the period to 9 August 2012.

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. Civil Construction - Status

The following provides a brief outline of civil works components to date;

Neerabup Rd intersection Construction

- Neerabup Rd Intersection Works – Verge grading 80% complete.
- Neerabup Rd Intersection Works – Stormwater drainage 10% complete.

Stage 2

- Stage 2 Civil Works – Sewer construction 95% complete.
- Stage 2 Civil Works – Stormwater drainage 95% complete.
- Stage 2 Civil Works – Water reticulation 95% complete.
- Stage 2 Civil Works – Common trenching 100% complete.
- Stage 2 Civil Works – Underground Power 100% complete.
- Stage 2 Civil Works – Retaining walls 90% complete
- Stage 2 Civil Works – Roads sub-base 20% complete.

Stage 3

- Stage 3 Civil Works – Sewer construction 100% complete.
- Stage 3 Civil Works – Stormwater drainage 95% complete.
- Stage 3 Civil Works – Water reticulation 95% complete.
- Stage 3 Civil Works – Gas reticulation 95% complete.
- Stage 3 Civil Works – Common trenching 80% complete.
- Stage 3 Civil Works – Underground Power 10% complete

2. Landscape works – Status

The following provides a brief outline of civil works components to date;

- Stage 1 Landscaping Works – Earthworks 10% complete.

3. Power of Attorney

At its meeting on 21 June 2012 the Council requested the participant local governments to provide a Power of Attorney (POA) covering all land dealings relating to the TPRC landholding. The Council considered the POA was necessary in order to avoid any potential delays in the future associated with land dealings with the Tamala Park project.

To date executed POA's have been received from the City of Joondalup, City of Stirling, Town of Cambridge, Town of Victoria Park and the City of Vincent.

4. Bulk Earthworks Development Application Stages 5 and 7

A Development Application for the Stages 5 and 7 Bulk Earthworks has been lodged with the City of Wanneroo. It is anticipated that the Development Application will be considered by the City of Wanneroo at its meeting scheduled for 18 September 2012.

9.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JUNE & JULY 2012

Report Information

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 June and July 2012:

- **Month ending 30 June 2012 (Total \$756,468.18)**
- **Month ending 31 July 2012 (Total \$1,254,812.55)**
- **Total Paid - \$2,011,280.73**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 30 June and 31 July 2012.

Relevant Documents

Appendix: Cheque Detail for Month Ending 30 June and 31 July 2012

Summary Payment List for June and July 2012

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.

9.3 SALES AND SETTLEMENT REPORT

Report Information

Reporting Officer: Senior Project Officer

Recommendation

That the Council RECEIVE the Sales Report to 9 August 2012.

Voting Requirements

Simple Majority

Report Purpose

To update Council on the status of sales and settlements of the Catalina Estate.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Nil

Financial/Budget Implications

Revenue from the sale and settlement of lots during the 2012/13 financial year will be allocated to item EI45011 (Income Sale on Lots) of the Draft 2012/2013 Budget:

Budgeted Revenue:	\$32,630,042
Revenue to date:	\$ \$526,000
Balance:	\$32,104,042

Relevant Documents

Appendix: Nil

Available for viewing at the meeting: Nil

Comment

1. Stage 1A - (24 lots)

Sales

Two lots remain under offers to purchase, the remaining 22 lots have settled.

Settlements

To date 22 lots have settled with revenue from settled lots totalling \$5,683,000.

The table below provides a status update of Stage 1A lots, which have not yet settled.

Lot	Value	Scheduled Settlement Date
182	\$280,000	TBC
199	\$275,000	17 August 2012

2. Stage 1B - (11 lots)

Sales

On Saturday 21st July, the 11 Stage 1B lots were released by online registration in accordance with the Council's resolution at its June meeting.

Following the registration process, 3 unconditional offers were received which are currently being advertised in accordance with Section 3.58 of the Local Government Act.

Settlements

No settlements have yet been achieved. Settlements are scheduled to commence in September 2012.

3. Stage 2 - Builders Display Precinct - (24 lots)

Sales

All Builders Display lots have been contracted.

Settlements

Settlements for the sale of Stage 2 lots are scheduled to commence in September 2012.

4. Stage 3 – Builders Allocation Lots - (43 lots)

Sales

Put option deeds have been distributed to ABN (Homebuyers) and BGC groups. Executed deeds are expected from ABN and BGC imminently.

Settlements

Settlements for the Stage 3 lots are scheduled to commence with the receipt of titles in November 2012.

9.4 SPONSORED CHARITY HOME PROPOSALS

Report Information

Reporting Officer: Senior Project Officer

File Reference: 1.88.246

That the Council:-

1. **ACCEPT** the proposal presented by the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group, in support of the Channel 7 Telethon Trust.
2. **APPROVE** the Satterley Property Group's preferred location for the Charity Home of Lot 192 Elsbury Approach.
3. **AUTHORISE** the Chairman and CEO to sign and affix the TPRC common seal to the legal agreement.
4. **NOTE** the involvement and endorsement of the Council's probity auditor in the tender assessment process.

Voting Requirements

Simple Majority

Report Purpose

To consider Tenders seeking TPRC sponsorship of a charity home within the Catalina Estate.

Relevant Documents

Appendix: TPRC Sponsored Charity Home Proposal – Evaluation Report
Available for viewing at the meeting: Habitat for Humanity WA and SPG Charity Home Tender Submissions.

Policy Reference

N/A

Local Government Act/Regulation

Local Government Act 1995: Sect 3.57 – Provision of goods and services.

Previous Minutes

Tamala Park Regional Council meeting – 21 June 2012

Financial/Budget Implications

Revenue from the sale and settlement of lots during the 2012/13 financial year will be allocated to item EI45011 (Income Sale on Lots) of the Draft 2012/2013 Budget:

Budgeted Revenue:	\$32,630,042
Revenue to date:	\$ \$526,000
Balance:	\$32,104,042

Background

At its June 2012 meeting the Council approved the Charity Home Sponsorship Policy, to provide guidance in its consideration of proposals seeking TPRC support of charity home projects within the Catalina Estate, and resolved to call for tenders, in accordance with the policy.

Comment

In accordance with the Council's resolution, public notices were placed in the West Australian newspaper on Saturday 30 June 2012 and Saturday 7 July 2012, advertising the tender. At the conclusion of the 3 week tender period two Tenders had been received, from Habitat for Humanity WA (HfHA) and a partner arrangement comprising the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group on behalf of the Channel 7 Telethon Trust (SPG).

Habitat for Humanity WA

Habitat for Humanity WA (HfHW) is a not for profit home builder which works to reduce housing poverty and assist low income households experiencing housing stress, to achieve their dream of owning their own home.

Habitat for Humanity WA (HfHW) is a subsidiary of Habitat for Humanity Australia, itself an affiliate of Habitat International a non-profit organization who have completed in excess of 600,000 homes worldwide, however, only 150 in Australia and 1 within Western Australia.

HfHW's submission seeks a sponsorship arrangement by way of a 50% discount from the purchase price of a traditional lot within the Catalina Estate. In return HfHW propose to provide 10% of net surplus funds derived from the sale of the charity home to the TPRC to be used to fund a community benefit facility.

A post tender clarification was sought from HfHW, who have advised that net surplus funds has yet to be quantified, however would be derived from the sale of the home minus all costs, comprised predominantly of:-

- The purchase price of the lot;
- Construction costs;
- Selling Costs; and
- Settlement and legal costs.

The submission indicates a preferred building design (to be confirmed) sourced from ABN Groups Homebuyers Centre St Marks design, a 4 bedroom 2 bathroom open plan single storey dwelling with double garage, suited to a traditional sized lot. HfHW's submission confirms all landscaping, paving and finishing are to be completed by HfHW.

No indication is provided as to HfHW's lot preferences, however, given the preferred building design is suited to a traditional sized lot, it is anticipated the lot would need to be sourced from within Stage 4 of the estate.

The HfHW submission supports the Council's sustainability, built form and innovation objectives, however does not detail how the project is to adopt and implement these principles. The submission offers HfHW's profile to market and promote the estate and promises the development of a marketing plan to detail how this is to be undertaken.

SPG Proposal

The partnership comprising the Satterley Property Group, Ben Trager Homes, Content Living and Seven West Media Group (SPG) is presented in support of the Channel 7 Telethon Trust.

The submission confirms all proceeds raised from the sale of the charity home are to be provided to the Telethon Trust, a non-profit charity organization that raises funds to provide financial support to a range of community based charity organizations.

The proposal seeks a sponsorship arrangement of the grant of a traditional sized lot in Stage 4 of the Catalina Estate, with approximately \$92,000 of cost offset by SPG and the significant project positioning and marketing opportunities presented by the project partners.

The contribution of project partners include the Satterley Property Group managing and coordinating the project and development of the charity home, Ben Trager Homes and Content Living constructing the building, and the Seven West Media Group providing marketing and promotional support to the project and its partners. The submission confirms the contribution of all partners is provided at no cost to the project.

The proposed building design is a 5 bedroom, 3 bathroom 2 storey home, incorporating a home theatre room, upstairs retreat, alfresco entertaining area and double garage. The design encompasses approximately 320m² of floor area and its build is estimated to cost in the order of \$300,000 - \$320,000. The proposal commits to construction of the home commencing prior to the completion of the Stage 4 civil works, to ensure its earliest possible delivery.

The submission details a list of built form and sustainability features to be incorporated in the design of the home including rain water tanks, sustainable materials, a 6 star energy rating, 5 star energy efficient appliances, waterwise fixtures and fittings, photovoltaic cells and an efficient passive solar design. Furthermore a list of high specification finishing's are provided to confirm the homes high quality build.

SPG's submission commits a landscaping budget of \$20,000, which is significant compared to the landscaping packages provided by Catalina Estate which are valued at \$3,500 per lot. Landscaping is therefore likely to achieve the highest quality presentation of the home and streetscape.

Attached to the proposal is a letter of support from the Seven West Media Group confirming their commitment to provide promotional support to the TPRC and Catalina Estate. In this regard, the Tender submission and letter detail a list of significant marketing and promotional initiatives including:-

- Channel 7 news and weather reports 'live' from the Charity Home;
- Feature segments in home gardening, lifestyle, healthy living and cooking television programs and magazines;
- Print ads and editorials in the West Australian newspaper;
- Radio ads on partnering radio stations;
- Online marketing promotions;
- Cooking demonstrations from the Charity Home with television celebrities;
- Appearances at the home by high profile sporting personalities, including AFL players from the West Coast Eagles and Fremantle Dockers; and
- Community and promotional exhibitions and displays.

All marketing and media events are to be planned by the Seven West Media Group with coordination with the TPRC managed by the Satterley Property Group.

The submission points to the SPGs strong track record in completing similar projects in Perth, with experience in delivering in excess of 20 similar projects over a 35 year period.

The proposal provides data from a recent giveaway home project at Austin Lakes in South Yunderup, which demonstrated significant promotional impacts. Figures indicate increases in visitor numbers through the estates display village of in excess of 550 groups per week.

The Austin Lakes project was promoted through metropolitan and regional television and radio advertising, print ads in the West Australian newspaper including editorials and front page coverage, regional print media, online marketing and billboards.

The full costs of media and promotional activities to promote the Austin Lakes home and estate are estimated to be in excess of \$2 million and SPG's submission confirms this level of media and promotional activity would be adopted for the proposed Catalina Charity Home.

Furthermore the submission offers the TPRC naming rights to ensure the Catalina brand is captured in the name of the charity home project.

Selection Criteria Assessment

The assessment of tenders was undertaken by a panel consisting of Mr Jason Lyon (Town of Cambridge – Director, Corporate and Strategic) and Mr Wayne Burns (TPRC – Senior Project Officer). The panel's assessment was observed by the TPRC's probity auditor (Mr Kevin Donnelly - Stanton's International).

Tenders were assessed by their ability to address the selection contained in the tender document. Panel members evaluated individual selection criteria items in accordance with the guidelines in the TPRC's Procurement Policy.

Details and justification of the panel's assessment are provided in the evaluation report attached under Appendix 9.4. The result of the assessment was that Habitat for Humanity's proposal achieved a 54% rating and SPG's proposal a 64% rating.

Commercial Terms

SPG's proposal seeks to offset the granting of a traditional lot via the contributions detailed in the table below. The \$80,000 contribution is proposed to be paid to the TPRC in two instalments of 50%, one at the completion of the charity home and the other a month prior to settlement of its sale.

Item	Contribution	Amount
1	Donation to TPRC to offset the cost of the lot.	\$80,000
2	Waiving of Satterley Project Management and Sales Fees*	\$6,300
3	Sales Commission Fee paid by SPG*	\$5,880
4	Settlement Fee paid by SPG	\$360
	Total	\$92,540

*Values based on an assumed lot value of \$280,000, which is subject to change when Stage 4 lot valuations are undertaken in September

With all of the above contributions considered, the proposed TPRC discount to the lot price is estimated to be in the order of 66%, which is higher than the 50% recommended within the Sponsorship Policy. The Sponsorship Policy does provide scope for the Council to

consider alternative terms where significant benefits to the Catalina Estate are demonstrated.

HfHW's proposal has not identified a preferred lot, however proposes the following commercial terms:-

- i. The purchase of a lot at a 50% discount of the lot valuation amount;
- ii. Deferment of payment for the lot for a period of 18 months, or until settlement of the sale of the charity home, whichever is the sooner; and
- iii. Provision of 10% of the surplus funds from the sale of the charity home for a community benefit facility within the Catalina Estate. This donation is to be effected following settlement of the sale of the charity home.

The above terms presented in HfHW's Tender submission comply with the recommendations of the TPRC's Sponsorship Policy.

The table below provides a comparison of the costs of each proposal to the TPRC, based on an assumed lot value of \$280,000.

TPRC SPONSORSHIP	HfHW	SPG
Sponsorship Amount	\$140,000	\$187,460
Project Management Fees	\$6,300	Nil
Sales Commission Fees	\$5,880	Nil
Settlement Fees	\$360	Nil
Total Sponsorship by TPRC	\$152,540	\$187,460

It should be noted the above summary is unable to reflect HfHW's proposal to provide 10% of net surplus funds given this amount is unable to be quantified at this time.

Conclusion

The assessment panel considered both submissions to be present distinct benefits to the Catalina Estate.

Habitat for Humanity's proposal provides favourable commercial terms representing approximately \$35,000 less cost to the TPRC, with a further donation of 10% of surplus funds generated by the project, for use to provide a community benefit facility.

SPG's proposal demonstrated a superior built form product, with greater sustainability credentials, considered to better satisfy the Council's sustainability and built form objectives.

SPG's proposal also demonstrated a very strong track record in delivering similar projects within the Perth Metropolitan area, with 35 years experience in undertaking similar projects, including very recent examples.

The significant marketing and promotional opportunities detailed in SPG's submission were considered to offset the additional cost to the TPRC, and provide Catalina with a level of exposure well beyond what could be achieved with the TPRC's entire marketing budget for the year.

Given the TPRC's marketing budget and strategy for the forthcoming year includes significant branding and positioning activities, it is considered that the benefits of SPG's

proposal in achieving these outcomes could offset the additional \$35,000 sponsorship cost of SPG's proposal

The SPG has demonstrated the impact of the proposed level of marketing and promotional support to other estates, with large increases in visitors numbers and sales activity.

In view of the above it is recommended the Tender submitted by SPG be accepted and an agreement be entered into with SPG to confirm the terms of their submission.

Location of the Charity Home

SPG's proposal identifies Lots 192, 200 and 201 as options for the charity home project and post tender clarification from Satterley confirms Lot 192 to be its preferred site. This choice relates not only to the shape and size of the lot, but also position to the POS area and display village.

The housing design put forward by SPG's proposal requests a traditional lot within Stage 4. The design of the home requires a regular shaped lot, which is accessible from its primary frontage.

The POS area within Stage 4 provides an attractive outlook for the home, with views over the landscaped parkland, and opportunities for the various community and promotional events proposed for the charity home project. The adjacent park offers an attractive and functional space to facilitate such events, and side-street carparking would assist in accommodating traffic generated.

Maintaining a close proximity to the display village is considered integral in the estate capitalising on interest generated by the marketing and promotional activities associated with the home. The preferred location (Lot 192) at the corner of Elsbury Approach and Stain Way is considered to represent a secondary entry to the pedestrianised display village and positioning the home here is intended to allow activity generated around the charity home to spill into the display village and sales office.

The central position of lot 192 within the Phase 1 area will draw visitors past estate features such as the stage 1 POS area or Greenlink open space which has the effect of showcasing the estate to visitors.

It is recommended that in approving the proposal submitted by SPG, the Council endorse the location of the charity home on Lot 192 Elsbury Approach.

9.5 TPRC DRAFT BUDGET FOR THE FINANCIAL YEAR 2012/2013

Report Information

Reporting Officer: Chief Executive Officer File Reference: 12.26.37.2

Recommendation

That the Council:

1. **ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2013, incorporating:**
 - a. **Statement of Comprehensive Income, indicating an operating deficit of \$34,809,309.**
 - b. **Statement of Financial Activity, showing cash at end of year position of \$11,407,460.**
 - c. **Rate Setting Statement, indicating no rates levied.**
 - d. **Notes 1 to 27 forming part of the Budget.**
2. **ADOPT the Significant Accounting Policies as detailed in pages 13 -18.**
3. **ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.**
4. **Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works for subsequent presentation to Council.**

Voting Requirements

Absolute Majority

Report Purpose

Consideration of the budget estimates for the financial year 1 July 2012 - 30 June 2013 including project approval and resource allocation.

Relevant Documents

Appendix: 2012/13 Draft Budget Estimates (including Comprehensive Income Statement; Statement of Financial Activity; Rate Setting Statement)
Available for viewing at the meeting: Nil

Previous Minutes

- Audit Committee Meeting – 18 August 2011 (Item 9.3 - TPRC Draft Budget for the Financial Year 2011/2012)
- Audit Committee Meeting – 6 July 2011 (Item 9.3 – TPRC Draft Budget for the Financial Year 2011/2012)
- Audit Committee Meeting – 24 June 2010 (Item 9.2 - TPRC Draft Budget for the Financial Year 2010/2011)
- Audit Committee Meeting – 11 June 2009 (Item 9.1 - TPRC Draft Budget for the Financial Year 2009/2010)

Policy Reference

N/A

Local Government Act/Regulation

- Local Govt Act 1995: Sect 6.2 Council Required, between 1 June and 31 August to adopt budget for financial year
- Local Govt (Financial Management) Regs 1996: Part 3 - Annual Budget form and content
- Guideline 8 - Opening Closing Funds - Annual Budget
- Local Government (Financial Mgt) Regs 1996: Reg 34 (5) Material Variance Reports [10%]
- Local Government (Audit) Regs 1996: Reg 13 Compliance Audit Item

Background

The Local Authority budget sets out the programs, projects and allocation of resources required to perform the Municipal obligations and functions required by the Local Government Act and associated legislation.

The Budget is used as the base document for monthly financial reporting, for the formal budget review and for the annual financial report, including financial performance ratios.

Regional Local Governments are exempted rating on land value budget requirements which must be featured in Budgets of other Local Governments.

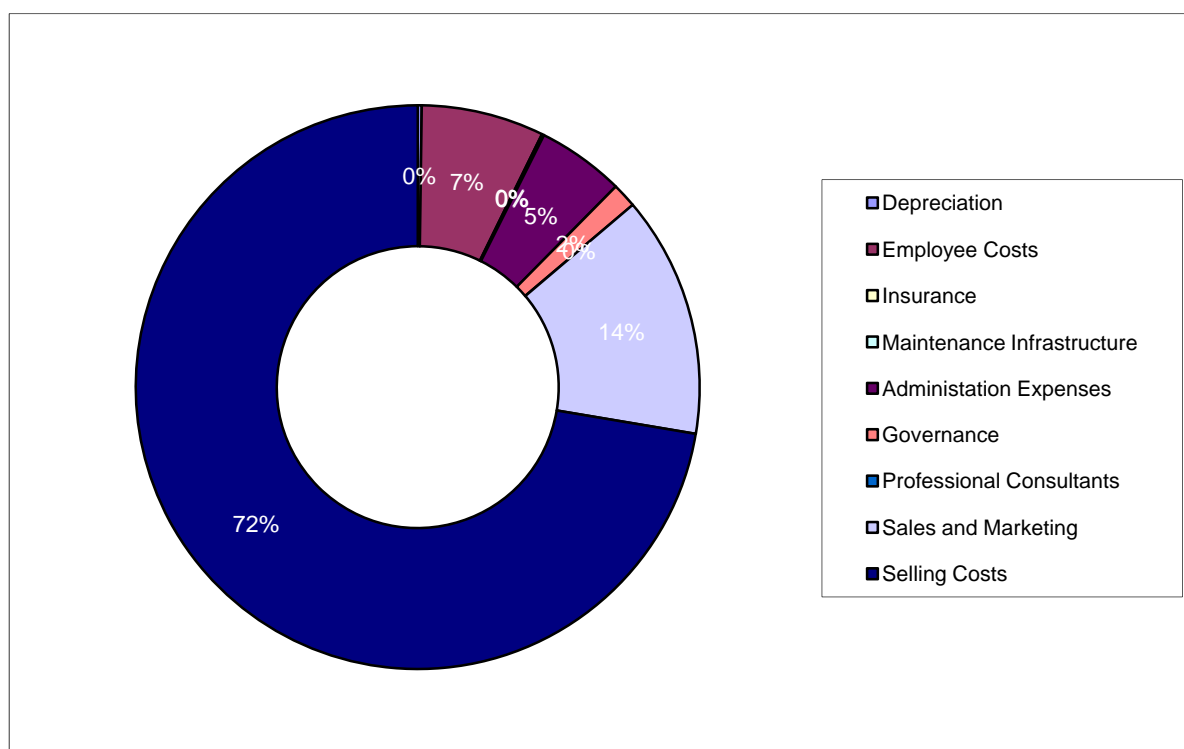
Comment

1. In 2011/2012 the TPRC did not expend all projected operating allocations, particularly in the areas of Infrastructure, Lot Production, Administration and Marketing. The budgeted investment income and sales revenue also exceeded budget projections. As result the operating budget for the financial year was in surplus.
2. In the forthcoming year 2012/2013, projected income and expenditure compared with previous years is shown in the table below.

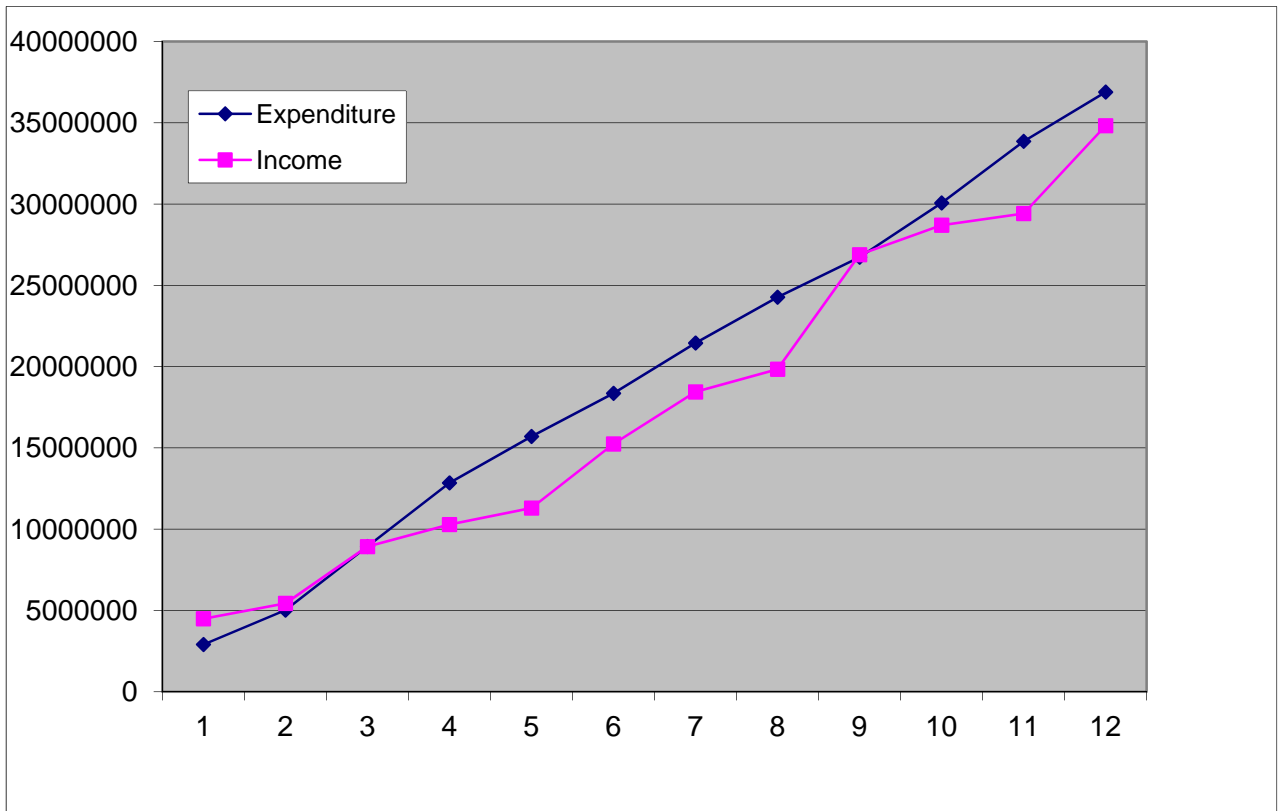
Net Result	Budget 2011/12	Budget 2012/13
Income		
Investments	207,700	449,000
Proceeds Sale of Lots	1,894,752	41,618,154
Other Income	0	1,175,098
Total Income	<u>2,102,452</u>	<u>43,242,252</u>
Expenditure		
Depreciation	4,502	19,320
Employee Costs	569,369	620,651
Insurance	7,400	11,300
Maintenance Infrastructure	0	0
Administration Expenses	325,950	393,253
Governance	118,500	126,000
Professional Consultants	350,000	0
Sales and Marketing	1,000,000	1,166,900
Selling Costs	260,316	6,095,519
Total Expenditure	<u>2,636,037</u>	<u>8,432,943</u>
Net Result	<u>(533,585)</u>	<u>34,809,309</u>

Note: Actual Income/Expenditure shown in the Schedule is of June 2012, reconciliation to June 30 is being finalised.

OPERATING COSTS 2012/13



EXPENDITURE/INCOME 2012/13



3. The budget has been assembled in local government format and is shown in Appendix 9.5, which indicates items of revenue and expenditure and cash flow through the 12 months of the financial year. The emphasis of the budget is focused with some initiatives in the following areas:

- Administration;
- Sales and Marketing
- Land Development Costs
- Revenue (Sales revenue and Investment income)

3.1. Administration

This category provides for the operation of the TPRC office. The key elements of this category include;

- 3 FTE's, (no additional staff proposed).

The expenditure covered in this category is under items 145005 and 145007.

3.4. Sales and Marketing

Provision is made for the Sales and Marketing of the Project consistent with the Project Cashflow (May 2012) adopted by Council.

The expenditure covered in this category is under items E145216 and E145216 (Sales Expenditure). This category allows for significant expenditure associated continued branding of Catalina, the establishment of a Temporary Sales Office, upgrading of estate signage, media advertising and promotion to

support the sales campaigns and the commencement of the permanent Sales Office.

3.5. Land Development Costs

This category reflects that the TPRC Project will be maintaining a construction and marketing phase.

The proposed 2012/2013 also provides for significant capital expenditure, relating to Landscape, Infrastructure, Bulk Earthworks and Lot Production. Also included under this category is a Contingency allowance representing 5% of development costs, to deal with unforeseen costs. The expenditure projected is shown in the table below;

DEVELOPMENT COSTS

• Land & Special Sites Development	708,152
• Admin Land Development	551,713
• Consultants	558,535
• Landscape	4,511,491
• Infrastructure	4,101,561
• Bulk Earthworks	5,403,765
• Lot Production	18,701,849
• Community Development	84,917
• Contingency	1,789,444
• Marketing	1,166,900
	37,578,327

These are provided as Capital Costs in the Budget.

Expenditure also reflects the Project Cashflow (May 2012) adopted by Council at its June 2012 meeting.

3.7 Investment Income

Last year financial the investment income amounted to \$730,315. Indications are that interests will remain stable through 2012/2013 but some minor increases are still possible. The return from investments will be reduced as the principal is drawn upon to fund the Development Costs.

Having regard to the above the expected contribution of investment returns to operating revenue is \$449,000. This assumes an investment rate of 4.7% per annum for 2012/13.

To date there has been no call upon local authority funds to meet any operating or capital expenditure. This position is expected to continue in 2012/2013.

4. Financial Activity Statement

The Financial Activity Statement 2012/2013 (Appendix 9.5) shows the TPRC cashflow position for 2012/13. It predicts that the TPRC can meet all cashflow obligations. This assumes operating revenue of \$42,793,252 from sale of lots. If settlements are delayed or unforeseen significant costs then finance or overdraft

facility may be required. This position will need to be carefully monitored by the TPRC, however, it would be prudent for Council to formally agree to this as part of resolutions on the Budget. This will avoid the need for advertising of this action, as required by the LGA, should finance or overdraft facility may be required. Any finance or overdraft facility would be subject to Council approval.

5. Material Variance

Regulation 34(5) of the *Local Government (Functions and General) Regulations 1996* specifically requires Local Government in each financial year, to adopt a percentage or value to be used in the Statements of Financial Activity. In previous years the TPRC used 10% for reporting material variances. This is considered an appropriate measure of variance it has resulted in reporting of minor variations in total cost terms.

It is recommended that the Council adopt a percentage of 10% or \$5,000 whichever is the greater for purposes of the reporting of material variances by Nature and Type monthly for the 2012/2013 financial year.

The TPRC draft 2012/13 budget is primarily based on the income and expenditure assumptions of the Project Cashflow (May 2012) adopted by Council at its June 2012 meeting.

At its meeting of 2 August 2012 the Audit Committee recommended in relation to the Draft Annual Budget for 2012/13, that Council;

1. INCORPORATES the following statements in the Draft Annual Budget for 2012/13:
 - a. Statement of Comprehensive Income, indicating an operating income of \$34,809,309.
 - b. Statement of Financial Activity, showing cash at end of year position of \$11,407,460.
 - c. Rate Setting Statement, indicating no rates levied.
2. ADOPT a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2012/13 financial year, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.
3. Authorise the CEO to arrange a finance facility for the purpose of ensuring that the TPRC has sufficient cash holdings to fund the proposed subdivision works.

The TPRC draft budget is consistent with the Audit Committee's recommendations and is recommended for Council's approval.

9.6 COMPLEMENTARY WATER SAVING MEASURES

Report Information

Reporting Officer: Senior Project Officer

File Reference: 1.88.246

Recommendation

That the Council RESOLVE:

1. To RECEIVE the Water Re-Use Options report provided by Satterley Property Group correspondence dated 1 August 2012.
2. To APPROVE the reallocation of \$1,000 per lot within the approved sustainability initiatives budget from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, to implement the following water saving initiatives:-
 - a. Waterwise irrigation controllers;
 - b. Water Crystals to enhance soil moisture retention abilities; and
 - c. Subsurface irrigation of garden beds to reduce water loss by evaporation.

Voting Requirements

Simple Majority

Report Purpose

To consider the Satterley Property Group's (SPG) report on complimentary water saving measures, as requested by the Council at its June 2012 meeting.

Relevant Documents

Appendix: Letter from SPG dated 1 August 2012: Catalina Water Re-Use Options
Available for viewing at the meeting: Satterley Property Group project submission

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Council Meeting – 21 June 2012 (Item 9.8 Status Report: Non-Potable Water Supply System)

Financial/Budget Implications

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

Budget Amount:	\$7,053,544
Spent to Date:	\$ 10,008
Balance:	\$7,043,536

Background

At its June 2012 meeting the Council considered a status report on the proposed Non Potable Water Supply Scheme, and options for the provision of a non potable water supply to lots within Catalina.

In the light of additional risks and cost to providing a non-potable water supply scheme, the Council resolved not to proceed and undertake a trial project for the installation of shared bores within Stages 1 and 4, as an alternative means of providing non-potable water for irrigation.

In its determination the Council noted the expected \$2,500 per lot cost of installing shared bores left a surplus of \$1,000 per lot of budget allocated to water saving initiatives and requested the SPG provide a report at its August 2012 meeting on complementary water saving measures.

Comment

In accordance with the Council's request, the SPG has provided a report (attached under Appendix 9.6), which details further water saving as options which are available within the \$1,000 per lot surplus budget. A summary of these options is provided below:-

Additional Water Saving Initiatives to Front Landscaping Packages

Catalina currently provides front landscaping packages to all purchasers to a value of \$3,500, which include basic landscaping features such as water wise plants, irrigation, turf and mulch.

The option of increasing these packages to a value of \$4,500 exists, which would allow front landscaping packages to water saving initiatives such as:-

- Waterwise irrigation controllers, which sense ambient moisture levels and adjust watering times (\$500 per lot).
- Water Crystals to enhance the moisture retention abilities of soil, reducing watering needs (\$100 per lot).
- Subsurface irrigation to garden beds, which deliver water direct to plant roots and reduce water loss by evaporation (\$400 per lot).

Incentives for Rear Landscaping

At present no controls or incentives exist to encourage or require residents to design rear landscaping areas in a water sensitive manner.

A \$1,000 rebate as an incentive for water sensitive features or design elements such as paving, subsurface irrigation or use of waterwise plants, would result in reductions in water use within rear landscaped areas.

Rainwater Tanks

Installation of rainwater tanks of up to 1,000 Litres capacity, for irrigation of garden areas.

It is acknowledged that the water saving potential of rain water tanks is limited, they can be influential in increasing awareness of the water conservation issues and an increased consciousness of water use by residents.

Rebates for Water Efficient Appliances

The efficiency of household appliances which draw on the domestic water supply (dishwashers, washing machines etc) can range significantly.

The star rating system provides a representation of the efficiency of appliances both in terms of energy and water use. Significant disparities in these efficiencies can exist with 5 star appliances using up to 50% less water than their 3 star rated equivalents.

Cost to households is a major impediment to the installation of highly rated appliances. The option of utilizing a \$1,000 rebate to support a developer funded rebate scheme to households that install 5 star appliances could assist in overcoming this and result in significant water savings.

Conclusion

The Satterley Property Group has recommended the \$1,000 per lot surplus budget be allocated to front landscaping packages to support the inclusion of initiatives to reduce water use for irrigation.

Water Corporation statistics indicate that 44% of household water usage is attributed to use within gardens, therefore, expenditure on water saving initiatives within front landscaping packages presents great potential to achieve reductions in water usage.

A further benefit, which was considered in the development of the Council's Sustainability Initiatives Plan, is the enhancement of streetscapes and the general aesthetic of the estate, that would result from additional expenditure on front landscaping packages.

In view of the above it is recommended the Council endorse SPG's recommendation for the \$1,000 per lot amount to be reallocated from Third Pipe (non potable water supply system) to Waterwise Landscaping Packages, within the approved sustainability initiatives budget, to implement the following water saving initiatives:-

- Waterwise irrigation controllers;
- Water Crystals to enhance soil moisture retention abilities; and
- Subsurface irrigation of garden beds to reduce water loss by evaporation.

9.7 STAGES 4 and 6A SALES PROCESS

Report Information

Reporting Officer: Chief Executive Officer

File Reference: 1.88.246

Recommendation

That the Council:

1. **APPROVE** the sale of Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the same sales contract, building incentives and commercial terms.
2. **APPROVE** the disposal of the Stage 4 and Stage 6A traditional lots and 10 metre lots (Plan 2228-114A-01) by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.
3. **APPROVE** the sale of Stage 4 medium density lots (7.5m rear loaded cottage lots) (Plan 2228-114A-01) as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.
4. **NOTE** that the Stage 4 group housing site will be the subject of a separate report in terms of the potential sales process, design guidelines and development methodology.

Voting Requirements

Simple Majority

Report Purpose

To consider the Sales Procedure for Stages 4 and 6A lots.

Policy Reference

N/A

Local Government Act/Regulation

Local Government Act 1995: Sect 3.58 – Disposal of Property.

Previous Minutes

Council Meeting - 13 October 2011 (Item 9.7 Sales Procedure – Private Purchaser Lots)

Financial/Budget Implications

Revenue from the sale and settlement of lots during the 2012/13 financial year will be allocated to item EI45011 (Income Sale on Lots) of the Draft 2012/2013 Budget:

Budgeted Revenue:	\$32,630,042
Revenue to date:	\$ \$526,000
Balance:	\$32,104,042

Relevant Documents

Appendix: Satterley Property Group Letter dated 26 July 2012: Stage 4 and 6A Sales Process; Plan 2228-114A-01

Available for viewing at the meeting: Development Managers Agreement

Background

At its meeting of 23 June 2011 the Council approved a Lot Sales and Release Strategy for Phase 1. The Lot Sales and Release Strategy identified Stage 6A to be disposed of by public tender or auction. Stage 4 was not included in the Lot Sales and Release Strategy.

Stage 4 comprises 48 lots, comprised of 24 traditional lots, 23 rear loaded cottage lots and 1 group housing site (2295m²). It is anticipated that titles will be issued in February 2013, with settlements commencing in March 2013. Sales are proposed to commence in September 2012, with estimated sales revenue of \$10,714,354 obtained within the 2012/13 financial year.

Stage 6A comprises 8 traditional lots, which are elevated with potential ocean views and located opposite the Marmion Avenue Conservation Area. It is anticipated that titles will be issued in December 2012, with settlements commencing in January 2013. Sales are proposed to commence in October 2012, with estimated sales revenue of \$2,405,000 obtained within the 2012/13 financial year.

At its meeting of 12 July 2012, the Council approved the Stage 4 and Stage 6A Civil Works contract award.

Comment

The Development Manager has provided recommendations (letter attached under Appendix 9.7) for the sales procedure to dispose of the Stage 4 and 6A lots as follows:-

- Disposal of Stage 4 and Stage 6A traditional lots and 10 metre lots by private treaty, as per the Sales Procedure – Private Purchaser Lots Strategy, approved by the Council at its meeting held on 13 October 2011 for the Stage 1 lots.
- Disposal of Stage 4 medium density lots (7.5m rear loaded cottage lots) as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 Builders Allocation Lots in April 2012.
- Stage 4 group housing site to be the subject of a separate report recommending the preferred sales process, design guidelines and development methodology.

The private treaty sale process involves potential purchasers registering online to nominate preselected lots, with offers to purchasers made following assessment and prioritization of registrations, in order of receipt and compliance with preset terms and criteria.

Stages 1 and 1B utilised this sales method, which operated smoothly and was well received by purchasers. The Development Manager believes this sales process should work well for traditional lots and 10 metre lots.

The approved Lot Sales and Release Strategy identified the Stage 6A traditional lots to be disposed of by public tender or auction. The rationale for this was that the Stage 6A lots are elevated with potential ocean views and a further premium utilising this sales method was considered possible.

The Development Manager has recommended against this process in view of the current market conditions. It also advises that the current auction clearing rate of 40% (RP Data), is leading to most auctions being unsuccessful.

The sales contract, building incentives and commercial terms used in Stage 1 and 1B sale process are proposed to be used for Stage 4 and Stage 6A lots. The Sales Contract and the relevant Special Conditions and Annexures have previously been reviewed by the Council's legal advisors.

In view of the above, the Development Manager's recommendation that Stage 4 and Stage 6A traditional lots and 10 metre lots be disposed of by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995 is supported.

In relation to the Stage 4 medium density lots (12, 7.5m rear loaded cottage lots) the Development Manager has recommended these be offered as builders allocation lots as 3 parcels of 4 lots each under a public tender process.

This process is consistent with that undertaken for Stage 3, where evaluation of tenders will be based on a Tenderer's ability to meet the Selection Criteria. The selection criteria is proposed to be as follows:-

- Experience in Medium Density Design and Construction – (Weighting 25%)
- Capacity to Meet Market Demand – (Weighting 20%)
- Building Design - (Weighting 20%)
- Sustainability Credentials - (Weighting 15%)
- Innovation - (Weighting 10%)
- Financial Capacity - (Weighting 10%)

The Development Manager has recommended the use of Put Option Deeds, as used for the Stage 3 builders allocation lots, on the basis that it is beneficial to both the Council and builders.

Put Option Deeds provide flexibility to both builders to market and pre-sell house and land packages without the need to commit funds with the up-front purchase of lots and the TPRC by providing security of sales by compelling builders to purchase any lots which are not sold, by a designated date.

The key elements of the Put Option Deed are:

- The deed will be between the TPRC and the Builder.
- The deposit is \$5,000 per lot.
- The price of the lots is subject to approval by TPRC.
- A copy of the Lot Purchase Contract is annexed to the deed.
- The TPRC has the ability to exercise the option (compelling the Builder to purchase).
- The TPRC can set the time period in which the option may be exercised. This would be 30 days prior to issue of title.
- The Builder has the ability to source and present clients to purchase lots from the date of receiving their lot allocation up until the option is exercised.
- Settlement of lots to occur within 21 to 28 days of issue of title providing surety of revenue.

In order to ensure the specific built form objectives required of the Stage 4 medium density lots (7.5m rear loaded cottage lots) all building licenses will be required to demonstrate compliance with the approved Central Precinct Design Guidelines.

The sale process for the Stage 4 medium density lots (7.5m rear loaded cottage lots) as builder allocation lots by public tender is consistent with the approach undertaken with Stage 3 and is supported. The use of Put Option Deeds is considered to be favourable under the current market conditions and likely to result in stronger interest from builders.

The Development Manager's recommendation that the Stage 4 group housing site be the subject of a separate report in terms of the potential sales process, design guidelines and development methodology is supported.

9.8 SALES OFFICE AND INFORMATION CENTRE TENDER ASSESSMENT

Report Information

Reporting Officer: Senior Project Officer File Reference: 1.88.246

Recommendation

That the Council:-

- 1. ACCEPT the National Homes Tender dated 30 July 2012, for the construction of a Sales Office and Information Centre within the Stage 2 Builders Display Village.**
- 2. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the contract documents.**

Voting Requirements

Simple Majority

Report Purpose

To consider Tender submissions received for the Sales Office and Information Centre within the Stage 2 Builders Display Village.

Relevant Documents

Appendix: Catalina Sales Office & Information Centre – Tender Evaluation Report
Available for viewing at the meeting: National Homes and ABN Group Tender Submissions.

Policy Reference

N/A

Local Government Act/Regulation

Local Government Act 1995: Sect 3.57 – Provision of goods and services.

Previous Minutes

Tamala Park Regional Council meeting – 21 June 2012

Financial/Budget Implications

Expenditure under this matter will be incurred under item 99.3 – Land Develop – Land & Special Sites of the TPRC 2012/13 Budget:

Budget Amount:	\$824,003
Spent to Date:	\$ 0
Balance:	\$ 0

Background

At its April 2012 meeting the Council approved the Builders Brief for the Catalina Sales Office and Information Centre and resolved to call for tenders for the design and construction of the Sales Office and Information Centre.

Comment

In accordance with the Council's resolution, a public notice was placed in the West Australian newspaper on the 14th July 2012, advertising a call for tenders. At the conclusion of the 2 week tender period, two Tender submissions had been received, from National Homes and the Alcock Brown Neaves Group (ABN Group).

The Satterley Property Group have confirmed both proposals present good options for use as a sales office.

ABN Proposal

The ABN Group Tender submission proposes construction of a 4 bedroom, 3 bathroom, two storey dwelling of double clay brick, concrete slab construction, with a gabled steel Colorbond roof.

The structure presents with a two toned rendered finish, with articulated pillars at the building's facade, to provide for a high standard of presentation to the street.

The building has a floor area of 291m², comprised of the following:-

Ground Floor.....	109.4m ²
Upper Floor.....	110.9m ²
Alfresco.....	23.9m ²
Porch.....	3.7m ²
Garage.....	43.2m ²

ABN's building design does not require any alterations to facilitate its future use as a residential dwelling and its price of \$395,000, represents a rate of \$1,357/m².

The proposal is a high quality modern contemporary design and a high standard building.

National Homes Proposal

National Homes Tender submission proposes a 4 bedroom, 3 bathroom two storey dwelling, constructed by a combination of brick and concrete slab and modular construction methods, with a hidden skillion roof.

The buildings external presentation includes a range of materials and finishings. The front facade has face brick, painted render and fibre cement, stone cladding, window screens and a steel beam feature which creates an interesting and appealing elevation.

The building includes floor area of 287m², comprised of the following:-

Ground Floor.....	162.3m ²
Upper Floor.....	64.8m ²
Alfresco.....	20.1m ²
Porch.....	2.3m ²
Garage.....	37.1m ²

National's design will require minor alterations for its future use as a residential dwelling, the cost of which is included as a provisional sum within its price of \$369,500, which represents a rate of \$1,281/m².

National Homes' proposed building presents as an architecturally designed home, which provides a point of difference to more contemporary housing.

Selection Criteria Assessment

The assessment of tenders was undertaken by a panel consisting of:-

- Mr Ross Povey (Director, Planning & Development - City of Stirling)
- Mr Justin Crooks (Project Director - Satterley Property Group); and
- Mr Wayne Burns (Senior Project Officer - TPRC).

Tenders were assessed against the selection criteria in the tender document. Panel members evaluated individual selection criteria items in accordance with the TPRC's Procurement Policy.

Details and justification of the panel's assessment are provided in the Evaluation Report attached under Appendix 9.8. The assessment resulted in National Homes' proposal achieving a 76% rating and ABN Group's proposal a 72% rating.

The Council's probity auditor (Mr Kevin Donnelly – Stanton's International), has confirmed approval of the assessment process undertaken.

Conclusion

Both submissions were considered to be of high standard, presenting quality built form products that satisfied the requirements of the brief. The Development Manager has confirmed both proposals present acceptable options for sales office uses and set high quality standards for the display village.

Both submissions are priced within the approved budget.

ABN's proposal is considered to present a more contemporary housing product, which may potentially be beneficial from a resale perspective. However, the National Homes submission provides a 'point of difference' as a built form product.

This point of difference is considered to better reflect Catalina's objective of seeking to achieve best practice urban design and is also considered to present advantages in its potential impact on purchasers and their recognition of the estate sales office.

National Homes' submission achieved a higher rating against the selection criteria and its price is approximately \$25,000 less, than the ABN's proposal.

It is recommended the proposal submitted by National Homes be accepted as the preferred Tender.

9.9 NATIONAL STORMWATER CONFERENCE 2012

Report Information

Reporting Officer: Chief Executive Officer File Reference: 22.54.266.0

Recommendation

That the CEO be AUTHORISED to attend the 2012 2nd National Stormwater Conference in Melbourne to be held on 15-19 October 2012.

Voting Requirements

Simple Majority

Report Purpose

To obtain authority for the TPRC CEO to attend the forthcoming 2012 National Conference on Urban Water Management in Melbourne.

Relevant Documents

Appendix: 2012 National Stormwater Conference Registration Brochure
Available for viewing at the meeting: Nil

Policy Reference

TPRC Delegation Register

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Background

The National Stormwater Conference is to be held on 15 - 19 October 2012 in Melbourne. The Conference is a lead event dealing with stormwater management and research. It brings together leading industry professionals, developers, state and local government personnel from around Australia.

Comment

The Conference focuses on the future, discussing and informing on issues of importance to the development industry and opportunities to effectively manage stormwater as a resource and to deliver improved environments.

The Conference program includes presentations from expert practitioners from the industry, profiles from cutting edge and best practice projects and research that is being undertaken.

Conference presentations include the following topics:

- Stormwater Harvesting and Reuse
- Water Sensitive Urban Design
- Total Water Cycle Management
- Water Sensitive Cities
- Research in Urban Water Management
- Planning and Design
- Urban Water Cycle Solutions

The topics covered at the Conference are integral to the TPRC objectives and related to the areas currently being contemplated in the development.

It is proposed that the CEO attend the Conference.

A copy of the Conference registration brochure is attached at Appendix 9.9.

Funds are available for attending the conference from budget item E041020 Conference Expenses. Attendance registration, travel, accommodation and incidental costs require a budget of approximately \$4,200.

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