



TAMALA PARK
REGIONAL COUNCIL

Ordinary Meeting of Council

MINUTES

Thursday 9 August 2007
City of Perth, 5.30pm

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES 7 LOCAL
AUTHORITY
PARTICIPANTS:

Town of Cambridge
City of Joondalup
City of Perth
City of Stirling
Town of Victoria Park
Town of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	DEPUTY MEMBER
Town of Cambridge	A/Mayor O'Connor	Cr Barlow
City of Joondalup	Mayor Pickard Cr John	Cr Fishwick Cr Jacob *
City of Perth	Cr Evangel	Cr Sutherland
City of Stirling	Mayor Tyzack Cr Boothman Cr Clarey Cr Stewart	Cr Ham Cr Rose
Town of Victoria Park	Cr Nairn (Deputy Chairman)	Cr Skinner
Town of Vincent	Mayor Catania	Deputy Mayor Cr Farrell
City of Wanneroo	Mayor Kelly Deputy Mayor Cr Salpietro (Chairman)	Cr Treby Cr Roberts

* ***Declaration of office to be completed***

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PRESENT

A/Chairman	Cr V Nairn
Councillors	Cr T Clarey Cr M John (from 6.20pm) Cr P O'Connor Cr T Pickard Cr T Tyzack
Alternate Members	Cr B Ham Cr T Roberts
Staff	Rod Constantine (Chief Executive Officer) Kylie Jeffs (Minute Clerk)
Apologies Councillors	Cr D Boothman Cr N Catania Cr E Evangel Cr J Kelly Cr P Rose (alternate member for Cr B Stewart) Cr B Stewart
Leave of Absence	Cr S Salpietro (Chairman)
Absent	Cr M Sutherland (alternate member for Cr Evangel)
Consultants	Nil
Apologies Represented Councils' Advisors	Nil
In Attendance	Lewis Bond (City of Perth) John Bonker (Town of Victoria Park) Garry Hunt (City of Joondalup) Jason Lyon (Town of Cambridge) John Paton (City of Wanneroo) Mike Tidy (City of Joondalup)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The meeting was declared open at 5.40pm.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

3.1 Leave of absence – Cr S Salpietro has been granted leave of absence up to 19 October 2007 (Council minutes 14 June 2007 refer).

3.2 Apologies were received from Cr D Boothman, Cr N Catania, Cr E Evangel, Cr J Kelly, Cr P Rose (alternate member for Cr B Stewart) and Cr B Stewart.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Moved Cr Roberts, Seconded Cr Tyzack

That the minutes of the Ordinary Council meeting of 14 June 2007 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The motion was put and declared CARRIED.

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

6.1 Advice has been received from Town of Cambridge that Mayor Marlene Anderton has resigned as Mayor of Town of Cambridge. Mayor Anderton represented Town of Cambridge as Councillor – Tamala Park Regional Council.

On 26 June 2007 the Town of Cambridge appointed Cr Pauline O'Connor Acting Mayor and also the Tamala Park Regional Council representative from the Town of Cambridge. Under the TPRC Establishment Agreement, Cr O'Connor will hold office as a TPRC Council member until the local government elections in October 2007.

Cr O'Connor has completed the declaration of office as Tamala Park Regional Council.

6.2 Revised agenda Item 9.2 (Statements of Financial Activity) and Item 9.4 (TPRC Budget) were distributed prior to the meeting date.

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

Nil

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 31 JULY 2007

Moved Cr Clarey, Seconded Cr Pickard

[The Motion recommended in the agenda]

That the Business Report to 31 July 2007 be RECEIVED.

The Motion was put and declared CARRIED.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTH JULY 2007

Moved Cr Tyzack, Seconded Cr Roberts

[The Motion recommended in the agenda]

That the Council RECEIVE and NOTE the Statement(s) of Financial Activity for the months ending 30 June 2007 and 31 July 2007.

The Motion was put and declared CARRIED.

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS JUNE 2007 AND JULY 2007

Moved Cr Clarey, Seconded Cr Pickard

[The Motion recommended in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for each of the months June 2007 and July 2007:

- **Month ending 30 June 2007 (Total \$28,128.40); and**
- **Month ending 31 July 2007 (Total \$15,828.10)**
- **Total paid \$43,956.50**

The Motion was put and declared CARRIED.

9.4 TPRC BUDGET

Moved Cr Clarey, Seconded Cr Ham

[The Motion recommended in the agenda]

1. **That the TPRC budget for the financial year 1 July 2007 – 30 June 2008 be ADOPTED showing:**

Operating Income	\$1,055,089; and
Operating Expenditure	\$ 771,100

2. **That the variance figure of 10% be ADOPTED for the purpose of reporting material variances to Budget proposals (Financial Management Reg 34).**

The Motion was put and declared CARRIED by absolute majority.

9.5 ELECTED MEMBER ALLOWANCES

Moved Cr Tyzack, Seconded Cr Clarey

[The Motion recommended in the agenda]

That for the annual period ending 21 October 2007 and subject to review upon any change to the Local Government Act in the interim, MEMBERS FEES BE as follows:

- a) **That the Local Government allowance for Chairman of the Council be 25% of the permitted maximum i.e. a payment of (currently) \$3,000 per annum.**
- b) **That the Local Government Allowance for Deputy Chairman be 25% of the amount paid to the Chairman.**
- c) **That the attendance fee for Chairman of the Council be the minimum fee prescribed by Local Government legislation i.e. currently \$6,000 per annum.**
- d) **That while the Local Government Act, in its present form, does not provide for the appointment of a Deputy or Alternate Members. The Council also notes the Interpretation Act (section 51) provides circumstances in which a Council may nominate a person to act in the absence of a 'regular' member but the Local Government Act does not facilitate any payment to a person attending as an appointee under the Interpretation Act.**
- e) **That attendance fees for Council members be the minimum fee prescribed by Local Government legislation i.e. currently \$2,400 per annum for the year ending 30 October 2007.**
- f) **That the amounts calculated in (c and f) be increased by \$1,000 for each regular Council member while the Council does not authorise, regular Council members do not claim separate telecommunications, IT allowances or travelling allowance to meetings.**
- g) **Fees to be reviewed on a Council year basis i.e. the next review from 22 October 2007 being for the intent that the Council in place sets the fees that will apply in its tenure of office and is responsible for the budget allocations that will be needed to facilitate the payments. Payments are to be made quarterly in arrears.**

Moved Cr Pickard, Seconded Cr Roberts that the Motion be amended to read as follows:

That for the annual period ending 21 October 2007 and subject to review upon any change to the Local Government Act in the interim, MEMBERS FEES BE as follows:

- a) **That the Local Government allowance for Chairman of the Council be 100% of the permitted maximum i.e. a payment of \$12,000 per annum.**

- b) That the Local Government Allowance for Deputy Chairman be 25% of the amount paid to the Chairman.
- c) That the attendance fee for Chairman of the Council be the minimum fee prescribed by Local Government legislation i.e. currently \$6,000 per annum.
- d) That while the Local Government Act, in its present form, does not provide for the appointment of a Deputy or Alternate Members. The Council also notes the Interpretation Act (section 51) provides circumstances in which a Council may nominate a person to act in the absence of a 'regular' member but the Local Government Act does not facilitate any payment to a person attending as an appointee under the Interpretation Act.
- e) That attendance fees for Council members be the minimum fee prescribed by Local Government legislation i.e. currently \$2,400 per annum for the year ending 30 October 2007.
- f) That the amounts calculated in (c and e) be increased by \$1,000 for each regular Council member while the Council does not authorise, regular Council members do not claim separate telecommunications, IT allowances or travelling allowance to meetings.
- g) Fees to be reviewed on a Council year basis i.e. the next review from 22 October 2007 being for the intent that the Council in place sets the fees that will apply in its tenure of office and is responsible for the budget allocations that will be needed to facilitate the payments. Payments are to be made quarterly in arrears.

The Amendment and Amended Motion were put and declared CARRIED by unanimous vote.

9.6 AUDIT COMMITTEE – MEMBERSHIP AND CHARTER AND REPORTS

Moved Cr Pickard, Seconded Cr Roberts

[The Motion recommended in the agenda]

- 1. That the Council **APPOINT** a Council member to the Audit Committee to replace Cr Anderton (resigned).
- 2. That 2 deputy members be **APPOINTED** to act as members of the Audit Committee in the absence of the primary Audit Committee representative.

Moved Cr Clarey, Seconded Cr Tyzack that the Motion be amended to read as follows:

- 1. That the Council **APPOINT** Council member Cr P O'Connor to the Audit Committee.
- 2. That 2 additional members be **APPOINTED** to the Audit Committee being Cr T Pickard and Cr T Tyzack.

The Amendment and Amended Motion were put and declared CARRIED by absolute majority.

9.7 APPOINTMENT OF EXTERNAL AUDITOR

Moved Cr Tyzack, Seconded Cr Ham

[The Motion recommended in the agenda]

That quotations be INVITED from auditors servicing the TPRC constituent Councils to conduct the statutory audit of the TPRC for the financial years 2008, 2009 and 2010.

The Motion was put and declared CARRIED.

9.8 TPRC ANNUAL REPORT FOR THE YEAR 1 JULY 2006 TO 30 JUNE 2007

Moved Cr Clarey, Seconded Cr Pickard

[The Motion recommended in the agenda]

- 1. That the draft annual report be ADOPTED.**
- 2. That in context of the requirements of the LGA the annual report be referred for REVIEW by the TPRC Audit Committee and SUBMITTED for adoption by the Council prior to 31 December 2007.**

The Motion was put and declared CARRIED by absolute majority.

9.9 FUTURE PLAN

Moved Cr Clarey, Seconded Cr O'Connor

[The Motion recommended in the agenda]

- 1. That the TPRC Future Plan be ADOPTED.**
- 2. That the Plan remain open for public submissions and that submissions be REPORTED at each meeting of the TPRC.**

The Motion was put and declared CARRIED by absolute majority.

9.10 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2006 TO 30 JUNE 2007

Moved Cr Ham, Seconded Cr Roberts

[The Motion recommended in the agenda]

That the draft financial report for the year ended 30 June 2007 be RECEIVED and REFERRED for review by the Audit Committee.

The Motion was put and declared CARRIED.

9.11 LOT 9504 ON PLAN 52070 – TAMALA PARK, NOTICE OF A CLASSIFICATION OF A KNOWN OR SUSPECTED CONTAMINATED SITE UNDER SECTION 15 OF THE *CONTAMINATED SITES ACT 2003*

Moved Cr Pickard, Seconded Cr Clarey

[The Motion recommended in the agenda]

1. That the request to the Department of Environment & Conservation (DEC) for containment of the DEC site classification 'possibly contaminated – investigation required' relating to Lot 9504 on Plan 52070 to the MRC lease area be **ENDORSED**.
2. That the Tamala Park Regional Council work with the Mindarie Regional Council to **ESTABLISH** the extent to which the classification can be modified to allow the TPRC urban development to proceed unfettered by the proposed memorials against Titles to the land.
3. That a formal appeal be **PREPARED** against the classification of the Deferred Urban portion of Lot 9504 as 'possibly contaminated – investigation required' and the appeal be **LODGED** in the event the request notified in (1) is not granted.

The Motion was put and declared **CARRIED**.

9.12 DELEGATION OF AUTHORITY

Moved Cr Clarey, Seconded Cr John

[The Motion recommended in the agenda]

1. That the Delegation Register and delegations set out therein be **APPROVED**.
2. That delegations be further **REVIEWED** in August 2008.

Moved Cr Pickard, Seconded Cr Ham that the Motion be amended to read as follows:

1. That the Delegation Register and delegations set out therein be **APPROVED**, subject to the following conditions for Delegation item 3:

Number 3 – insert the words '*with the co-signature of the Chairman*' following the words '*Authority to sign formal contracts*'.
2. That delegations be further **REVIEWED** in August 2008.

The Amendment and Amended Motion were put and declared **CARRIED** by absolute majority.

9.13 INVESTMENT POLICY

Moved Cr Tyzack, Seconded Cr Roberts

[The Motion recommended in the agenda]

1. That the Investment Policy adopted in April 2006 be REAFFIRMED.
2. That the Investment Policy be further REVIEWED in August 2008.

Moved Cr Pickard, Seconded Cr John that the Motion be amended to read as follows:

1. That the Investment Policy adopted in April 2006 be REAFFIRMED, subject to the following conditions for Investment Policy item (e):

Item E – insert the words '*following consultation with the Chairman*' following the words '*The Chief Executive Officer is authorized to approve variations to this policy*'.

2. That the Investment Policy be further REVIEWED in August 2008.

The Amendment and Amended Motion were put and declared CARRIED.

9.14 PROCUREMENT POLICY

Moved Cr Tyzack, Seconded Cr Clarey

[The Motion recommended in the agenda]

1. That the Procurement Policy adopted in April 2006 be REAFFIRMED.
2. That the Procurement Policy be further REVIEWED in December 2008.

The Motion was put and declared CARRIED.

9.15 MEETING DATES

[The Motion recommended in the agenda reads as follows]

1. That the current cycle of bi-monthly Council meetings (i.e. 6 meetings per annum) be MAINTAINED.
2. That in addition to the formal Council meetings, the Council MEET in January, July and October to review strategic issues and major projects of the Council. The meetings to be titled 'Strategy/Project Outcomes Review Meetings'.
3. That the Council NOTE that the pattern of meetings described in 1 and 2 does not preclude other management and briefing or open forum style meetings being held on a requirement basis.

Moved Cr Pickard, Seconded Cr Clarey that the Motion be as follows:

1. That the current cycle of bi-monthly Council meetings (i.e. 6 meetings per annum) be MAINTAINED.

2. That in addition to the formal Council meetings, the Council **MEET** at least 3 times to review strategic issues and major projects of the Council. The meetings to be titled 'Strategy Sessions'.
3. That the Council **NOTE** that the pattern of meetings described in 1 and 2 does not preclude other management and briefing or open forum style meetings being held on a requirement basis.

(NB: Changed in respect of Item 2 only)

The Motion was put and declared CARRIED.

9.16 ABORIGINAL HERITAGE STUDY

Moved Cr Clarey, Seconded Cr John

[The Motion recommended in the agenda]

1. That AIC be **REQUESTED** to continue with Part 2 of the aboriginal heritage study i.e. the ethnographic and archaeological assessment of the TPD site as originally contracted.
2. That the WAPC be **APPROACHED** to schedule the archaeological and ethnographic study for the coastal conservation reserve land west of Marmion Avenue between Burns Beach and the southern extremity of the TPD to occur before or in conjunction with the work to be undertaken covering the western portion i.e. west of Marmion Avenue (of the TPD).

The Motion was put and declared CARRIED.

9.17 FUTURE PLAN – MAJOR PROJECTS

Moved Cr Tyzack, Seconded Cr John

[The Motion recommended in the agenda]

That Council RECEIVE a verbal summary of action in respect of Major Projects listed in the TPRC Future Plan (page 28).

The Motion was put and declared CARRIED.

- The CEO (R Constantine) gave a PowerPoint presentation showing office properties currently available for the TPRC to lease or buy, with a recommendation to be made to the next meeting of the TPRC Council in October 2007.
- The CEO gave a PowerPoint presentation on the TPD, which included an update on the construction of Connolly Drive, the Neerabup commercial development, the urban development along the Neerabup Road alignment and the future outlook towards Burns Beach from the proposed TPD.
- The CEO gave a PowerPoint presentation on greenways concepts that could be incorporated into the TPD, which included a wind generation plant, solar arrays and a (station to beach) tram shuttle.

- The CEO gave a verbal summary of action in respect of Major Projects listed in the TPRC Future Plan, which included:
 - Structure Plan conditions for approval under City of Wanneroo and MRS Schemes;
 - Council authorisation on the acquisition of Government land near Clarkson Station;
 - Advice on the liaison with WAPC about the resolution of boundaries of POS land (NPS);
 - The aesthetics of the proposed Western Power overhead transmission lines;
 - The strong possibility of a no cost optical fibre network;
 - The contract expiration of the MRC electricity plant and the possibility of a joint venture after 2011;
 - The gathering of information about the MRC landfill site for a report to the TPRC Council October meeting;
 - The ongoing issue with the Neerabup Road barrier to the TPD;
 - Establishing an environment specialist/conservation group in the future;
 - The completion of the geological survey;
 - The financial outlook for the TPD, assuming all land is available to develop, is estimated to be in the order of \$750M; and
 - The land assembly for the coastal conservation reserve and the WAPC role to be expedited.

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

12.1 COUNCILLOR QUESTIONS APPROVED BY THE CHAIRMAN

Cr John requested a report on the environmental and sustainable issues that could be incorporated into the Procurement Policy (Item 9.14). R Constantine to report separately on this item to Cr John.

13. MATTERS BEHIND CLOSED DOORS

Nil

14. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.30pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2007

as a true record of proceedings.

CHAIRMAN