

Ordinary Meeting of Council

Thursday 10 December 2020

MINUTES

City of Vincent
244 Vincent Street, Leederville

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
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

Chair	Cr Karen Caddy
Councillors	Cr Claire Anderson Cr Brent Fleeton Cr Joanne Fotakis Cr David Lagan Cr Suzanne Migdale Cr Philippa Taylor Cr Bianca Sandri
Alternate Members	Cr Christopher May
Staff	Mr Tony Arias (Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr John Chester Cr Vinh Nguyen - Alternate Member Cr Natalie Sangalli - Alternate Member Cr Andres Timmermanis Cr Brett Treby Cr Domenic Zappa
Leave of Absence	Cr Brett Treby
Absent	Nil
Consultants	Mr Alan Abel (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Ms Julia Nelson – Satterley Property Group Mr John Silla (Satterley Property Group)
Apologies Participant Councils’ Advisers	Mr John Giorgi (Town of Cambridge) Mr Garry Hunt (City of Joondalup) Mr Stuart Jardine (City of Stirling) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils’ Advisers	Mr Mat Humfrey (City of Joondalup) Mr David MacLennan (City of Vincent) Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:06pm and welcomed Cr Brent Fleeton and Cr Christopher May – Alternative Member to the Tamala Park Regional Council Meeting.

DISCLOSURE OF INTERESTS

Cr Fotakis advised a Disclosure of Interest – Impartial Interest in relation to Item 13.1 (there has been an association with one of the consultants under the tender).

Cr Sandri advised a Disclosure of Interest – Impartial Interest in relation to Item 13.2 (there has been an association with one of the consultants under the tender).

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr John Chester
Cr Vinh Nguyen - Alternate Member
Cr Natalie Sangalli - Alternate Member
Cr Andres Timmermanis
Cr Brett Treby
Cr Domenic Zappa

Request for Leave of Absence – Cr Brett Treby

Cr Treby has requested Leave of Absence from Council duties covering the period 17 November 2020 to 31 January 2021 inclusive.

Moved Cr Migdale, Seconded Cr Sandri.

That Council approve Cr Treby's Leave of Absence from 17 November 2020 to 31 January 2021 (inclusive).

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

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 8 October 2020

Moved Cr Sandri, Seconded Cr Fotakis.

That the minutes of the Ordinary Meeting of Council of 8 October 2020 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)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- 13.1 Tender 05/19, Built Form Partnership – Stage 18 Update – Confidential
- 13.2 Tender 01/20, Landscape Architecture Services – Confidential
- 13.3 MRC Landfill Buffer – Groundwater Monitoring Results Update – Confidential
- 13.4 Built Environment Strategy – Confidential
- 13.5 Review of Catalina Risk Management Plan 2019 – Confidential
- 13.6 Review of Deliverables – Development Manager's KPIs – Confidential
- 13.7 Catalina Economic Strategy (2020) – Confidential
- 13.8 Key Personnel – Catalina Sales Representative - Confidential

8. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 8.1 – 8.13)

8.1 BUSINESS REPORT – PERIOD ENDING 3 DECEMBER 2020

Moved Cr Fotakis, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 3 December 2020.

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

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 3 DECEMBER 2020

Moved Cr Migdale, Seconded Cr Fotakis.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 3 December 2020.

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

8.6 ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

Moved Cr Migdale, Seconded Cr Lagan.

[The recommendation in the agenda]

That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2020.

The Motion as amended was as follows:

That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2020, subject to the Structure Plan (page 16) being replaced with the current approved Structure Plan.

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

8.7 DELEGATION AUTHORITY 2020

Moved Cr Sandri, Seconded Cr May.

[The recommendation in the agenda]

That the Council APPROVES the Delegation Register 2020 (December 2020).

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

8.9 ELECTED MEMBER ALLOWANCES

Moved Cr Lagan, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council APPROVES:

- 1. An Annual Allowance for the Chair of the Council to be \$20,063 per annum.**
- 2. An Annual Attendance fee for the Chair of the Council to be \$15,839 per annum.**
- 3. An Annual Allowance for the Deputy Chair of the Council to be 25% of the amount paid to the Chair per annum.**
- 4. An Attendance fee for Council members to be an amount of \$10,560 per annum.**
- 5. Council members not being entitled to claim separate telecommunications, IT allowances or travelling allowance to meetings.**
- 6. Elected member allowances being made quarterly in arrears.**

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

8.11 PROJECT BUDGET FYE 2021 – MID-YEAR REVIEW

Moved Cr Migdale, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council RECEIVES the FYE 2021 Mid-Year Budget Review, submitted by the Satterley Property Group (November 2020), and that it be used as the basis for financial planning for the TPRC Mid-Year Budget FYE 2021.

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

The recommendations for Items 8.2, 8.3, 8.4, 8.8, 8.10, 8.12 and 8.13 were moved and seconded en bloc.

Moved Cr Lagan, Seconded Cr Migdale.

8.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- **30 September 2020; and**
- **31 October 2020.**

8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF SEPTEMBER & OCTOBER 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of September and October 2020:

- **Month ending 30 September 2020 (Total \$605,065.43)**
- **Month ending 31 October 2020 (Total \$1,768,246.65)**
- **Total Paid - \$2,373,312.08**

8.4 PROJECT FINANCIAL REPORT – OCTOBER 2020

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (October 2020) submitted by the Satterley Property Group.

8.8 CORPORATE BUSINESS PLAN 2020-2024

[The recommendation in the agenda]

That the Council **APPROVES** the Corporate Business Plan 2020-2024.

8.10 REVIEW OF PURCHASER TERMS AND CONDITIONS

[The recommendation in the agenda]

That the Council:

1. **APPROVES** the following Purchaser Terms/Conditions and Incentives for all public and builder release lots for the period December 2020 to December 2021:
 - 1.1 **Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexure.**
 - 1.2 **A \$2,000 deposit to be used in the Sales Contracts for Catalina Central and a \$5,000 deposit to be used in the Sales Contracts for Catalina Beach.**
 - 1.3 **A finance approval period of 60 days for Catalina Central and 45 days for Catalina Beach, where finance is required.**
 - 1.4 **A 21-day settlement period from finance approval or the issue of titles, whichever is the later.**
 - 1.5 **A waterwise landscaping package to the front garden.**
 - 1.6 **A \$2,000 rebate for all homes constructed with a minimum 1.5kW capacity photovoltaic solar power system.**
 - 1.7 **Side and rear boundary fencing (behind the building line).**
 - 1.8 **A \$1,000 rebate for all homes in Catalina Central and Beach Precincts which include appropriate WELS rated fittings and fixtures.**
 - 1.9 **Sales incentives (Items 1.5 – 1.8) subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.**
2. **REQUESTS** the Satterley Property Group to provide a report on the recommended Purchaser Terms/Conditions and Incentives for public release and builder release lots for Catalina Grove prior to the launch of lot sales in this Precinct.
3. **REQUESTS** the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for all other public release lots and provide a report to the Council for consideration in December 2021.

8.12 CATALINA GROVE DEVELOPMENT STRATEGY – ADDITIONAL INFORMATION

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the additional information provided by the Satterley Property Group dated 2 November 2020 regarding the implementation of the Catalina Grove Development Strategy and;

2. **NOTES** that reports on market research, design guidelines and potential innovation and sustainability initiatives will be presented to the Council for consideration in the second half of FYE 2021.

8.13 CATALINA BEACH BUILDERS DISPLAY VILLAGE 2 – COMMERCIAL TERMS AND LOT ALLOCATION PROCESS

[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 Beach Builders Display Village 2, as set out in the Satterley Property Group correspondence dated 2 December 2020.

The Motions were put and CARRIED en bloc (9/0).

9. COMMITTEE REPORTS 9.1

AUDIT COMMITTEE (26 NOVEMBER 2020)

9.1 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTH OF SEPTEMBER 2020

Moved Cr Sandri, Seconded Cr May.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the month ending 30 September 2020.

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

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. MATTERS BEHIND CLOSED DOORS

Moved Cr Sandri, Seconded Cr Migdale.

That the Meeting be CLOSED to the public.

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

13.1 CONFIDENTIAL: TENDER 05/19, BUILT FORM PARTNERSHIP – STAGE 18 – UPDATE

Moved Cr Lagan, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council:

- 1. NOTES that negotiations with Schlager Group/David Barr Architects/Josh Burns and Associates, as the preferred tenderer on Tender 05/19, have failed to reach agreement on satisfactory project management and development arrangements for the Stage 18 grouped housing site.**
- 2. AGREES to cease negotiations with Schlager Group/David Barr Architects/Josh Burns and Associates and DECLINES to proceed with Tender 05/19, in accordance with the terms and conditions of Tender 05/19.**
- 3. ADVISES Schlager Group/David Barr Architects/Josh Burns and Associates of the Council's decision to cease negotiations and EXPRESSES its thanks for their effort in attempting to negotiate a suitable development outcome.**
- 4. REQUIRES the Satterley Property Group to prepare an appropriate subdivision and development option, consistent with the Council's objectives to achieve sustainable and innovative built form within the development of the Stage 18 site and cognisant of market conditions.**

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

13.2 CONFIDENTIAL: TENDER 01/20 LANDSCAPE ARCHITECTURE CONSULTANCY SERVICES

Moved Cr Migdale, Seconded Cr Fotakis.

[The recommendation in the agenda]

That the Council:

- 1. DECLINES the tender submission submitted by Tim Davies Landscaping dated 22 October 2020 for Landscape Architecture Consultancy Services in accordance with Tender 01/2020.**

- 2. AUTHORISES the CEO to extend until 28 February 2021 the current contract with the incumbent landscape architect engaged on the Catalina Project, Plan E, as was awarded under Tender 08/2017 on the same terms and conditions of this contract.**

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

13.3 CONFIDENTIAL: MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING RESULTS UPDATE

Moved Cr Sandri, Seconded Cr Migdale

[The recommendation in the agenda]

That the Council RECEIVES the report (dated October 2020) on the Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results.

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

13.4 CONFIDENTIAL: CATALINA BUILT ENVIRONMENT STRATEGY (2020)

Moved Cr Sandri, Seconded Cr Anderson

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the Catalina Built Environment Strategy (2020).**
- 2. ACCEPTS that the Satterley Property Group has achieved the deliverables required by the Development Manager's Key Performance Indicators (February 2020) - Governance, requiring the delivery of the Catalina Built Environment Strategy.**

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

13.5 CONFIDENTIAL: REVIEW OF CATALINA RISK MANAGEMENT PLAN 2019

Moved Cr May, Seconded Cr Fotakis

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Catalina Project Risk Register Review 2019 submitted by the Satterley Property Group.**
- 2. APPROVES the Catalina Risk Management Plan (FYE 2021) prepared by the Satterley Property Group.**
- 3. ACCEPTS that the Satterley Property Group has achieved the Development Manager's Key Performance Indicator requiring it to implement actions arising from the approved Catalina Project Risk Management Plan.**

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

13.6 CONFIDENTIAL: REVIEW OF DELIVERABLES - DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS

Moved Cr Lagan, Seconded Cr Sandri

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Satterley Property Group report (October 2020) 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 March 2020 and 30 June 2020, with the exception of the following:
 - i) **Economic Deliverable 3**, which requires achievement of project milestones as endorsed by the Council through the annual planning process or otherwise by Council resolution, and
 - ii) **Governance Deliverable 6**, which requires effective leadership and management of the Project team to achieve innovative and best practice outcomes for the Project and agreed Project outcomes consistent with the approved Annual Plan.
3. **ADVISES** the Satterley Property Group that the following Annual Plan FYE 2020 project milestones were not met and are to be progressed in 2021:
 - i) **Commencement of development of the Stage 18 grouped housing site by May 2020.**
 - ii) **Identification of the first stage of subdivision for Catalina Grove by April 2020.**
 - iii) **Commencing construction of the Portofino Promenade extension and the Foreshore Access Road and Carpark by April 2020.**
 - iv) **A public art installation approved by May 2020.**

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

13.7 CONFIDENTIAL: CATALINA ECONOMIC STRATEGY (2020)

Moved Cr Sandri, Seconded Cr Lagan

[The recommendation in the agenda]

That the Council:

1. **APPROVES** the Catalina Economic Strategy (2020).
2. **ACCEPTS** that the Satterley Property Group has achieved the deliverables required by the Development Manager's Key Performance Indicators (February 2020) -

Governance, requiring the delivery of the Catalina Economic and Marketing Strategy.

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

13.8 CONFIDENTIAL: KEY PERSONNEL - CATALINA SALES REPRESENTATIVE

Moved Cr Migdale, Seconded Cr May

[The recommendation in the agenda]

That the Council APPROVES the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:

Name of Person	Position
Dominique Rain	Sales Representative

Name of Replacement Person	Position
Alan Abel	Sales Representative

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

Moved Cr Lagan, Seconded Cr Migdale.

That the Meeting be REOPENED to the public.

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

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chair wished everyone a safe and happy Christmas and declared the meeting closed at 7:10pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2021

as a true record of proceedings.

CHAIR