



TAMALA PARK  
REGIONAL COUNCIL

## Ordinary Meeting of Council

# MINUTES

Thursday 16 April 2009  
City of Joondalup, 5.30pm

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  
Town of Vincent  
City of Wanneroo

**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Cr Michele Rosano (nee John) Mayor Troy Pickard	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Paul Collins Cr John Italiano Cr David Michael Cr Bill Stewart	Cr Kathryn Thomas Cr Terry Tyzack
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	Cr Steed Farrell
City of Wanneroo	Cr Tracey Roberts Cr Bob Smithson	Cr Alan Blencowe Cr Frank Cvitan

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.

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## PRESENT

<b>Chairman</b>	Cr Troy Pickard
<b>Councillors</b>	Cr Nick Catania (departed 6.45pm) Cr Paul Collins Cr John Italiano (from 5.43pm and departed 7.15pm) Cr Tracey Roberts Cr Michele Rosano (from 5.47pm) Cr Bob Smithson Cr Bill Stewart Cr Trevor Vaughan Cr Simon Withers
<b>Alternate Members</b>	Nil
<b>Staff</b>	Rod Constantine (Chief Executive Officer) Kylie Jeffs (Minute Clerk)
<b>Apologies Councillors</b>	Cr David Michael
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Cr Eleni Evangel
<b>Consultants</b>	Mr Murray Casselton (TPG Town Planning & Urban Design) Mr Jeff Malcolm (TPG Town Planning & Urban Design)
<b>Apologies Represented Councils' Advisers</b>	Mr Stuart Jardine (City of Stirling) Mr Daniel Simms (City of Wanneroo)
<b>In Attendance</b>	Mr Dennis Blair (City of Wanneroo) Mr Lewis Bond (City of Perth) Mr John Bonker (Town of Victoria Park) Mr Jason Buckley (Town of Cambridge) Mr Mark Dickson (City of Wanneroo) Mr John Giorgi (Town of Vincent) Mr Garry Hunt (City of Joondalup) Mr Jason Lyon (Town of Cambridge)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## PRELIMINARIES

### 1. OFFICIAL OPENING

The meeting was declared open at 5.41pm.

### DISCLOSURE OF INTERESTS

Nil

**2. PUBLIC STATEMENT/QUESTION TIME**

Nil

**3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies were received from Cr David Michael.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

- Ordinary Meeting of Council – 26 February 2009
- Special Council Meeting – 12 March 2009

*Ordinary Meeting of Council – 26 February 2009*

Moved Cr T Pickard, Seconded Cr T Vaughan

That the minutes of the Ordinary Meeting of Council of 26 February 2009 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

*Special Meeting of Council – 12 March 2009*

Moved Cr T Roberts, Seconded Cr P Collins

That the minutes of the Special Meeting of Council of 12 March 2009 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

**5A. BUSINESS ARISING FROM THE MINUTES**

Nil

**6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)**

The Chairman advised that he, Mr R Constantine (CEO), Mr D Levey (Uloth), Mr C Kleyweg (Tabec) and Mr B Wood-Gush (TPG) attended a meeting with the Minister of Transport's Chief of Staff & the Senior Policy Adviser on 15 April 2009. A letter from the Chairman to the Minister's Chief of Staff (Mr Eacham Curry) was presented at the meeting (refer copy attached) which requested initiatives within the Tamala Park development to resolve issues associated with large transport infrastructure in and around the site. A transport and traffic issues management plan as well as the latest draft Tamala Park structure plan were included.

Separate meetings with the Public Transport Authority and the DPI will be scheduled in the near future.

**7. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

## 8. REPORTS OF COMMITTEES

*CEO Performance Review Committee Meeting – 9 April 2009*

The Committee recommends to Council that:

1. That the report be RECEIVED.
2. That it be RECOMMENDED to the Council that the approach to be taken to progress the TPD into the future be based upon a core Local Government compliance and Project management staff with site development and its associated marketing and sales functions being facilitated through a partnership or alliance with a suitably qualified third party that can bring appropriate expertise to site development, project tasks and project objectives.
3. That Landcorp be APPROACHED to make a presentation to the Council or a Council Committee or Workshop on alliance, partnering and general contracting arrangements in use that may be appropriate for Council consideration.
4. That a Project Steering Committee be ESTABLISHED for the specific purpose of:
  - a. Receiving from, researching and recommending to the Council the structure and contracts required for management of the development and its associated marketing and sales in context of the Council and project established objectives.
  - b. Such other associated matters as may be referred to the Committee by the Council.
  - c. That the Committee comprise no more than 7 members.

Moved Cr B Stewart, Seconded Cr P Collins that the recommendation be amended in Part 4c to read as follows:

1. That the report be RECEIVED.
2. That it be RECOMMENDED to the Council that the approach to be taken to progress the TPD into the future be based upon a core Local Government compliance and Project management staff with site development and its associated marketing and sales functions being facilitated through a partnership or alliance with a suitably qualified third party that can bring appropriate expertise to site development, project tasks and project objectives.
3. That Landcorp be APPROACHED to make a presentation to the Council or a Council Committee or Workshop on alliance, partnering and general contracting arrangements in use that may be appropriate for Council consideration.
4. That a Project Steering Committee be ESTABLISHED for the specific purpose of:
  - a. Receiving from, researching and recommending to the Council the structure and contracts required for management of the development and its associated marketing and sales in context of the Council and project established objectives.
  - b. Such other associated matters as may be referred to the Committee by the Council.
  - c. That the Committee comprise 6 members comprising Cr T Pickard, Cr S Withers, Cr T Vaughan, Cr T Roberts, Cr P Collins and Cr N Catania.

Moved as an amendment to the motion by Cr S Withers seconded Cr T Vaughan that clause 4A of the motion be deleted and replaced by the following paragraphs a, b and c; and that paragraphs 4b and Clause 4c of the original motion be renumbered Clause 4d and 4e.

That a Project Steering Committee be ESTABLISHED for the specific purpose of:

- a. Partnership Structure and Negotiation
  - Examining and considering the various forms of partnership, alliance or other relationship that could be appropriate for the Council in developing the project.
  - Recommending an appropriate form of relationship to the Council.
  - Recommending an appropriate process for selecting a development partner.
  - Overseeing negotiations and drafting of legal documents, and making recommendations to Council on the final terms of the agreement and documents giving effect to the agreement.
- b. Advisers
  - Recommending an appropriate process for selecting (appointing) solicitors and (if required) other advisers.
  - Recommending (appointing) an executive search and selection firm for appointment by the Council.
- c. Recruitment of CEO and Senior Staff
  - Recommending to the Council (preparing) job descriptions for key executives.
  - Recommending to the Council the timing and conduct of the executive recruitment process.

Following discussion Cr S Withers, with agreement from seconder Cr T Vaughan withdrew the motion for amendment.

Cr B Stewart, with agreement from seconder Cr P Collins, (local law 10.9) added words to clause 4 of the original motion as follows:

- d. That Committee meet prior to the next Council meeting on 14 May 2009.
- e. That the Committee terms of reference and authority be reviewed by the Committee and any recommended changes be reported to the Council.

The motion then read as follows:

1. That the report be RECEIVED.
2. That it be RECOMMENDED to the Council that the approach to be taken to progress the TPD into the future be based upon a core Local Government compliance and Project management staff with site development and its associated marketing and sales functions being facilitated through a partnership or alliance with a suitably qualified third party that can bring appropriate expertise to site development, project tasks and project objectives.
3. That Landcorp be APPROACHED to make a presentation to the Council or a Council Committee or Workshop on alliance, partnering and general contracting arrangements in use that may be appropriate for Council consideration.
4. That a Project Steering Committee be ESTABLISHED for the specific purpose of:

- a. Receiving from, researching and recommending to the Council the structure and contracts required for management of the development and its associated marketing and sales in context of the Council and project established objectives.
- b. Such other associated matters as may be referred to the Committee by the Council.
- c. That the Committee comprise 6 members comprising Cr T Pickard, Cr S Withers, Cr T Vaughan, Cr T Roberts, Cr P Collins and Cr N Catania.
- d. That Committee meet prior to the next Council meeting on 14 May 2009.
- e. That the Committee terms of reference and authority be reviewed by the Committee and any recommended changes be reported to the Council.

The motion was put and declared carried (10/0).

## **9. ADMINISTRATION REPORTS**

### **9.1 BUSINESS REPORT – PERIOD ENDING 31 MARCH 2009**

*Cr N Catania departed the meeting during discussion on this item.*

[The recommendation in the agenda]

**That the Business Report to 31 March 2009 be RECEIVED.**

Moved Cr P Collins, Seconded Cr T Roberts:

1. **That the Business Report to 31 March 2009 be RECEIVED.**
2. **That a further report to Council addressing Creating Communities' reports for Tamala Park a) community development plan and b) community facilities strategy be presented to the next Council meeting.**

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

### **9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF FEBRUARY 2009 AND MARCH 2009**

Moved Cr T Vaughan, Seconded Cr B Stewart

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 28 February 2009 and 31 March 2009.**

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

### **9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF FEBRUARY 2009 AND MARCH 2009**

Moved Cr M Rosano, Seconded B Smithson

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the list of accounts paid under Delegated**



**Authority to the CEO for the month of February 2009 and March 2009:**

- **Month ending 28 February 2009 (Total \$109,392.98)**
- **Month ending 31 March 2009 (Total \$219,690.56)**
- **Total Paid \$329,083.54**

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

**9.4 PROGRESS REPORT STRUCTURE PLAN**

*Cr J Italiano departed the meeting during discussion on this item.*

[The recommendation in the agenda]

- 1. That the plan and table of land uses provided be AGREED as the basis for preparation of the draft structure plan report to be considered by the Council on or about 30 April 2009 preparatory to receipt of the proposed structure plan for adoption by the Council on 18 June 2009.**
- 2. That the report regarding action taken for environmental assessment of land west of Marmion Avenue be NOTED.**
- 3. That it be NOTED that civil engineering design work and costings have been commissioned from Tabec as a variation of the TPG contract. The amount of variation is the fixed sum of \$15,000.**

Moved Cr P Collins, Seconded Cr B Stewart that part 1 of the recommendation be not proceeded with and part 2 and 3 be renumbered 1 and 2 as follows:

- 1. That the report regarding action taken for environmental assessment of land west of Marmion Avenue be NOTED.**
- 2. That it be NOTED that civil engineering design work and costings have been commissioned from Tabec as a variation of the TPG contract. The amount of variation is the fixed sum of \$15,000.**

Moved Cr T Roberts, Seconded Cr T Vaughan that the original recommendation part 1 be amended and added after items 1 and 2, as item 3 of the motion as follows:

- 1. That the report regarding action taken for environmental assessment of land west of Marmion Avenue be NOTED.**
- 2. That it be NOTED that civil engineering design work and costings have been commissioned from Tabec as a variation of the TPG contract. The amount of variation is the fixed sum of \$15,000.**
- 3. That the plan and table of land uses provided be the basis for preparation of the draft structure plan, civil engineering design works and recommendations from the Project Steering Committee to be considered by the Council on or about 14 May 2009 preparatory to receipt of the proposed structure plan for adoption by the Council on 18 June 2009.**

The Motion for amendment was put and declared CARRIED (8/0).

The Motion as then amended was put and declared CARRIED (8/0).

**9.5 STRUCTURE PLAN – CONSULTANTS REPORT FOR THE PERIOD ENDING 9 APRIL 2009**

Moved Cr T Vaughan, Seconded Cr B Smithson

[The recommendation in the agenda]

1. That the report from TPG on consultant activity relative to structure planning for the period ending 9 April 2009 be RECEIVED.
2. That the Council NOTE that work to end of March 2009 is in accordance with the time program and project phases listed for the TPD structure planning project.

The Motion was put and declared CARRIED (8/0).

#### 9.6 LOCAL GOVERNMENT AMENDMENT BILL 2009

Moved Cr T Vaughan, Seconded Cr B Stewart

[The recommendation in the agenda]

1. That the report be RECEIVED.
2. That the approaches to the Local Government Department to REVIEW the Local Government Act Amendment Bill provisions, as outlined in the report, be ENDORSED.

The Motion was put and declared CARRIED (8/0).

#### 9.7 CONTOURING & CIVIL ENGINEERING DEVELOPMENT & PRIVATE BUILDING ISSUES

[The recommendation in the agenda]

1. That the report be NOTED.
2. That a presentation of the engineering and cost results commissioned from Tabec Civil Engineering Consultants be PROVIDED to the meeting (subject to completion of sufficient work by meeting date).

Moved Cr P Collins, Seconded Cr M Rosano:

1. That the report be NOTED.
2. That a presentation of the engineering and cost results commissioned from Tabec Civil Engineering Consultants be PROVIDED to the meeting scheduled for 14 May 2009 (subject to completion of sufficient work by meeting date).

The Motion was put and declared CARRIED (8/0).

#### 9.8 CEO PERFORMANCE REVIEW 2008

[The recommendation in the agenda]

**That the report submitted by Workplace Solutions advising results of the CEO performance review 2008 be RECEIVED.**

Moved Cr B Stewart, Seconded Cr T Roberts:

1. That the report submitted by Workplace Solutions advising results of the CEO performance review 2008 be RECEIVED.
2. That the CEO be CONGRATULATED on his outstanding performance during the review period.

The Motion was put and declared CARRIED (8/0).

**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 CHAIRMAN**

Nil

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. GENERAL BUSINESS**

The Chairman requested the CEO prepare a report for next Council meeting agenda about the agenda item 'General Business'.

**15. 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 ..... 2009

as a true record of proceedings.

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CHAIRMAN