

Meeting of Council

Thursday 18 August 2022

MINUTES

Online Zoom Meeting

*Constituent Members:
Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*

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MEMBERSHIP

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

PRESENT

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr Jane Cutler Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker Cr Karlo Perkov Cr Brett Treby Cr Ashley Wallace
Alternate Members	Nil
Staff	Mr Jon Morellini (Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Advisor – City of Stirling) Ms Regan Clyde (Senior Governance Officer - City of Stirling)
Apologies Councillors	Cr John Chester Cr Brent Fleeton
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Carl Buckley (Satterley Property Group) Ms Julia Nelson (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
Apologies Participant Councils’ Advisers	Mr David MacLennan (City of Vincent) Mr Kelton Hincks (Town of Cambridge) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
In Attendance Participant Councils’ Advisers	Mr Steve Holden (City of Perth) Mr Mat Humfrey (City of Joondalup) Ms Noelene Jennings (City of Wanneroo) Mr Stevan Rodic (City of Stirling)
Members of the Public	1 (incoming TPRC CEO Mr Chris Adams)
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm.

2. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr John Chester
Cr Brent Fleeton

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair informed councillors that this was the Acting CEO's last meeting. The Chair placed on the record her thanks to Mr Jon Morellini for his work in the role over the past year. The Council also recorded its thanks to Mr Morellini.

The Chair further informed councillors that Mr Chris Adams would be commencing as CEO on 12 September 2022 and was present at the meeting. The Council welcomed Mr Adams.

The Chair acknowledged the departures of Mr Carl Buckley and Ms Julia Nelson from Satterley Property Group. The Chair and the Council thanked them for their outstanding contribution to the Tamala Park project over the years.

6. PETITIONS

Nil.

7. CONFIRMATION OF MINUTES

Moved Cr Jones, Seconded Cr Wallace.

That the minutes of the Ordinary Meeting of Council of 16 June 2022 be CONFIRMED as a true and accurate record of proceedings.

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

7A BUSINESS ARISING FROM MINUTES

Nil.

8. ADMINISTRATION REPORTS AS PRESENTED

8.1 BUSINESS REPORT – PERIOD ENDING 11 AUGUST 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 11 August 2022.

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

8.2 STATEMENT OF FINANCIAL ACTIVITY FOR JUNE 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 June 2022.

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

8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JUNE and JULY 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for June and July 2022:**

June 2022 - \$9,396,848.18

July 2022 - \$1,919,662.88

Total Paid - \$11,316,511.06

- 2. APPROVES the CEO Credit Card Statement for June and July 2022.**

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

8.4 PROJECT FINANCIAL REPORT – JUNE 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (June 2022) submitted by the Satterley Property Group.

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

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 11 AUGUST 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 11 August 2022.

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

8.6 DELEGATION OF AUTHORITY REGISTER – AUGUST 2022

Moved Cr Krsticevic, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council APPROVES the TPRC Delegation of Authority Register (August 2022).

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

9. COMMITTEE REPORTS

MANAGEMENT COMMITTEE (28 JULY 2022)

9.1 REVIEW OF PURCHASER TERMS AND CONDITIONS

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

- 1. APPROVES the following Purchaser Terms/Conditions and Incentives for all Public and builder release lots in Catalina Estate for the period August 2022 to August 2023:**
 - 1.1 Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexures.**
 - 1.2 A \$2,000 deposit to be used in the Sales Contract for lots in Catalina Central and Catalina Green and a \$5,000 deposit to be used in the Sales Contracts for lots in Catalina Beach.**
 - 1.3 A finance approval period, where finance is required, of 60 days for lots in Catalina Central and Catalina Green and 45 days for lots in Catalina Beach.**
 - 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 3.0KW capacity photovoltaic solar power system, with an additional \$1,000 rebate paid where the system includes integrated battery storage.
 - 1.7 Side and rear boundary fencing (behind the building line).
 - 1.8 A \$1,000 rebate for all homes that 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 applicable Design Guidelines within 24 months of settlement for single storey homes and 30 months of settlement for two storey homes.
2. **REQUESTS** the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for Catalina Beach and Catalina Central lots and provide a report to Council for consideration in August 2023.

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

AUDIT AND RISK COMMITTEE (4 AUGUST 2022)

At 6:11pm Councillor Brett Treby joined the meeting.

9.2 TPRC DRAFT BUDGET FOR FYE 2023

Moved Cr Parker, Seconded Cr Wallace.

[The recommendation in the agenda]

That the Council:

1. Pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, **ADOPTS** the Budget for the Tamala Park Regional Council for the year ending 30 June 2023, as contained in Appendix 9.2, which includes the following:
 - (a) Statement of Comprehensive Income by Nature and Type, showing a net result of \$449,851;
 - (b) Statement of Cash Flows;
 - (c) Rate Setting Statement, showing a net surplus of \$26,895,505;
 - (d) Notes to and forming part of the Budget; and
 - (e) Note 11 Program information.
2. **ADOPTS** 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for 2022/2023 financial year, in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.

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

9.3 AUDIT & RISK COMMITTEE AUDIT & RISK CHARTER and ANNUAL AUDIT & RISK PLAN REVIEW

Moved Cr Treby, Seconded Cr Parker.

That Council APPROVES the TPRC Audit & Risk Charter (2023) as amended and ADOPTS the Audit & Risk Plan 2022/2023.

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

At 6:19pm Councillor Suzanne Migdale joined the meeting.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

13. GENERAL BUSINESS

Nil

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Treby, Seconded Cr Cutler.

That

1. Item 14.1 – TPRC LANDHOLDING MEMBER COUNCIL RESPONSES be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

e) A matter that if disclosed would reveal –

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

ii) information about the business, professional, commercial or financial affairs of a person.

Where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).

2. Item 14.2 – **DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*

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

At 6:25pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

14.1 TPRC LANDHOLDING MEMBER COUNCIL RESPONSES

Moved Cr Treby, Seconded Cr Cutler.

That the Council:

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

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

14.2 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Moved Cr Jones, Seconded Cr Treby.

That the Council:

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

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

Moved Cr Treby, Seconded Cr Jones.

That the meeting be REOPENED to the public.

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

At 6:28pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 6:28pm.