

TAMALA PARK
Regional Council

Meeting of Council

AGENDA

Thursday 23 June 2011
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

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TAMALA PARK REGIONAL COUNCIL

Councillors of the Tamala Park Regional Council are advised that the ordinary meeting of Council will be held in Conference Room 1 at the City of Joondalup, Boas Avenue, Joondalup, at 5.30pm on Thursday 23 June 2011.

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	Mayor Simon Withers	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Leonie Getty Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Stephanie Proud	
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	
City of Wanneroo	Cr Dianne Guise Cr Glynis Monks (DEPUTY CHAIRMAN)	Mayor Jon Kelly Cr Brett Treby

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 52 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 – 14 April 2011

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.13)

9.1 BUSINESS REPORT – PERIOD ENDING 30 MAY 2011

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: N/A

Recommendation

That the Council RECEIVE the Business Report to 30 May 2011.

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

Coastal Conservation Committee – The purpose of the Committee is to frame management arrangements for the coastal conservation reserve, between the Burns Beach development and the western cell of the Tamala Park proposed development. The area is approximately 308 hectares.

The Committee met on 21 March 2011 and was presented with a revised draft Establishment Plan for the land.

The draft Establishment Plan proposes the majority of the land to be a Conservation Park managed by the Department of Environment and Conservation. It is likely the foreshore area would be managed by the City of Wanneroo and the City of Joondalup, consistent with municipal boundaries, with conditions attached to that management. The main purpose of the land will be for conservation purposes with limited passive recreation associated with use of the beach area.

The draft Establishment Plan has been approved for advertising by the Western Australian Planning Commission and is awaiting release by the Minister for Planning. The draft Establishment Plan is expected to be released for public comment in late June 2011. An update will be provided at the meeting.

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF APRIL 2011 AND MAY 2011

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.401.0

Recommendation

That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 30 April 2011 and 31 May 2011.

Voting Requirements

Simple Majority

Report Purpose

Submission of the Statement(s) of Financial Activity required under the Local Government Act.

Relevant Documents

Appendix: Monthly Statement of Financial Activity for the months ending 30 April 2011 and 31 May 2011

Available for viewing at the meeting: Nil

Local Government Act/Regulation

- Local Government Act 1995: Sect 6.4(1): Financial Report Required
- Local Government (Financial Management) Regulations 1996: Regulation 34 Composition of Report
- Local Government (Financial Management) Regulations 1996: Regulation 34 (5) Material Variance Reports [10%]
- Local Government (Audit) Regulations 1996: Regulation 14 Compliance Audit Item

Background

It is a mandatory requirement that the Council receives, reviews and records in the Regional Council's public minutes a statement of financial activity showing annual budget estimates and the figures for budget estimates, income and expenditure and variances at the end of each month. The report is also to show the composition of assets and other relevant information.

Comment

The detailed Statements contained in the Appendices reflect the budget proposals and direction adopted by the Council.

Variances at May 2011 exceeding 10% were experienced in relation to the following:

Agenda TPRC Meeting of Council – 23 June 2011

Interest Earnings	This reflects the timing of maturity of investments. The budgeted earnings from interest in June is expected at \$128,000 which will meet budget predictions.
Employee Costs	The positive variance relates to employee costs for proposed Project Manager (yet to be appointed).
Materials & Contracts Other	The positive variance in expenditure is partly due to timing of payments. Significant invoices have been presented in June which will mean expenditure will meet budget expectation.
Professional Consultant Fees	The positive variance in expenditure is partly due to timing of payments. The budgeted expenditure will be met.

The information in the appendices is summarised in the tables below.

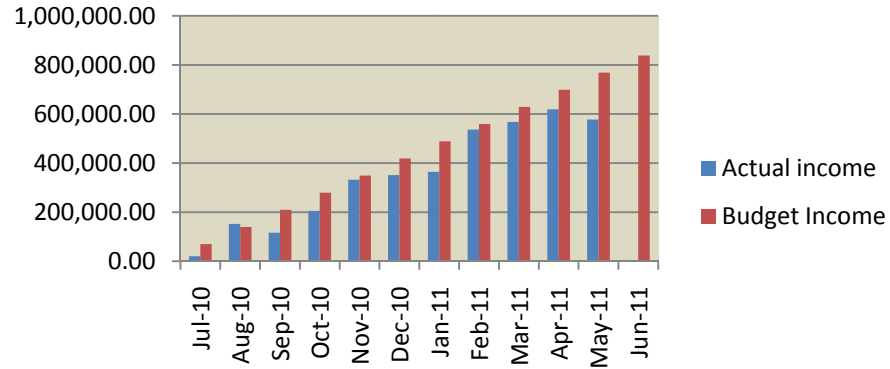
Financial Snapshot as at 31 May 2011

	Jul '10 - May 11	YTD Budget	\$ Over Budget	+/- Variance	Annual Budget
Revenue					
Interest Earnings	730,130.09	779,167.00	-49,036.91	-6.29%	850,000.00
Other Revenue	1,250.93	0.00	1,250.93	100.00%	0.00
Total Revenue	731,381.02	779,167.00	-47,785.98	-6.13%	850,000.00
Expenses					
Depreciation	0.00	0.00	0.00	0.00%	-4,502.00
Employee Costs	-356,078.15	-434,372.00	78,293.85	-18.02%	-473,844.00
Insurance	-7,218.10	-6,421.00	-797.10	12.41%	-7,005.00
Materials & Contracts MTC	0.00	-1,000.00	1,000.00	-100.00%	-1,000.00
Materials & Contracts Other	-170,582.19	-490,159.00	319,576.81	-65.20%	-534,710.00
Other	-79,382.21	-102,749.99	23,367.78	-22.74%	-118,499.99
Professional/Consultant Fees	-191,701.65	-370,093.00	178,391.35	-48.20%	-403,800.00
Utilities	0.00	-9,152.00	9,152.00	-100.00%	-10,000.00
Total Expenses	-804,962.30	-1,413,946.99	608,984.69	-43.07%	-1,553,360.99
Unclassified	-16.00	0.00	-16.00	0.00%	0.00
TOTAL	-73,597.28	-634,779.99	561,182.71	-88.41%	-703,360.99

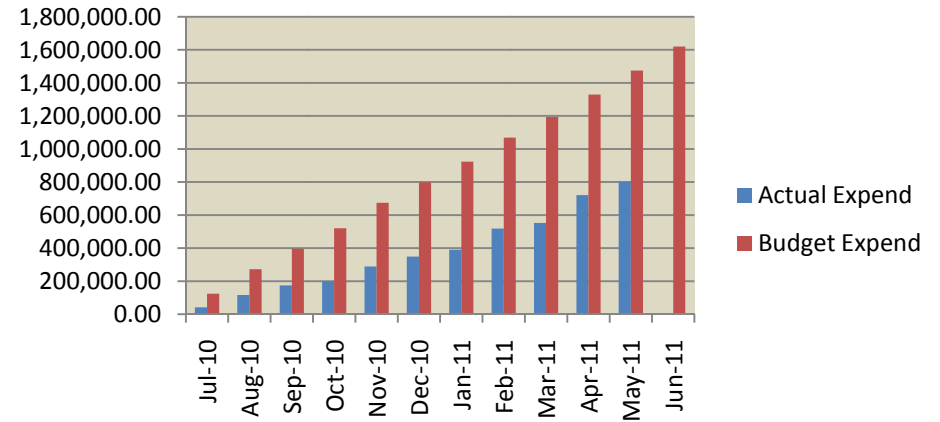
Balance Sheet Summary as at 31 May 2011

	May 31, 11	June 30, 10	\$ Change	% Change	May 31, 11
Cash and Investments	15,062,328.23	15,225,080.90	-162,752.67	-1.07%	15,161,812.91
Accounts Receivable	0.00	36,364.68	-36,364.68	-100%	0.00
Other Current Assets	1,030.00	1,030.00	0.00	0.00	1,030.00
Total Current Assets	15,063,358.23	15,262,475.58	-199,117.35	-1.31%	15,162,842.91
Fixed Assets	2,018,762.88	2,013,762.88	5,000.00	0.00	2,014,918.05
Total Assets	17,082,121.11	17,276,238.46	-194,117.35	-1.12%	17,177,760.96
Less Current Liabilities	30,231.20	150,751.27	-120,520.07	-79.95%	64,064.02
Less Long Term Liabilities	6,918.42	6,918.42	0.00	0.00	2,429.11
Total Liabilities	37,149.62	157,669.69	-120,520.07	-76.44%	66,493.13
Net Assets	17,044,971.49	17,118,568.77	-73,597.28	78.82%	17,111,267.83

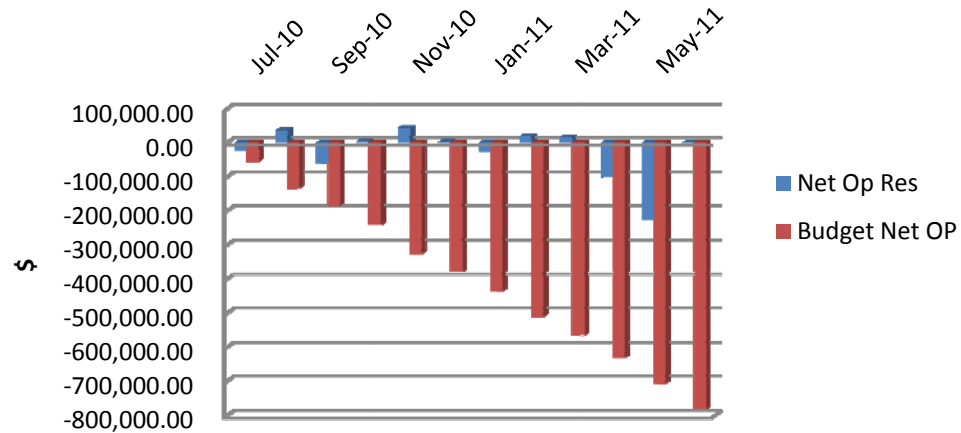
Cumulative YTD Income V Budget by Month



Cumulative YTD Exp V Budget by Month

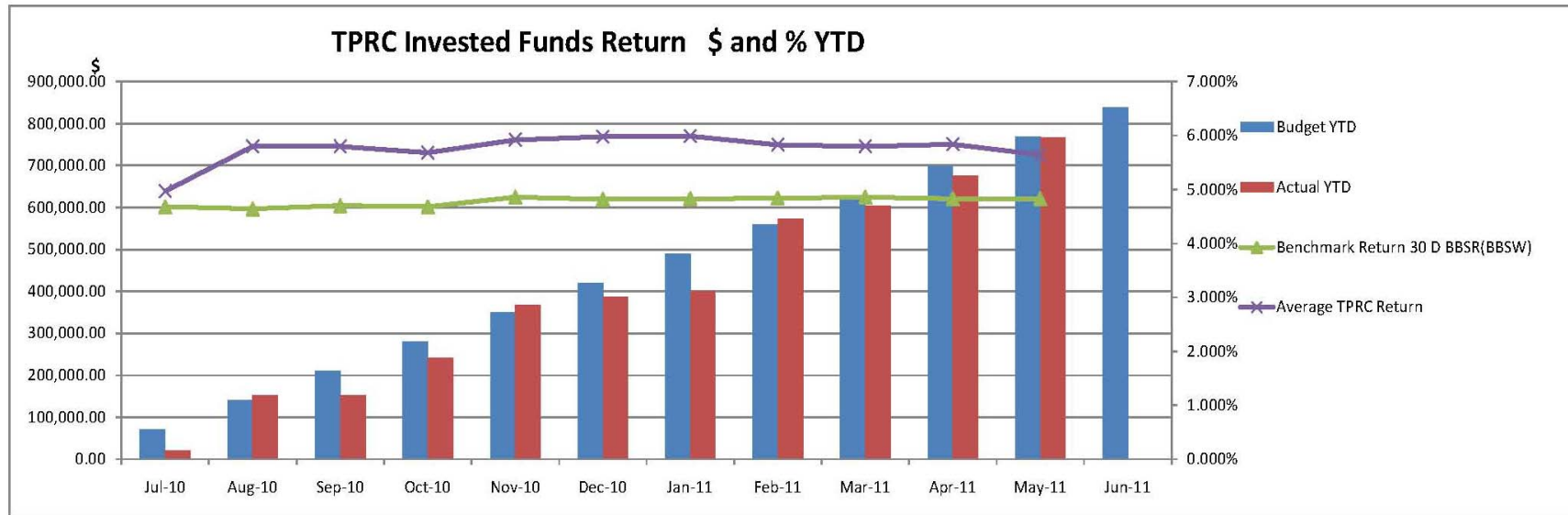


Cumulative YTD Net Operating V YTD Budget Net Operating



Tamala Park Regional Council
 TPRC Investments Summary
 1 July 2010 - 31 May 2011

		Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11
Budget	I032030 · Interest on Investment	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00	69,853.00
Actual	I032030 · Interest on Investment	20,383.00	132,052.00	0.00	88,842.49	127,212.02	18,876.73	13,392.00	172,230.29	31,293.63	71,348.47	90,827.03	
	Budget YTD	69,853.00	139,706.00	209,559.00	279,412.00	349,265.00	419,118.00	488,971.00	558,824.00	628,677.00	698,530.00	768,383.00	838,236.00
	Actual YTD	20,383.00	152,435.00	152,435.00	241,277.49	368,489.51	387,366.24	400,758.24	572,988.53	604,282.16	675,630.63	766,457.66	
Invested Funds													
A(-1+)	A01102 · Unrestricted At Call	19,884.12	76,953.61	19,539.90	51.55	5,083.62	72,250.02	43,391.85	27,455.34	27,513.63	22,562.11	593.37	
A(-1+)	A01106/7 · Fixed Term Deposits	15,075,550.14	15,075,549.00	15,075,549.00	15,075,550.00	15,075,550.00	15,075,550.00	15,075,550.00	15,075,550.00	15,075,549.00	14,975,537.13	14,875,537.13	
	Act Invest 09-10	15,095,434.26	15,152,502.61	15,095,088.90	15,075,601.55	15,080,633.62	15,147,800.02	15,118,941.85	15,103,005.34	15,103,062.63	14,998,099.24	14,876,130.50	0.00



9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF APRIL 2011 AND MAY 2011

Report Information

Location: Not Applicable
Applicant: Not Applicable
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 month of April 2011 and May 2011:

- **Month ending 30 April 2011 (Total \$167,083.85)**
- **Month ending 31 May 2011 (Total \$94,859.11)**
- **Total Paid - \$261,942.96**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 30 April 2011 and 31 May 2011.

Relevant Documents

Appendix: Cheque Detail for Month Ending 30 April 2011
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.

**Tamala Park Regional Council
Summary Payment List
April 2011**

Date	Num	Name	Description	Amount
01/04/2011	CH-200217	Westpac	Bank charges for Cheque Account for April 2011	-17.50
04/04/2011	CH-200211	WAPC	Form 2A Amended Plan Subdivision Stage 1 lodged with WAPC 4/4/11	-4,028.00
07/04/2011	ET-843	Employee Costs	Wages for period 24/3/11 to 6/4/11	-7,321.23
07/04/2011	ET-840	National Australia Bank	TA salary sacrifice superannuation for period 24/3/11 to 6/4/11	-1,424.57
07/04/2011	ET-841	National Australia Bank	TA 9% superannuation for period 24/3/11 to 6/4/11	-969.57
07/04/2011	ET-842	WALGSP	KJ 9% superannuation for period 24/3/11 to 6/4/11	-137.59
07/04/2011	ET-833	Haines Norton	Accounting services for April 2011	-770.00
07/04/2011	ET-834	Interiors Unleashed	8 x cantilevered grey acrylic chairs, 2 x cabana natural timber conference tables, 1 x mesh back chair for CEO office	-3,480.00
07/04/2011	ET-835	Landgate	Other Valuation service charges - senior valuer (GST margin valuation)	-2,280.04
07/04/2011	ET-836	McLeods Solicitors	Invoices 54931 & 59760 (telephone advice)	-2,917.75
07/04/2011	ET-837	McMullen Nolan Surveyors	Surveyors Fees - Stages 1-6 as per attached schedule	-25,388.00
07/04/2011	ET-838	T Arias	Mileage reimbursement & hospitality/expenses claims	-893.40
07/04/2011	ET-839	WALGA	Advertising EPBC invitation for public comment	-987.12
07/04/2011	CH-200212	City of Stirling	Rent & Electricity MR2 SCC April 2011	-566.40
07/04/2011	CH-200213	City of Stirling	Rent & Electricity MR2 SCC April 2011	-585.28
07/04/2011	CH-200214	City of Wanneroo	Application for Approval to Commence Development	-3,000.00
13/04/2011	ET-861	Westpac Bank	CEO & EA credit card charges for April 2011	-5,063.68
21/04/2011	ET-859	Employee Costs	Wages for period 7/4/11 to 20/4/11	-15,213.23
21/04/2011	ET-856	National Australia Bank	TA SS superannuation for period 7/4/11 to 20/4/11	-1,424.57
21/04/2011	ET-857	National Australia Bank	TA 9% superannuation for period 7/4/11 to 20/4/11 inc bonus payment amount	-2,297.07
21/04/2011	ET-858	WALGSP	KJ 9% superannuation for period 7/4/11 to 20/4/11	-137.59
21/04/2011	ET-845	Action Couriers	Postage, Courier & Freight - Courier from TPRC to Subiaco	-22.56
21/04/2011	ET-846	Amcom	Internet Provider Costs - ADSL Direct 512k/512k	-79.00
21/04/2011	ET-847	Chappell Lambert Everett	TPG Direct Component - General planning & LSP review	-27,395.73
21/04/2011	ET-848	Cossill & Webley	Consulting engineering services as per schedule supplied	-44,000.00
21/04/2011	ET-849	Eco Logical Australia	Graceful Sun Moth Survey - completion of DEC consultation and all field survey days	-7,044.40
21/04/2011	ET-850	Marketforce	Branding/Marketing - Strategy Development	-6,600.00
21/04/2011	ET-851	Monks, Glynis	Reimbursement to G Monks re: cab charge for UDIA Adelaide Congress	-20.00
21/04/2011	ET-852	Stantons International	Advisory services for the appointment of subconsultants for Jan 2011	-385.00
21/04/2011	ET-853	Syrinx	Update of the EMP inc DEC & TPRC comments	-1,024.10
21/04/2011	ET-854	Telstra	Payment of TPRC office landline & TA mobile usage charges	-325.61
21/04/2011	ET-855	WALGA	Advertising management committee mtg 17/3/11	-303.10
21/04/2011	CH-200215	City of Stirling	Rent and electricity costs for MR2 and MR3 SCC for June 2011	-981.76
				-167,083.85

**Tamala Park Regional Council
Summary Payment List**

Date	Num	Name	May 2011 Description	Amount
02/05/2011	CH-200219	Westpac	Bank fees cheque account May 2011	-19.75
05/05/2011	ET-865	Employee Costs	Wages for period 21/4/11 to 4/5/11	-7,321.23
05/05/2011	ET-862	WALGSP	KJ superannuation for period 21/4/11 to 4/5/11	-137.59
05/05/2011	ET-863	National Australia Bank	TA salary sacrifice super for period 21/4/11 to 4/5/11	-1,424.57
05/05/2011	ET-864	National Australia Bank	TA 9% superannuation for period 21/4/11 to 4/5/11	-969.57
05/05/2011	ET-867	Chappell Lambert Everett	Prep of final plan of subdivision design for 273 lots	-33,783.75
05/05/2011	ET-868	Hegney Property Group	Presentation by Gavin Hegney to TPRC Council 14/4/11	-1,815.00
05/05/2011	ET-869	Kyocera Mita	Photocopying - BW & Colour copying charges to 19/4/11	-278.00
05/05/2011	ET-870	McMullen Nolan Surveyors	Precalcs, surround & control (stages 1 - 6), miscellaneous surveys & disbursements	-13,299.00
05/05/2011	ET-871	Officeworks	Stationery - Invoices 25482716 & 25479298	-52.17
13/05/2011	CH-200220	Westpac Bank	CEO & EA credit card payment for May 2011	-507.50
19/05/2011	ET-879	Employee Costs	Wages for period 5/5/11 to 18/5/11	-7,321.23
19/05/2011	ET-876	National Australia Bank	TA SS Superannuation for period 5/5/11 to 18/5/11	-1,424.57
19/05/2011	ET-877	National Australia Bank	TA 9% Superannuation for period 5/5/11 to 18/5/11	-969.57
19/05/2011	ET-878	WALGSP	KJ 9% Superannuation for period 5/5/11 to 18/5/11	-137.59
19/05/2011	ET-872	Amcom	ADSL Direct 512k/512k for period 1/6/11 to 1/7/11	-79.00
19/05/2011	ET-873	Haines Norton	Accounting services for May 2011, Prepare & lodge BAS for quarter ended 31 March 2011	-1,122.00
19/05/2011	ET-874	Marketforce	Concept development, copywriting, design & layout, strategic director project mgmt	-6,023.88
19/05/2011	ET-875	McMullen Nolan Surveyors	Amend precal for Stages 106 as per planners plan	-4,026.00
19/05/2011	Debit	Telstra	TPRC office call charges and equipment rental to 27/4/11	-177.14
25/05/2011	ET-881	Australian Taxation Office	IAS payment for April 2011	-13,970.00
				-94,859.11

9.4 MINDARIE REGIONAL COUNCIL BUFFER

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

That the Council RECEIVE the report relating to the MRC landfill site buffer zone.

Voting Requirements

Simple Majority

Report Purpose

To advise the TPRC on the status of the MRC buffer.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council Meeting – 17 February 2011 (Item 9.6 - MRC Buffer)
- Council Meeting – 11 February 2010 (Item 9.6 – MRC Buffer)
- Council Meeting - 13 August 2009 (Item 9.12 – MRC Buffer)

Financial/Budget Implications

No budget allocation.

Background

The MRC leases 151 hectares from the 7 constituent Councils, immediately south of the TPRC landholding, for the purpose of a landfill site. In the MRC lease provision was made for retention of a buffer of 500m from the operating face of the MRC landfill, which is consistent with DEC requirements. The buffer currently extends 250 metres into the Tamala Park land area.

At its meeting of February 2010 the Council resolved to note the pull-back of the MRC buffer zone is as follows:

- Current – buffer approximately 250m north of the lease boundary;
- 31 December 2010 – buffer approximately 150m north of the lease boundary;
- 31 December 2015 – buffer approximately 100m north of the lease boundary;
- 31 December 2016 – buffer pulled back to the lease boundary; and
- 31 January 2021 – (landfill closed) – no buffer zone required.

The MRC advised the TPRC in January 2011 that the 31 December 2010 buffer target had not been achieved and was anticipated to occur in February/March 2011. This has been as a consequence of lower volumes being received by the landfill.

At its meeting of 17 February 2011 the Council resolved to advise the MRC of TPRC concerns and potential implications of the buffer 'pull back' targets agreed in February 2010 not being achieved. It also sought advice from the MRC on current planning for the 'pull back' of the MRC buffer zone.

The Council requested the MRC to complete the contour of the northern face of the landfill commence as quickly as possible so that treatment of that face and rehabilitation can be undertaken on a staged basis to provide the best opportunity possible to change the aesthetic presentation of the northern area of the landfill viewable from the TPRC development.

Comment

The MRC has provided advice on the capping of the northern edge of the landfill site (refer to Appendix 9.4). In summary it advises that the capping works have commenced and are programmed to be completed by the end of May 2011, with landscaping to commence in June 2011.

The important element for the Tamala Park development is the landscape of the phase 2 capping area. As indicated in the MRC advice this is now underway and should be completed during this winter.

The other significant matter relates to the timing/changes to the pullback of the buffer zone which have the potential to impact on the latter stages of the Tamala Park development. The initial phases are not impacted by the current changes to the buffer zone. A further report to the Council will be provided when the MRC provides its advice on buffer zones and potential changes in November 2011.

9.5 TPRC STRUCTURE PLAN STATUS UPDATE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624

Recommendation

That the Council RECEIVE the status report in relation to the TPRC Structure Plan.

Voting Requirements

Simple Majority

Report Purpose

To advise status with Structure Plan approval.

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Various Council meetings – most recent 16 December 2010 (Item 9.5 – TPRC Structure Plan Status Update)

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145401 (Structure Planning – Direct Component):

Budget Amount:	\$45,000
Spent to Date:	\$14,562
Balance:	\$30,438

The finalisation of the LSP will be met under the existing budget allocation.

Background

The Council at its meeting on 13 August 2009 considered the completed Structure Plan for the urban development at Tamala Park.

The Structure Plan was considered by the City of Wanneroo on 4 May 2010 at which time Council resolved to support a modified Structure Plan, subject also to a number of modifications being effected prior to final approval. It also resolved to refer the Structure Plan to the Western Australian Planning Commission for approval.

Comment

On 13 April 2011 the Western Australian Planning Commission approved the Local Structure Plan, subject to a number of modifications. The proposed key modifications involve the following items:

- Residential Density criteria
- Dwelling target provisions
- Reports, required prior to Subdivision
- Deletion of Objectives

Whilst there are a number of additional modifications they do not cause any significant impact in terms of the Local Structure Plan. Furthermore they should not prevent the consideration of the Stage 1 subdivision application.

The City of Wanneroo considered the LSP on 31 May 2011 and resolved that the LSP was acceptable, subject to the adoption of the WAPC modifications. The modifications required by the WAPC and the City of Wanneroo have been undertaken and the revised LSP recently submitted to the City of Wanneroo for formal endorsement.

9.6 STRUCTURE PLAN REFERRAL - ENVIRONMENTAL PROTECTION & BIODIVERSITY CONSERVATION ACT

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 18.121.624.9

Recommendation

That the Council RECEIVE the report.

Voting Requirements

Simple Majority

Report Purpose

To provide a status report on the referral of the Structure Plan to the Department of Environment, Water, Heritage and the Arts (DEWHA) under the Environment, Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Relevant Documents

Appendix: Letter from SEWPAC (dated 25 May 2011)
Available for viewing at the meeting: Letter to SEWPAC (dated 9 June 2011)

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council Meeting – 14 April 2011 (Item 9.10 – Structure Plan Referral – Environmental Protection & Biodiversity Conservation Act)
- Council Meeting – 17 February 2011 (Item 9.10 – Structure Plan Referral – Environmental Protection & Biodiversity Conservation Act)

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145448 (EPBC Act Management):

Budget Amount: \$50,000
Spent to Date: \$39,967
Balance: \$10,033

The current consultant works will be met under the existing budget allocation.

Background

The EPBC Act requires referral of any proposals that may impact on endangered species to the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC). Field surveys undertaken for the TPD identified potential habitat for Carnaby's Cockatoo and Graceful Sun Moth, both are listed as endangered under the EPBC Act.

At its meeting of February 2010 the Council approved the referral of the Structure Plan and Environmental Management Plan to the SEWPAC.

SEWPAC has advised that the referral could be assessed on the basis of preliminary documentation (documentation submitted) and provided for the documentation to be published/advertised. The Department further advised that the proposed action is a controlled action and as such requires assessment and approval by the Minister for Sustainability, Environment, Water, Population and Communities before it can proceed.

The TPRC was required to publish the referral and mitigation strategy and for the information be available for public comment for 20 business days. No submissions were lodged during the advertising period. A report was submitted to SEWPAC on 28 March 2011 advising that no comments were received during the advertising period. Also included was additional information requested by SEWPAC on the following matters:

- Measures to avoid or reduce impacts to Carnaby's black cockatoo;
- Retention of significant trees;
- Details of rehabilitation to occur onsite;
- Vegetation areas to be retained;
- Status of WAPC zonings;
- Details of other infrastructure proposed for the project;
- Details of density of proposed housing; and
- Status of local structure plan.

SEWPAC are required to make a decision within 40 days on whether the proposed action can be approved from the date of the above report.

Comment

SEWPAC has requested additional information by letter dated 25 May 2011 and advised that it was stopping the approval process until the information was received. The TPRC responded by letter dated 9 June 2011 providing the additional information requested.

Most of the information requested by SEWPAC has been provided previously and simply requires clarification or expansion. The matter of concern is the query regarding the tenure of the Western Offset (land west of Marmion Avenue) and whether the transfer to the WAPC was the subject of a financial consideration.

In terms of tenure the land is to be transferred to DEC (WA) for management as a Conservation Park. The land was transferred by the Tamala Park Regional Council (TPRC) to the WAPC in 2006 as part of an agreed negotiated planning solution and rationalisation of the boundaries of urban zoned land and adjoining recreation reserve. While it is acknowledged that there was a transfer of funds for the land from

the WAPC the environmental outcomes should be the key element for consideration and SEWPAC has been advised accordingly.

Any further delays in obtaining the EPBC Act approval has the potential to affect the development program, and in particular the earthworks program. A meeting is being requested with Minister for Sustainability, Environment, Water, Population and officers of SEWPAC as a matter of priority to discuss this information and to progress the TPRC proposal.

9.7 SALES AND LOT RELEASE STRATEGY

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

1. That Council **APPROVE** the Sales and Lot Release Strategy, June 2011, submitted by the Satterley Property Group, as the basis of more detailed planning and investigation.
2. That the Satterley Property Group are **ADVISED** as follows;
 - (i) The timeframes for the Commencement of Presales Marketing (July 2011) and Registration of Interest Program (July 2011) are considered premature until the WAPC subdivision approval and SEWPAC approval have been achieved.
 - (ii) Prior to approval to the Temporary Sales Office - Marmion Avenue cost estimates need to be provided for servicing, establishment and on going maintenance.
 - (iii) The proposed disposal methods for lots are supported, however, the form, conditions and process will need to be the subject of separate Council approval. This matter is the subject of discussions with the Department of Local Government.
 - (iv) The proposed Sustainability package needs to be clearly defined and approved by the Council.

Voting Requirements

Simple Majority

Report Purpose

To review the sales and lot release strategy proposed by the Satterley Property Group for the initial releases of residential lots in 2011/12.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

No budget allocation in TPRC 2010/11, to be provided in TPRC 2011/12 budget.

Relevant Documents

Appendix: Lot Sale & Release Strategy; Lot Sale & Release Strategy Plan; Catalina Construction Program 2011/12.

Available for viewing at the meeting: Development Managers Agreement

Background

At its meeting of 18 November 2010 the Management Committee approved the draft Key Performance Indicators, dated 11 November 2010. The KPI's have been prepared to address the TPRC objectives outlined in the Structure Plan and undertakings and strategies indicated in the Satterley Property Group Tender submission.

The KPI's indicate that the Satterley Property Group's performance will be measured against successfully achieving or partially achieving a minimum of 80% of the targets indicated in the KPI schedule

Key Performance Indicators, Built Form – Housing Strategy requires the preparation of Built Form & Housing Strategy by June 2011.

Comment

The Satterley Property Group has submitted the Sales and Lot Release Strategy proposed by the Satterley Property Group for the initial releases of residential lots in 2011/12, for consideration (attached at Appendix 9.7).

The Sales and Lot Release Strategy, June 2011 proposes the following;

Presales Marketing and Registration of Interest Program

- Commencement of Presales Marketing – July 2011
- Registration of Interest Program – July 2011
- Temporary Sales Office - Marmion Avenue – opening September 2011
- Tamala Parkway Sales Office – opening November 2012

These timeframes are considered premature until the WAPC subdivision approval and SEWPAC approval have been achieved, expected in August. In terms of the Temporary Sales Office - Marmion Avenue no cost estimates have been provided for servicing and establishment.

Lot Sale and Release Methods

Stage 1 - 63 lots and 4600m² R60 group housing site

Date of Release - October 2011.

Title Date - April 2012

Method of Sale - Private Treaty

Stage 2 (1st Display Village) - 42 lots

Date of Release - July 2011

Forecast Title Date - April 2012

Method of Sale - Private Treaty in accordance with the public advertising process and methodology outlined in the Display Village Strategy as approved by the TPRC 14 April 2011.

Stage 3 - 35 lots

Date of Release - in July/August 2012

Forecast Title Date - August 2012

Method of Sale - Private Treaty (builder allocation for house & land package)

The size and timing of the releases are consistent with the draft Project Cashflow 2011 and are supported, subject to WAPC subdivision approval and SEWPAC approval. The proposed disposal methods are supported. The form, conditions and requirements are the subject of discussions with the Department of Local Government.

Lot Sale Terms, Conditions & Incentives

The Strategy proposes the following terms and incentives which are consistent with market practices and contemporary projects;

General Public

- 10% Deposit
- Settlement in 60 days from issue of title.

Incentives

On completion of home within 24 months of settlement:

- Free colorbond fencing (\$4500).
- Free waterwise landscaping to front garden and verge(\$4500)
- Sustainability package (\$5,000)
- Optic fibre.

Display Builders

The terms, conditions and incentives are as per the Display Village Strategy December 2010 and approved by the TPRC 14 April 2011, which are as follows;

- 10% Deposit
- Settlement in 21 days from issue of title.
- Building rebate of 10% on purchase price for achieving construction completion and open for display within 52 weeks for single and 64 weeks for double storey dwelling.

Incentives

- Opportunity to obtain lot allocation for builder turnkey product.
- Early access to lot to commence construction prior to settlement.
- Potential exclusive lot allocation to successful builders.

The proposed proposes sales terms and incentives are consistent with market practices and contemporary projects and are supported. These have been included in the draft Project Cashflow 201. In terms of the proposed Sustainability package this needs to be defined.

Lot Pricing

It is proposed that Satterley price all lots, having regard to lot sizes, location, aspect etc and market conditions and provide recommended pricing to the TPRC for approval. It is proposed that the TPRC appoint a licensed valuer who would also price lots for the TPRC.

The proposed lot pricing method is similar practices adopted by the Department of Housing and is supported

9.8 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Report Information

Location: Not Applicable.
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

That the Council resolve to **APPROVE** the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement;

Name of Person	Job
Ray Stokes/Darren Walsh	Government Approvals
Justin Crooks	Senior Project Manager

Name of Replacement Person	Job
Ray Stokes/Peter Miller	Government Approvals
Grant Singleton	Senior Project Manager

Voting Requirements

Simple Majority

Report Purpose

To approve changes of key personnel in accordance with Clause 4.5 of the Development Management Agreement.

Relevant Documents

Appendix: Letter from Satterley Property Group (dated 12 April 2011)
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

Nil

Previous Minutes

Nil

Financial/Budget Implications

N/A

Background

The Council approved the Development Management Agreement (DMA) on 13

September 2010. Clause 4.5 of the DMA requires Council approval for any replacement of key personnel. The DMA further states that the TPRC (acting reasonably) may replace key personnel with persons with appropriate skill, expertise, authority and qualifications to perform the relevant job.

Comment

The Development Manager has requested the Council's approval pursuant to Clause 4.5 of the DMA to replace the following key personnel;

Name of Person	Job
Ray Stokes/Darren Walsh	Government Approvals
Justin Crooks	Senior Project Manager
Name of Replacement Person	Job
Ray Stokes/Peter Miller	Government Approvals
Grant Singleton	Senior Project Manager

Darren Walsh resigned from the Satterley Property Group in April 2011. The proposed replacement of Justin Crooks with Grant Singleton is as a result of from Satterley Property Group restructure.

The DMA criteria for changes of key personnel is that the new persons have appropriate skill, expertise, authority and qualifications to perform the relevant job. A review of the CV's of the proposed replacement personnel confirms that they met the DMA.

9.9 ALTERNATIVE MARKETING PLAN

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

That the Council APPROVE the Alternative Marketing Plan for 2011/12 prepared by the Satterley Property Group.

Voting Requirements

Simple Majority

Report Purpose

To review the Alternative Marketing Plan prepared by the Satterley Property Group.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

N/A

Relevant Documents

Appendix: Letter from Satterley Property Group (dated 7 June 2011)
Available for viewing at the meeting: Development Managers Agreement

Background

The Satterley Property Group submitted the Overall Strategic Marketing Plan, December 2010 for consideration (attached at Appendix 9.9).

The Overall Strategic Marketing Plan covers the following matters:

- It builds on the approved estate name – Catalina;
- Outlines the vision for Catalina project, including images and themes;
- Outlines brand strategy and positioning;
- Includes a SWOT and competitor analysis;
- Sets out the next steps for developing the Brand and associate marketing;

- Contains a Marketing Activity Plan; and
- A budget for January-June 2010 and July 2011 – June 2012.

At its meeting of 17 March 2011 the Council resolved;

1. *NOTE the Overall Strategic Marketing Plan, December 2010, submitted by the Satterley Property Group, subject to the proposed marketing expenditure for 2011/12 being reviewed once the Project Cash flow has been approved by Council.*
2. *ACCEPT that Key Performance Indicators, Marketing – Overall Strategic requires the preparation of an Overall Strategic Marketing Plan December 2010 has been ACHIEVED by the Satterley Property Group.*
3. *REQUEST the Satterley Property Group to provide an alternative marketing plan with substantially reduced marketing costs, including implications of the alternative marketing plan.*

Comment

The Satterley Property Group has provided an Alternative Marketing Plan with substantially reduced marketing cost and outlined the implications of the alternative marketing plan in the report attached at Appendix 9.9.

The Alternative Marketing Plan has a revised budget of \$1,049,000, a reduction of \$302,600. The reductions have been achieved by reducing proposed expenditure across most areas of the budget. Satterley has outlined the implications of the proposed reductions in its advice to Council. The main implication is that the overall marketing impact may not be as significant as previously proposed. However, no other significant impact or flaws have been identified in the Alternative Marketing Plan. There is no advice that the Alternative Marketing Plan may impact negatively on the sales program.

Included in the Satterley information is a letter from Nigel Satterley expressing caution about the Alternative Marketing Plan giving that the residential lot sales market has softened since April 2011.

9.13 MEETING ARRANGEMENTS

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 13.44.1182

Recommendation

That Council RESOLVE to amend commencement time for TPRC Council meetings from 5.30pm to 6.00pm.

Voting Requirements

Simple Majority

Report Purpose

To consider changing starting time of the TPRC Council meetings from 5.30pm to 6pm.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

N/A

Relevant Documents

Appendix: Nil
Available for viewing at the meeting: Nil

Background

At its meeting of 14 April 2011 the Council requested the CEO to provide a report on the possibility of changing the TPRC Council meeting commencement time from 5.30pm to 6.00pm to provide greater opportunity for councilors to attend meetings.

Comment

All TPRC councilors have been requested to provide their preference in terms of meeting commencement times. The results of this survey are as follows:

5.30pm preferred start time	2 (of this 1 indicated no objection to 6pm start)
6.00pm preferred start time	6 no objections (of this 1 indicated a preference)

for a 7pm start for meetings at the Cities of
Joondalup & Wanneroo)
4
Either time

In terms of the TPRC administration there are no objections to either start time.

Given that in the past there have been difficulties with councillors being in attendance at the scheduled commencement time of 5.30pm it may be appropriate for Council to amend the commencement time to 6pm.

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