



TAMALA PARK  
REGIONAL COUNCIL

## Ordinary Meeting of Council

# MINUTES

Wednesday 9 December 2009  
Town of Vincent, 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

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Mayor Troy Pickard Cr Geoff Amphlett	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Leonie Getty Cr John Italiano 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	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 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 DLG is preparing an amendment to rectify this situation.

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*The Chief Executive Officer of the Tamala Park Regional Council, Mr Tony Arias, assumed the chair in order to conduct the meeting until election of a Chairman was conducted.*

**PRESENT**

**Chairman** Cr John Italiano

**Councillors** Cr Geoff Amphlett  
Cr Nick Catania  
Cr Eleni Evangel  
Cr Leonie Getty  
Cr Dianne Guise  
Cr David Michael  
Cr Glynis Monks  
Cr Troy Pickard  
Cr Stephanie Proud  
Cr Trevor Vaughan  
Cr Simon Withers

**Alternate Members** Nil

**Staff** Tony Arias (Chief Executive Officer)  
Rod Constantine (Special Projects Officer)  
Kylie Jeffs (Minute Clerk)

**Apologies Councillors** Nil

**Leave of Absence** Nil

**Absent** Nil

**Consultants** Samantha Reece (Director - Strategic Marketing & Research) –  
from 6.30pm

**Apologies Participant Councils' Advisers** Nil

**In Attendance Participant Councils' Advisers** Mr Lewis Bond (City of Perth)  
Mr John Bonker (Town of Victoria Park)  
Mr John Giorgi (Town of Victoria Park)  
Mr Len Kosova (City of Wanneroo)  
Mr Arthur Kyron (Town of Victoria Park)  
Mr Garry Hunt (City of Joondalup)  
Mr Jason Lyon (Town of Cambridge)  
Mr Ross Povey (City of Stirling)  
Mr Mike Tidy (City of Joondalup)

**Members of the Public** 1

**Press** Nil

**DECLARATION BY ELECTED MEMBERS OF COUNCIL**

Each of the members appointed by the Councils of the participants of the TPRC completed the written Declarations of Office required by the Local Government Act and Local Government

(Constitution) Regulations. Council members then repeated the Declaration of Office in unison. The written declarations were then witnessed by the TPRC Chief Executive Officer Mr Tony Arias.

## 1. OFFICIAL OPENING

Congratulations were expressed to all Council members on their election to the Tamala Park Regional Council.

At 5.55pm the TPRC Chief Executive Officer Mr Tony Arias, declared the meeting of the Tamala Park Regional Council open.

## 2. ELECTION OF CHAIRMAN

In accordance with the Local Government Act 1995, the TPRC Chief Executive Officer Mr Tony Arias, assumed the chair in order to conduct the election of Chairman.

Written nomination forms for Chairman, in accordance with the Local Government Act 1995 (schedule 2.3), were given to the Chief Executive Officer. Written approval was also obtained from the elected members nominated for the position of Chairman.

The Chief Executive Officer advised that two nominations - Cr John Italiano (as nominated by Cr David Michael) and Cr Troy Pickard (as nominated by Cr Geoff Amphlett) for the position of Chairman had been received.

The Chief Executive Officer called for any further nominations and due to no further nominations being received, declared nominations for Chairman closed.

Mr John Giorgi (CEO of the Town of Vincent) acted as scrutineer for the vote counting.

Lots were drawn which determined the order of names to appear on the ballot paper, as follows:

- 1) Cr John Italiano
- 2) Cr Troy Pickard

Ballot papers for the above two (2) candidates were authenticated by the Chief Executive Officer and distributed to all councillors for vote casting.

Upon counting of votes, the Chief Executive Officer of TPRC Mr Tony Arias advised the following results:

Cr John Italiano – 7 votes  
Cr Troy Pickard – 5 votes

and declared Cr John Italiano as Chairman of the Tamala Park Regional Council.

Cr Italiano was invited to complete the required Declaration (Form 7 Local Government Constitution Regulations), duly completed the Declaration and was formally congratulated on his appointment.

Cr Italiano thanked councillors for electing him Chairman and assumed the Chair at 6.04pm for the remainder of the meeting.

**3. ELECTION OF DEPUTY CHAIRMAN**

Written nomination forms for Deputy Chairman, in accordance with the Local Government Act 1995 (schedule 2.3) were given to the Chairman. Written approval was also obtained from the elected member nominated for the position of Deputy Chairman.

The Chairman advised that one nomination for Cr Glynis Monks (as nominated by Cr Dianne Guise) for the position of Deputy Chairman had been received.

The Chairman called for any further nominations and, due to no further nominations being received, declared nominations for Deputy Chairman closed.

The Chairman formally announced Cr Glynis Monks as Deputy Chairman of the Tamala Park Regional Council.

Cr Monks was invited to complete the required Declaration (Form 7 Local Government Constitution Regulations) and was formally congratulated on her appointment.

**4. DISCLOSURE OF INTERESTS**

Nil

**5. PUBLIC STATEMENT/QUESTION TIME**

Nil

**6. APOLOGIES AND LEAVE OF ABSENCE**

Nil

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 15 October 2009*

Moved Cr D Michael, Seconded Cr T Vaughan

That the minutes of the Ordinary Meeting of Council of 15 October 2009 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (12/0).

**9. BUSINESS ARISING FROM THE MINUTES**

Nil

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

Nil

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

Nil

**12. ELECTION OF COMMITTEES**

**12.1 Audit Committee**

The Chairman called for nominations from elected members for Audit Committee membership.

The Chairman advised that the following nominations had been received:

- Cr Nick Catania
- Cr Dianne Guise
- Cr John Italiano
- Cr David Michael
- Cr Troy Pickard

As no further nominations were received, the above-nominated members were appointed members of the TPRC Audit Committee.

Moved Cr L Getty, Seconded Cr T Vaughan

[The recommendation in the agenda]

**In accordance with the provisions of the Local Government Act 1995, sections 2.28, 5.8 and 5.10, APPOINTS BY ABSOLUTE MAJORITY the following five Council members to the Audit Committee:**

**Members:**

- 1. Cr Nick Catania**
- 2. Cr Dianne Guise**
- 3. Cr John Italiano**
- 4. Cr David Michael**
- 5. Cr Troy Pickard**

***(The Chair is elected at the next Audit Committee Meeting)***

The Motion was put and declared CARRIED BY ABSOLUTE MAJORITY (12/0).

**12.2 Project Steering Committee**

Moved Cr D Michael, Seconded Cr S Proud

**That the item be held over to the 11 February 2010 Council meeting.**

Moved Cr T Pickard, Seconded Cr G Amphlett

**That the TPRC CEO review the terms of reference for the Project Steering Committee and prepare a report to be presented to the 11 February 2010 meeting.**

The Motion for amendment was put and declared CARRIED (12/0).

The Motion as then amended was put and declared CARRIED (12/0).

### **12.3 CEO Performance Review Committee**

The Chairman called for nominations from elected members for CEO Performance Review Committee membership.

The Chairman advised that the following nominations had been received:

- Cr Geoff Amphlett
- Cr John Italiano
- Cr Glynis Monks
- Cr Stephanie Proud

As no further nominations were received, the above-nominated members were appointed members of the TPRC CEO Performance Review Committee.

[The recommendation in the agenda]

**In accordance with the provisions of the Local Government Act 1995, APPOINTS BY ABSOLUTE MAJORITY the following six Council members to the CEO Performance Review Committee:**

**Members:**

1. Cr .....
2. Cr .....
3. Cr .....
4. Cr .....
5. Cr .....
6. Cr .....

Moved Cr T Vaughan, Seconded Cr N Catania

**In accordance with the provisions of the Local Government Act 1995, APPOINTS BY ABSOLUTE MAJORITY the following four Council members to the CEO Performance Review Committee:**

**Members:**

1. Cr Geoff Amphlett
2. Cr John Italiano
3. Cr Glynis Monks
4. Cr Stephanie Proud



The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (12/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (12/0).

**13. REPORTS OF COMMITTEES**

Nil

**14. ADMINISTRATION REPORTS**

**14.1 BUSINESS REPORT – PERIOD ENDING 30 NOVEMBER 2009**

Moved Cr t Vaughan, Seconded Cr N Catania

[The recommendation in the agenda]

**That the Business Report to 30 November 2009 be RECEIVED.**

The Motion was put and declared CARRIED (12/0).

**14.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF OCTOBER 2009 AND NOVEMBER 2009**

Moved Cr N Catania, Seconded Cr D Michael

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 31 October 2009 and 30 November 2009.**

The Motion was put and declared CARRIED (12/0).

**14.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF OCTOBER 2009 AND NOVEMBER 2009**

Moved Cr N Catania, Seconded Cr E Evangel

[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 October 2009 and November 2009:**

- **Month ending 31 October 2009 (Total \$64,811.62)**
- **Month ending 30 November 2009 (Total \$152,772.74)**
- **Total Paid \$217,584.36**

The Motion was put and declared CARRIED (12/0).

#### 14.4 PRESENTATION – STRATEGIC MARKETING & RESEARCH

*Moved Cr T Pickard, Seconded Cr S Proud that item 14.4 be discussed after Item 14.8 on the agenda.*

*The Motion was put and declared CARRIED (12/0).*

*Ms Samantha Reece (Director – Strategic Marketing & Research) was invited to present to Council at 6.30pm.*

Moved Cr S Proud, Seconded G Monks

[The recommendation in the agenda]

**That the Council RECEIVE the presentation by Strategic Marketing & Research (SMR) of its 2009 study results to the Council.**

The Motion was put and declared CARRIED (12/0).

#### 14.5 ELECTED MEMBER ALLOWANCES

Moved Cr N Catania, Seconded Cr D Guise

[The recommendation in the agenda]

- a) **That the Local Government allowance for Chairman of the Council be 50% of the permitted maximum i.e. a payment of \$6,000 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 an amount of \$14,000 per annum.**
- d) **That attendance fees for Council members be an amount of \$7,000 per annum.**
- e) **Council members do not claim separate telecommunications, IT allowances or travelling allowance to meetings.**
- f) **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.**
- g) **Fees to be reviewed following the next ordinary Council elections (next scheduled for October 2011) 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.**
- h) **Elected member allowances are to be made quarterly in arrears.**

The Motion was put and declared CARRIED (12/0).

**14.6 LAND ACQUISITION OF LOT 807 NEERABUP ROAD FROM MAIN ROADS WA**

Moved Cr L Getty, Seconded Cr G Monks

[The recommendation in the agenda]

1. That Council **CONFIRM** previous negotiations and **REITERATE** its resolution to acquire Lot 807 Neerabup Road from Main Roads WA for an amount of \$2M (plus GST).
2. That the necessary formalities to facilitate transfer of the land to TPRC be **COMPLETED**.
3. That Council **NOTES** the subject land has been included as part of the land to be developed by TPRC in the Structure Plan submitted to City of Wanneroo for approval.

The Motion was put and declared CARRIED BY ABSOLUTE MAJORITY (12/0).

**14.7 APPOINTMENT OF EXTERNAL AUDITOR**

Moved Cr D Michael, Seconded Cr T Pickard

[The recommendation in the agenda]

**That quotations be INVITED from auditors servicing the TPRC constituent Councils to conduct the statutory audit of the TPRC for a 3-year period covering the financial years 2011, 2012 and 2013.**

The Motion was put and declared CARRIED (12/0).

**14.8 TPRC STRUCTURE PLAN STATUS UPDATE**

Moved Cr S Proud, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the status report in relation to the TPRC Structure Plan be RECEIVED.**

The Motion was put and declared CARRIED (12/0).

**15. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**16. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**17. URGENT BUSINESS APPROVED BY THE CHAIRMAN**

A memo from the former Chief Executive Officer of Town of Victoria Park (Mr John Bonker) dated 9 December 2009, was distributed to elected members. The content of the memo referred to the Crown Castle lease on an area of land at Tamala Park utilised for telecommunication purposes.

Moved Cr T Pickard, Seconded Cr S Proud

**That the TPRC CEO present a report to the next TPRC Council meeting on 11 February 2010 in relation to the land leased to Crown Castle.**

The Motion was put and declared CARRIED (12/0).

*Moved Cr S Proud, Seconded Cr L Getty that item 14.4 be discussed next on the agenda.*

*The Motion was put and declared CARRIED (12/0).*

**18. MATTERS BEHIND CLOSED DOORS**

Nil

**19. GENERAL BUSINESS**

1. A tour of the Tamala Park site was requested for new Council members. Interested members are advised to contact the CEO to arrange suitable dates for the tour.
2. An update on the timeline for the development was requested. The Council was advised that the project is running to schedule and a number of items will be presented to the 11 February 2010 Council meeting that will advance elements of the development to ensure milestones continue to be met.
3. The Council expressed its appreciation to Mr John Bonker (former CEO Town of Victoria Park) for his contribution to the project and welcomed Mr Arthur Kyron as his successor.

**20. FORMAL CLOSURE OF MEETING**

The Chairman declared the meeting closed at 7pm.

These minutes were confirmed at a meeting on .....

SIGNED this ..... day of ..... 2010

as a true record of proceedings.

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CHAIRMAN