

**TAMALA PARK
REGIONAL COUNCIL**

Meeting of Council

AGENDA

**Thursday 14 October 2010
Town of Victoria Park, 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 the Council Chambers at the Town of Victoria Park, 99 Shepperton Road, Victoria Park at 5.30pm on Thursday 14 October 2010.

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 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.

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 – 19 August 2010

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

- *CEO Performance Review Committee Meeting – 29 September 2010*
- *Management Committee Meeting – 7 October 2010*
- *Audit Committee Meeting – 14 October 2010*

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.12)

9.1 BUSINESS REPORT – PERIOD ENDING 30 SEPTEMBER 2010

Report Information

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

Recommendation

That the Business Report to 30 September 2010 be RECEIVED.

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 endeavouring 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 16 August 2010 and was presented a draft Management Plan.

The draft Management 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 timeframe for public release of the report is late 2010.

The next meeting of the Committee was scheduled for 4 October 2010 but was cancelled as is to be rescheduled

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF AUGUST 2010 AND SEPTEMBER 2010

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 31 August 2010 and 30 September 2010.

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 31 August 2010 and 30 September 2010
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 September 2010 exceeding 10% were experienced in relation to the following:

Agenda TPRC Meeting of Council – 14 October 2010

Insurance	The variance is as a result of the timing of the insurance premiums. This should be adjusted throughout the remainders of the 2010/11 year.
Interest Earnings	The variance is as a result of timing of the maturity of investments. This will be remedied during the next maturity term.
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.
Other	Composite allowance for councillors paid August 2010, due to timing of payments.
Professional Consultant Fees	The positive variance relates to professional/consultant fees for services yet to be provided in the 2010/11 year.

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

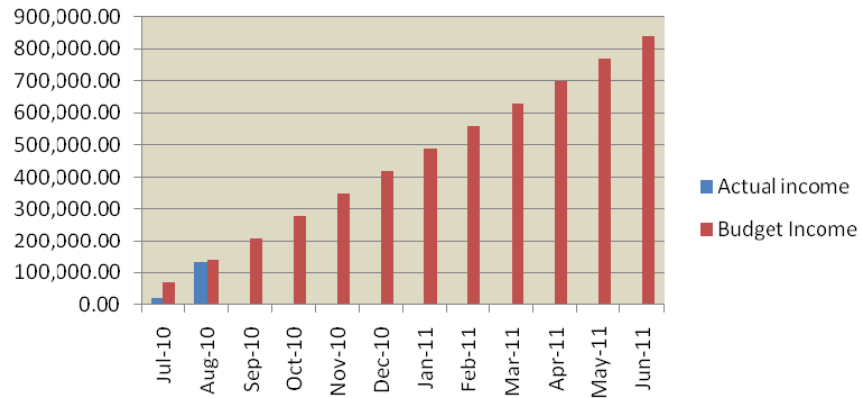
Financial Snapshot as at 30 September 2010

	Jul - Sep 10	YTD Budget	\$ Over Budget	+/- Variance	Annual Budget
Revenue					
Interest Earnings	152,435.00	209,559.00	-57,124.00	27.26%	838,236.00
Other Revenue	1,250.93	0.00	1,250.93	100.0%	0.00
Total Revenue	153,685.93	209,559.00	-55,873.07	26.66%	838,236.00
Expenses					
Depreciation	0.00	0.00	0.00	0.0%	-4,502.00
Employee Costs	-85,511.50	-132,649.75	47,138.25	35.54%	-529,983.00
Insurance	-4,008.10	-1,749.00	-2,259.10	129.17%	-7,005.00
Materials & Contracts MTC	0.00	0.00	0.00	0.0%	-1,000.00
Materials & Contracts Other	-22,616.77	-107,592.00	84,975.23	78.98%	-439,710.00
Other	-30,120.96	-24,625.00	-5,495.96	22.32%	-118,499.99
Professional/Consultant Fees	-32,754.00	-127,193.00	94,439.00	74.25%	-508,800.00
Utilities	0.00	-2,496.00	2,496.00	0.0%	-10,000.00
Total Expenses	-175,011.33	-396,304.75	221,293.42	55.84%	-1,619,499.99
Unclassified	0.00	0.00	0.00	0.0%	0.00
TOTAL	-21,325.40	-186,745.75	165,420.35	88.58%	-781,263.99

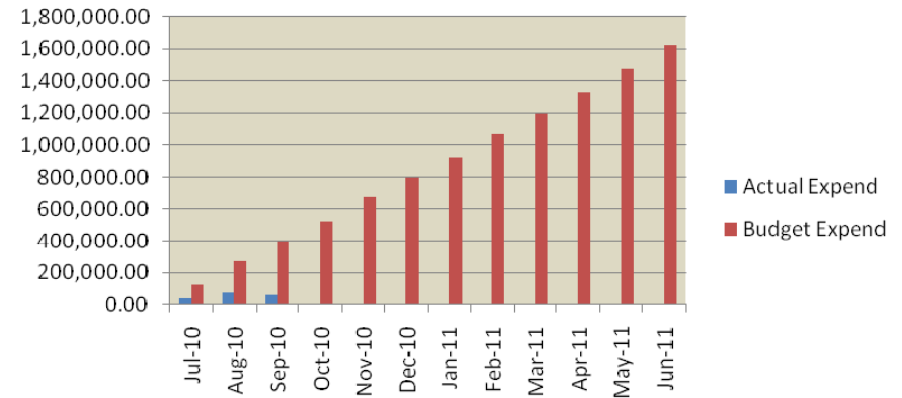
Balance Sheet Summary as at 30 September 2010

	Sept 30, 10	June 30, 10	\$ Change	% Change	Sept 30, 09
Cash and Investments	15,096,728.19	15,225,077.15	-128,348.96	-0.84%	17,234,896.01
Accounts receivable	0.00	36,364.68	-36,364.68	-100.00%	0.00
Other Current Assets	1,030.00	1,030.00	0.00	0.00%	1,030.00
Total Current assets	15,097,758.19	15,262,471.83	- 164,713.64	-1.08%	17,235,926.01
Fixed Assets	2,013,762.88	2,013,762.88	0.00	0.00	14,918.05
Total Assets	17,111,521.07	17,276,234.71	- 164,713.64	-0.95%	17,250,844.06
Less Current Liabilities	43,691.35	64,156.65	-20,465.30	-31.90%	35,207.84
Less Long Term Liabilities	6,918.42	6,918.42	0.00	0.00%	2,429.11
Total Liabilities	50,605.27	157,665.94	-107,060.67	-67.90%	89,336.21
Net Assets	17,060,911.30	17,205,159.64	- 144,248.34	30.95%	17,213,207.11

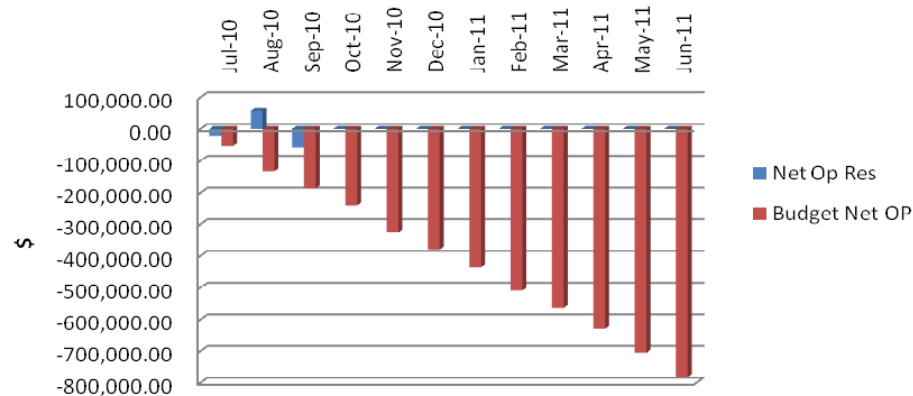
YTD Income V Budget by Month



YTD Exp V Budget by Month

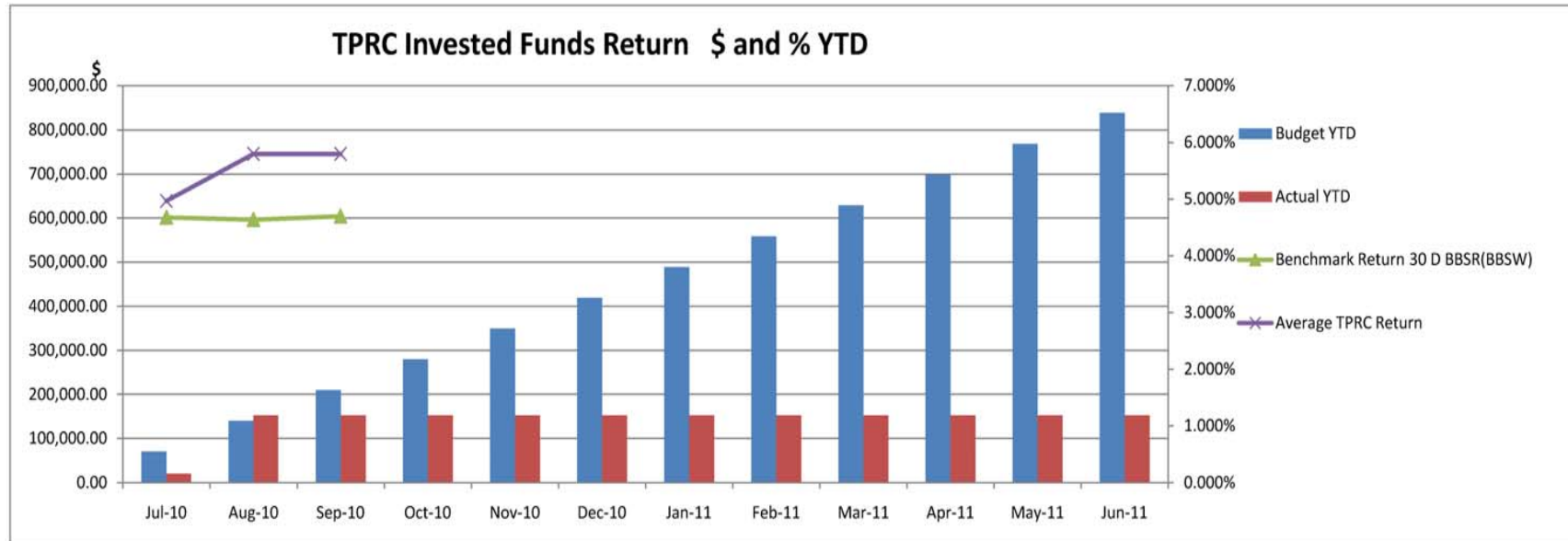


YTD Net Operating V YTD Budget Net Operating



**Tamala Park Regional Council
TPRC Investments Summary
1 July 2010 - 30 September 2010**

		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									
	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	152,435.00	152,435.00	152,435.00	152,435.00	152,435.00	152,435.00	152,435.00	152,435.00	152,435.00
Invested Funds													
A(-1+)	A01102 - Unrestricted At Call	19,884.12	76,953.61	19,539.90									
A(-1+)	A01106/7 - Fixed Term Deposits	15,075,550.14	15,075,549.00	15,075,549.00									
Act Invest 09-10		15,095,434.26	15,152,502.61	15,095,088.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00



9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF AUGUST 2010 AND SEPTEMBER 2010

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 August 2010 and September 2010:

- **Month ending 31 August 2010 (Total \$77,103.79)**
- **Month ending 30 September 2010 (Total \$51,900.69)**
- **Total Paid - \$129,004.48**

Voting Requirements

Simple Majority

Report Purpose

Submission of the list of payments made under the CEO's Delegated Authority for the months ending 31 August 2010 and 30 September 2010.

Relevant Documents

Appendix: Cheque Detail for Months Ending 31 August 2010 and 30 September 2010
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 by Council, budget procurement and other Policies.

Payments are subject of review by TPRC Accountants Haines Norton following completion of each months accounts.

**Tamala Park Regional Council
Summary Payment List
August 2010**

Date	Num	Name	Description	Amount
03/08/2010	CH-200193	Westpac	Bank charges for August 2010	-30.85
12/08/2010	ET-618	Employee Costs	Wages for period 29/7/10 to 11/8/10	-7,079.67
12/08/2010	ET-615	WALGSP	KJ superannuation contribution for period 29/7/10 to 11/8/10	-131.16
12/08/2010	ET-616	National Australia Bank	TA superannuation 9% contribution for period 29/7/10 to 11/8/10	-936.81
12/08/2010	ET-617	National Australia Bank	TA superannuation SS contribution for period 29/7/10 to 11/8/10	-1,424.57
12/08/2010	ET-611	LGIS Liability	Insurance Public Liability - First instalment for period 30 June 2010 to 30 June 2011	-1,045.00
12/08/2010	ET-612	LGIS Workcare	Insurance W/comp. - First instalment for period 30 June 2010 to 30 June 2011	-6,039.00
12/08/2010	ET-613	Stantons International	Provision of probity advisory services in support of RFP process	-2,618.00
12/08/2010	ET-614	Telstra	TPRC office landline usage to 27/7/10 & service/equip to 27/7/10	-157.53
12/08/2010	CH-200188	City of Stirling	Rental & electricity MR3 SCC September 2010	-415.36
13/08/2010	CH-200194	Westpac Bank	Credit card payment for EA & CEO visa cards	-168.07
16/08/2010	ET-620	Australian Taxation Office	PAYG payment to ATO for July 2010	-6,724.00
23/08/2010	ET-621	Amphlett, Geoff	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-622	Getty, Leonie	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-623	Guise, Dianne	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-624	Italiano, John	Composite allowance May/June/July 2010	-5,000.00
23/08/2010	ET-625	McLean, Tom	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-626	Michael, David	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-627	Monks, Glynis	Composite allowance May/June/July 2010	-2,125.00
23/08/2010	ET-629	Vaughan, Trevor	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	ET-628	Withers, Simon	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	CH-200189	Evangel, Eleni	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	CH-200190	Proud, Stephanie	Composite allowance May/June/July 2010	-1,750.00
23/08/2010	CH-200191	Catania, Nick	Composite allowance May/June/July 2010	-1,750.00
26/08/2010	ET-642	Employee Costs	Wages for period 12 August 2010 to 25 August 2010	-7,079.67
26/08/2010	ET-639	National Australia Bank	TA 9% super for period 12/8/10 to 25/8/10	-936.81
26/08/2010	ET-640	National Australia Bank	TA SS super for period 12/8/10 to 25/8/10	-1,424.57
26/08/2010	ET-641	WALGSP	KJ superannuation for period 12/8/10 to 25/08/10	-131.16
26/08/2010	ET-630	Amcom	ADSL Direct for 1/9/10 to 1/10/10	-79.00
26/08/2010	ET-631	Haines Norton	Accounting services Aug 10; June BAS; reconciliation of wages & payment summaries	-1,419.00
26/08/2010	ET-632	Interiors Unleashed	Design consulting 1st progressive payment for interior design services (lot 369 SBR, Innaloo)	-5,500.00
26/08/2010	ET-633	Kyocera Mita	Photocopying - B/W and colour copying charges to 15 July 2010	-350.72
26/08/2010	ET-634	Minter Ellison	Development of Clarkson Land (Project development agreement stage of TP DMA)	-7,871.00
26/08/2010	ET-635	Officeworks	Stationery including envelopes, binders, tea bags and post it notes	-56.04
26/08/2010	ET-636	Telstra	CEO mobile phone charge for 14 Aug 10 to 13 Sept 2010	-100.02
26/08/2010	ET-638	WALGA	Advert cancellation special council meeting (15 July 2010)	-331.78
26/08/2010	CH-200192	City of Stirling	Hire MR1 SCC for Auditor visit 13 & 14 Sept 2010	-429.00
				<u>-77,103.79</u>

**Tamala Park Regional Council
Summary Payment List
September 2010**

Date	Num	Name	Description	Amount
01/09/2010	CH-200194	Westpac	Bank charges cheque account september 2010	-26.35
09/09/2010	ET-655	Kylie Jeffs	Wages for period 26/8/10 to 8/9/10	-7,079.67
09/09/2010	ET-652	WALGSP	KJ superannuation for period 26/8/10 to 8/9/10	-131.16
09/09/2010	ET-653	National Australia Bank	TA 9% superannuation for period 26/8/10 to 8/9/10	-936.81
09/09/2010	ET-654	National Australia Bank	TA SS superannuation for period 26/8/10 to 8/9/10	-1,424.57
09/09/2010	ET-644	Eco Logical Australia	Advice and referral progress invoice for provision of draft referral	-15,998.40
09/09/2010	ET-645	Haines Norton	Professional services for Sept 2010 & 2010/11 statutory budget preparation	-3,960.00
09/09/2010	ET-646	LGIS Property	2010/2011 property scheme contribution second	-456.42
09/09/2010	ET-647	Lloyd George Acoustics	Road Noise Modelling 15 hours @ \$200 per hour	-3,300.00
09/09/2010	ET-648	Minter Ellison	Development of Clarkson Land (development management agreement)	-4,659.60
09/09/2010	ET-649	Sheridan's for Badges	6 badges remade with 'JP' added to Councillor's names	-142.89
09/09/2010	ET-650	WALGA	TPRC website subscription Jul 2010 to Jun 2011	-3,970.00
09/09/2010	ET-651	TPG Town Planning & Urban Design	TPG Direct Component - Stage 10 final endorsement of Structure Plan (liaison with DoP)	-990.00
09/09/2010	CH-200193	City of Stirling	Hire and electricity for MR3 SCC for October 2010	-396.48
15/09/2010	CH-200196	Westpac Bank	CEO and EA credit card payment September 2010	-502.50
23/09/2010		Kylie Jeffs	Wages for period 9/9/10 to 23/9/10	-7,079.67
23/09/2010	Debit	Action Couriers	Courier & Freight - Scarborough to Northbridge Courier	-23.98
23/09/2010	Debit	Amcom	ADSL Direct 512k/512k for 1/10/10 to 1/11/10	-79.00
23/09/2010	Debit	City of Stirling	Content filtering, firewall, spam and antivirus service provision for April to June 2010	-330.00
23/09/2010	Debit	T Arias	Parking reimbursements	-67.50
23/09/2010	Debit	Telstra	Landline & CEO Mobile charges	-345.69
				-51,900.69

9.4 MEETING SCHEDULE 2011

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 13.44.657

Recommendation

1. That the schedule of meetings dates be **APPROVED** for 2011 as follows:
 - 17 February 2011 (City of Wanneroo)
 - 14 April 2011 (Town of Cambridge)
 - 23 June 2011 (City of Joondalup)
 - 18 August 2011 (City of Perth)
 - 13 October 2011 (City of Stirling) (Tentative)
 - 15 December 2011 (Town of Victoria Park)
2. That the schedule of meeting dates be **ADVERTISED** as required by the LGA.
3. That the commencement time for meetings **BE 5.30pm**.
4. That Council meetings be **HELD** on a rotational basis at participant Council premises.

Voting Requirements

Simple Majority

Report Purpose

To set ordinary Council meeting dates for 2011 to facilitate advertising by the LGA.

Relevant Documents

Appendix: Schedule of meetings 2011
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

- Local Government Act Section 5.25(g)
- Local Government Administrative Regulation 12 - Publication of meetings open to public

Previous Minutes

- Ordinary meeting of Council (15 October 2009) – Item 9.7: Meeting schedule 2010
- Ordinary meeting of Council (4 December 2008) – Item 9.5: Meeting dates 2009
- Ordinary meeting of Council (6 December 2007) – Item 13.4: Meeting dates 2008
- Ordinary meeting of Council (5 October 2006) – Item 9.5: Meeting dates for 2006/07

Background

Councils are required to advertise dates of all Council and some other classes of meetings where delegated authority of the Council may be exercised. Advertising is required to provide the opportunity for members of the public to attend meetings and be informed about governance of the local authority. Where an advertised meeting date is changed re-advertising is required.

In the case of a Regional Council advertising occurs by publication in a newspaper circulating in the Regional Council area, by publication on the notice board on each of the participant local governments and publication of each of the libraries of the participant Councils.

Comment

Council meetings are mainly held on a Thursday, non-coincident with meetings of the MRC and the North Zone meetings of WALGA. A schedule of meeting dates which satisfies the above criteria is shown in the appendix and is submitted for approval of the Council.

The Council has previously set the time for commencement of meeting of 5.30pm as this seems to suit the convenience of most Council members.

Meetings have previously been held at participant Council premises on a rotational basis. This provides an equal opportunity for each of the Councils to host the Regional Council and the greatest opportunity over a period of 12 months for residents and ratepayers of all of the participant local authorities to attend at least one Council meeting.

9.5 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 4.144.49.0

Recommendation

That the Annual Report of the TPRC for the year ended 30 June 2010 be ADOPTED.

Voting Requirements

Absolute Majority

Report Purpose

To review the draft Annual Report for the TPRC for the year ended 30 June 2010.

Relevant Documents

Appendix: Draft format of TPRC Annual Report 2009/10
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

- Local Government Act 1995: S5.3 Requires Local Government to prepare an annual report, with prescribed inclusions, for each financial year.
- Local Government Act 1995: S5.4 Requires Local Government to accept the Annual Report by 31 December.
- Local Government Act 1995: S5.5 Requires availability of report to be advertised following report adoption by Local Government.
- Local Government (Audit) Regs 1996: Reg 14 Compliance Audit Item.

Previous Minutes

- Ordinary meeting of Council (4 December 2008) - Item 9.8: Annual Report
- Ordinary meeting of Council (16 October 2008) - Item 9.7: Annual Report
- Ordinary meeting of Council (11 October 2007) - Item 8.2: TPRC Annual Report for the year 1 July 2006 to 30 June 2007

Background

The Council has a statutory obligation to provide an Annual Report of its operations including the following:

- Report by the Chairman of the Council
- Report by the CEO
- Detail of completion of statutory requirements

- Detail of expenses paid to members
- The audit report and completed financial report of the Council for the year under review

The annual financial report is to be made available for public inspection.

Comment

The TPRC Annual Report for the year ending 30 June 2010 will be the fourth annual report produced by the Council. The report contains significant information on the Council formation and operation and the Tamala Park Structure Plan, to provide maximum exposure of the Council's proposals for public information. The Annual Report is attached at Appendix 9.5.

The report is required to be adopted by the Council by 31 December in each year and a copy of the adopted report must be provided for the Executive Director of the Department of Local Government.

The report will include some of the information contained in the TPRC Future Plan as there is limited knowledge of the work and objectives of the TPRC. The Annual Report is an opportunity to promote the Council and the proposed urban development of Tamala Park.

The Annual Report contains the audit report and the annual financial report both of which have been completed. The current agenda contains a separate item in relation to the annual financial report (refer item 9.6).

The report has been referred to the Audit Committee meeting of 14 October 2010 for review and comments from the Committee. Any comments or recommendations will be presented for Council consideration particularly in relation to the financial information contained in the report.

9.6 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2009 TO 30 JUNE 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.66.48.0

Recommendation

That the financial report for the year ended 30 June 2010 be RECEIVED and INCLUDED in the Annual Report of the TPRC Council.

Voting Requirements

Simple Majority

Report Purpose

To provide for review the audited financial report of the TPRC for the year ended 30 June 2010.

Relevant Documents

Appendix: Audited Financial Report for the year ended 30 June 2010
Available for viewing at the meeting: Nil

Previous Minutes

- Council Meeting - 15 October 2009 (Item 9.16: TPRC Annual Financial Report for the Year 1 July 2008 to 30 June 2009)
- Council Meeting - 14 August 2008 (Item 9.9: Annual Financial Report for the year 1 July 2007 to 30 June 2008 – receipt of financial report and referral to Audit Committee)

Policy Reference

TPRC Audit Charter: Scope includes review of annual financial report and recommendation of adoption by the Council

Local Government Act/Regulation

- Local Government Act 1995: S6.4 - Requires Local Government to prepare annual Financial Report in prescribed form; balanced accounts and Financial report for preceding year to be submitted to Auditor by 30 September.
- Local Government Act 1995: S7.2 - Requires accounts and financial report to be audited by an auditor appointed [according to prescribed procedures] by the Local Government.
- Local Government Act 1995: S7.9 - Requires Auditor to provide report on accounts and financial report to Chairman, CEO and Minister by 31 December.
- Regs - Local Government (Audit) 1996 R 9 Sets out Criteria for Conduct of Audit.
- Guideline 18 - Financial Ratios - Describes Financial Ratios required in financial reports.

- Regs - Local Government (Financial Management) 1996: R36-49 prescribes report inclusions.
- Regs - Local Government (Financial Management) 1996: R50 - CEO to forward copy of Financial Report to Executive Director within 30 Days of Audit.
- Local Government (Audit) Regs 1996: Reg 14 Compliance Audit Item.

Background

A financial report is required to provide a comprehensive outline of financial activities of the TPRC for the public record and public inspection.

A series of legislative requirements must be observed in preparing the annual financial report.

The Council Audit Charter requires review of the report by the Audit Committee.

The report must be completed by 30 September, submitted for audit and included in the Council annual report for adoption no later than 31 December.

Comment

The accounts for the financial year have been balanced, the financial report prepared and reviewed by the Council's accountants (Haines Norton). The accounts and report have been submitted to the appointed Auditor for review.

The Auditor has completed audit of the documents and has provided the required management report which is required to be presented to the Chairman of the Council, the CEO and the Minister for Local Government. The report is considered in Item 9.2.

The accounts are in balance and there are no adverse comments or notifications from Council's accountants. The Council continues to utilise investment funds to operate the TPRC office.

The Audit Committee is to consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation.

9.7 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2010

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 12.19.382.0

Recommendation

- 1. That the Auditor's report for the financial year ended 30 June 2010 be RECEIVED.**
- 2. That it be NOTED that the Audit Report does not note or make recommendations on any matter requiring attention from the annual Audit for the year ended 30 June 2010.**

Voting Requirements

Simple Majority

Report Purpose

To facilitate review of the auditor's report and a meeting with the external auditor as required by Regulation.

Relevant Documents

Appendix: Audit Report for Financial Year ended 30 June 2010
Available for viewing at the meeting: Nil

Previous Minutes

- Council meeting – 15 October 2009 (Item 9.19: Review of the Auditor's Report for the Financial year Ended 30 June 2009)
- Audit Committee meeting – 4 December 2008 (Item 9.2: Review of the Auditor's Report for the Financial Year ended 30 June 2008)

Policy Reference

TPRC Audit Charter 6(f) and (h)

Local Government Act/Regulation

- Local Government Act Section 7.9(3) – Auditor is to provide a copy of the audit report within 30 days of completion to the Chairman, the CEO and the Minister.
- Local Government Act Section 7.12(3) – Local Government required to take action on matters raised in Audit Report.
- Local Government (Audit) Regulations 10.4 – Auditor may prepare a Management Report in addition to the Audit Report and copy to Chairman, the CEO and the Minister.

Background

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

The Audit Committee is charged with the review of the Auditor's report.

Comment

For the financial year ending 30 June 2010 there are no adverse comments raised by the external auditor.

The statutory obligation for the auditor to meet with the Local Government at least once per annum has been discharged through meetings of the audit partner and senior audit manager with the CEO. However, the Auditor has indicated that he will attend upon the committee to discuss any issue of concern, any strategic or management issues.

Formal receipt of the audit report is recommended.

9.8 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 24 June 2010 (Item 9.8 – TPRC Structure Plan Status Update)

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

The Western Australian Planning Commission has not yet determined the Structure Plan. The following issues are delaying the approval of the Structure Plan:

1. The Department of Environment and Conservation (DEC) position on the

Graceful Sun Moth (GSM). The GSM is declared specially protected fauna under the WA Wildlife Conservation Act 1950. It is listed as endangered under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

2. The Department of Environment and Conservation review of the Environmental Management Plans.
3. Approval of a Local Water Management strategy by the Department of Water (DoW). DoW has requested additional requirements to the submitted Local Water Management Strategy.

There are on going discussions between the WAPC, DEC and DoW to have these matters resolved as a matter of priority.

A further update will be provided at the Council meeting.

9.9 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 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: Nil
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Background

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.

The EPBC Act requires referral of any proposals that may impact on endangered species to the DEWHA.

Given the potential for habitat for Carnaby's Cockatoo and Graceful Sun Moth, their status as endangered under the EPBC Act, there is likely to be a requirement to refer the Structure Plan and EMP to DEWHA for approval. DEWHA has call in powers in the event proposals are not referred to it for consideration.

At its meeting of February 2010 the Council approved the referral of the Structure Plan and Environmental Management Plan to the Department of Environment, Water, Heritage and the Arts, subject to the completion of the required environmental surveys, which have now been completed.

Comment

Environmental consultants have been engaged (Eco Logical Australia) to prepare the necessary referral documentation.

The referral will need to demonstrate that acceptable environmental outcomes can be achieved for the project. It will need to address the following issues:

- The extent and quality of Carnaby's black cockatoo foraging and breeding habitat onsite and in the offset area.
- The significance of potential impacts to the Graceful sun moth.
- Mitigation measures proposed within the site to reduce impacts, which could include:
 - Altering the design of the site to retain areas of important habitat.
 - Use of habitat species in any proposed re-vegetation or rehabilitation works.
 - Maintenance of street trees and trees containing hollows throughout the site.
 - Provision for habitat plantings within residential lots.
 - Provision for the use of habitat species in street plantings throughout the site.
 - A management plan for habitat retained onsite.
- Present the 91.04 hectare Bush Forever Protection Area as a suitable and reasonable offset to compensate for residual impacts onsite (impacts that cannot be avoided or mitigated). This site will be presented as an actual gain to the regional conservation status of relevant species. This could involve:
 - Conservation in perpetuity of the area.
 - Management and rehabilitation of the area.
 - Funding for ongoing management of the area.
- No further offsets are proposed. However, based on DEHWA's position on other projects it may require further offsets. The offsets required by DEHWA are often based on a ratio of habitat area conserved compared to habitat lost. The actual ratio may depend on many issues, however, DEHWA's recent practice has been at least 6ha for every 1ha lost (6:1).

A further update will be provided at the Council meeting.

9.10 PROJECT CONSULTANCY – ENGINEERING SERVICES TENDER

Recommendation

1. That the Council **ACCEPT** the Cossill & Webley tender for engineering services in accordance with Tender 4_2010 (Engineering Services, dated September 2010).
2. That the Chairman and the CEO be **AUTHORISED** to sign and affix the TPRC common seal to the Contracts.

Voting Requirements

Simple Majority

Relevant Documents

Appendix:

- Tender 4_2010: Engineering Services; and
- Evaluation Matrix Form
- Evaluation Summary

Available for viewing at the meeting: Nil

Background

At its meeting of 19 August 2010 the Council authorised the CEO to invite tenders associated with the design and management of the Stage 1 subdivision plan, earthworks, civil and landscape construction for the following:

- Tender 1_2010 Marketing Agency Services;
- Tender 2_2010: Landscape Architecture Services;
- Tender 3_2010: Survey Services;
- Tender 4_2010: Engineering Services; and
- Tender 5_2010: Town Planning & Urban Design Services.

It is proposed to appoint consultants to design and manage the following:

- Stage 1 Subdivision Plan
- Stage 1 earthwork, civil and landscape construction
- Marketing and Selling campaigns, advertising and media purchase

Consultants proposed to be appointed include Town Planning/Urban Design, Civil Engineering, Survey, Landscape Architecture, Advertising/Marketing, Research. The scope of works for the various consultants is attached at Appendix 8.4.

Comment

The Tenders were advertised in the Western Australian on 25 August 2010 and 28 August 2010. The Tenders were also promoted on the TPRC website. Tenders closed 4pm on 8 September 2010.

At the close of the Tender period 22 tenders were received. One tender did not comply with the Tender requirements and was not considered.

At its meeting of October 7 2010 the Management Committee accepted the following tenders:

- Marketforce in accordance with Tender 1_2010 (Marketing Agency Services, dated September 2010);
- EPCAD in accordance with Tender 2_2010 (Landscape Architecture Services, dated September 2010);
- McMullen Nolan in accordance with Tender 3_2010 (Survey Services, dated 8 September 2010); and
- Chappell Lambert Everett in accordance with Tender 5_2010 (Town Planning & Urban Design Services, dated 8 September 2010).

At the meeting the Management Committee recommended that the Council accept the Cossill & Webley for engineering services in accordance with Tender 4_2010 (Engineering Services, dated September 2010).

The Management Committee was not able to appoint the Engineering Consultant as the contract terms were potentially in excess \$1,000,000, which would be outside the terms of delegation from the Council.

Tenders for engineering services were received from the following groups;

- Aecom
- Arup
- Cossill & Webley
- GHD
- MAKJap
- Tabec
- Wood & Grieve

The tenders were evaluated by an evaluation panel comprising representatives of the TPRC and the Satterley Property Group. The panel met on three occasions to evaluate the Tenders. Attached at Appendix 9.10 is the Evaluation Summary on the tender submissions.

The key objectives of the Evaluation Process were to:

- a. Make a recommendation, to the TPRC, as to the tender that best represents value for money;
- b. Ensure the assessment of responses is undertaken fairly according to a predetermined criteria;
- c. Ensure adherence to the Procurement Policy; and
- d. Ensure that the requirements specified in the tenders are evaluated in a way that can be measured and documented.

The process outlined above has been reviewed and approved by the Probity Advisor (Ms Barbara Giudici).

9.11 MARKETING - ESTATE NAME

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 1.103.630.0

Recommendation

That Council APPROVE the name 'Catalina' as the estate name for the Tamala Park Project.

Voting Requirements

Simple Majority

Report Purpose

To request Council to approve the name "Catalina" as the estate name for the Tamala Park Project.

Relevant Documents

Appendix: Satterley Property Group submission
Available for viewing at the meeting: Nil

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council meeting – 11 February 2010 (Item 9.11 - Delegation Authority)
- Council meeting – 13 August 2009 (Item 9.5 – Delegation Authority)
- Council meeting – 9 August 2007 (Item 9.12 – Delegation Authority)

Background

At its meeting of 7 October 2010 the Management Committee received a presentation from the Satterley Property Group on branding issues associated with the Tamala Park development and its recommendations for the Tamala Park project name. The presentation encompassed:

- The naming process to date;
- Key findings from local area research;
- The criteria for a project name;
- The shortlist of project names; and
- Satterley's recommendation and substantiation of a project name.

The Management Committee resolved to recommend that the Council approve 'Catalina' as the estate name for the Tamala Park project.

Comment

Attached at Appendix 9.11 is a summary of the key elements of the Satterley Property Group presentation.

The name recommended by Satterley is Catalina. The intention is to extend the Catalina brand to each of the three villages, for example, Catalina Beach, Catalina Centro and Catalina Gardens/Junction.

The history of the term "Catalina" is associated with:

- A period of glamour and fun in the sun;
- A range of transport options (noting that the project will be a TOD); and
- The ocean.

The wholesome and aspirational history of the brand will be well suited to the project site's brand essence. The Satterley Property Group considers that the name will appeal to key target markets.

The Satterley Property Group's research indicates that the name has not been used in any other residential development in Australia.

9.12 PROCUREMENT POLICY - UPDATE

Report Information

Location: Not Applicable
Applicant: Not Applicable
Reporting Officer: Chief Executive Officer File Reference: 4.127.787.0

Recommendation

That Council APPROVE the modified Procurement Policy (dated 11 October 2010).

Voting Requirements

Absolute Majority

Report Purpose

To request Council to approve modifications to the Procurement Policy consistent with Local Government Regulations.

Relevant Documents

Appendix: TPRC Procurement Policy (updated 11 October 2010)
Available for viewing at the meeting: Nil

Policy Reference

Existing Procurement Policy Adopted April 2006

Local Government Act/Regulation

Local Government (Functions and General) Regulations 1996, Part 4, Division 1 (Purchasing Policies)

Previous Minutes

- Audit Committee meeting – 27 April 2006 (Item 9.4 – Procurement Policy)
- Council meeting – 9 August 2007 (Item 9.14 – Procurement Policy)

Background

In April 2006 the Council approved the Procurement Policy consistent with the Local Government Regulations. In February 2008 minor modifications were made to the Policy.

The Policy provides guidelines for the procurement of goods or services through quotes or public tender.

Part 3 of the Local Government Act together with the Financial Management Regulations and Functions and General Regulations provide an outline of specific requirements and probity guidelines in respect of purchase of goods and tendering on behalf of local governments.

Comment

The Procurement Policy requires that the supply of goods and services to a value greater than \$50,000 proceed in accordance with the requirements of Part 4 of the Functions and General Regulations made pursuant to the Act. The Policy specifically requires tendering for purchases over the value of \$50,000. It also requires authorization to proceed with the tender from the Council before tendering for the supply of goods for an amount greater than \$50,000.

In February 2007 the Local Government Regulations were amended so that contracts for the supply of goods and services to a value greater than \$100,000 should be subject of public tender. Purchases under \$100,000 are categorized as simple purchases not requiring tendering, but still subject to controls and appropriate accounting and probity support practices.

The requirement to obtain Council authorization to proceed with the tender before tendering for the supply of goods for an amount greater than \$50,000 is also inconsistent with Delegation 26 which authorizes the CEO to request tenders for the supply of goods for an amount greater than \$100,000.

It is proposed to modify the TPRC Procurement Policy consistent with Local Government (Functions and General) Regulations 1996, Part 4, Division 1 (Purchasing Policies) so that only purchases over the value of \$100,000 are required to be tendered.

Changes are proposed to the Policy to enable the effective operation of the TPRC office and more accurately reflect the process utilized by other local authorities.

A detailed review of the Policy is to be undertaken in early 2011.

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