



TAMALA PARK
Regional Council

Meeting of Council

AGENDA

Thursday 11 October 2012
Town of Victoria Park, 6.00pm

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
City of Vincent
City of Wanneroo

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TAMALA PARK REGIONAL COUNCIL

Councilors 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 6.00pm on Thursday 11 October 2012.

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	Cr Corinne MacRae	Cr Simon Withers
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

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 – 16 August 2012

5A. BUSINESS ARISING FROM THE MINUTES

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

8. REPORTS OF COMMITTEES

- Management Committee Meeting – 27 September 2012

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.22)

9.1 BUSINESS REPORT – PERIOD ENDING 11 OCTOBER 2012

Report Information

Reporting Officer: Chief Executive Officer File Reference: N/A

Recommendation

That the Council RECEIVE the Business Report to 11 October 2012.

Voting Requirements

Simple Majority

Report Purpose

To advise Council of matters of interest not requiring formal resolutions.

Relevant Documents

Appendix: Ernst & Young advice on Margin Scheme (dated 24 August 2012); Ernst & Young advice on GST outcomes (dated 24 August 2012); MRS Plan zoned urban
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

1. Civil Construction - Status

The following table provides an overview of the progress of civil works components to date;

Stage	Lots	Commencement of Construction	Original Practical Completion Date	Works Status	Titles
Neerabup Rd Intersection	N/A	9 th July 2012	17 th September 2012	95% Complete – PC expected 26 th October 2012	N/A
2	38	20 th February 2012	17 th August 2012	PC achieved on 28 th October 2012	October 2012
3	43	11 th June 2012	26th October 2012	85% Complete – Works on schedule	November 2013
4	48	20th August 2012	15th February 2012	20% Complete – Works on schedule	February 2013
6A	8	20th August 2012	12th October 2012	90% Complete – Works on schedule	December 2012

2. Bulk Earthworks

The following table provides an overview of the progress of bulk earthworks to date;

Stage	Commencement Date	Practical Completion Date	Works Status
Stage 5	13 th September 2012	5 th December 2012	15% Complete – Works on schedule
Stage 7	8 th October 2012	17 th December 2012	Issue of construction contract delayed due to Earthworks DA.

3. Stage 1 Landscape works – Status

The following table provides an overview of the progress of landscape works to date;

Stage	Commencement of Construction	Original Practical Completion Date	Works Status
1 – Drainage Basin & Neerabup Rd	2 nd July 2012	22 nd October 2012	Works delayed 2 weeks due to revised building license requirements.
1 – Lot 1/ Entry Statement	2 nd July 2012	22 nd October 2012	Deferred pending resolution of Lot 1 Built Form outcome and Neerabup Entry Statement Design
1 – Stage 1B POS	2 nd July 2012	22 nd October 2012	Works delayed 2 weeks due to revised building license requirements.

4. Stage 1B Clearances/Titles

Clearances for Stage 1B comprising 11 cottage lots have been obtained and titles are expected to be issued shortly.

5. Stage 2 Clearances/Titles

Clearances for Stage 2 comprising 38 lots have been obtained and titles are expected to be issued shortly.

6. Power Of Attorney

At its meeting of 21 June 2012 the Council resolved to approve a Power of Attorney (POA) for that portion of Lot 9504 which is the subject of the Establishment Agreement covering all dealings of the land and requested each of the participant local governments to consider execution of the Power of Attorney.

The Power of Attorney was considered necessary to avoid the time consuming, cumbersome and ineffective process of having subdivisional documentation signed by all the seven participant local governments in order to effect the settlements.

All of the participant local governments have now executed the requested Power of Attorney, which have been registered with Landgate.

7. Amendment to the Establishment Agreement

At its meeting of 21 June 2012 the Council resolved to request each of the Participants to agree, by resolution of each Council, to the amendments to clause 7 of the Establishment Agreement of the Tamala Park Regional Council, as set out in the draft Amendment Agreement (dated 15 May 2012).

This position was consistent with legal advice that suggested that it would also be prudent for the seven participant local governments to agree, to the amendment to clause 7 of the Establishment Agreement to clarify that there is no obligation to transfer any part of the land to the TPRC and that the land may be transferred directly from the Participants to third parties.

All of the participant local governments have now resolved to the amend clause 7 of the Establishment Agreement of the Tamala Park Regional Council as requested and signed the required Amendment Agreement (prepared by McLeod's Barrister & Solicitors). This documentation has now been forwarded to the Minister for Local Government and the Department of Local Government for approval.

8. Lifting of Urban Deferred Zoning

The Western Australian Planning Commission has approved the lifting of the urban deferment of that portion of the Tamala Park project which is outside the 500m buffer zone from the current operating face of the MRC landfill site. Attached is a plan showing the area zoned Urban from the MRS (Appendix 9.1).

It comprises approximately 12.11 hectares which can now be developed for residential purposes. This action is consistent with the Ministerial Environmental approval for the Project.

9. GST Status TPRC Project

The TPRC has appointed Ernst & Young to provide professional advice on GST issues affecting the Project and to provide strategies for managing GST issues.

Ernst & Young (EY) has provided its advice, which is attached (Appendix 9.1) market confidential. A copy of the EY advice has been provided separately to the participant local government CEO's. This comprises the following two documents;

1. Tamala Park Item 4 advice
2. Tamala Park GST Scenarios

The EY advice indicates that the seven local governments could utilise Item 4 of the GST Act on the following basis;

- The TPRC land was unimproved at 1 July 2000;
- There is no tax law partnership between the seven local governments;
- The seven local governments meet the requirements to be "State" under GSTR 2006/5;
- That Section 75-11(7) of the GST Act does not apply to override the use of item 4;
- The TPRC land has been held by each Local Council at 1 July 2000;

The EY advice also indicates that some risk remains and that the ATO will need to be satisfied in relation to the above matters. The significance of the risk should be properly considered as outlined in the EY advice. There are however significant financial benefits to the seven local governments in successfully utilising Item 4.

The seven local governments lodged a Notice of Entitlement with the ATO in August 2012 to preserve any refund entitlement for settlements up to and including August 2012, should an entitlement to use Item 4 be determined. However, it should be noted that this Notice does not guarantee potential refunds to the local governments from the ATO.

The TPRC used Item 1 for Stage 1 sales in calculating Margin Scheme GST. This conservative methodology for calculating the GST on sales under the margin scheme was considered appropriate until the applicability of Item 4 was determined. Stage 2 settlements are likely to commence in late October and therefore the TPRC will need to use “Self assess principles” in calculating GST on sales for Stage 2 shortly. Given the EY advice it is proposed that Item 4 be utilised for Stage 2 GST calculations. EY has indicated that the ATO is showing intent not to refund on GST margin scheme payments in the future.

EY has recommended that discussions should commence with the ATO on its advice and on utilising Item 4 of the GST, given the significant potential benefits to the TPRC project.

It is also proposed that the seven local governments seek a Private ruling on the key elements listed above. This process has risks, involves additional costs, results in closer scrutiny and some time delay. It will however, provide the seven local governments with certainty for the future and protect the seven local governments from future ATO position changes. It will also remove the potential for penalties, interest and cash flow issues if ATO adopts a different approach in the future.

EY has been requested to provide a scope of works and fee proposal to prepare, submit and manage a Private Ruling application with the ATO.

Given that the TPRC acts as an agent on behalf of the seven local governments in accordance with Subdivision 153 of the GST Act, endorsement has been sought from the participant local governments to the following methodology;

- Utilise Item 4 for calculating GST on sales for Stage 2;
- Commence discussions with the ATO on this advice on utilising Item 4 of the GST;
- Seek a scope of works and fee proposal from EY to prepare, submit and manage a Private Ruling application with the ATO.
- Proceed to seek a Private ruling, confirming, but not limited, to the following ;
 - The land was unimproved at 1 July 2000;
 - There are not taxable supplies by a tax law partnership;
 - The seven local governments meet the requirements to be “State”
 - That Section 75-11(7) does not apply to override the use of item 4
 - Land has been held by each Local Council at 1 July 2000

The Councils endorsement of the methodology outlined above is sought.

9.2 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF AUGUST & SEPTEMBER 2012

Report Information

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 months of August and September 2012:

- **Month ending 31 August 2012 (Total \$1,399,247.70)**
- **Month ending 30 September 2012 (Total \$1,467,559.08)**
- **Total Paid - \$2,866,806.78**

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 and 30 September 2012.

Relevant Documents

Appendix: Cheque Detail for Month Ending 31 August and 30 September 2012

Summary Payment List for August and September 2012

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.

9.3 PROJECT FINANCIAL REPORT - AUGUST 2012

Report Information

Reporting Officer: Chief Executive Officer File Reference: 1.88.246

Recommendation

That the Council RECEIVE the Project Financial Report (August 2012) submitted by the Satterley Property Group.

Voting Requirements

Simple Majority

Report Purpose

To consider the Project Financial Report for August 2012 submitted by the Satterley Property Group.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council Meeting – 21 June 2012 (Item 9.9 - Project Cashflow)

Financial/Budget Implications

Review of Project Financial Report for August 2012.

Relevant Documents

Appendix: Letter from Satterley Property Group dated 17 September 2012
Available for viewing at the meeting: Nil

Background

At its meeting of 21 June 2012 the Council approved the Project Budget 2012/13 (May12), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget 2012/13.

Key Performance Indicators, Financial requires the preparation of monthly financial reports.

Comment

The Satterley Property Group has prepared a Financial Report for August 2012 for the Project. The report has been prepared on a cash basis and compares actual

expenditure to approved budget expenditure for the period 1 August 2012 to 30 August 2012 and year to date budget and is attached at Appendix 9.3.

The Financial Report identifies that settlement revenue and expenditure are both below budget. The main areas of variance are summarised below:

1. Settlement revenue is \$6,055,057 under budget, with only \$526,000 revenue received to date.
2. Expenditure is \$2,950,086 under budget, with under expenditure in the areas of Lot production, Landscape, Infrastructure and Sales and marketing.

The SPG has advised that the shortfall in sales revenue is attributed to the following;

- \$3.2M revenue received in FYE12 ahead of budget;
- \$2.84 revenue s due to delay of 13 settlements;

The shortfall in revenue is primarily as a result of delays in securing clearances and titles for the Stage 1B lots. To date 8 contracts have been completed for Stage 1B, with settlements now planned in October 20112.

In terms of expenditure a major part of the variance to budget can be attributed to the lag in payments for new works initiated since July. Significant payments were made in August and this is expected to continue over the coming months will as payments for earthworks and civil works contracts are realised.

9.4 SALES REPORT – PERIOD ENDING 11 OCTOBER 2012

Report Information

Reporting Officer: Senior Project Officer

File Reference: N/A

Recommendation

That the Council RECEIVE the Sales Report to 11 October 2012.

Voting Requirements

Simple Majority

Report Purpose

To advise the Council of the status of sales, settlements and sales releases.

Policy Reference

N/A

Local Government Act/Regulation

Local Government Act 1995: Sect 3.58 – Disposal of Property.

Previous Minutes

Nil

Financial/Budget Implications

Expenditure under this matter will be incurred under item I145011 Income on Lot Sales:

Budget Amount:	\$41,618,154
Received to Date:	\$ 249,575
Balance:	\$41,368,579

Expenditure will be accommodated within this item.

Relevant Documents

Appendix: Staging Plan

Available for viewing at the meeting: Nil

Background

The Sales report provides the Council with status report of sales of lots.

The plan provided in Appendix 9.4 identifies the extent of the Stage boundaries referenced within the report.

Comment

The table below provides a summary of the Sales position for lots released to date:

	LOTS RELEASED	SOLD	ON HOLD	SETTLED
STAGE 1A	24	24	-	24
STAGE 1B	11	10	-	
STAGE 2	24	24	-	
STAGE 3A	31	16	-	
STAGE 3B	12	3	-	
STAGE 6A	8	2	1	
TOTAL	110	79	1	24

Notes

Stage 1A – All lots have now settled.

Stage 1B and Stage 2 lot settlements are scheduled to commence in October 2012, subject to the issue of Titles.

Stage 3A and 3B lot settlements are scheduled to commence in November 2012.

Stage 6A lot settlements are scheduled to commence in December 2012.

Stage 4 lots are to be released by online registration on 13 October 2012.

Satterley Property Group representatives will be in attendance to present the Sales Report with further updates, proposed Sales releases and general market conditions.

9.5 PROJECT CONSULTANCY – CIVIL ENGINEERING SERVICES TENDER

Report Information

Reporting Officer: Senior Project Officer

File Reference: 1.88.246

Recommendation

That the Council:-

1. **ACCEPT the Cossill & Webley tender (dated September 2012, for a value of \$2,711,575) for civil engineering services in accordance with Tender 6/2012 (Civil Engineering Services, dated September 2012).**
2. **AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.**

Voting Requirements

Simple Majority

Policy Reference

TPRC Procurement Policy

Local Government Act/Regulation

Local Government Act 1995: Sect 3.57 – Provision of goods and services.

Previous Minutes

Council Meeting – 14 October 2010 (Item 9.10 – Project Consultancy Engineering Services Tender)

Financial/Budget Implications

Expenditure for civil engineering consultancy services will be incurred under the following item:-

Item E145211 (Land Develop – Lot Production):

Budget Amount:	\$18,701,849
Spent to Date:	\$ 160,895
Balance:	\$18,540,954

Item E145215 (Precinct 1 Bulk Earthworks):

Budget Amount:	\$5,703,765
Spent to Date:	\$3,164,217
Balance:	\$2,539,548

Expenditure will be accommodated within the above items.

Relevant Documents

Appendix: Tender Document 6/2012: Civil Engineering Services; and SPG Civil Engineering Consultancy Services, Tender Evaluation Report Available for viewing at the meeting: Cossill & Webley; CPG; and Wave International Tender Submissions.

Background

At its meeting of 14 October 2010 the Council accepted a tender for Civil Engineering Services submitted by Cossill & Webley Consulting Engineers, for a two year term, expiring in October 2012.

The TPRC advertised a call for tenders in the West Australian newspaper on 18 August 2012, for the provision of civil engineering services to the Catalina project for a 2 year term, with potential for a one year extension at the discretion of the TPRC.

Comment

During the two week tender period, eleven companies obtained a copy of the Civil Engineering Services Tender (6/2012), with eight represented at the project briefing and site inspection.

At the conclusion of the tender period on 3rd September 2012, three tender submissions were received in response to tender 6/2012, from the following companies:-

- Cossill & Webley Consulting Engineers;
- CPG; and
- Wave international.

Tenders were assessed by SPG against the selection criteria contained within the tender document, in accordance with the guidance provided by the TPRC procurement policy. A copy of the SPG Civil Engineering Consultancy Services - Tender Evaluation Report is attached under Appendix 9.5.

The key objectives of the Evaluation Process were to:

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

The evaluation of tenders undertaken by Satterley resulted in the following scores being attributed to each tender submission:-

TENDER	EVALUATION SCORE
Cossill & Webley	63.9%
CPG	60%
Wave International	58.9%

Cossill & Webley achieved the highest score and SPG recommend its appointment as project engineers for a period of two years, with potential for a one year extension at the discretion of the TPRC.

SPG has advised Cossill & Webley's tendered fees are within the projects budget allocation for civil engineering costs and are consistent with market expectations for a company of Cossill & Webley's capabilities.

Cossill & Webley has requested minor modifications to the consultant contract. The requested modifications have been reviewed by SPG which has advised do not significantly alter arrangements between the parties for the performance of the works.

The TPRC office has reviewed all tenders and evaluation reports, and is satisfied a fair and accurate assessment of tender submissions against the selection criteria contained has been undertaken. Cossill & Webley's service proposal is considered to present a value for money outcome, in accordance with the objectives of the Council's Procurement Policy.

It is noted Cossill & Webley have satisfactorily performed all requirements of the current civil engineering services contract.

The evaluation report has been reviewed by the Council's Probitry Advisor (Stantons International), who has confirmed it represents a sound procurement process.

9.6 LOCAL AREA TRANSIT SYSTEM INVESTIGATION

Report Information

Reporting Officer: Senior Project Officer File Reference: 18.121.624.9

Recommendation

That the Council:-

1. **RECEIVE** the Local Area Transit System Investigation on the viability of a local area transit system for Catalina, (June 2012), submitted by the Satterley Property Group.
2. **NOT PROCEED** with Special Transit Bus System or a Light Rail or Tramway systems on the basis that these would be costly to establish and to maintain
3. **ACCEPT** that Key Performance Indicator - Effective Use Of Land And Infrastructure 1.2.3 requiring the Investigation and recommendation on the viability of a local area transit system linking local schools, rail station and shops has been **ACHIEVED** by the Satterley Property Group.
4. **REQUEST** the Satterley Property Group to investigate options to promote greater use of public transport, including discussion of alternatives with the PTA, use of Greenlink dual use paths/cycleways, signage and community buses; and report back to Council.

Voting Requirements

Simple Majority

Report Purpose

To consider the Local Area Transit System Investigation prepared by the Satterley Property Group for the Catalina Estate.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Nil

Financial/Budget Implications

No budget allocation in TPRC 2112/13 budget.

Relevant Documents

Appendix: SPG Local Area Transit System Investigation dated June 2012
Available for viewing at the meeting: Nil

Background

The Tamala Park Local Structure Plan (LSP) – Explanatory Report (September 2009) identified the potential for a local area transit system to operate along the Greenlink linking the various activity nodes between the Clarkson Railway station and the beach. The report indicated that the local area transit system could be an electric tramway or light rail system. During the preparation, referral and advertising process of the LSP there was no commitment to the funding of such a local area transit system by the PTA. The LSP Explanatory Report did not identify the potential funding arrangement for a local area transit system. This matter was left to be the subject of further investigation.

The LSP is premised on public transport services being provided via the PTA by bus services, with provision for a potential light rail or similar system in the long term.

In December 2011 the Council considered the Sustainability Initiatives Plan, submitted by the Satterley Property Group, it also received a recommendation from the Satterley Property Group that the Project Light Rail System not be proceeded with on the basis it was not feasible or too costly to implement. At that time the Council did not make a determination on the Project Light Rail System. This matter was included in the Satterley Property Group Key Performance Indicator- Effective Use of Land and Infrastructure 1.2.3 requiring the Investigation and recommendation on the viability of a local area transit system. The Satterley Property Group

Comment

In accordance with KPI 1.2.3, Satterley Property Group (SPG) has prepared a Local Area Transit System Investigation for the Catalina Estate. The SPG report is attached at Appendix 9.6.

It should be noted that the assessment undertaken by the Satterley Property Group is a high level review and not a detailed engineering examination.

In its report the SPG has considered the following local area transit systems;

- Transperth bus service
- Special Transit Bus System
- Light Rail or Tramway

Transperth Bus Service

A Transperth bus service has been planned and designed to operate through the estate in accordance with current PTA standards. This is to be operated and funded by the state government.

Special Transit Bus System

A Special Transit System (STS) provides a higher a level of service than the standard Transperth bus service. The PTA has advised it is highly unlikely any STS would be funded under their metropolitan services, requiring any such system to be developed and operated at the TPRC's cost.

The cost of establishing an STS involves the purchase of buses and appointment of a suitably qualified operator. Preliminary estimates for the purchase of buses are in the order of \$1.5M to \$3M and ongoing operating costs in the order of \$1M - \$2M per year. The PTA has advised a sinking fund would be required to fund the operation of the service into the future at the TPRCs cost.

Light Rail or Tramway

The development and operation of a light rail or electric tram service is expected to be high in cost, in both capital and maintenance, and would be required to be funded in full by the TPRC. The SPG's preliminary estimate of costs is between \$7.5M to \$35M per kilometre. If established along the Greenlink (2.7km) this equates to costs of between \$20M and \$94M.

The only other system of this kind within Perth that has progressed to a detailed design stage is a system linking Morley to the Perth CBD along Alexander Drive, where a fully developed catchment exists.

The Satterley Property Group has recommended that the Light Rail or Electric Tramway not be proceeded with on the basis it would be costly to establish and to maintain. It also recommends that the modern Transperth bus service through the estate, subject to some potential modifications to bus route locations and scheduling times, provides a modern and efficient system, with the linkages to the Clarkson Railway Station.

In the event the Council wishes to pursue either Special Transit Bus System or a Light Rail or Tramway, it has recommended that specialist consultants be engaged to carry out detailed engineering and feasibility assessments.

Conclusion

The Satterley Property Group recommendation that a Light Rail or Electric Tramway System not be proceeded with on the basis it would be costly to establish and to maintain is supported. It is unrealistic to believe that the Catalina could fund the establishment and ongoing costs of a Special Transit Bus System or a Light Rail or Tramway system.

The Transperth bus service proposed by the PTA is considered to represent a modern and efficient service. The alignment of the Greenlink provides for good connections to the key activity centres identified in LSP of the Clarkson Train Station, Ocean Keys Shopping Centre and the Mindarie Keys Marina. It is however recommended that the SPG continue discussions with the PTA to determine the alignment of bus routes and timing for the provision of services.

At its meeting of 27 September 2012 the Management Committee resolved to recommend that the Council:-

1. RECEIVE the Investigation and recommendation report on the viability of a local area transit system for Catalina, (June 2012), submitted by the Satterley Property Group.
2. NOT PROCEED with Special Transit Bus System or a Light Rail or Tramway systems on the basis that these would be costly to establish and to maintain
3. ACCEPT that Key Performance Indicator - Effective Use of Land and Infrastructure 1.2.3 requiring the Investigation and recommendation on the viability of a local area transit system linking local schools, rail station and shops has been ACHIEVED by the Satterley Property Group.
4. REQUEST the Satterley Property Group to investigate options to promote greater use of public transport, including discussion of alternatives with the PTA, use of Greenlink dual use paths/cycleways, signage and community buses; and report back to Council.

9.7 CATALINA CENTRAL DESIGN GUIDELINES – CENTRAL PRECINCT PROPOSED MODIFICATIONS

Report Information

Reporting Officer: Chief Executive Officer

File Reference: 1.88.246

Recommendation

- 1. APPROVE the modification to Catalina Central Design Guidelines – Single Residential Lots, (November 2011) for the Central precinct by deleting the mandatory 2 storey building height requirement on the 9 lots fronting Neerabup Road, shown on the 2 Storey Dwelling Plan in Appendix 9.7.**
- 2. REQUEST the Satterley Property Group to investigate options to designate lots within Stage 5 with mandatory 2 storey building height requirement and report back to Council.**

Voting Requirements

Simple Majority

Report Purpose

To consider proposed changes to the Catalina Central Design Guidelines – Single Residential Lots.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

N/A

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145218 (Sales & Marketing):

Budget Amount:	\$1,000,000
Spent to Date:	\$ 43,706
Balance:	\$ 956,294

Expenditure will be accommodated within this item.

Relevant Documents

Appendix: 2 Storey Dwelling Plan
Available for viewing at the meeting: Nil

Background

At its meeting of 15 December 2011 the Council approved the Catalina Central Design Guidelines – Single Residential Lots, (November 2011) for the Central precinct. The Design Guidelines are attached Appendix 9.7.

The Design Guidelines – Single Residential Lots sets out the Mandatory requirements and provides recommendations on design elements which assist in achieving good dwelling design.

The Design Guidelines aim to;

- Respond to the climate and conditions on and surrounding the lot
- Include high quality design detailing to create an attractive character and contemporary appearance
- Incorporate principles of environmental design and energy and water conservation
- Contribute to community safety and security.

The Design Guidelines mandate building height (2 storey) on 26 Single Residential Lots within Phase 1.

Comment

The Development Manager has recommended the Council remove the mandatory 2 storey building height requirement on 9 lots (5 lots in Stage 3 and 2 lots in each of Stages 4 and 5). The basis for the recommendation is that the lots have been marketed for sale since 11 August 2012 with limited sales interest to date.

The Development Manager believes as the lots all front Neerabup Road and are the most affordable within Phase 1, the 2 storey building height requirement places an unreasonable cost imposition on potential purchasers which affects the saleability of the lots.

It should be noted that in addition to the 26 lots within Phase 1 with the mandatory 2 storey building height requirement, there are 4 lots in Stage 1B which are designated with a mandatory 2 storey building height requirement. There are also opportunities to designate lots within Stage 5 with mandatory 2 storey building height requirement.

The Development Manager recommendation to remove the mandatory 2 storey building height requirement on the 7 lots fronting Neerabup Road is supported.

9.8 SALES VILLAGE BUSINESS CASE

Report Information

Reporting Officer: Senior Project Officer

File Reference: 1.88.246

Recommendation

That the Council:

- 1. RECEIVE the Sales Village 1 & 2 Business Case (July 2012), submitted by the Satterley Property Group.**
- 2. APPROVE the Phase 1 & 2 Sales Village designs contained within the Sales Village 1 & 2 Business Case, subject to the following modifications:-**
 - Deletion of the children's play area on Lot 169;
 - Deletion of landscaping of Lot 168; and
 - Delete reference to Lots 115 and 116 remaining vacant to maintain sightlines to display villages.
 -
- 3. APPROVE the sale and leaseback from purchasers of Lots 170 - 174 by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the requirements of section 3.59 of the Local Government Act (1995).**
- 4. APPROVE the preparation of a business plan in accordance with section 3.59 of the Local Government Act (1995), for lots 170 – 174 for the purposes of a leaseback for the Catalina Sales Village.**
- 5. REQUEST the Satterley Property Group to provide recommendations on rebates, building incentives and commercial terms for lots 170 – 174 sold by the Sales Procedure – Private Purchaser Lots Strategy, September 2011.**
- 6. APPROVE the sale of Lots 115 – 121 and 168 & 169 as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.**
- 7. REQUEST the Satterley Property Group to revise the Sales Village 1 & 2 Business Case, to reflect modifications detailed in items 2 above.**
- 8. REQUEST the Satterley Property Group to provide recommendations for design guidelines and incentives to achieve high quality built form product on Lots 115 – 121 and 168 & 169.**

Voting Requirements

Simple Majority

Report Purpose

To consider the design, costs and sale disposal options for the 9 lots which comprise the Sales Village and 5 surplus lots.

Policy Reference

N/A

Local Government Act/Regulation

Local Government Act 1995: Sect 3.58 – Disposal of Property.

Previous Minutes

- Council Meeting – 14 April 2011; Phase 1 Display Village Strategy;
- Council Meeting – 15 December 2011; Display Village Lots Tender and Allocation;
- Council Meeting – 16 August 2012; Sales Office and Information Centre Tender Assessment.

Financial/Budget Implications

Expenditure under this matter will be incurred under the following items:-

Item E145207 (Land Develop – Land & Special Sites):

Budget Amount:	\$ 708,152
Spent to Date:	\$ 0
Balance:	\$ 708,152

Item E145209 (Land Develop – Landscape):

Budget Amount:	\$4,511,491
Spent to Date:	\$ 48,187
Balance:	\$4,463,304

Revenue under this matter will be directed to the following item:-

Revenue from the sale of Stage 2 lots will be allocated to item E145011 (Income Sale on Lots) of the 2012/2013 Budget:

Budget Amount:	\$41,618,154
Received to Date:	\$ 249,575
Balance:	\$41,368,579

Relevant Documents

Appendix: SPG Catalina Sales Village 1 & 2 Business Case dated July 2012; Lot Sale and Release Strategy Plan (August 2011)
Available for viewing at the meeting: Development Managers Agreement

Background

At its meeting of 14 April 2011, the Council approved the Phase 1 Display Village Strategy for Catalina, which outlined key strategies and approaches in respect of the Catalina Display Village. The Strategy recommended the construction of a Sales Office which could be utilised to service Display Villages (Phase 1 and 2) (Appendix 9.8).

The Lot Sale and Release Strategy approved by Council at its meeting on 23rd June 2011 identified the Phase 1 and 2 Display Villages comprising 24 and 25 builders display home lots, respectively, a sales office lot, and 13 lots to be used for car parking.

The Council approved the allocation of the Phase 1 Display Village lots to Builders at its meeting of 15 December 2011.

At its meeting of 16 August 2012, the Council accepted a tender submitted by National Homes, for construction of the Sales Office and Information Centre.

Comment

The Satterley Property Group (SPG) has now provided the Sales Village 1 & 2 Business Case, attached under Appendix 9.8, which considers design, development and disposal options for the lots depicted for a Sales Office and car parking.

Development of the Sales Village

The Business Case includes a design for the Phase 1 and 2 Sales Villages, which now comprise 9 lots.

The 9 lots are proposed to be utilised for the Sales Village as follows:-

- 1 lot for the Sales & Information Centre;
- 1 lot for a landscaped children's play area;
- 4 lots for car parking; and
- 3 lots to maintain sightlines to the Sales Village (1 landscaped, 2 left vacant).

The design of the Sales Village seeks to achieve the following:-

- A Sales Village precinct that demonstrates best practice urban development;
- A Sales Office and car parking areas which can service the Phase 1 and 2 Display Home Villages;
- Clear sightlines by pedestrian and vehicular traffic to display villages to entice visitation;
- A layout which heightens pedestrian movement to and through the Sales Office, to maximise contact of sales representatives with potential purchasers;
- Clear sightlines for sales representatives to potential purchasers to enhance contact opportunities; and

The Sales Office has been positioned at the entry of the Display Village, to encourage pedestrian flows to and through it.

Bollards are proposed to be installed at vehicular access points to implement temporary road closures during peak sales times, to create a safe pedestrian display village experience for visitors.

The Sales Village design also includes an overflow car parking area located south of the Greenlink which is necessary to provide sufficient car parking to satisfy City of Wanneroo requirements. The overflow car parking area replaces the need to use 5 lots (lots 117 – 121), previously depicted for car parking on the Lot Sale and Release Strategy. This change was necessary as these 5 lots would not satisfy City of Wanneroo car parking requirements. The Business Case identifies these 5 lots as surplus to requirements and recommends they be sold immediately.

A development application has been lodged with the City of Wanneroo and approval is expected to be issued shortly.

The SPG has provided the budget estimates of costs for the various elements of the Phase 1 Sales Village design, which are detailed in the table below.

SPG ESTIMATES OF COSTS

ITEM	COSTS
Sales Office & Information Centre (Inc retrofit)	\$366,179
Sales Office Fit out	\$60,000
Car parks	\$243,320
Landscaping (Inc consultancy fees)	\$204,907
Marketing	\$100,000
SUBTOTAL	\$974,406

The project budget allocation for the Sales Village is \$1,013,059. To date, the Council has only committed to the construction of the Sales Office and Information Centre.

The Sales Village 1 & 2 Business Case provided by SPG presents a strategy to develop an expansive Sales Village precinct structured to maximise visitation to the Sales Office and appeal to potential purchasers. The strategy is devised on principles that the SPG has applied within sales precincts of some its projects.

There are a number of estates within the northern beaches area that operate Sales Offices housed in transportable buildings, which have achieved good sales results and continue to do so.

The Council's commitment to the construction of a large, high quality Sales Office will be influential in demonstrating Catalina's commitment to best practice urban development and presenting well to potential purchasers. From a built form perspective, the Sales Office will compare favourably to its major competitors, and its elevated position opposite the Greenlink is expected to present impressively.

The SPG design includes a lot landscaped with a children's play area and a further lot to be landscaped to maintain sightlines. Whilst this would enhance the presentation of the Sales Village it presents additional costs for the establishment of the areas, lease costs and the ongoing maintenance of the spaces. It also presents additional safety and security issues. The Sales Office proposed is a substantial two building which will be impressive and set a high standard for the Project. These elements are not considered essential to the operation of the Sales Village. It is

proposed that the landscaped children’s play area and the lot to be landscaped to maintain sightlines be removed from the Sales Village design.

The Sales Village design also includes two further lots which are to remain vacant to maintain sightlines. The removal of these lots from the Sales Village and would not result in loss any direct amenity to the Sales Village. Any potential loss of sightlines would be offset by signage proposed for the Display Builders Precinct and the Sales Office. It should also be noted that the 24 display homes will provide an obvious and substantial statement. This initiative is not supported and it is considered that these lots should be sold immediately.

Disposal Options of Sales Village Lots

The Business Case considers the following options for the disposal of the 9 lots which comprise the Sales Village and the 5 lots surplus lots:-

1. Selling lots now, with a lease back from purchasers, for the duration of their required use within the Sales Village; and
2. Holding lots (Not selling) for the duration of their required use within the Sales Village.

SPG has examined the financial implications of the above options, and the table below provides a summary of the cost and revenue implications, relative to the approved project budget.

COMPARISON OF DISPOSAL OPTIONS TO BUDGET

		FYE13	FYE14	FYE15	FYE16	FYE17	TOTAL
Project Budget	Sales Rev	\$2,256,579	\$216,421	-	-	-	\$2,473,000
	Lease Costs	(\$168,700)	(\$189,700)	(\$154,700)	(\$154,700)	(\$154,700)	(\$822,500)
	Total	\$2,087,879	\$27,721	(\$154,700)	(\$154,700)	(\$154,700)	\$1,650,500
Sale & Lease Lots	Sales Rev	\$2,206,000	\$670,000	-	-	-	\$2,876,000
	Lease Costs	(\$80,115)	(\$131,153)	(\$138,365)	(\$127,340)	(\$127,340)	(\$604,313)
	Total	\$2,125,885	\$538,847	(\$138,365)	(\$127,340)	(\$127,340)	\$2,271,687
Hold Lots	Sales Rev	\$799,000	-	-	\$240,000	\$2,384,000	\$3,423,000
	Holding Costs*	(\$73,075)	(\$101,862)	(\$103,014)	(\$103,060)	(\$103,058)	(\$484,073)
	Total	\$725,925	(\$101,862)	(\$103,014)	\$136,940	\$2,280,942	\$2,938,927

Notes

1. Project budget assumes sales revenue from the Sales Office lot in FYE13.
2. Project budget assumes sales revenue from the sale of the Sales Office building in FYE2025.
3. Both options assume the sale the 5 surplus car parks in FYE13
4. Lease costs for car parking and vacant lots calculated at 7% pa of lot purchase price, with all outgoings paid by owners.
5. Lease costs for Sales Office calculated at 6.5% pa of the lot and building purchase price, with all outgoings paid by owners.
6. Holding costs include Council, water and sewerage rates and service charges and lost interest calculated at a risk free rate of 4%.
7. Sales revenue figures escalated at rates contained within the project budget.
8. Cash flow positions do not account for interest earned on 'cash in bank'.

The option of holding lots from the market for the duration of the Sales Village and then selling in FYE17 presents the highest revenue position. This position is largely accounted for by the escalation of sales prices and lower costs over the five year life of the Sales Village.

The option to hold lots, however, results in deferral of 70% of sales revenue from the Sales Village lots until FYE17, and affects the FYE13 project budget cash flow by \$1.3m. The SPG figures do not account for interest earned on 'cash in bank' from sales revenue, which would favourably impact the option to sell and lease back, but would not make it as favourable as the Hold Lots option.

The SPG has recommended the Council proceed with the sell and lease option on the basis of a positive cash flow position of \$621,187 to the approved project budget and expediting sales revenue for titled lots in FYE13.

The SPG recommendation to proceed with the sell and lease option is supported. It reflects the approved Project Budget position and maintains sales revenue for titled lots in FYE13. However, as suggested above it is proposed lots 168,169,115 and 116 (children's play area lot and the lots to maintain sightlines) be sold but not leased. This would improve the cash flow position by reducing leasing costs.

Method of Disposal

The Business Case does not identify a method for disposal for the Sale Village lots, however, it is anticipated that this would be by private treaty, as per the Sales Procedure – Private Purchaser Lots Strategy, approved by the Council in October 2011. This method has worked well to date and is supported.

The SPG recommends that the 5 surplus lots be sold immediately as a single lot package via the tender procedure approved by Council in September 2011, and the Put Option Deeds utilised for the Stage 3 Builders Allocation tender. This method is supported, however, lots 168,169,115 and 116 (children's play area lot and the lots to maintain sightlines) should also be included in this arrangement.

Given the location of these lots at a major entry to the Estate, some further consideration is required of design guidelines and incentives to achieve desired built form outcomes. The SPG should provide recommendations on design requirements or incentives or processes to ensure the achievement of a high quality built form product on these lots.

Commercial terms

The SPG has recommended the following lease terms for private treaty lots;

- Car parking and vacant lots - 7% pa of lot purchase price, with all outgoings paid by owners.
- Sales Office - 6.5% pa of the lot and building purchase price, with all outgoings paid by owners.

These are considered acceptable and in accordance with market rates. However, further consideration is required by SPG in relation to other commercial terms, such as rebates and incentives.

The Business Case does not identify terms for the disposal of the lots under Put Option Deeds. It is considered that the key elements of the Stage 3 Put Option Deeds could be utilised, which were as follows;

- The deed will be between the TPRC and the Builder.
- The deposit is \$5,000 per lot.
- The price of the lots is subject to approval by TPRC.
- A copy of the Lot Purchase Contract is annexed to the deed.
- The TPRC has the ability to exercise the option (compelling the Builder to purchase).
- The TPRC can set the time period in which the option may be exercised. This would be 30 days prior to issue of title.
- The Builder has the ability to source and present clients to purchase lots from the date of receiving their lot allocation up until the option is exercised.
- Settlement of lots to occur within 21 to 28 days of issue of title providing surety of revenue.

Business Plan Requirements

The SPG proposal for the Sale and lease back of the Sales Office and car parking lots will be subject to the Business Plan requirements under section 3.59 of the LGA.

The Business Plan requirements of section 3.59 of the *Local Government Act* would apply to the SPG lease proposal if the total value of the combined lease agreements exceeds the lesser of either \$1 million or 10% of the operating expenditure incurred by the TPRC from its municipal fund in the last completed financial year (under regulation 7 of the *Local Government (Functions and General) Regulations 1996*). The operating expenditure of the TPRC for 2011/12 was \$2.636M.

Under the definition of 'land transaction' the leases of all of the relevant lots to be used for the car park would need to be considered as part of a single transaction because, as they would be for 'a common purpose' to enable or facilitate car parking while the sales display village is operational. Based on the estimated lease costs a Business Plan would be required to be undertaken.

At its meeting of 27 September 2012 the Management Committee resolved to recommend that the Council:-

1. RECEIVE the Sales Village 1 & 2 Business Case (July 2012), submitted by the Satterley Property Group.
2. APPROVE the Phase 1 & 2 Sales Village designs contained within the Sales Village 1 & 2 Business Case, subject to the following modifications:-
 - Deletion of the children's play area on Lot 169;
 - Deletion of landscaping of Lot 168; and
 - Delete reference to Lots 115 and 116 remaining vacant to maintain sightlines to display villages.
3. APPROVE the sale and leaseback from purchasers of Lots 170 - 174 by the Sales Procedure – Private Purchaser Lots Strategy, September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the requirements of section 3.59 of the Local Government Act (1995).

4. APPROVE the preparation of a business plan in accordance with section 3.59 of the Local Government Act (1995), for lots 170 – 174 for the purposes of a leaseback for the Catalina Sales Village.
5. REQUEST the Satterley Property Group to provide recommendations on rebates, building incentives and commercial terms for lots sold by the Sales Procedure – Private Purchaser Lots Strategy, September 2011.
6. APPROVE the sale of Lots 115 – 121, and 168 & 169 as builder allocation lots by public tender, via the use of Put Option Deeds as approved by Council for the Stage 3 the Builders Allocation Lots in April 2012, subject to the same procedures, selection criteria and evaluation process, and terms and conditions.
7. REQUEST the Satterley Property Group to revise the Sales Village 1 & 2 Business Case, to reflect modifications detailed in items 2 above.
8. REQUEST the Satterley Property Group to provide recommendations for design guidelines and incentives to achieve high quality built form product on Lots 115 – 121.

9.9 PUBLIC ART STRATEGY

Report Information

Reporting Officer: Senior Project Officer

File Reference: N/A

Recommendation

That the Council:-

1. **RESOLVE to implement public art within Phase 1 of the Project, in the form of functional public amenities and street furniture reflecting the themes and narratives of the Public Art Strategy.**
2. **REQUEST the Satterley Property Group provide a Public Art Implementation Plan for the delivery of public art within Phase 1.**
3. **REQUIRE the Satterley Property Group to undertake a review of the public art outcomes of the Phase 1 area following completion and report to the Council.**
4. **REQUEST the Satterley Property Group to examine options for a feature public art work within Phase 1, including alternative funding options.**

Voting Requirements

Simple Majority

Report Purpose

To consider the Catalina Public Art Strategy, and determine the project's position in respect of the integration of public art.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

Nil

Financial/Budget Implications

Expenditure under this matter will be incurred under the following items:-

Item E145209 (Land Develop – Landscape):

Budget Amount:	\$4,511,491
Spent to Date:	\$ 48,187
Balance:	\$4,463,304

Relevant Documents

Appendix: Artsource Plan

Available for viewing at the meeting: Public Art Strategy for the Catalina residential development (Artsource)

Background

The TPRC commissioned Artsource, a visual arts advocacy body for the Western Australian arts community, to produce a Public Art Strategy (PAS) for the Catalina project, which was provided in November 2011.

The PAS provides high level guidance for the concept and location of public art within the Catalina Estate.

Comment

Catalina Public Art Strategy

The PAS analyses the site, stakeholders and historical and geographic context of the project, to identify key narratives recommended to be reflected in the production of public art within the Estate. These narratives are summarised below.

Regeneration - This narrative relates to the sites proximity and name association with the adjacent waste disposal facility. The regeneration narrative can contribute positively to the theme and concept of artwork including selection of materials and build methods, to promote principles of recycling, sustainability and environmental responsibility.

Trails - The Trails narrative relates to the broader context of the site and prominence of walking trails connecting it to its surrounds. It also relates to a key design feature of the Estate in the central Greenlink. The Trail narrative is recommended to guide the location of artwork at walkable nodes and corridors.

Beach and Bush - The Beach and Bush narrative reflects the physical and geographic context of the project. Catalina has retained significant pieces of native bushland in its location on the coast. This feature is recommended to contribute to the theme and concept of artwork, which aligns with its marketing strategy.

The PAS recommends incorporating these narratives within public artwork of varying scales, and provides a plan (attached under Appendix 9.9) depicting recommended locations of primary and secondary scaled artwork pieces, throughout the Estate.

The strategy also identifies and describes options for implementation. Whilst it does not recommend any particular approach, it does recommend activities to be undertaken within stages of implementation, many of which require involvement by an art consultant.

The PAS recommends a budget for the delivery of public art within the Estate of 5% of landscaping costs, to be drawn down from the landscaping budget. Under the approved Project Cashflow this equates to a public art expenditure of \$1.68M for the Project, from a Landscaping budget of \$33.6M.

Public Art within Catalina

The TPRC has made no commitment to public art within Catalina, nor is there any statutory obligation to provide public art within residential projects.

In considering potential expenditure from the project's landscaping budget on public art, it is necessary to consider the value it presents to the project, relative to what the same expenditure could deliver in the form of landscaping or other aspects of the project.

Artsource's strategy approaches public art from an artist's viewpoint, and promotes the adoption of highly developed pieces, requiring intensive contribution from artists in the concept and design of artwork. This approach is structured to deliver pieces depicting skill and artistry, however, it is costly and limits the ability to provide multiple pieces throughout a project, to create a cohesive and connected sense of place.

Within land developments, what constitutes public art as opposed to public facilities, street furniture or POS features is indistinct. Many land developments have shown that public facilities and amenities delivered with creativity and quality workmanship can be highly effective in establishing a unique sense of place and fostering community.

The Public Art Strategy has identified narratives which can be reflected in the design of public art and public spaces within Catalina. Integrating these themes in the form of functional public assets is considered to represent a more efficient approach to the delivery of public art. This approach facilitates the ability to provide for a greater number of pieces and therefore an increased presence of public art to add value and contribute to the Estate's uniqueness.

Budget

As discussed above, the PAS recommends a public art budget of 5% of landscaping costs, equating to total expenditure of \$1.68M for the Project, from a Landscaping budget of \$33.6M.

The approved Project Cashflow provides an allowance for public art of \$170,098, representing 2.5% of the Phase 1 landscaping budget of \$6.6M. If funding of public art for the entire project area was to be budgeted for at this rate, total expenditure would equate to \$840,000. This reflects the level of funding recommended by the SPG.

To determine an appropriate level of funding for public art within project, it is recommended the Council resolve to implement public art within the Phase 1 area in accordance with the budgets allocation and review outcomes once complete. The feedback provided by this review will better position the Council in determining an appropriate level of funding.

Conclusion

Public art within land developments can be influential in creating identity and a sense of place, features which foster and connect community. Artsource's Public Art Strategy identifies key narratives, which reflected in well designed public facilities and street furniture can contribute to the creation of a unique sense of place.

The Strategy's recommendation for funding of public art at 5% of the landscaping budget is considered excessive, and the current budget allocation within Phase 1 of 2.5% of landscaping costs is considered appropriate.

It is recommended the Council resolve to implement public art within Phase 1, which reflects the narratives identified within the PAS. Funding should be based on the current project budget allocation for Phase 1, reflecting a rate of 2.5% of landscape budget.

It is further recommended that the Council require a public art implementation plan from the Satterley Property Group, with recommendations for implementing public art within Phase 1 of the project.

At its meeting of 27 September 2012 the Management Committee resolved to recommend that the Council:-

1. RESOLVE to implement public art within Phase 1 of the Project, in the form of functional public amenities and street furniture reflecting the themes and narratives of the Public Art Strategy.
2. REQUEST the Satterley Property Group provide a Public Art Implementation Plan for the delivery of public art within Phase 1.
3. REQUIRE the Satterley Property Group to undertake a review of the public art outcomes of the Phase 1 area following completion and report to the Council.
4. REQUEST the Satterley Property Group to examine options for a feature public art work within Phase 1, including alternative funding options.

9.10 LANDSCAPE MASTERPLAN

Report Information

Reporting Officer: Senior Project Officer

File Reference: N/A

Recommendation

That the Council:-

1. **RECEIVE** the Landscape Masterplan (June 2012), submitted by the Satterley Property Group.
2. **ADOPT** the Landscape Masterplan (June 2012), for strategic guidance in the design and development of landscaped areas of the Catalina Estate, subject to the following modifications and additions:-
 - a) Recognition of SEWPAC approval, by integration of requirements into the Landscape Masterplan's recommendations for the design and development of landscape works;
 - b) Incorporation of strategic advice on potential beach access and facilities within the foreshore area, including timing and integration;
 - c) Incorporation of the sustainability initiatives contained within the Catalina Greenlink Strategy (EPCAD, 2012);
 - d) Recognition of the Graceful Sun Moth conservation area and SEWPAC requirements within the Western Cell;
 - e) Confirmation that the Masterplan has been developed in accordance with the TPRC project budget, and the ability to implement its recommendation within the allocations provided in the project budget;
 - f) Approval of all entry statements proposals, demonstrating support by the City of Wanneroo, compliance with budget and value for money;
 - g) Inclusion of the Public Art Implementation Plan for the delivery of public art within Phase 1; and
 - h) Inclusion of statements regarding sustainability targets, particularly in the area of water sensitive landscaping and water usage.
3. **ACCEPT** that Key Performance Indicator – Strategy and Planning; Landscape 3.2.1, requiring the preparation of a Landscape Masterplan by June 2012, has been **ACHIEVED** by the Satterley Property Group, subject to receipt of a revised document, incorporating the modifications contained under item 2.

Voting Requirements

Simple Majority

Report Purpose

To consider the Landscape Masterplan dated June 2012, provided by the Satterley Property Group as required by Key Performance Indicator - Strategy and Planning; 3.2.1, Landscape.

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council Meeting – 16 February 2012 (Item 9.5 - Development Managers Key Performance Indicators)
- Council Meeting - 12 April 2012 (Item 9.13 - Development Managers Key Performance Indicators)

Financial/Budget Implications

Expenditure for landscaping elements will be incurred under the following item:-

Item E145209 (Land Develop – Landscaping):

Budget Amount:	\$4,511,491
Spent to Date:	\$ 48,187
Balance:	\$4,463,304

Relevant Documents

Appendix: SPG Landscape Masterplan, dated June 2012
Available for viewing at the meeting: Development Manager KPI's

Background

At its meeting of 16 February 2012, the Council considered a status report on the Development Managers Key Performance Indicators to February 2012, where it accepted that the Satterley Property Group had satisfied the minimum requirement of 80% of KPI's to be achieved.

At its meeting held on 12 April 2012, the Council approved revised KPI's, which included KPI Item 3.2.1, requiring delivery of the Landscape Masterplan by June 2012.

Comment

In accordance with KPI 3.2.1, the Satterley Property Group (SPG) has prepared and provided a Landscape Masterplan, which is attached at Appendix 9.10.

The Landscape Masterplan is a high level document which is not intended to provide detailed planning, but rather inform and provide strategic direction to the project and

Landscape Architect, for the design and development of the estates Public Open Spaces (POS) and other landscaped areas.

The Masterplan recognises the need for landscape works to reflect Catalina's sustainability objectives, recommending the incorporation of native species, biodiversity and water sensitive design in a high amenity setting that caters for the social and recreational needs of the community, as well as responding to environmental requirements.

The Landscape Masterplan identifies and discusses the following major components of the estates landscaped areas:-

- The Greenlink;
- Active Recreation Areas;
- Passive Recreation Areas;
- Conservation Areas;
- Entry Statements;
- Public Art; and
- Streetscapes.

A discussion of the Masterplan's recommendations regarding these items is provided below.

The Greenlink

The Masterplan identifies the Greenlink corridor as the main spine of the development, connecting the Clarkson Train Station, coastline and activity nodes in between.

The plan notes the multiple roles the Greenlink is to provide, which includes; transit and pedestrian, public open space and drainage functions. As the key entry to and through the Estate, the Masterplan identifies the Greenlink as a key character determinate and recommends its landscaping be of a high standard, incorporating substantial tree planting, vegetated swales, open grassed areas and public facilities and amenities.

The Masterplan recognises Catalina's sustainability objectives, however, improved guidance in this area can be achieved by incorporating the design recommendations contained in the Catalina Greenlink Strategy (EPCAD; 2012), which recommends a range of design related sustainability initiatives.

The Masterplan should also acknowledge that over its 2.7km length, the Greenlink will connect areas of differing character, functionality and nodes of activity, and its design and development will need to respond to the different precincts through which it passes.

Active Recreation Areas

The Masterplan references the Tamala Park Local Structure Plan's provision of active recreation areas within each of Catalina's development cells, and identifies that the design of these spaces will incorporate open grassed areas to accommodate active recreation.

These active recreation areas are comprised of:-

- Central Cell - A large primary school oval south of the Greenlink and adjacent to the primary school site. This area will form the core of active recreation uses for residents and facilities will be provided via the primary school.
- Active recreation areas within Stage 4 and in the south east of the cell are to incorporate grassed areas, playground facilities as well as seating and other public facilities.
- Eastern Cell - Landscaping of this space is to reflect the urban nature of the eastern cell, whilst accommodating for playgrounds and active spaces.
- Western Cell- An active recreation area adjacent to the foreshore reserve with shade, picnic and barbeque facilities provided adjacent open grassed areas. This space also needs to act as a transition between the built environment and coastal conservation reserve.

The provision of an active recreation area within the Western Cell is consistent with the LSP, however, does not recognise the requirements of the project's SEWPAC approval. The Masterplan should acknowledge the need to account for the conservation function of this area and the protected Graceful Sun Moth (GSM) habitat.

The Masterplan does not provide any reference to potential access from the Project to the beach, through the foreshore area or whether landscape facilities should be planned for within the foreshore reserve. One of the key objectives of the LSP was to provide a direct link from the Clarkson railway Station to the coast, and this cannot be achieved in the absence of a beach access point.

Furthermore the projects marketing has been based on its beach access, however, no recommendations are provided on access, facilities, challenges or timing and these be addressed within the Landscape Masterplan.

Passive Recreation

The Masterplan recommends use of passive recreation spaces throughout the estate to assist in the creation of a harmonious urban environment and enhance the aesthetic of the estate.

The Masterplan estimates approximately ten local passive recreation spaces may be dispersed throughout the estate, connected by pedestrian linkages. Drainage features such as bio-retention or infiltration basins may be required to be incorporated within some of these spaces, and in these circumstances, must be carefully designed, to ensure the aesthetic values and usable space of the space is maintained.

The Masterplans recommendations reflect a contemporary approach to the provision of passive recreation areas. Recognition of sustainable landscaping practices should be incorporated, as well as mention of the need for innovation to maximise the usability of these smaller landscaped spaces.

Conservation Areas

The Masterplan identifies the 4 major conservation areas within the Estate, which are protected by conditions of the projects SEWPAC approval. The plan identifies the use of these areas for conservation and managed passive recreation only, requiring management measures such as defined paths and fencing to maintain conservation values.

The most significant of these areas are the Biodiversity Conservation Areas (BCA) located directly east of Marmion Avenue, occupying an area of approximately 12ha for conservation of Carnaby's Cockatoo habitat. The remaining 2 conservation areas are for the protection of Black Cockatoo and GSM habitat, and are located to the north east of the central cell and at the south western corner of the coastal cell, respectively.

Entry Statements

The Masterplan proposes landscaping of entry points to the Estate to provide an impression of quality to visitors and potential purchasers. The Masterplan ranks the various estate entries as:-

- Primary entry's - Comprised of the 4 major estate entry's from Marmion Avenue and Connolly Drive, which will carry the highest volumes of traffic into and out of the estate.
- Secondary entry's - Neerabup road entry's to the Central and Garden precinct, which will facilitate for slightly reduced traffic volumes.
- Tertiary entry's - Tertiary entry's to the estate are comprised of the 3 local roads connecting to the coastal precinct from the existing Mindarie estate.

The Masterplan proposes a proportionate level of investment in landscaping of estate entry's, from a high standard at primary entry's, to tertiary entry's landscaped with no entry statements or structures.

The Landscape Masterplan should note the City of Wanneroo preference for estate entry statements to avoid structures or signage requiring removal or ongoing maintenance once handed over to the City.

The recommended approach is supported in principle, however it should be noted that approval of entry statements will require detailed explanations to justify the extent of works proposed, demonstrate support by the City of Wanneroo and demonstrate compliance with budget and value for money outcomes.

Public Art

The Masterplan endorses the use of public art to compliment landscaped spaces and create a distinct sense of place and point of difference, which is important in developing Catalina's theme and to connect it to its community.

A range of mediums by which public art can be adopted are mentioned including public facilities, landscaped elements, standalone pieces, interactive structures or interpretative signage. The Masterplan envisages public art incorporated in high profile entry statement locations and conservation areas.

The implementation of public art within the estate is yet to be determined by the Council, and parameters for funding and implementation require definition. The Masterplans recommendation for the placement of public art in high profile locations seeks to achieve maximum exposure, however, positioning a piece of public art as a central feature requires the scale and quality of it, to warrant the location, which can lead to high cost public art features.

Streetscapes

The Masterplan proposes landscaping of streetscapes at two levels; major arterial roads; and internal streets.

Major arterial roads include Marmion Ave, Neerabup Rd and Connolly Drive, and SPG recommend that where these roads dissect or adjoin the site, road verges should be landscaped to provide the impression of a high quality urban environment. Landscaping here is recommended to be undertaken in a sustainable manner ensuring low maintenance requirements.

The approach of sustainable and low maintenance landscaping is consistent with Catalina's objectives and City of Wanneroo requirements, and is supported.

The Masterplan recommends landscaping of internal local roads, selected on an 'as needs' basis depending upon considerations of road hierarchy, connectivity to POS or major thoroughfares, or in highly exposed locations. Elements proposed typically involve landscaping of road medians or verges, and the intention is for the enhancement of the Estate's aesthetic. Where irrigation is required, it is recommended this be initially provided by the TPRC, with connection to adjacent residents in the longer term.

The recommended approach is expected to assist in the identification of unique landscape and present opportunities for innovative outcomes, to compliment the projects sustainability and built form objectives.

Conclusion

The Landscape Masterplan provides high level guidance, representing a contemporary approach to Estate landscaping, also seeks to guide design and development towards achieving sustainable and innovative outcomes. However, the Landscape Masterplan should include stronger statements regarding sustainability targets, particularly in the area of water sensitive landscaping and water usage. The Landscape Masterplan is considered to be a useful instrument for the project and Landscape Architect to deliver spaces which achieve project objectives.

The Masterplan represents a high level strategic document for which detailed costings are inappropriate, however, it should contain a clear statement, confirming that its recommendations have been developed in accordance with the project budget.

The Council is recommended to adopt the Landscape Masterplan, subject to adjustments reflecting the recommendations of this report, to provide high level strategic direction to the project and Landscape Architect, in the design and development of Catalina's Public Open Spaces (POS) and landscaped areas.

At its meeting of 27 September 2012 the Management Committee resolved to recommend that the Council:-

1. RECEIVE the Landscape Masterplan (June 2012), submitted by the Satterley Property Group.
2. ADOPT the Landscape Masterplan (June 2012), for strategic guidance in the design and development of landscaped areas of the Catalina Estate, subject to the following modifications and additions:-
 - a) Recognition of SEWPAC approval, by integration of requirements into the Landscape Masterplan's recommendations for the design and development of landscape works;
 - b) Incorporation of strategic advice on potential beach access and facilities within the foreshore area, including timing and integration;
 - c) Incorporation of the sustainability initiatives contained within the Catalina Greenlink Strategy (EPCAD, 2012);
 - d) Recognition of the Graceful Sun Moth conservation area and SEWPAC requirements within the Western Cell;
 - e) Confirmation that the Masterplan has been developed in accordance with the TPRC project budget, and the ability to implement its recommendation within the allocations provided in the project budget.
 - f) Approval of all entry statements proposals, demonstrating support by the City of Wanneroo, compliance with budget and value for money.
 - g) Inclusion of the Public Art Implementation Plan for the delivery of public art within Phase 1.
3. ACCEPT that Key Performance Indicator – Strategy and Planning; Landscape 3.2.1, requiring the preparation of a Landscape Masterplan by June 2012, has been ACHIEVED by the Satterley Property Group, subject to receipt of a revised document, incorporating the modifications contained under item 2.

9.11 PUBLIC TRANSPORT INITIATIVES STRATEGY

Report Information

Reporting Officer: Senior Project Officer File Reference: 18.121.624.9

Recommendation

That the Council:-

- 1. RECEIVE the Public Transport Initiative Strategy (June 2012), submitted by the Satterley Property Group.**
- 2. ADOPT the Public Transport Initiatives Strategy, for strategic guidance in the integration of public transport services to the Catalina Estate.**
- 3. REQUEST the Satterley Property Group to continue discussions with the Public Transport Authority, to coordinate the delivery of public transport services with occupancy by residents.**
- 4. ACCEPT that Key Performance Indicator – Strategy and Planning; 3.2.2 Public Transport, requiring the preparation of a Public Transport Initiatives Strategy by June 2012, has been achieved by the Satterley Property Group.**

Voting Requirements

Simple Majority

Report Purpose

To consider the Public Transport Initiatives Strategy (June 2012).

Policy Reference

N/A

Local Government Act/Regulation

N/A

Previous Minutes

- Council Meeting – 16 February 2012 (Item 9.5 - Development Managers Key Performance) Indicators
- Council Meeting - 12 April 2012 (Item 9.5 - Development Managers Key Performance) Indicators

Financial/Budget Implications

Nil

Relevant Documents

Appendix: SPG Public Transport Initiatives Strategy, dated June 2012
Available for viewing at the meeting: Development Manager KPI's

Background

At its meeting of 16 February 2012, the Council considered a status report on the Development Managers Key Performance Indicators to February 2012, where it accepted that the Satterley Property Group had satisfied the minimum requirement of 80% achievement of KPI's.

At its meeting held on 12 April 2012, the Council approved revised KPI's, which required delivery of the Public Transport Initiatives Strategy by June 2012.

Comment

In accordance with KPI 3.2.2, the Satterley Property Group (SPG) has prepared a Public Transport Initiatives Strategy (PTIS), which is attached at Appendix 9.11.

The PTIS is a high level document which is not intended to replicate the detailed planning and analysis undertaken within the Catalina Local Structure Plan (LSP), but rather provide high level guidance to the project in the integration public transport services within the Catalina Estate.

The PTIS provides an overview of existing public transport services operating within the built areas surrounding Catalina and the development context of the estate (rollout of subdivision stages and infrastructure), with guidance provided regarding requirements for the commencement of services.

The Strategy recognizes the recommendations of the LSP for long and short term public transport services and recommends actions for implementation. A summary of this discussion is provided below.

Short Term Requirements

The PTIS recognizes that the built up areas surrounding Catalina, are well serviced by bus and rail services, which is reflected in the LSP, and the ability for interim services to be provided by diverting existing bus routes through the estate. This approach enables the principal needs of initial residents to be met by providing connecting services to the Ocean Keys Shopping Centre and Clarkson Train Station.

Diversions are required to occur by late 2013, to cater for initial occupancy of dwellings by residents of the Phase 1 area. The PTA has been consulted during the Phase 1 and subsequent subdivision processes, and is satisfied subdivision designs accommodate for the provision of services.

The Strategy recommends liaison with the PTA be commenced immediately in order to ensure the timely delivery of services. Subsequent to this, the PTA will continue to be informed of the development of the estate via the subdivision process, allowing it to progressively update services.

Long Term Requirements

The Strategy's discussion of long term public transport services within Catalina, recognizes the key role of the Greenlink, which will facilitate efficient services that connect residents to the key activity centres of Clarkson Train Station; Ocean Keys Shopping Centre; and Mindarie Keys Marina.

This structure has been accounted for by PTA planning via the development of the LSP, and ongoing liaison is proposed with the PTA to achieve the optimum outcome for residents.

Conclusion

The Local Structure Plan (LSP) provided a detailed analysis of the functioning of traffic and transportation modes within the estate, including private motor vehicles, public bus and rail services, potential local transit systems and pedestrian and cyclist movement. The integration of these modes into the estate was considered together with integration of land use planning and connection of activity centres and transport destinations.

The LSP analysis of public transport was undertaken to a detailed level, with road cross-section and intersection design options considered to maximise the efficient integration of transportation modes.

The analysis also considered existing and future bus services within surrounding areas and through the estate, including liaison with the Public Transport Authority (PTA), who confirmed support of the LSP interim and long term service recommendations.

The PTIS reinforces the long and short term approaches to public transport services within Catalina presented in the LSP. These reflect a contemporary approach to the provision of services and consistency with the recommendations of Liveable Neighbourhoods.

The strategy provides direction for the integration of initial services to cater for the needs of first residents occupying the Phase 1 area. Following this, the formal subdivision process provides an established and effective means for informing the PTA of progress of the estates development such that adjustments to services can be made.

The Public Transport Initiatives Strategy provided by the Satterley Property Group is considered to provide the necessary high level guidance required for the integration of public transport services to the Catalina Estate.

It is recommended the Public Transport Initiative Strategy dated June 2012 be adopted, and the Council accept that Key Performance Indicator – Strategy and Planning 3.2.2, Public Transport, has been achieved by the Satterley Property Group.

At its meeting of 27 September 2012 the Management Committee resolved to recommend that the Council:-

1. RECEIVE the Public Transport Initiative Strategy (June 2012), submitted by the Satterley Property Group.
2. ADOPT the Public Transport Initiatives Strategy, for strategic guidance in the integration of public transport services to the Catalina Estate.
3. REQUEST the Satterley Property Group to commence discussions with the Public Transport Authority, to coordinate the delivery of public transport services with occupancy by residents.

4. ACCEPT that Key Performance Indicator – Strategy and Planning; 3.2.2 Public Transport, requiring the preparation of a Public Transport Initiatives Strategy by June 2012, has been achieved by the Satterley Property Group.

9.12 CEO PERFORMANCE REVIEW 2012

Report Information

Reporting Officer: Executive Assistant File Reference: 22.118.740.0

Recommendation

That the Council APPROVE the proposal, dated 26 September 2012 for \$3,300 (inc GST) from WALGA Workplace Solutions to assist the Council with the CEO Performance review.

Voting Requirements

Simple Majority

Report Purpose

To consider a proposal from WALGA Workplace Solutions to assist the Council with the CEO Performance review.

Relevant Documents

Appendix: WALGA Workplace Solutions CEO review proposal (dated 26 September 2012). Available for viewing at the meeting: Nil

Policy Reference

Not applicable

Local Government Act/Regulation

Local Government Act requires performance review for the CEO and all employees annually.

Previous Minutes

- Council Meeting – 16 February 2012 (Item 9.12 – CEO Performance Review 2011)

Financial/Budget Implications

Expenditure under this matter will be incurred under item E145452 (Recruitment – Human Resources):

Budget Amount:	\$5,000
Spent to Date:	\$ 0
Balance:	\$5,000

Background

The Council is required to undertake a performance review of the CEO annually. The review is to commence in October, consistent with the engagement date of the CEO.

Comment

Attached at Appendix 9.12 is a proposal from WALGA Workplace Solutions to assist the Council with the CEO Performance review.

It is noted that WALGA Workplace Solutions assisted the Council with the CEO Performance review in 2010 and 2011.

9.13 PAYMENT OF ACCOUNTS & SECURITY OF PAYMENT INSTRUMENTS POLICY REVIEW

Report Information

Reporting Officer: Chief Executive Officer File Reference: 4.127.787.0

Recommendation

That Council APPROVE the Payment of Accounts & Security of Payment Instruments Policy (dated 27 September 2012).

Voting Requirements

Simple Majority

Report Purpose

To request Council to approve modifications to the Payment of Accounts & Security of Payment Instruments Policy consistent with Local Government Regulations.

Relevant Documents

Appendix: Payment of Accounts & Security of Payment Instruments Policy
Available for viewing at the meeting: Nil

Policy Reference

Existing Payment of Accounts & Security of Payment Instruments Policy Adopted April 2006

Local Government Act/Regulation

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

Previous Minutes

N/A

Background

In 2008 the Council approved the Payment of Accounts & Security of Payment Instruments Policy consistent with the Local Government Regulations. In March 2011 minor modifications were made to the Policy.

Comment

There is one change to the policy (Item 1.4(f) – Petty Cash) referencing a new policy dealing with the handling of petty cash.

9.14 INVESTMENT POLICY REVIEW

Report Information

Reporting Officer: Chief Executive Officer File Reference: 4.127.787.0

Recommendation

That the Investment Policy adopted in October 2011 be REAFFIRMED.

Voting Requirements

Simple Majority

Report Purpose

Review of the TPRC Investment Policy.

Relevant Documents

Appendix: Investment Policy
Available for viewing at the meeting: Nil

Policy Reference

- Existing Investment Policy Adopted April 2006 and last reviewed 2011

Local Government Act/Regulation

- Local Government Act - Section 6.14
- Trustees Act 18-21

Previous Minutes

- Audit Committee Meeting – 27 April 2006 (Item 9.5 – Investment Policy)
- Council Meeting – 9 August 2007 (Item 9.13 – Investment Policy)
- Audit Committee Meeting – 14 April 2011 (Item 9.2 – Investment Policy)

Financial/Budget Implications

N/A

Background

The Local Government Act allows investment of funds by local authorities.

Local authorities are required to establish an Investment Policy and to take advice from persons qualified to give independent and expert advice on investment matters.

Comment

The Council's external auditor (Macri & Partners) has consistently undertaken a review of the TPRC's investment practices and procedures, as part of its annual audit, and has been found them to be satisfactory.

TPRC investment practice has been to focus investments on high rated securities. Investment in lower rated securities could potentially produce a slightly higher return for the Council, however, this class of investment would typically have a higher risk profile

The Policy continues to operate satisfactorily, even with prudent practices and investment returns have exceeded budget expectations. It is proposed that the Investment Policy be reviewed in 12 months.

In regard to the above, it is therefore recommended that the Policy adopted by the Council, in 2011 be re-endorsed with one minor change as follows:

- Delete reference to investment in energy generation

9.15 CREDIT CARD POLICY REVIEW

Report Information

Reporting Officer: Chief Executive Officer File Reference: 4.127.787.0

Recommendation

That Council APPROVE the modified Credit Card Policy (dated October 2012) as outlined in Appendix 9.15.

Voting Requirements

Simple Majority

Report Purpose

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

Relevant Documents

Appendix: Credit Card Policy
Available for viewing at the meeting: Nil

Policy Reference

Existing Credit Card Policy Adopted 27 August 2009

Local Government Act/Regulation

Local Government (Financial Management) Regulations 1996, Part 2 (General Financial Management)

Previous Minutes

- Council meeting – 15 October 2009 (Item 9.10 – Credit Card Policy)
- Audit Committee meeting – 14 April 2011 (Item 9.1 – Credit Card Policy)

Financial/Budget Implications

N/A

Background

In October 2009 the Council approved the Credit Card Policy consistent with the Local Government Regulations.

The Policy provides guidelines for the use of corporate credit cards.

Corporate credit cards, properly used, can add flexibility to operations, reduce administration expense and provide a convenient measure to meet and control expenses for intrastate and overseas obligations.

Comment

Changes proposed to the Credit Card Policy enable the effective operation of the TPRC office and more accurately reflect the personnel utilized when using the TPRC credit cards. All reference to 'Finance Manager' has been replaced with 'Chief Executive Officer'.

The updated policy remains comprehensive and provides adequate internal control and operational guidelines for protection of the TPRC corporation while facilitating benefits for TPRC operations and convenience for cardholders.

The updated policy is recommended for adoption.

9.16 PETTY CASH POLICY REVIEW

Report Information

Reporting Officer: Chief Executive Officer File Reference: 4.127.787.0

Recommendation

That the proposed Petty Cash Policy be ADOPTED and scheduled for review in October 2013.

Voting Requirements

Simple Majority

Report Purpose

To propose a Petty Cash Policy to outline cash advances to pay authorised expenditure of a minor nature.

Relevant Documents

Appendix: Petty Cash Policy
Available for viewing at the meeting: Nil

Policy Reference

Proposed Petty Cash Policy (October 2012)

Local Government Act/Regulation

- Local Government Act 1995 – Section 6.10
- Local Government (Financial Management) Regulation 11

Previous Minutes

N/A

Financial/Budget Implications

N/A

Background

The Policy is a new policy to provide guidelines for the use of cash advances to pay authorized expenditure of a minor nature.

Comment

The Petty Cash policy is recommended for adoption.

9.17 CODE OF CONDUCT FOR ELECTED MEMBERS & STAFF

Report Information

Reporting Officer: Chief Executive Officer File Reference: 13.45.188.0

Recommendation

That the revised Code of Conduct of the Tamala Park Regional Council be ADOPTED.

Voting Requirements

Simple Majority

Report Purpose

To review the TPRC code of conduct applicable for councillors and officers.

Relevant Documents

Appendix: TPRC Code of Conduct
Available for viewing at the meeting: Nil

Policy Reference

WALGA Model Code of Conduct (February 2008)

Local Government Act/Regulation

- Local Government Act Section 5.103

Previous Minutes

- Council Meeting – 9 March 2006 (Item 9.2 – TPRC Code of Conduct)
- Council Meeting – 12 April 2007 (Item 9.10 - Code of Conduct – Council Members, Committee Members & Employees – Year 2007 Review)
- Council Meeting – 6 December 2007 (Item 13.5 – Code of Conduct)

Financial/Budget Implications

N/A

Background

Local governments are required to have a code of conduct for guidance of councilors and officers.

In an amendment to the Local Government Act in 2007, provision was made for regulations to be introduced by the Minister for Local Government. These regulations have application for all local governments and came into effect on 20 October 2007.

With the Act amendment section 5.103 was changed to eliminate a requirement that a Council's code of conduct be reviewed within 12 months of each ordinary election.

Notwithstanding the change to statutory review requirements, it is desirable that each new Council review the TPRC code of conduct as the code will have application for Council dealings through the life of the current Council.

The 2007 legislation has a provision that indicates the Minister's code of conduct regulations will take precedence where there is any conflict with a local government's code of conduct.

Comment

A review of the Minister's regulations and the TPRC code of conduct do not disclose any problematic conflict of provisions.

It is suggested that the current Council code of conduct be amended to be in line with the WALGA Code of Conduct Model. The marked up version of the Code of Conduct document is attached at Appendix 9.17.

The updated Code of Conduct document is recommended for adoption.

9.18 PROJECT CONSULTANCY – TOWN PLANNING CONSULTANCY SERVICES TENDER

Report Information

Reporting Officer: Senior Project Officer

File Reference: 1.88.246

Recommendation

That the Council:-

- 1. ACCEPT the Chappell Lambert Everett tender (dated September 2012 for the value of \$622,500) for town planning and urban design consultancy services in accordance with Tender 9/2012 (Town Planning and Urban Design Services, dated September 2012).**
- 2. AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.**

Voting Requirements

Simple Majority

Policy Reference

TPRC Procurement Policy

Local Government Act/Regulation

Local Government Act 1995: Sect 3.57 – Provision of goods and services.

Previous Minutes

Management Committee Meeting – 7th October 2010

Financial Implications

Expenditure for town planning consultancy services will be incurred under the following item:-

Item E145211 (Land Develop – Lot Production):

Budget Amount: \$18,701,849

Spent to Date: \$ 831,470

Balance: \$18,571,965

Expenditure will be accommodated within the above item.

Relevant Documents

Appendix:

- Tender Document 9/2012: Town Planning and Urban Design Services; and
- SPG Town Planning Consultancy Services, Tender Evaluation Report

Available for viewing at the meeting: CLE and GRA Tender Submissions.

Background

At its meeting of 14 October 2010 the Council accepted a tender for Town Planning and Urban Design Consultancy Services submitted by Chappell Lambert Everett, for a two year term, expiring in October 2012.

The TPRC advertised a call for tenders in the West Australian newspaper on 18th August 2012, for the provision of Town Planning and Urban Design Consultancy services to the Catalina project for a 2 year term, with potential for a one year extension at the discretion of the TPRC.

Comment

During the two week tender period, 9 companies obtained a copy of the Town Planning and Urban Design Consultancy Services Tender (9/2012), and 3 were represented at the compulsory project briefing and site inspection.

At the conclusion of the tender period on 3rd September 2012, two tender submissions were received in response to tender 9/2012, from the following companies:-

- Chappell Lambert Everett (CLE); and
- Greg Rowe & Associates (GRA).

Tenders were assessed by an assessment panel comprised of Mr Peter Miller (General Manager – SPG), Mr Justin Crooks (Project Director – SPG) and Mr Wayne Burns (Senior Project Officer – TPRC). The panel assessed tenders against the selection criteria contained within the tender document, in accordance with the guidance provided by the TPRC procurement policy. A copy of the SPG Town Planning Consultancy Services - Tender Evaluation Report is attached under Appendix 9.18.

The key objectives of the Evaluation Process were to:

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

The evaluation of tenders undertaken by the assessment panel resulted in the following scores being attributed to each tender submission:-

TENDER	EVALUATION SCORE
Chappell Lambert & Everett	73.6%
Greg Rowe & Associates	69%

Based on the submission from CLE achieving the highest score of all tenders, SPG has recommended its appointment as project Town Planning Consultants for a period of two years, with potential for a one year extension at the discretion of the TPRC.

SPG has advised CLE's tendered fees whilst high, are within the project budget allocation for town planning consultancy costs and are consistent with market expectations for a company of CLE's capabilities. In this regard, the evaluation of tenders afforded a 30% weighting to fees (selection criteria item 4), the highest of any item to ensure appropriate consideration within the assessment.

Tenders and evaluation reports have been reviewed and are considered to represent a fair and accurate assessment of submissions against the selection criteria.

The fees tendered by CLE are substantially higher than those proposed by GRA, representing an increased cost to the TPRC of \$244,200 over a two year term. The Council's procurement policy states, that where recommendations for higher priced offers are made, there should be clear demonstrable benefits over and above the lowest priced offer.

CLE has led a number of innovations in urban design and sustainability within Perth's metropolitan area, including the small lot housing product produced at the Brighton Estate liaison with the City of Wanneroo to establish regulatory development and building standards and variations, considered particularly relevant to the Catalina Estate, given the prominence of this product type.

The assessment panel held the view that CLE's experience in delivering products that align with the Council's sustainability and built form objectives positioned it favourably to servicing the Catalina development. CLE were considered to possess greater experience and expertise within the City of Wanneroo, than any other town planning consultant known to the selection panel, and personnel designated to the project, were considered to possess greater experience and skills relevant to Catalina, and more established relationships with officers of the City of Wanneroo.

CLE's submission demonstrated superior capabilities both as an organisation and individuals, in key areas of the selection criteria including:-

- Understanding of the project and its key issues;
- Track record in obtaining approvals for masterplanned communities within the City of Wanneroo;
- Experience in implementing leading environmental, sustainability and built form initiatives;
- Experience in managing planning matters associated with masterplanned communities in the City of Wanneroo; and
- Experience of resources allocated to undertake the project scope of works.

CLE are considered to have satisfactorily performed its requirements under the current town planning services contract, and have added value to the project through town planning and urban design work and its contribution to landscape and engineering outcomes.

CLE's service proposal is considered to present a value for money proposal, in accordance with the objectives of the Council's Procurement Policy, and it is recommended to be accepted by the Council.

The Council's Probity Advisor (Stantons International) has reviewed SPGs evaluation report and confirmed it represents a sound procurement process.

9.19 COUNCIL MEETING SCHEDULE 2013

Report Information

Reporting Officer: Chief Executive Officer File Reference: 13.44.657

Recommendation

1. That the schedule of Council meetings dates be **APPROVED** for 2013 as follows:
 - 21 February 2013 (City of Wanneroo)
 - 18 April 2013 (Town of Cambridge)
 - 20 June 2013 (City of Joondalup)
 - 22 August 2013 (City of Stirling)
 - 17 October 2013 (Town of Victoria Park)
 - 19 December 2013 (City of Perth)
2. That the schedule of meeting dates be **ADVERTISED** as required by the Local Government Act.
3. That the commencement time for meetings BE 6.00pm.
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 2013 to facilitate advertising by the LGA.

Relevant Documents

Appendix: Schedule of meetings 2013
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 (13 October 2011) – Item 9.4: Meeting schedule 2012

- 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 6.00pm 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.

9.20 MANAGEMENT COMMITTEE MEETING SCHEDULE 2013

Report Information

Reporting Officer: Chief Executive Officer File Reference: 13.44.657

Recommendation

1. That the schedule of Management Committee meetings dates be **APPROVED** for 2013 as follows:
 - 7 February 2013
 - 4 April 2013
 - 6 June 2013
 - 8 August 2013
 - 3 October 2013
 - 5 December 2013
2. That the schedule of meeting dates be **ADVERTISED** as required by the Local Government Act.
3. That the commencement time for meetings **BE 5.00pm**.
4. That Management Committee meetings be **HELD** at the City of Vincent.

Voting Requirements

Simple Majority

Report Purpose

To set Management Committee meeting dates for 2013 to facilitate advertising by the LGA.

Relevant Documents

Appendix: Schedule of meetings 2013 (refer Appendix 9.19)
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 (13 October 2011) – Item 9.4: Meeting schedule 2012
- 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 classes of meetings where delegated authority 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 noticeboard on each of the participant local governments and publication of each of the libraries of the participant Councils.

Comment

Management Committee meetings are mainly held on a Thursday, two weeks prior to the Council meeting and non-coincident with meetings of the MRC and the North Zone meetings of WALGA. A schedule of Management Committee meeting dates which satisfies the above criteria is shown in Appendix 9.19 and is submitted for approval of the Council.

The Committee has previously set the time for commencement of meeting of 5.00pm as this seems to suit the convenience of most Council members.

Management Committee meetings have previously been held at the City of Vincent and it is proposed that the City of Vincent be the preferred venue in 2013.

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