



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 16 February 2012
City of Joondalup, 7.00pm

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

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
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.

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PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Frank Cvitan Cr Dianne Guise Cr Corinne MacRae Cr Tom McLean Cr David Michael Cr Terry Tyzack Cr Trevor Vaughan Cr Rod Willox
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Cr Geoff Amphlett Cr Eleni Evangel Cr Alannah MacTiernan
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Sandy Biagioni (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group) Mr Justin Crooks (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr John Giorgi (Town of Vincent) Mr Garry Hunt (City of Joondalup) Mr Arthur Kyron (Town of Victoria Park) Mr Ross Povey (City of Stirling) Cr Stephanie Proud (City of Stirling)
In Attendance Participant Councils' Advisers	Mr Lewis Bond (City of Perth) Mr John Paton (City of Wanneroo) Mr Stuart Jardine (City of Stirling) Mr Mike Tidy (City of Joondalup)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 7.00pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Geoff Amphlett; Cr Eleni Evangel and Cr Alannah MacTiernan.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 15 December 2011

Moved Cr D Michael, Seconded Cr D Guise

That the minutes of the Ordinary Meeting of Council of 15 December 2011 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

CEO Performance Review Committee Meeting – 8 December 2011

Moved Cr T Tyzack, Seconded Cr F Cvitan

That the minutes of the CEO Performance Review Committee Meeting of 8 December 2011 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

CEO Performance Review Committee Meeting – 1 February 2012

Moved Cr T Tyzack, Seconded Cr F Cvitan

That the minutes of the CEO Performance Review Committee Meeting of 1 February 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

Management Committee Meeting – 2 February 2012

Moved Cr R Willox, Seconded Cr T Tyzack

That the minutes of the Management Committee Meeting of 2 February 2012 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

The Chairman welcomed all to the meeting and, in particular, the TPRC's new Senior Projects Officer (Mr Wayne Burns) and representatives of the Satterley Property Group (Mr Nigel Satterley, Mr Sandy Biagioni and Mr Justin Crooks).

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9.12 – CEO Performance Review 2011

Item 9.13 – Development Management Agreement – Key People

8. REPORTS OF COMMITTEES

Nil

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 16 FEBRUARY 2012

Moved Cr D Guise, Seconded Cr D Michael

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 16 February 2012.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF DECEMBER 2011 AND JANUARY 2012

Moved Cr T McLean, Seconded Cr R Willox

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 31 December 2011 and 31 January 2012.

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTH OF DECEMBER 2011 & JANUARY 2012

Moved Cr D Michael, Seconded Cr F Cvitan

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of December 2011 and January 2012:

- **Month ending 31 December 2011 (Total \$1,486,878.09)**
- **Month ending 31 January 2012 (Total \$113,764.76)**
- **Total Paid - \$1,600,642.85**

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

9.4 ANNUAL PLAN 2012

Moved Cr C MacRae, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. APPROVE the Annual Plan 2012, dated December 2011, submitted by the Satterley Property Group.**
- 2. ACCEPT that Key Performance Indicators, Strategy and Planning- Strategic Plan requiring the preparation of a Project Annual Plan by March 2012 has been ACHIEVED by the Satterley Property Group.**

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

9.5 DEVELOPMENT MANAGERS – KEY PERFORMANCE INDICATORS

Note: In supporting the motion Cr D Guise notes that in debate of the review it is important to have a KPI that addresses the measurement of the infrastructure costs to ensure best value for money.

The TPRC CEO advised verification of the statements were undertaken by the following 4 measures:

- *Direct evidence (preparation of plans and strategies);*
- *Milestone dates;*
- *Measuring cost items against cashflow; and*
- *KPI's need to be satisfied.*

Moved Cr T Tyzack, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. RECEIVE the Satterley Property Group – Key Performance Indicators 2011 Report.**
- 2. ACCEPT that the Development Manager has achieved 80% of relevant Key Performance Indicators**
- 3. APPROVE the recommendations provided in Appendix 9.5 to amend the Key Performance Indicators, dated January 2012.**
- 4. REQUEST the addition under 'Built Form and Housing' a KPI for the implementation of the sustainability initiatives at each stage of the development and reported annually.**
- 5. REQUEST a review of the KPI's to ensure they are appropriate for each stage of the Project.**

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

9.6 PROJECT FINANCIAL REPORT - DECEMBER – 2011

Moved Cr T Tyzack, Seconded Cr D Guise

[The recommendation in the agenda]

That Council RECEIVE the Project Financial Report – December 2011 submitted by the Satterley Property Group.

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

9.7 STATUS REPORT - STAGE 1 LAND RELEASE TO PRIVATE PURCHASERS – POWER OF ATTORNEY

It was noted that the City of Wanneroo supports the motion but is seeking its own tax advice and will continue to work with the TPRC to have the best advice outcome.

Moved Cr R Willox, Seconded Cr T McLean

[The recommendation in the agenda]

1. **RECEIVE the Status Report - Stage 1 Land Release to Private Purchasers dated 2 February 2012.**
2. **APPROVE the revised Power of Attorney (POA) which relates to that portion of Lot 9504 which is the subject of the Establishment Agreement and to limit the use of the POA to facilitate pre-sales of the lots, signing of any contracts and compliance with section 3.58(3) of the *Local Government Act 1995*.**
3. **REVOKE the previous Power of Attorney granted by the member Local Governments to the TPRC.**

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

9.8 PROJECT CASHFLOW REVIEW – 2012

Moved Cr R Willox, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **RECEIVE the review of the Project Cashflow for the 2011/2012 financial year (dated December 2011) submitted by the Satterley Property Group.**
2. **APPROVE the Development Managers revised cashflow for the 2011/2012 financial year to inform the review of the TPRC budget for 2011/12 which is to be considered by Council at its meeting of 16 February 2012.**

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

9.9 STAGE 2 CIVIL WORKS CONTRACT AWARD

Moved Cr F Cvitan, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **ACCEPT the Catalina Stage 2 Civil works pricing submitted by R J Vincent for the lump sum value of \$2,833,926 excluding GST.**
2. **That the Chairman and the CEO be AUTHORISED to sign and affix the TPRC common seal to the Contracts.**

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

9.10 LOCAL GOVERNMENT COMPLIANCE AUDIT FOR YEAR ENDED 31 DECEMBER 2011

Moved Cr D Michael, Seconded Cr D Guise

[The recommendation in the agenda]

That the Compliance Audit Return for the TPRC for the year ended 31 December 2011 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Executive Director of the Department of Local Government, in accordance with the Local Government Act and Regulations.

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

9.11 TPRC BUDGET REVIEW – 1 JULY 2011 TO 30 JUNE 2012

Moved Cr T McLean, Seconded Cr T Tyzack

[The recommendation in the agenda]

1. **That the report be RECEIVED.**
2. **That the Council APPROVE the following income/expenditure and the TPRC Budget being MODIFIED accordingly:**
 1. **Operating income (Interest) to increase to \$619,000;**
 2. **Income sale of Lots to increase to \$1,949,943;**
 3. **Land and Special Sites (the temporary sales office services) expenditure to increase to \$205,000;**
 4. **Land Development – Landscape expenditure to increase to \$557,608;**
 5. **Land Development - Lot Production (Engineering and survey fees) include expenditure of \$211,000 for design work associated with Stages 4A and 6A;**
 6. **Land Development - Finance include expenditure of \$20,671 for bank fees associated with a \$2 million bank guarantee.**
 7. **Land Development – Infrastructure expenditure to decrease to \$1,568,834; and**
 8. **Land Development – Lot Production expenditure to decrease to \$6,328,871.**

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

Moved Cr D Guise, Seconded Cr D Michael that the meeting move behind closed doors at 7.36pm to allow the CEO Performance Review to be discussed.

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

9.12 CEO PERFORMANCE REVIEW 2011

[The recommendation in the agenda]

That the Annual Appraisal Report and the Remuneration Report submitted by Workplace Solutions be RECEIVED.

Moved Cr D Michael, Seconded Cr F Cvitan an amendment to the recommendation as follows:

- 1. That the Annual Appraisal Report be RECEIVED.**
- 2. That the CEO remuneration package be APPROVED as per the recommendation outlined in the Remuneration Report.**

The Motion for amendment was put and declared CARRIED (9/0).

The Motion as then amended was put and declared CARRIED (9/0).

9.13 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Mr Nigel Satterley was invited to address the Council on the replacement of key personnel at Satterley Property Group and the current condition of the property market.

The Chairman thanked Mr Sandy Biagioni for his efforts in filling in the position until a suitable replacement was sourced.

Moved Cr T Tyzack, Seconded Cr D Michael

[The recommendation in the agenda]

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

Name of Person	Job
Grant Singleton	Senior Project Manager
Sandy Biagioni	Project Director
Name of Replacement Person	Job
Aaron Grant	Senior Project Manager
Justin Crooks	Project Director

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

Moved Cr D Michael, Seconded Cr T McLean that standing orders be reopened and the meeting doors be opened at 7.50pm.

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

The Chairman then announced the recommendations for items 9.12 and 9.13 in turn.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

Item 9.12 – CEO Performance Review 2011

Item 9.13 – Development Management Agreement – Key People

14. GENERAL BUSINESS

Cr G Italiano requested councillors to advise the TPRC CEO of their preferred dates for a site visit. The TPRC CEO will organise small groups to visit the site in turn.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.55pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2012

as a true record of proceedings.

CHAIRMAN