

## **Meeting of Council**

Thursday 9 December 2021

# **MINUTES**

**City of Vincent**

**244 Vincent Street, Leederville WA, 6007**

*Constituent Members:*

*Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo  
Towns of Cambridge and Victoria Park*

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**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Cr Andres Timmermanis	Cr Jane Cutler
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale Cr Bianca Sandri Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

## PRESENT

<b>Chair</b>	Cr Bianca Sandri
<b>Councillors</b>	Cr John Chester Cr Brent Fleeton Cr Nige Jones Cr Tony Krsticevic Cr Karlo Perkov Cr Andres Timmermanis Cr Brett Treby Cr Ashley Wallace
<b>Alternate Members</b>	Cr Claire Anderson
<b>Staff</b>	Mr Jon Morellini (Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Advisor – City of Stirling) Mr Jackson Mawby (Senior Governance Officer – City of Stirling)
<b>Apologies Councillors</b>	Cr Bronwyn Ife Cr Suzanne Migdale Cr Glynis Parker
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr Nigel Satterley (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Mr Alan Abel (Satterley Property Group) Ms Julia Nelson (Satterley Property Group) Mr John Silla (Satterley Property Group)
<b>Apologies Participant Councils’ Advisers</b>	Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Stuart Jardine (City of Stirling) Mr Daniel Simms (City of Wanneroo) Mr John Giorgi (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park)
<b>In Attendance Participant Councils’ Advisers</b>	Mr Stevan Rodic (City of Stirling) Mr David MacLennan (City of Vincent)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## 1. OFFICIAL OPENING

The Chair declared the meeting open at 6:04pm.

Cr Timmermanis made a formal declaration and signed a declaration form to indicate that he agreed to abide by the *Local Government (Model Code of Conduct) Regulations (2021)*.

## DISCLOSURE OF INTERESTS

Nil

## 2. PUBLIC STATEMENT/QUESTION TIME

Nil

## 3. APOLOGIES AND LEAVE OF ABSENCE

**Apologies:** Cr Bronwyn Ife  
Cr Suzanne Migdale  
Cr Glynis Parker

## 4. PETITIONS

Nil

## 5. CONFIRMATION OF MINUTES

Moved Cr Perkov, Seconded Cr Wallace.

**That the minutes of the Ordinary Meeting of Council of 14 October 2021 and the Special Meeting of Council of 4 November 2021 be CONFIRMED as true and accurate records of proceedings.**

The Motion was put and declared CARRIED (10/0).

## 5A. BUSINESS ARISING FROM MINUTES

Nil

## 6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair announced that Item 8.4 was required to be considered by Council prior to the consideration of Item 7.8.

The Chair sought a mover and seconder of a motion to consider Item 8.4.

Moved Cr Treby, Seconded Cr Fleeton.

**That Item 8.4 be BROUGHT FORWARD and CONSIDERED in accordance with Clause 3.2 of the Meeting Procedures Local Law 2006.**

The Motion was put and declared CARRIED (10/0).

#### **8.4 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2020 TO 30 JUNE 2021**

Moved Cr Chester, Seconded Cr Treby.

[The recommendation in the agenda]

**That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2021 and that it be INCLUDED in the Annual Report.**

The Motion was put and declared CARRIED (10/0).

### **7. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 7.1 – 7.15)**

#### **7.1 BUSINESS REPORT – PERIOD ENDING 2 DECEMBER 2021**

Moved Cr Treby, Seconded Cr Timmermanis.

[The recommendation in the agenda]

**That the Council RECEIVES the Business Report to 2 December 2021.**

The Motion was put and declared CARRIED (10/0).

#### **7.2 STATEMENT OF FINANCIAL ACTIVITY FOR OCTOBER 2021**

Moved Cr Treby, Seconded Cr Timmermanis.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 October 2021.**

The Motion was put and declared CARRIED (10/0).

#### **7.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR OCTOBER 2021**

Moved Cr Treby, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for October 2021:  
Total Paid - \$990,097.88**
- 2. APPROVES the CEO Credit Card Statement for October 2021.**

The Motion was put and declared CARRIED (10/0).

#### **7.4 PROJECT FINANCIAL REPORT – OCTOBER 2021**

Moved Cr Timmermanis, Seconded Cr Perkov.

[The recommendation in the agenda]

**That the Council RECEIVES the Project Financial Report (October 2021) submitted by the Satterley Property Group.**

The Motion was put and declared CARRIED (10/0).

#### **7.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 2 DECEMBER 2021**

Moved Cr Timmermanis, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council RECEIVES the Sales and Settlement Report to 2 December 2021.**

The Motion was put and declared CARRIED (10/0).

#### **7.6 PROJECT BUDGET FYE 2022 – MID-YEAR REVIEW**

Moved Cr Chester, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council RECEIVES the FYE 2022 Mid-Year Budget Review, submitted by the Satterley Property Group (November 2021), and that it be used as the basis for financial planning for the TPRC Mid-Year Budget FYE 2022.**

The Motion was put and declared CARRIED (10/0).

#### **7.7 PROJECT FORECAST (2021)**

Moved Cr Timmermanis, Seconded Cr Anderson.

[The recommendation in the agenda]

**That the Council:**

1. **RECEIVES** the Project Forecast (December 2021), submitted by the Satterley Property Group.
2. **APPROVES** the Project Forecast (December 2021), prepared by the Satterley Property Group, for the purposes of project and financial planning.
3. **NOTES** that the Satterley Property Group will provide an annual updated Project Forecast for the Council's consideration as part of the annual Project Budget cycle, being the Budget adoption and mid-year review, typically presented to the June and December Council meetings respectively.

The Motion was put and declared CARRIED (10/0).

## **7.8 ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2021**

Moved Cr Fleeton, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2021.**

The Motion was put and declared CARRIED (10/0).

## **7.9 ELECTED MEMBER ALLOWANCES**

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

**That the Council APPROVES:**

1. **An Annual Allowance for the Chair of the Council to be \$20,063 per annum.**
2. **An Annual Attendance fee for the Chair of the Council to be \$15,839 per annum.**
3. **An Annual Allowance for the Deputy Chair of the Council to be 25% of the amount paid to the Chair per annum.**
4. **An Attendance fee for Council members to be an amount of \$10,560 per annum.**
5. **Council members not being entitled to claim separate telecommunications, IT allowances or travelling allowance to meetings.**
6. **Elected member allowances being made quarterly in arrears.**

The Motion was put and declared CARRIED (10/0).

## **7.10 APPOINTMENT OF ACTING AND TEMPORARY CHIEF EXECUTIVE OFFICER POLICY**

Moved Cr Treby, Seconded Cr Wallace.

[The recommendation in the agenda]

**That the Council APPROVES the Appointment of Acting or Temporary Chief Executive Officer Policy 2021.**

The Motion was put and declared CARRIED (10/0).

## **7.11 AUDIT COMMITTEE AND REVISED COUNCIL MEETING SCHEDULE 2022**

Moved Cr Treby, Seconded Cr Krsticevic.

[The recommendation in the agenda]

1. **That the first two Audit Committee dates be APPROVED for 2022 as follows:**
  - **17 February 2022 (City of Perth)**
  - **14 April 2022 (City of Wanneroo)**
2. **That the following Management Committee date be amended as it falls during Council recess (11-25 July 2022) for 2022 as follows:**
  - **Previous date 21 July 2022 (City of Stirling)**
  - **New date 28 July 2022 (City of Stirling)**
3. **That the following Ordinary Council Meeting date be amended as it falls on a Friday as opposed to the standard Thursday for 2022 as follows:**
  - **Previous date 9 December 2022**
  - **New date 8 December 2022**
4. **That Council NOTES the remaining Audit Committee dates will be advised and scheduled as required during 2022.**
5. **That Council APPROVES the change of name from Audit Committee to Audit and Risk Committee.**
6. **That the schedule of meeting dates be advertised as required by the *Local Government Act 1995*.**

The Motion was put and declared CARRIED (10/0).

## **7.12 APPOINTMENT OF ADDITIONAL MEMBER TO MANAGEMENT COMMITTEE**

Moved Cr Krsticevic, Seconded Cr Fleeton.

[The recommendation in the agenda]

**That in accordance with the provisions of the Local Government Act 1995, Cr Perkov be APPOINTED BY ABSOLUTE MAJORITY to the Management Committee.**

The Motion was put and declared CARRIED (10/0).

### 7.13 ACKNOWLEDGEMENT OF COUNTRY AT COUNCIL MEETINGS

Moved Cr Anderson, Seconded Cr Chester.

[The recommendation in the agenda]

1. **That the Council ADOPTS the practice of giving an Acknowledgement of Country during the preliminaries of each Council meeting.**
2. **That the Acknowledgement of Country take the following form:  
“On behalf of Councillors, we would like to acknowledge the traditional custodians of this land, the Wadjak people of the Nyoongar nation, on which this meeting is taking place and show our respect for Elders past, present and emerging.”.**

The Motion was put and declared CARRIED (8/2).

**For:** Cr Anderson, Cr Chester. Cr Fleeton, Cr Krsticevic, Cr Perkov, Cr Sandri, Cr Treby, Cr Wallace.

**Against:** Cr Timmermanis, Cr Jones.

### 7.14 TPRC RESPONSE TO THE PROPOSED REFORM OF THE LOCAL GOVERNMENT ACT 1995

[The recommendation in the agenda]

That the Council ENDORSES and FORWARDS the TPRC submission regarding the *Local Government Act 1995* proposed reforms to the Department of Local Government, Sport and Cultural Industries by 4 February 2022 and to WALGA by 12 January 2022.

Moved Cr Wallace, Seconded Cr Jones.

[An alternate recommendation]

**That the Council DEFERS consideration of Item 7.14 until the next TPRC Ordinary Council Meeting on 17 February 2022.**

The Motion was put and declared CARRIED (10/0).

### 7.15 STATEMENT OF FINANCIAL ACTIVITY

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 November 2021.

Moved Cr Timmermanis, Seconded Cr Treby.

[An alternate recommendation]

That the Council DEFERS consideration of Item 7.15 to a Special Council Meeting to be held in December 2021, date to be advised.

The Motion was put and declared CARRIED (10/0).

## **8. COMMITTEE REPORTS (ITEMS 8.1 – 8.6)**

### **MANAGEMENT COMMITTEE (11 NOVEMBER 2021)**

#### **8.1 PURCHASER TERMS AND CONDITIONS – CATALINA BEACH AND CATALINA CENTRAL**

Moved Cr Timmermanis, Seconded Cr Wallace.

[The recommendation in the agenda]

**That Council:**

- 1. APPROVES the following Purchaser Terms/Conditions and Incentives for all public and builder release lots in Catalina Beach and Catalina Central for the period December 2021 to August 2022:**
  - 1.1 Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexure.**
  - 1.2 A \$2,000 deposit to be used in the Sales Contracts for lots in Catalina Central and a \$5,000 deposit to be used in the Sales Contracts for lots in Catalina Beach.**
  - 1.3 A finance approval period, where finance is required, of 60 days for lots in Catalina Central and 45 days for lots in Catalina Beach.**
  - 1.4 A 21-day settlement period from finance approval or the issue of titles, whichever is the later.**
  - 1.5 A waterwise landscaping package to the front garden.**
  - 1.6 A \$2,000 rebate for all homes constructed with a minimum 3.0kw capacity photovoltaic solar power system, with an additional \$1,000 rebate paid where the system includes integrated battery storage.**
  - 1.7 Side and rear boundary fencing (behind the building line).**
  - 1.8 A \$1,000 rebate for all homes that include appropriate WELS rated fittings and fixtures.**
  - 1.9 Sales incentives (Items 1.5 – 1.8) subject to homes being constructed in accordance with the approved applicable Design Guidelines within 24 months of settlement for single storey homes and 30 months of settlement for two storey homes.**
- 2. REQUESTS the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for Catalina Beach and Catalina Central lots and provide a report to the Council for consideration in August 2022.**

The Motion was put and declared CARRIED (10/0).

## **AUDIT COMMITTEE (11 OCTOBER 2021)**

### **8.2 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED JUNE 2021**

Moved Cr Treby, Seconded Cr Wallace.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES the Auditor's Report for the financial year ended 30 June 2021.**
- 2. In relation to Item 2 - Presentation of Financial Activity Statement to Council APPROVES the Audit Committee meeting on a bi-monthly basis, on alternative months to Council meetings, to consider Statements of Financial Activity; and that the monthly Statements of Financial Activity be circulated to Council members on a monthly basis.**
- 3. NOTES that the Council's Auditor (Office of the Auditor General) met with the Audit Committee at its meeting of 11 October 2021 to discharge the statutory obligation to meet with the Audit Committee at least once per annum.**

The Motion was put and declared CARRIED (10/0).

## **AUDIT COMMITTEE (1 DECEMBER 2021)**

### **8.3 AUDITOR'S REPORT FYE 2021 – SIGNIFICANT ADVERSE TREND, ASSET SUSTAINABILITY AND OPERATING SURPLUS RATIOS**

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

**That the Council:**

- 1. NOTES the Council Report on Significant Adverse Trend addressing matters identified as significant by the TPRC auditor in the Audit Report FYE 2021, attached at Appendix 8.3.**
- 2. AUTHORISES a copy of the Council Report on Significant Adverse Trend to be forwarded to the Minister for Local Government, Sport and Cultural Industries and be published on the TPRC official website.**

The Motion was put and declared CARRIED (10/0).

### **8.5 PAYMENT OF ACCOUNTS & SECURITY OF PAYMENT INSTRUMENTS POLICY REVIEW**

Moved Cr Wallace, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council APPROVES the Payment of Accounts & Security of Payment Instruments Policy (November 2021).**

The Motion was put and declared CARRIED (10/0).

## **8.6 PETTY CASH POLICY REVIEW**

Moved Cr Krsticevic, Seconded Cr Treby.

[The recommendation in the agenda]

**That the Council APPROVES the Petty Cash Policy (November 2021).**

The Motion was put and declared CARRIED (10/0).

## **9. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

## **10. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN**

Nil

## **11. URGENT BUSINESS APPROVED BY THE CHAIR**

Nil

## **12. GENERAL BUSINESS**

Nil

## **13. DECISION TO MOVE TO CONFIDENTIAL SESSION**

Moved Cr Fleeton, Seconded Cr Perkov.

**That Item 13.1 – Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results Update be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2)(d) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:**

***d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;***

The Motion was put and declared CARRIED (10/0).

At 7:08pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 13.1.

### **13.1 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING RESULTS UPDATE**

Moved Cr Timmermanis, Seconded Cr Treby.

[The recommendation in the agenda]

**That the Council RECEIVES the report on the Mindarie Regional Council Landfill Buffer – Groundwater Monitoring.**

The Motion was put and declared CARRIED (10/0).

Moved Cr Fleeton, Seconded Cr Treby.

**That the meeting be REOPENED to the public.**

The Motion was put and declared CARRIED (10/0).

At 7:14pm the meeting was reopened to the public.

### **14. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 7:15pm.