



Ordinary Meeting of Council

MINUTES

**Thursday 8 October 2020, 6:00pm
City of Wanneroo
23 Dundobar Road, Wanneroo**

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park

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TAMALA PARK REGIONAL COUNCIL

MEMBERSHIP

| OWNER COUNCIL | MEMBER | ALTERNATE MEMBER |
|-----------------------|--|---|
| Town of Cambridge | Cr Andres Timmermanis (DEPUTY CHAIR) | Cr Gary Mack |
| City of Joondalup | Cr John Chester Cr Phillipa Taylor | Cr Christopher May Cr Suzanne Thompson |
| City of Perth | Cmr Andrew Hammond | Cmr Gaye McMath |
| City of Stirling | Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri | Cr Karlo Perkov |
| Town of Victoria Park | Cr Claire Anderson | |
| City of Vincent | Mayor Emma Cole | Cr Joanne Fotakis |
| City of Wanneroo | Cr Brett Treby Cr Domenic Zappa | Cr Natalie Sangalli Cr Vinh Nguyen |

PRESENT

| | |
|---|---|
| Chair | Cr Karen Caddy |
| Councillors | Cr Claire Anderson Cr John Chester Cmr Andrew Hammond Cr Bianca Sandri Cr Brett Treby |
| Alternate Members | Cr Joanne Fotakis |
| Staff | Mr Michael Quirk (Acting Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant) |
| Apologies Councillors | Mayor Emma Cole Cr David Lagan Cr Suzanne Migdale Cr Philippa Taylor Cr Andres Timmermanis Cr Domenic Zappa |
| Leave of Absence | Mr Tony Arias (Chief Executive Officer) |
| Absent | Nil |
| Consultants | Mr Alan Abel (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Ms Renata Steenland (Satterley Property Group) Ms Bryony Yuill (Satterley Property Group) |
| Apologies Participant Councils’ Advisers | Mr Stuart Jardine (City of Stirling) Mr John Giorgi (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr David MacLennan (City of Vincent) |
| In Attendance Participant Councils’ Advisers | Mr Garry Hunt (City of Joondalup) Mr Mat Humfrey (City of Joondalup) Mr Stevan Rodic (City of Stirling) Ms Noelene Jennings (City of Wanneroo) |
| Members of the Public | Nil |
| Press | Nil |

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:13pm and welcomed Cr Fotakis to the Tamala Park Regional Council Meeting.

DISCLOSURE OF INTERESTS

Cr Fotakis advised a Disclosure of Interest – Impartial Interest in relation to Item 10.1 (there has been an association with one of the consultants under the tender).

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Mayor Cole
Cr Lagan
Cr Migdale
Cr Taylor
Cr Timmermanis
Cr Zappa

Leave of Absence: Mr Arias

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 20 August 2020

Moved Cr Treby, Seconded Cr Sandri.

That the minutes of the Ordinary Meeting of Council of 8 August 2020 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (7/0).

5A BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.5 Review of Deliverables – Development Manager’s Key Performance Indicators - Confidential
- 9.6 Key Personnel – Development Manager / Project Resourcing – Confidential
- 9.7 Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Update - Confidential
- 10.1 Built Form Partnership – Stage 18 – Confidential
- 10.2 Catalina Central Local Centre Site – Change of Ownership - Confidential

8. COUNCIL REPORTS 8.1 – 8.6

8.1 BUSINESS REPORT – PERIOD ENDING 24 SEPTEMBER 2020

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 24 September 2020.

The Motion was put and declared CARRIED (7/0).

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 1 OCTOBER 2020

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 1 October 2020.

The Motion was put and declared CARRIED (7/0).

The recommendations for Items 8.2, 8.3, 8.4 and 8.6 were moved and seconded en bloc.

Moved Cr Treby, Seconded Cr Chester.

8.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- 31 July 2020; and
- 31 August 2020.

8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JULY & AUGUST 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority by the CEO for the months of July and August 2020:

- **Month ending 31 July 2020 (Total \$274,849.97)**
- **Month ending 31 August 2020 (Total \$200,189.45)**
- **Total Paid - \$475,039.42**

8.4 PROJECT FINANCIAL REPORT – AUGUST 2020

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (August 2020) submitted by the Satterley Property Group.

8.6 COUNCIL MEETING SCHEDULE 2021

[The recommendation in the agenda]

- 1. That the schedule of Ordinary Council meetings dates be APPROVED for 2021 as follows:**
 - **18 February 2021 (Town of Cambridge)**
 - **15 April 2021 (City of Joondalup)**
 - **17 June 2021 (City of Perth)**
 - **19 August 2021 (City of Stirling)**
 - **14 October 2021 (City of Wanneroo)**
 - **9 December 2021 (City of Vincent)**
- 2. That the commencement time for Council meetings be 6:00pm.**
- 3. That Council meetings be held on a rotational basis at participant Council premises.**
- 4. That the schedule of Management Committee meetings dates be APPROVED for 2021 as follows:**
 - **18 March 2021**
 - **20 May 2021**
 - **15 July 2021**
 - **16 September 2021**
 - **18 November 2021**
- 5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 6:00pm.**
- 6. That the schedule of meeting dates be advertised as required by the *Local Government Act 1995*.**

The Motions were put and declared CARRIED en bloc (7/0).

The recommendations for Items 9.1, 9.2, 9.3 and 9.4 were moved and seconded en bloc.

Moved Cr Sandri, Seconded Cr Fotakis.

9. COMMITTEE REPORTS 9.1 - 9.7

AUDIT COMMITTEE (17 SEPTEMBER 2020)

9.1 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2020

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Auditor's Report for the financial year ended 30 June 2020.**
- 2. In relation to Item 2 - Presentation of Financial Activity Statement of the Audit Report APPROVE 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 (Butler Settineri) met with the Audit Committee at its meeting of 17 September 2020 to discharge the statutory obligation to meet with the Local Government at least once per annum.**

9.2 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2019 TO 30 JUNE 2020

[The recommendation in the agenda]

That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2020 and that it be INCLUDED in the Annual Report.

9.3 FINANCIAL MANAGEMENT – SIGNIFICANT ACCOUNTING POLICIES REVIEW 2020

[The recommendation in the agenda]

That the Council APPROVES the Financial Management – Significant Accounting Policies (September 2020).

MANAGEMENT COMMITTEE (17 SEPTEMBER 2020)

9.4 CATALINA PROJECT WEBSITE

[The recommendation in the agenda]

That the Council NOTES the Satterley Property Group advice dated 20 July 2020 in relation to the Catalina Project website.

The Motions were put and CARRIED en bloc (7/0).

Moved Cr Sandri, Seconded Cr Treby.

That the Meeting be CLOSED to the public.

The Motion was put and declared CARRIED (7/0).

9.5 REVIEW OF DELIVERABLES - DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS – CONFIDENTIAL

Moved Cr Sandri, Seconded Cr Chester.

[The recommendation in the Agenda]

That the Item be held over to the Management Committee meeting of 12 November 2020 and that the Satterley Property group be requested to provide information on the achievement of the measures as required by the revised Development Manager's KPIs, approved 20 February 2020.

The Motion was put and declared CARRIED (7/0).

9.6 KEY PERSONNEL – DEVELOPMENT MANAGER / PROJECT RESOURCING – CONFIDENTIAL

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the Agenda]

That the Council APPROVES the appointment of the following key personnel pursuant to Clause 4.5 of the Development Management Agreement:

| Name of Replacement Person | Position |
|----------------------------|---------------------|
| Julia Nelson | Development Manager |

9.7 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING UPDATE - CONFIDENTIAL

Moved Cr Treby, Seconded Cr Anderson.

That the Council RECEIVES the update on groundwater monitoring.

The Motion was put and declared CARRIED (7/0).

Moved Cr Sandri, Seconded Cr Treby.

That Standing Orders be suspended to allow Confidential Item 10.1 to be discussed.

The Motion was put and CARRIED (7/0).

10.1 BUILT FORM PARTNERSHIP – STAGE 18 – UPDATE - CONFIDENTIAL

Moved Cr Sandri, Seconded Cr Treby.

That Standing Orders be resumed.

The Motion was put and CARRIED (7/0).

[The recommendation in the agenda]

That the Council:

1. NOTES that negotiations with Schlager Group/David Barr Architects/Josh Burns and Associates as the preferred tenderer on Tender 05/19 have failed to reach agreement on satisfactory project management and development arrangements for the Stage 18 grouped housing site.
2. AGREES to cease negotiations with Schlager Group/David Barr Architects/Josh Burns and Associates.
3. ADVISES Schlager Group/David Barr Architects/Josh Burns and Associates of the Council's decision to cease negotiations and EXPRESSES its thanks for their effort in attempting to negotiate a suitable development outcome.
4. REQUIRES the Satterley Property Group to prepare an appropriate subdivision and development option, consistent with the Council's objectives for the Stage 18 site and cognisant of market conditions.

Moved Cr Chester, Seconded Cmr Hammond.

[An Alternative Motion]

That the Council:

1. **AGREES to provide Schlager Group/David Barr Architects/Josh Burns and Associates an additional 14 days to provide the following information to inform the preparation of a Project Plan and Project Budget that sets out satisfactory project management and development arrangements for the Stage 18 grouped housing site including:**
 - i) **Details and pricing of the proposed sustainability initiatives to be incorporated into the development;**
 - ii) **Dwelling design plans that comply with the Catalina Central Design Guidelines; and**
 - iii) **Detailed dwelling construction costs and included specifications.**
2. **In the event that satisfactory information set out in 1. above is not provided CEASES negotiations with Schlager Group/David Barr Architects/Josh Burns and Associates:**

- i) expresses its thanks for their effort in attempting to negotiate a suitable development outcome;
- ii) requires the Satterley Property Group to prepare an appropriate subdivision and development option for the Stage 18 site that is consistent with the Council's objectives, is cognisant of market conditions and provides opportunities to achieve sustainable and innovative built form within the development.

The Motion was put and declared CARRIED (7/0).

10.2 CATALINA CENTRAL LOCAL CENTRE SITE – CHANGE OF OWNERSHIP AND AMENDED CONTRACTUAL TERMS – **CONFIDENTIAL**

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council:

1. **AGREES** to the proposed sale of Lot 646 Aviator Boulevard, Clarkson from Catalina Gateway Site Pty Ltd as trustee for the Catalina Gateway Site Trust to Auswide International Investments (Cardup) Pty Ltd, subject to the latter preparing a deed of agreement setting out suitable development terms including the following construction milestones:
 - i) Amended development application to be submitted by 31 October 2020.
 - ii) Construction of the child care centre to be substantially commenced by 1 May 2021.
 - iii) Practical completion of the entire development within 30 months from 30 November 2020 or the date of settlement of the sale, whichever occurs sooner.
2. **AUTHORISES** the CEO to sign a deed of agreement with Auswide International Investments (Cardup) Pty Ltd to establish suitable contractual terms for the development of Lot 646 Aviator Boulevard, Clarkson.

The Motion was put and declared CARRIED (7/0).

11. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

13. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

14. MATTERS BEHIND CLOSED DOORS

- 9.5 Review of Deliverables – Development Manager’s Key Performance Indicators - Confidential
- 9.6 Key Personnel – Development Manager / Project Resourcing – Confidential
- 9.7 Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Update - Confidential
- 10.1 Built Form Partnership – Stage 18 – Confidential
- 10.2 Catalina Central Local Centre Site – Change of Ownership - Confidential

15. GENERAL BUSINESS

Nil

16. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:33pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2020

as a true record of proceedings.

CHAIR