



Ordinary Meeting of Council

MINUTES

**Thursday 17 October 2019, 6:00pm
City of Vincent
244 Vincent Street, Leederville**

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

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jo McAllister
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Sophie Dwyer Cr Christine Hamilton-Prime
City of Perth	Commissioner Andrew Hammond	Commissioner Gaye McMath
City of Stirling	Cr Karen Caddy Cr Joe Ferrante Cr Giovanni Italiano (CHAIR) Cr Bianca Sandri	Cr Suzanne Migdale
Town of Victoria Park	Cr Claire Anderson	Cr Ronhhda Potter
City of Vincent	Mayor Emma Cole	Cr Jimmy Murphy
City of Wanneroo	Cr Samantha Fenn Cr Brett Treby (DEPUTY CHAIR)	Cr Sonet Coetzee Cr Domenic Zappa

PRESENT

Chair	Cr Giovanni Italiano
Councillors	Cr Claire Anderson Cr Karen Caddy Cr John Chester Mayor Emma Cole Cr Samantha Fenn Cr Joe Ferrante Cr Nige Jones Cr Bianca Sandri (arrived 6:03pm) Cr Brett Treby
Staff	Mr Ben Killigrew (Acting Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cmr Andrew Hammond Cr Andres Timmermanis
Leave of Absence	Mr Tony Arias (Chief Executive Officer)
Absent	Nil
Consultants	Mr Brenton Downing (Satterley Property Group) Mr Charlie Lawlor (Satterley Property Group) Ms Lauren Vidler (Satterley Property Group)
Apologies Participant Councils’ Advisers	Mr Daniel Simms (City of Wanneroo) Mr Murray Jorgensen (City of Perth) Mr Stuart Jardine (City of Stirling) Mr Anthony Vuleta (Town of Victoria Park) Mr John Giorgi (Town of Cambridge)
In Attendance Participant Councils’ Advisers	Mr Garry Hunt (City of Joondalup) Mr Ross Povey (City of Stirling) Mr David MacLennan (City of Vincent) Ms Noelene Jennings (City of Wanneroo)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm. The Chair welcomed Mr Ben Killigrew, Acting CEO to the meeting.

DISCLOSURE OF INTERESTS

Nil at opening of meeting. Cr Sandri confirmed a Disclosure of Interest – Impartial Interest in relation to Item 9.8 before the item.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Andres Timmermanis and Cmr Andrew Hammond

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 15 August 2019

Moved Cr Caddy, Seconded Cr Jones.

That the minutes of the Ordinary Meeting of Council of 15 August 2019 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

Cr Bianca Sandri arrived during discussion on this Item (6:03pm).

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

5A BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

9.17 Development Manager's – Key Performance Indicators – FYE 2019 – Confidential

9.18 Development Management Agreement – Key People – Confidential

8. REPORTS OF COMMITTEES

Audit Committee Meeting –19 September 2019

Cr Sandri, Acting Chair, Audit Committee advised that the Committee had considered a number of reports in particular TPRC Annual Financial Report FYE 2019 and Auditor's Report FYE 2019 and had recommended Council's endorsement as detailed in the reports in Items 9.9 and 9.10.

Management Committee Meeting – 19 September 2019

Cr Treby, Chair, Management Committee advised that the Committee considered a number of Items listed in this Agenda and in particular the Built Form Tender and had recommended Council's endorsement as detailed in Item 9.8.

9.1 BUSINESS REPORT – PERIOD ENDING 3 OCTOBER 2019

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 3 October 2019.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2019

Moved Cr Caddy, Seconded Cr Ferrante.

[The recommendation in the agenda]

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

- **31 July 2019; and**
- **31 August 2019.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JULY & AUGUST 2019

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of July and August 2019:

- **Month ending 31 July 2019 (Total \$182,582.27)**
- **Month ending 31 August 2019 (Total \$909,145.30)**
- **Total Paid - \$1,091,727.57**

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

9.4 PROJECT FINANCIAL REPORT – AUGUST 2019

Moved Cr Treby, Seconded Cr Caddy.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (August 2019) submitted by the Satterley Property Group.

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 3 OCTOBER 2019

Moved Cr Fenn, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 3 October 2019.

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

9.6 REVIEW OF CATALINA SALES OFFICE OPENING HOURS

Moved Cr Sandri, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council:

1. RECEIVES the Satterley Property Group correspondence (4 September 2019) relating to the Catalina Sales Office opening hours and resourcing.
2. APPROVES the Satterley Property Group proposal to modify the opening hours and staff resourcing of the Catalina Sales Office on a six-month trial basis, as detailed in Satterley Property Group correspondence (4 September 2019).
3. REQUESTS the Satterley Property Group provide a report on the approved trial of amended opening hours and staff resourcing of the Sales Office, including advice on northern corridor estates' sales office opening hours, sales against budget and feedback from the public and display builders by June 2020.

The Motion as amended was as follows:

That the Council:

1. **RECEIVES the Satterley Property Group correspondence (4 September 2019) relating to the Catalina Sales Office opening hours and resourcing.**
2. **APPROVES the Satterley Property Group proposal to modify the opening hours and staff resourcing of the Catalina Sales Office on an eight-month trial basis, as detailed in Satterley Property Group correspondence (4 September 2019).**

3. **REQUESTS** the Satterley Property Group provide a report on the approved trial of amended opening hours and staff resourcing of the Sales Office, including advice on northern corridor estates' sales office opening hours, sales against budget and feedback from the public and display builders by June 2020.

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

9.7 SALES - MARKETING CAMPAIGN, OCTOBER 2019 – JANUARY 2020

Moved Cr Caddy, Seconded Cr Ferrante.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Satterley Property Group correspondence (dated 12 August 2019) regarding a Sales and Marketing Campaign involving the offer of a \$10,000 rebate to purchasers who install a solar panels and battery storage system.
2. **APPROVES** participation in the Sales and Marketing Campaign, subject to the following conditions:
 - i) The campaign commencing on 18 October 2019 and concluding on 31 January 2020;
 - ii) The \$10,000 rebate applying to purchasers who install an approved solar panel and battery storage system;
 - iii) The \$10,000 rebate applying only to currently released lots;
 - iv) The \$10,000 rebate will replace the current Catalina solar rebate of \$2,000 for the campaign period, except where a purchaser elects to receive an \$8,000 cash incentive upon settlement in lieu of the solar panel and battery system rebate;
 - v) The Satterley Property Group detailing a satisfactory method for administration of the \$10,000 solar panel and battery system rebate, including the identification of systems that will be eligible and documentary evidence required to receive payment of the rebate; and management of the circumstances where an \$8,000 cash incentive is offered in lieu of the rebate;
 - vi) The rebate being subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.
3. **APPROVES** the use of a \$2,000 referral fee to the Builder's Sales Representative for providing a qualified sales lead that results in the settlement of a lot at Catalina and that this fee be paid directly by the TPRC for the period 18 October 2019 to 31 January 2020.

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

9.8 BUILT FORM TENDER (TENDER 05/2019)

Moved Cr Chester, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council:

- 1. APPROVES Now Living/Terrace (J Corp Pty Ltd) as the preferred tenderer for Tender 05/2019 (Built Form).**
- 2. AUTHORISES the CEO to progress a Project Agreement with Now Living/Terrace (J Corp Pty Ltd) in accordance with Tender 05/2019 (Built Form) and the Now Living/Terrace (J Corp Pty Ltd) Tender submission (dated September 2019).**

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

9.9 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2018 TO 30 JUNE 2019

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2019 and that it be INCLUDED in the Annual Report.

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

9.10 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2019

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Auditor's Report for the financial year ended 30 June 2019.**
- 2. NOTES that the Audit Report does not note or make recommendations on any matter requiring attention from the Annual Audit for the year ended 30 June 2019.**
- 3. NOTES that the Council's Auditor (Butler Settineri) met with the Audit Committee at its meeting of 5 September 2019 to discharge the statutory obligation to meet with the Local Government at least once per annum.**

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

9.11 COUNCIL MEETING SCHEDULE 2020

Moved Cr Fenn, Seconded Cr Anderson.

[The recommendation in the agenda]

1. That the schedule of Ordinary Council meetings dates be APPROVED for 2020 as follows:
 - 20 February 2020 (Town of Cambridge)
 - 16 April 2020 (City of Joondalup)
 - 18 June 2020 (Town of Victoria Park)
 - 20 August 2020 (City of Stirling)
 - 8 October 2020 (City of Wanneroo)
 - 10 December 2020 (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 2020 as follows:
 - 19 March 2020
 - 21 May 2020
 - 16 July 2020
 - 17 September 2020
 - 12 November 2020
5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the *Local Government Act 1995*.

The Motion as amended was as follows:

1. **That the schedule of Ordinary Council meetings dates be APPROVED for 2020 as follows:**
 - **20 February 2020 (Town of Cambridge)**
 - **16 April 2020 (City of Joondalup)**
 - **18 June 2020 (Town of Victoria Park)**
 - **20 August 2020 (City of Stirling)**
 - **8 October 2020 (City of Wanneroo)**
 - **10 December 2020 (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 2020 as follows:**
 - **19 March 2020**
 - **21 May 2020**
 - **16 July 2020**
 - **17 September 2020**
 - **12 November 2020**

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

9.12 PAYMENT OF ACCOUNTS & SECURITY OF PAYMENT INSTRUMENTS POLICY REVIEW

Moved Cr Treby, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council APPROVES the Payment of Accounts & Security of Payment Instruments Policy (July 2019).

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

9.13 CREDIT CARD POLICY REVIEW

Moved Cr Sandri, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council APPROVES the Credit Card Policy (July 2019).

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

9.14 PETTY CASH POLICY REVIEW

Moved Cr Ferrante, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council APPROVES the Petty Cash Policy (July 2019).

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

9.15 PROCUREMENT POLICY REVIEW

Moved Cr Caddy, Seconded Cr Fenn.

[The recommendation in the agenda]

That the Council APPROVES the Procurement Policy (July 2019).

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

9.16 FINANCIAL MANAGEMENT – SIGNIFICANT ACCOUNTING POLICIES REVIEW 2019

Moved Cr Fenn, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council APPROVES the Financial Management – Significant Accounting Policies (August 2019).

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

Moved Cr Treby, Seconded Cr Jones.

That Standing Orders be suspended to allow Confidential Items 9.17 and 9.18 to be discussed behind closed doors.

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

9.17 DEVELOPMENT MANAGER'S – KEY PERFORMANCE INDICATORS – FYE 2019 - CONFIDENTIAL

Moved Cr Caddy, Seconded Cr Fenn.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Satterley Property Group – Key Performance Indicators 2018/2019 Report.**
- 2. ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2019 by the achievement of in excess of the 80% minimum achievement requirement set out in the Development Manager's Key Performance Indicators (2014), having regard to the residential market conditions and economic forces outside of the control of the Development Manager.**
- 3. ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2019 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.**

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

9.18 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE – CONFIDENTIAL

Moved Cr Caddy, Seconded Cr Treby.

[The recommendation in the agenda]

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

Name of Person	Position
Dominique Rain	Sales Representative

Name of Replacement Person	Position
Terry Warby	Sales Representative

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

Moved Cr Treby, Seconded Cr Jones.

That the Meeting be REOPENED to the public.

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

The recommendations for Confidential Items 9.17 and 9.18 were read out as follows:

9.17 DEVELOPMENT MANAGER'S – KEY PERFORMANCE INDICATORS – FYE 2019 - CONFIDENTIAL

That the Council:

1. *RECEIVES the Satterley Property Group – Key Performance Indicators 2018/2019 Report.*
2. *ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2019 by the achievement of in excess of the 80% minimum achievement requirement set out in the Development Manager's Key Performance Indicators (2014), having regard to the residential market conditions and economic forces outside of the control of the Development Manager.*
3. *ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2019 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.*

9.18 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE – CONFIDENTIAL

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

<i>Name of Person</i>	<i>Position</i>
<i>Dominique Rain</i>	<i>Sales Representative</i>

<i>Name of Replacement Person</i>	<i>Position</i>
<i>Terry Warby</i>	<i>Sales Representative</i>

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 CHAIR

Nil

13. MATTERS BEHIND CLOSED DOORS

9.17 *Development Manager's – Key Performance Indicators – FYE 2019 – Confidential*

9.18 *Development Management Agreement – Key People – Confidential*

14. GENERAL BUSINESS

The Chair thanked the Councillors for their efforts over the previous two years and expressed his pleasure in performing his role as Chairman of the TPRC. He thanked the TPRC and the Satterley Property Group for their support.

The Chair and Cr Fenn wished Councillors well with the upcoming local government election.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:14pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2019

as a true record of proceedings.

CHAIR