

Ordinary Meeting of Council

Thursday 8 December 2022

MINUTES

Online Zoom Meeting

*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 Alaine Haddon-Casey	
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 (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) 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

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Brent Fleeton Cr Alaine Haddon-Casey Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker Cr Karlo Perkov (until 7:11pm) Cr Brett Treby Cr Ashley Wallace
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Sonia Starr (Project Support Officer) Ms Vickie Wesolowski (Executive Assistant/Office Manager) Mr Daniel Govus (Senior Governance Officer – City of Stirling)
Apologies Councillors	Nil
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Noel Ryan (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling) Mr James Pearson (City of Joondalup)
In Attendance Participant Councils' Advisers	Mr Kelton Hincks (Town of Cambridge) Mr Mat Humfrey (City of Joondalup) Mr Stevan Rodic (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

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

The Chair informed the Council that Cr Alaine Haddon-Casey had been elected the representative of the Town of Cambridge on Tamala Park Regional Council.

A formal declaration was verbally made by Cr Alaine Haddon-Casey, and a declaration form was signed to indicate that she agreed to abide by the *Local Government (Model Code of Conduct) Regulations (2021)*.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil

3. DISCLOSURE OF INTERESTS

Nil

4. PUBLIC STATEMENT/QUESTION TIME

Nil

5. ANNOUCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair provided Councillors with an overview of TPRC's major milestones and achievements over the 2022 calendar year.

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

Moved Cr Treby, Seconded Cr Jones.

That the minutes of the Ordinary Meeting of Council of 20 October 2022 be CONFIRMED as a true and accurate record of proceedings.

The Motion was put and declared CARRIED (12/0).

7A BUSINESS ARISING FROM MINUTES

Nil

8. ADMINISTRATION REPORTS AS PRESENTED

8.1 BUSINESS REPORT – FOR MONTH ENDING 30 NOVEMBER 2022

Moved Cr Chester, Seconded Cr Ife.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report for the month ending 30 November 2022.

The Motion was put and declared CARRIED (12/0).

8.2 PROJECT FINANCIAL REPORT – OCTOBER 2022

Moved Cr Parker, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (October 2022) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (12/0).

8.3 STATEMENT OF FINANCIAL ACTIVITY FOR OCTOBER 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 October 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR OCTOBER 2022

Moved Cr Migdale, Seconded Cr Treby.

[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 2022:

October 2022 - \$1,755,187.67

2. APPROVES the CEO Credit Card Statement for October 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

8.5 SALES AND SETTLEMENT REPORT – FOR MONTH ENDING 30 NOVEMBER 2022

Moved Cr Migdale, Seconded Cr Treby.
[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report for the month ending 30 November 2022.

The Motion was put and declared CARRIED (12/0) by exception resolution.

8.6 ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2022

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2022.

The Motion was put and declared CARRIED (12/0) by ABSOLUTE MAJORITY.

8.7 APPOINTMENT OF ACTING AND TEMPORARY CHIEF EXECUTIVE OFFICER POLICY

Moved Cr Parker, Seconded Cr Krsticevic.

[The recommendation in the agenda]

That the Council APPROVES the Appointment of Acting or Temporary Chief Executive Officer Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by ABSOLUTE MAJORITY.

8.8 MANAGEMENT COMMITTEE AND REVISED COUNCIL MEETING SCHEDULE 2023

Moved Cr Migdale, Seconded Cr Krsticevic.

That Council:

1. Modify the details of the 2023 TPRC Ordinary Council meetings to the following:

- | | | |
|--------------------|------------------|-----------|
| • 16 February 2023 | City of Stirling | 6pm start |
| • 20 April 2023 | Zoom meeting | 6pm start |
| • 15 June 2023 | City of Stirling | 6pm start |
| • 17 August 2023 | Zoom meeting | 6pm start |
| • 19 October 2023 | City of Stirling | 6pm start |
| • 7 December 2023 | Zoom meeting | 6pm start |

2. Modify the details of the 2023 TPRC Management Committee Meetings to the following:

- | | | |
|---------------------|------------------|-----------|
| • 16 March 2023 | City of Stirling | 6pm start |
| • 18 May 2023 | Zoom meeting | 6pm start |
| • 20 July 2023 | City of Stirling | 6pm start |
| • 21 September 2023 | Zoom meeting | 6pm start |
| • 16 November 2023 | City of Stirling | 6pm start |

3. Hold Strategic Project meetings / workshops during 2023 to discuss key opportunities, risks and project options for the TPRC. These meeting are to be held on the following dates/times:

- | | | |
|--------------------|------------------|-------------------------------------|
| • 16 February 2023 | City of Stirling | After completion of Council Meeting |
| • 15 June 2023 | City of Stirling | After completion of Council Meeting |
| • 19 October 2023 | City of Stirling | After completion of Council Meeting |

The Motion was put and declared CARRIED (12/0) by ABSOLUTE MAJORITY.

Reason for alternative resolution:

To retain Management Committee meetings as they provide a purposeful utility for Councillors to be able to review agenda items prior to Council Meetings and request additional information for the benefit of Council at those Council Meetings. To add Strategic Project Meetings / Workshops to Council's 2023 schedule to provide strategic direction to the CEO on project related matters, and a forum for ideas and feedback.

[The recommendation in the agenda]

That the Council:

1. MODIFY the location details of the TPRC Ordinary Meetings for 2023 to the following:

- | | | |
|--------------------|------------------|-----------|
| • 16 February 2023 | City of Stirling | 6pm start |
| • 20 April 2023 | Zoom meeting | 6pm start |
| • 15 June 2023 | City of Stirling | 6pm start |
| • 17 August 2023 | Zoom meeting | 6pm start |
| • 19 October 2023 | City of Stirling | 6pm start |
| • 7 December 2023 | Zoom meeting | 6pm start |

2. DISBAND the Management Committee of TPRC.

3. HOST TPRC Strategy and Project Advisory Meeting in-lieu of Management Committee noting that:

- The Advisory Meetings are not formal meetings of the TPRC under the provisions of S5.8 of the *Local Government Act 1995*.
- The intent/purpose of the Advisory Meetings is to:
 - Receive updates on key project matters including the development of special sites, land access and approval matters, land and housing market conditions and/or other matters of relevance to the strategic direction of the TPRC.
 - Workshop strategies/options related to land release, staging and development of the TPRC land estate.

- Review opportunities for innovation and best practice in line with the TPRC's Strategic Community Plan Objectives of Built Environment, Natural Environment, Social Development, Economic Development and Governance and Corporate Accountability.
 - All TPRC Councillors are invited to attend Advisory Meetings.
 - The TPRC Strategy and Project Advisory meetings will have no Delegated Authority to make any decision/s on behalf of the TPRC Council.
 - The TPRC Strategy and Project Advisory meetings will be internal meetings of the organisation and, as such, generally not advertised or open to the public.
4. Hold TPRC Strategy and Project Advisory Meetings on the following dates:
- 16 March 2023 Zoom meeting 6pm start
 - 18 May 2023 Zoom meeting 6pm start
 - 20 July 2023 Zoom meeting 6pm start
 - 21 September 2023 Zoom meeting 6pm start
 - 16 November 2023 Zoom meeting 6pm start
5. REQUEST that the TPRC Delegated Authority Register be updated and re-presented to Council with references to the TPRC Management Committee removed from the register.

9. COMMITTEE REPORTS

MANAGEMENT COMMITTEE (17 NOVEMBER 2022)

9.1 PROJECT BUDGET FYE 2023 – MID YEAR REVIEW

Moved Cr Migdale, Seconded Cr Parker.

[The recommendation in the agenda]

That the Council RECEIVES the Mid-Year Project Budget FYE 2023 Review, submitted by the Satterley Property Group (November 2022), and that it be used as the basis for financial planning, including for the Mid-Year TPRC Budget FYE 2023 Review.

The Motion was put and declared CARRIED (12/0).

9.2 PROPOSED ACQUISITION OF WAPC LAND

Moved Cr Parker, Seconded Cr Wallace.

[The recommendation in the agenda]

That the Council:

1. **NOTE the delays in the TPRC's proposed acquisition of 10.2209 ha of land (Part Lot 711) from the State Government in Catalina Green.**
2. **NOT actively pursue the acquisition of Part Lot 711 from the State Government in the short/medium term.**

3. **REQUEST that alternative staging plans for Catalina Green be presented to the TPRC Council whereby Part Lot 711 is potentially developed as the final component of Catalina Green.**

The Motion was put and declared CARRIED (12/0).

AUDIT AND RISK COMMITTEE (17 NOVEMBER 2022)

9.3 REVIEW OF PROCUREMENT POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Procurement Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.4 REVIEW OF ELECTED MEMBER TRAINING POLICY

Moved Cr Treby, Seconded Cr Migdale.

That Council APPROVES the Elected Member Training Policy (November 2022) and NOTES that the TPRC's website provides a link to each member local government's website where the policy, training, and reporting requirements in respect of each of the TPRC's Councillors is provided.

The Motion was put and declared CARRIED (12/0) by ABSOLUTE MAJORITY.

9.5 REVIEW OF SPONSORSHIP POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Sponsorship Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.6 REVIEW OF RECORDKEEPING POLICY

Moved Cr Migdale, Seconded Cr Jones.

That the Council APPROVES the Recordkeeping Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by exception resolution.

9.7 REVIEW OF ELECTED MEMBER CONFERENCE ATTENDANCE POLICY

Moved Cr Chester, Seconded Cr Migdale.

That the Council APPROVES the Elected Member Conference Attendance Policy (November 2022).

The Motion was put and declared CARRIED (12/0) by ABSOLUTE MAJORITY.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

13. GENERAL BUSINESS

Nil

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Jones, Seconded Cr Ife.

That:

1. **Item 14.1 – TPRC LANDHOLDING AND OWNERSHIP** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) 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; and

e) A matter that if disclosed would reveal –

i) information that has commercial value to a person; or

ii) information about the business, professional, commercial or financial affairs of a person.

Where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).

2. **Item 14.2 – MINDARIE REGIONAL COUNCIL GROUNDWATER MONITORING UPDATE** be **CONSIDERED** Behind Closed Doors in accordance with Sections 5.23(2)(c) and (e) *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(c) A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and

- (e) *A matter that if disclosed would reveal –*
- i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*
3. **Item 14.3 – REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*
4. **Item 14.4 – CEO PERFORMANCE REVIEW PROCESS AND KEY PERFORMANCE INDICATORS** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
- (c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and*
 - (e) *A matter that if disclosed would reveal –*
 - i) *information that has commercial value to a person; or*
 - ii) *information about the business, professional, commercial or financial affairs of a person.*

The Motion was put and declared CARRIED (12/0).

At 6:42pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

14.1 TPRC LANDHOLDING AND OWNERSHIP UPDATE

Moved Cr Fleeton, Seconded Cr Parker.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(d) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (12/0).

14.2 MINDARIE REGIONAL COUNCIL GROUNDWATER MONITORING UPDATE

Moved Cr Chester, Seconded Cr Wallace.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (12/0).

Councillor Perkov left the room at 7:11pm.

14.3 REVIEW OF TPRC RISK MANAGEMENT FRAMEWORK

Moved Cr Treby, Seconded Cr Parker.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (11/0).

14.4 CEO PERFORMANCE REVIEW PROCESS AND KEY PERFORMANCE INDICATORS

Moved Cr Migdale, Seconded Cr Treby.

That the Council:

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

The Motion was put and declared CARRIED (10/1).

For: Councillors Fleeton, Haddon-Casey, Ife, Jones, Krsticevic, Migdale, Parker, Sandri, Treby, and Wallace.

Against: Councillor Chester.

Moved Cr Fleeton, Seconded Cr Treby.

That the meeting be REOPENED to the public.

The Motion was put and declared CARRIED (11/0).

At 7:17pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:17pm.