

Ordinary Meeting of Council

Thursday, 22 June 2023

MINUTES

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 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

Chair	Cr Bianca Sandri
Deputy Chair	Cr Suzanne Migdale
Councillors	Cr John Chester Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker Cr Karlo Perkov Cr Brett Treby Cr Ashley Wallace
Alternate Members	Nil
Staff	Mr Chris Adams (Chief Executive Officer) Mr Simon O’Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Officer – City of Stirling)
Apologies Councillors	Cr Brent Fleeton
Leave of Absence	Nil
Absent	Cr Alaine Haddon-Casey
Consultants	Mr Alex Maguire (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
Apologies Participant Councils’ Advisers	Mr Stuart Jardine (City of Stirling) Mr Mat Humfrey (City of Joondalup) 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)
In Attendance Participant Councils’ Advisers	Ms Noelene Jennings (City of Wanneroo) Mr Greg Bowering (City of Wanneroo) Mr Stevan Rodic (City of Stirling) Mr Gary Tuffin (Town of Cambridge)
Members of the Public	Nil
Press	Nil

OFFICIAL OPENING

The Chair declared the meeting open at 6:01pm.

1. APOLOGIES AND LEAVE OF ABSENCE

Councillor Tony Krsticevic requested a leave of absence for the period 30 August 2023 to 18 October 2023 inclusive.

Councillor Suzanne Migdale requested a leave of absence for the period 9 July 2023 to 20 July 2023 inclusive.

Councillor Karlo Perkovic requested a leave of absence for the period 9 July 2023 to 13 August 2023 inclusive.

Councillor Bianca Sandri requested a leave of absence for the period 6 August 2023 to 11 September 2023 inclusive.

Moved Cr Wallace, Seconded Cr Ife.

That Council APPROVES:

1. **Councillor Tony Krsticevic's request for a leave of absence for the period 30 August 2023 to 18 October 2023 inclusive.**
2. **Councillor Suzanne Migdale's request for a leave of absence for the period 9 July 2023 to 20 July 2023 inclusive.**
3. **Councillor Karlo Perkovic's request for a leave of absence for the period 9 July 2023 to 13 August 2023 inclusive.**
4. **Councillor Bianca Sandri's request for a leave of absence for the period 6 August 2023 to 11 September 2023 inclusive.**

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

DISCLOSURE OF INTERESTS

Councillor Bianca Sandri disclosed an impartial interest in Item 14.2 as Emerge and Plan E are known to her business.

2. PUBLIC STATEMENT/QUESTION TIME

Nil.

3. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil.

4. PETITIONS

Nil.

5. CONFIRMATION OF MINUTES

6.1. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Krsticevic.

That the Council CONFIRMS and the Chair signs the minutes from the Ordinary Meeting of Council held 20 April 2023 as a true and accurate record of proceedings.

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

6. BUSINESS ARISING FROM MINUTES

Nil.

7. ADMINISTRATION REPORTS AS PRESENTED

8.1. BUSINESS REPORT – MONTH ENDING 31 MAY 2023

Moved Cr Chester, Seconded Cr Jones.

That the Council RECEIVES the Business Report for the month ending 31 May 2023.

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

8.2. STATEMENT OF FINANCIAL ACTIVITY - APRIL 2023

Moved Cr Chester, Seconded Cr Migdale.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 April 2023.

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

8.3. LIST OF MONTHLY ACCOUNTS SUBMITTED - APRIL 2023

Moved Cr Migdale, Seconded Cr Wallace.

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for April 2023 - \$12,447,070.38.**
- 2. APPROVES the CEO Credit Card Statement for April 2023.**

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

8.4. STATEMENT OF FINANCIAL ACTIVITY - MAY 2023

Moved Cr Migdale, Seconded Cr Wallace.

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 May 2023.

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

8.5. LIST OF MONTHLY ACCOUNTS SUBMITTED - MAY 2023

Moved Cr Migdale, Seconded Cr Wallace.

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for May 2023 - \$2,744,030.31.**
- 2. APPROVES the CEO Credit Card Statement for May 2023.**

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

8.6. PROJECT FINANCIAL REPORT - APRIL 2023

Moved Cr Migdale, Seconded Cr Wallace.

That the Council RECEIVES the Project Financial Report (April 2023) submitted by the Satterley Property Group.

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

8.7. SALES AND SETTLEMENT REPORT – MONTH ENDING 31 MAY 2023

Moved Cr Chester, Seconded Cr Migdale.

That the Council RECEIVES the Sales and Settlement Report for the month ending 31 May 2023.

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

8.8. ESTABLISHMENT AGREEMENT – UPDATE ON AMENDMENT

Moved Cr Migdale, Seconded Cr Krsticevic.

That the Council:

- 1. NOTE the status of proposed amendments to the TPRC Establishment Agreement and the associated works program with the proposed change of organisational name from Tamala Park Regional Council to Catalina Regional Council.**
- 2. SELECT Concept 4 as the preferred logo/corporate identity for the newly named Catalina Regional Council.**

During debate Cr Krsticevic removed his support as the recommendation's seconder.

Moved Cr Migdale, Seconded Cr Ife.

That the Council:

- 1. NOTE the status of proposed amendments to the TPRC Establishment Agreement and the associated works program with the proposed change organisational name from Tamala Park Regional Council to Catalina Region Council.**
- 2. SELECT Concept 4 as the preferred logo/corporate identity for the new named Catalina Regional Council.**

The Motion was put and declared CARRIED (5/5).

For: Councillors Ife, Jones, Migdale, Parker and Treby.

Against: Councillors Chester, Krsticevic, Perkov, Sandri and Wallace.

Casting Vote For: Councillor Sandri.

8.9. SCOPING STUDY – TPRC AND MRC COLLABORATION OPPORTUNITIES

Moved Cr Treby, Seconded Cr Parker.

That the Council APPROVE co-funding a Scoping Study with the Mindarie Region Council that explores options, opportunities, risks, costs and impediments for potential greater collaboration and/or resource sharing between the two Local Government authorities.

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

8.10. PROPERTY CONGRESS 2023: TPRC ATTENDANCE

Moved Cr Jones, Seconded Cr Ife.

That the Council APPROVES Cr Nige Jones' attendance at the 2023 Property Congress in Adelaide from 11 - 13 September 2023.

The Motion was put and declared CARRIED (5/5).

For: Councillors Chester, Ife, Jones, Migdale, Perkov.

Against: Councillors Krsticevic, Parker, Sandri, Treby, Wallace.

Casting Vote For: Councillor Sandri.

9. COMMITTEE REPORTS

AUDIT and RISK COMMITTEE (19 JUNE 2023)

9.1. FINANCIAL MANAGEMENT REVIEW

Moved Cr Treby, Seconded Cr Krsticevic.

That the Council:

- 1. RECEIVES the Moore Australia Financial Management Review (June 2023) the TPRC financial management systems and procedures in accordance with *Local Government (Financial Management) Regulations*.**
- 2. NOTES the recommended changes to the TPRC financial management systems and procedures in accordance with the Moore Australia Financial Management Review (June 2023).**

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

9.2. REVIEW OF LOT PRICING POLICY

Moved Cr Treby, Seconded Cr Krsticevic.

That Council ADOPTS the Lot Pricing Policy (June 2023).

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

9.3. REVIEW OF FRAUD AND CORRUPTION PREVENTION POLICY

Audit and Risk Committee Recommendation

That the Council DELETES the Fraud and Corruption Prevention Policy.

Moved Cr Migdale, Seconded Cr Parker.

That the Council REVIEWS the Fraud and Corruption Prevention Policy.

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

MANAGEMENT COMMITTEE (18 MAY 2023)

9.4. PROJECT BUDGET FYE 2024 (MAY 2023)

Moved Cr Migdale, Seconded Cr Krsticevic.

That the Council APPROVES the Project Budget FYE 2024 (May 2023), submitted by the Satterley Property Group, including the updated long-term Project Forecast to be used for the purposes of project and financial planning and as the basis for preparation of the TPRC Budget FYE 2024.

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

9.5. NEERABUP ROAD BUS UNDERPASS AND SUPPORTING ROAD NETWORK

Moved Cr Treby, Seconded Cr Parker.

That the Council:

1. **COMMITTS** to funding the design and construction of the remaining future Clarkson train station to Mindarie Marina bus route road network with Catalina by FYE 2025, subject to reasonable design and construction cos being achieved.
2. **INFORMS** the Perth Transport Authority of its plans to achieve 1. above and **ADVOCATES** that it allocate funds to construct the Neerabup Road bus underpass in FYE 2025.

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

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. GENERAL BUSINESS

Nil.

14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Treby, Seconded Cr Krsticevic.

That:

1. Item 14.1 - **REVIEW OF DEVELOPMENT MANAGER APPOINTMENT TO STAGE 4** 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 local government and which relates to a matter to be discussed at the meeting;
 - e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

2. **Item 14.2 – LANDSCAPE ARCHITECTURE CONSULTANCY SERVICES – REQUEST FOR MUTUAL TERMINATION OF CURRENT CONTRACT AND TENDER OF NEW CONTRACT (TENDER 02/2023) 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 local government and which relates to a matter to be discussed at the meeting;
 - e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

3. **Item 14.3 – ANNUAL MARKETING PLAN FYE 2024 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 local government and which relates to a matter to be discussed at the meeting;
 - e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

4. **Item 14.4 – REPORT ON IMPLEMENTATION – 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 local government and which relates to a matter to be discussed at the meeting;
 - e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

5. **Item 14.5 – ANNUAL PLAN FYE 2024 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 local government and which relates to a matter to be discussed at the meeting;
 - e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

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

At 6:55pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

14.1. CONFIDENTIAL: REVIEW OF DEVELOPMENT MANAGER APPOINTMENT TO STAGE 4

Moved Cr Chester, Seconded Cr Treby.

That the Council:

1. **ACCEPTS** that Satterley Property Group Pty Ltd has substantially performed and observed its obligations under the Development Management Agreement (2010) for Stage 3 of the Catalina Project for the period up to May 2023.
2. **APPROVES** the appointment of Satterley Property Group Pty Ltd as the Development Manager to Stage 4 of the Catalina Project as shown on the amended Staging Plan (2021), noting that:
 - a) a portion of the Stage 4 area will not be available for development until the landfill site buffer and associated development impediments affecting land in Catalina Central are resolved and the Western Australian Planning Commission-owned land in Catalina Green is acquired;
 - b) the Chief Executive will seek to negotiate with Satterley tailored sales commission fees for the sale of strategic development sites in the Stage 4 area as a variation to fee arrangements under the Development Management Agreement (2010) given the likelihood that these sites will be sold through alternative sales methods that vary from the approach typically employed with individual lot sales.
3. **PROVIDES** written notice to Satterley Property Group Pty Ltd of Points 1 and 2 above in accordance with the Development Management Agreement (2010).

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

14.2. CONFIDENTIAL: LANDSCAPE ARCHITECTURE CONSULTANCY SERVICES – REQUEST FOR MUTUAL TERMINATION OF CURRENT CONTRACT AND TENDER OF NEW CONTRACT (TENDER 02/2023)

Moved Cr Chester, Seconded Cr Migdale.

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 (10/0).

14.3. CONFIDENTIAL: ANNUAL MARKETING PLAN FYE 2024

Moved Cr Migdale, Seconded Cr Chester.

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 (10/0).

14.4. CONFIDENTIAL: REPORT ON IMPLEMENTATION - 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 (10/0).

14.5. CONFIDENTIAL: ANNUAL PLAN FYE 2024

Moved Cr Migdale, 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 (10/0).

Moved Cr Migdale, Seconded Cr Treby.

That the meeting be REOPENED to the public.

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

At 7:12pm the meeting was reopened to the public.

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:13pm.