



TAMALA PARK
REGIONAL COUNCIL

Ordinary Meeting of Council

MINUTES

Thursday 11 February 2010
Town of Cambridge, 5.30pm

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES THE
FOLLOWING
COUNCILS:

Town of Cambridge
City of Joondalup
City of Perth
City of Stirling
Town of Victoria Park
Town of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Mayor Simon Withers	
City of Joondalup	Mayor Troy Pickard Cr Geoff Amphlett	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Leonie Getty Cr John Italiano Cr David Michael Cr Stephanie Proud	
Town of Victoria Park	Mayor Trevor Vaughan	
Town of Vincent	Mayor Nick Catania	
City of Wanneroo	Cr Dianne Guise Cr Glynis Monks	Mayor Jon Kelly Cr Brett Treby

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLG is preparing an amendment to rectify this situation.

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PRESENT

Chairman	Cr John Italiano
Councillors	Cr Nick Catania Cr Eleni Evangel Cr Leonie Getty Cr Dianne Guise Cr David Michael (from 5.36pm) Cr Glynis Monks Cr Stephanie Proud Cr Trevor Vaughan Cr Simon Withers
Alternate Members	Nil
Staff	Tony Arias (Chief Executive Officer) Kylie Jeffs (Minute Clerk)
Apologies Councillors	Cr Geoff Amphlett Cr Troy Pickard
Leave of Absence	Nil
Absent	Nil
Consultants	Murray Casselton (TPG – Town Planning Group) Brett Wood Gush (TPG – Town Planning Group) from 5.47pm
Apologies Participant Councils' Advisers	Mr Jason Buckley (Town of Cambridge) Mr John Giorgi (Town of Vincent) Mr Garry Hunt (City of Joondalup) Mr Daniel Simms (City of Wanneroo)
In Attendance Participant Councils' Advisers	Mr Lewis Bond (City of Perth) Mr Mark Dickson (City of Wanneroo) Mr Arthur Kyron (Town of Victoria Park) Mr Jason Lyon (Town of Cambridge) Mr Ross Povey (City of Stirling) Mr Mike Tidy (City of Joondalup) Mr Jeremy Thompson (City of Wanneroo)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 5.35pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Geoff Amphlett and Cr Troy Pickard.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 9 December 2009

Moved Cr S Proud, Seconded Cr T Vaughan

That the minutes of the Ordinary Meeting of Council of 9 December 2009 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Acknowledgement and thanks was given to the outgoing councillors (Cr Bill Stewart, Cr Paul Collins, Cr Tracey Roberts, Cr Bob Smithson, Cr Michele John).

A certificate of appreciation is to be created to acknowledge the time and effort put in by all outgoing councillors in the future.

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

8. REPORTS OF COMMITTEES

Nil

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 31 JANUARY 2010

Moved Cr N Catania, Seconded Cr D Guise

[The recommendation in the agenda]

That the Business Report to 31 January 2010 be RECEIVED.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF DECEMBER 2009 AND JANUARY 2010

Moved Cr L Getty, Seconded Cr D Michael

[The recommendation in the agenda]

- 1. That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 31 December 2009 and 31 January 2010.**
- 2. That an amount of \$1,700 be WRITTEN OFF from debtor account Marlene Anderton having been previously paid – not cashed – reverted as a debtor account and recommended for write off by auditors in audit of the TPRC accounts for the year ended 30 June 2009.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF DECEMBER 2009 AND JANUARY 2010

Moved Cr L Getty, Seconded Cr S Proud

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the month of December 2009 and January 2010:

- Month ending 31 December 2009 (Total \$46,769.17)**
- Month ending 31 January 2010 (Total \$26,822.61)**
- Total Paid \$73,591.78**

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

Moved Cr J Italiano, Seconded Cr D Michael that item 9.7 be discussed before Item 9.4 on the agenda.

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

Mr Murray Casselton (TPG) and Mr Brett Wood Gush (TPG) were invited to participate in the discussion of item 9.7 at 5.38pm.

Moved Cr D Guise, Moved Cr S Proud

That the meeting be closed for discussion on item 9.7 at 5.40pm.

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

Moved Cr S Withers, Seconded Cr S Proud

That the meeting continue in open session at 6.25pm.

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

9.7 TPRC STRUCTURE PLAN STATUS UPDATE

Moved Cr N Catania, Seconded Cr E Evangel

[The recommendation in the agenda]

1. **That the Council RECEIVE the status report in relation to the TPRC Structure Plan.**
2. **That the Council APPROVE the deletion of the proposed freeway off-ramp from the Structure Plan and consequential minor modifications and continue to progress the current Structure Plan.**

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

For: Cr N Catania, Cr E Evangel, Cr L Getty, Cr J Italiano, Cr D Michael, Cr S Proud, Cr T Vaughan, Cr S Withers

Against: Cr D Guise, Cr G Monks

Mr Murray Casselton and Mr Brett Wood Gush departed the meeting at 6.30pm

9.4 PROJECT STEERING COMMITTEE

[The recommendation in the agenda]

That Council MODIFY the Terms of Reference of the Project Steering Committee as follows:

- a. To finalise the Call for Expressions of Interest for a Partner/Alliance for the TPD in accordance with Appendix 9.5.
- b. To issue the Call for Expressions of Interest for a Partner/Alliance.
- c. To conduct the Selection Process and make recommendation to the Council on the preferred Partner/Alliance.
- d. Appoint consultants necessary to assist it in relation to items 1, 2 and 3.
- e. To provide regular confidential updates on progress to the Council.
- f. That the Project Steering Committee COMPRISE a minimum of four members.
- g. That in accordance with the provisions of the Local Government Act 1995, APPOINTS BY ABSOLUTE MAJORITY the following four Council members to the Project Steering Committee:

Members:

1. Cr
2. Cr
3. Cr

4. Cr

Moved Cr S Proud, Seconded Cr D Monks

That the recommendation be amended as follows:

That Council MODIFY the Terms of Reference of the Project Steering Committee as follows:

- a. To finalise the Call for Expressions of Interest for a Partner/Alliance for the TPD in accordance with Appendix 9.5.
- b. To issue the Call for Expressions of Interest for a Partner/Alliance.
- c. To conduct the Selection Process and make recommendation to the Council on the preferred Partner/Alliance.
- d. Appoint consultants necessary to assist it in relation to items 1, 2 and 3.
- e. To provide regular confidential updates on progress to the Council.
- f. That the Project Steering Committee COMPRISE a minimum of four members.
- g. That in accordance with the provisions of the Local Government Act 1995, APPOINTS BY ABSOLUTE MAJORITY the following five Council members to the Project Steering Committee:

Members:

1. Cr D Guise (nominated by G Monks, seconded by E Evangel)
2. Cr S Withers (nominated by N Catania, seconded by E Evangel)
3. Cr T Vaughan (nominated by N Catania, seconded by L Getty)
4. Cr N Catania (nominated by T Vaughan, seconded by S Withers)
5. Cr J Italiano (nominated by N Catania, seconded by S Proud)

The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

9.5 PARTNERING/ALLIANCE PROPOSAL

Moved Cr D Guise, Seconded Cr T Vaughan

[The recommendation in the agenda]

That Council APPROVE the framework for the Call for Expressions of Interest for a Partner/Alliance for the TPD in accordance with Appendix 9.5.

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

9.6 MINDARIE REGIONAL COUNCIL BUFFER

Moved Cr L Getty, Seconded Cr G Monks

[The recommendation in the agenda]

1. Advise the MRC that it **NOTES** the pull-back of the buffer zone is as follows:
 - Current – buffer approximately 250m north of the lease boundary;
 - 31 December 2010 – buffer approximately 150m north of the lease boundary;
 - 31 December 2015 – buffer approximately 100m north of the lease boundary;
 - 31 December 2016 – buffer pulled back to the lease boundary; and
 - 31 January 2021 – (landfill closed) – no buffer zone required.
2. That the MRC **ADHERE** to revised buffer program and that the MRC acknowledge that these are minimum targets.
3. Should DEC require additional buffers then the current MRC works program will need to be **REVISED** to maintain the current pull-back of the buffer zone.
4. **REQUEST** the MRC to complete the contour of the northern face of the landfill as quickly as possible so that treatment of that face and rehabilitation can be undertaken on a staged basis to provide the best opportunity possible to change the aesthetic presentation of the northern area of the landfill viewable from the TPRC development.
5. **REQUEST** MRC to undertake immediate works to stabilise the northern stockpile and implement a landscape plan.

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

9.7 TPRC STRUCTURE PLAN STATUS UPDATE

Item 9.7 was discussed after Item 9.3 on the agenda.

9.8 GRACEFUL SUN MOTH SURVEY – SYRINX CONSULTANCY

Moved Cr L Getty, Seconded Cr E Evangel

[The recommendation in the agenda]

1. That the Council **APPROVE** the commissioning of a Graceful Sun Moth survey by Syrinx Environmental for \$27,148.77 for the TPD.
2. That the Council **APPROVE** a modification to the budget of \$27,148.77 for the Graceful Sun Moth survey by Syrinx Environmental.

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

9.9 UDIA 2010 NATIONAL CONGRESS

Moved Cr E Evangel, Seconded Cr S Proud

[The recommendation in the agenda]

That the CEO be AUTHORISED to attend the 2010 Urban Development Institute of Australia National Congress in Sydney to be held on 8-10 March 2010.

Moved Cr L Getty, Seconded Cr N Catania

That the recommendation be amended as follows:

That the CEO and Chairman be AUTHORISED to attend the 2010 Urban Development Institute of Australia National Congress in Sydney to be held on 8-10 March 2010.

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

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

9.10 ENVIRONMENTAL PROTECTION & BIODIVERSITY CONSERVATION ACT – INFORMATION REFERRAL

Moved Cr N Catania, Seconded Cr L Getty

[The recommendation in the agenda]

- 1. That the Council APPROVE the referral of the Structure Plan and Environmental Management Plan to the Department of Environment, Water, Heritage and the Arts, subject to the completion of the required environmental surveys.**
- 2. That the Council APPROVE a modification to the budget of \$30,000, associated with Item (1) within the amount allocated for consultancy expenses.**

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

9.11 DELEGATION AUTHORITY

[The recommendation in the agenda]

- 1. That Delegation 7 of the Delegation Register 2009/10 be MODIFIED to include environmental, marketing, probity, lawyers and engineering consultants.**
- 2. That a new delegation (number 21) be ADDED to the Delegation Register 2009/10 to authorise the CEO to write off unrepresented cheques (within a 15 month period) to the value of \$20,000.**

Moved Cr T Vaughan, Seconded Cr G Monks

That the recommendation be amended as follows:

- 1. That Delegation 7 of the Delegation Register 2009/10 be MODIFIED to include environmental, marketing, probity, lawyers and engineering consultants.**
- 2. That a new delegation (number 21) be ADDED to the Delegation Register 2009/10 to authorise the CEO to write off unrepresented stale cheques to the value of \$20,000.**

The Motion for amendment was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

The Motion as then amended was put and declared CARRIED BY ABSOLUTE MAJORITY (10/0).

9.12 LOCAL GOVERNMENT COMPLIANCE AUDIT FOR YEAR ENDED 31 DECEMBER 2009

Moved Cr N Catania, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Compliance Audit Return for the TPRC for the year ended 31 December 2009 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Executive Director as required by the Local Government Act and Regulations.

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

9.13 TPRC BUDGET REVIEW – 1 JULY 2009 TO 30 JUNE 2010 AT 11 FEBRUARY 2010

Moved Cr L Getty, Seconded Cr S Proud

[The recommendation in the agenda]

1. **That the report be RECEIVED.**
2. **That the Council APPROVE the following expenditure and the budget being MODIFIED accordingly:**

• Level 2 Flora Survey	\$ 15,000
• Graceful Sun Moth Survey	\$ 28,000
• EPBC Act Management	\$ 30,000
• Structure Plan Modifications	\$ 30,000
• Lawyers	\$ 30,000
• EOI Consultancy	\$ 30,000
• Probity Auditor	<u>\$ 30,000</u>
Total	\$193,000

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

9.14 TPRC POTENTIAL NEW OFFICE PREMISES

Moved Cr S Proud, Seconded Cr D Michael

[The recommendation in the agenda]

1. **That the City of Stirling be REQUESTED to approve in principle the use of the office located at 369 Scarborough Beach Road, Innaloo for the TPRC office and to provide detail on leasing and outgoings.**
2. **That the Council AGREE that preliminary plans be drawn up to establish that the proposed office can accommodate TPRC requirements.**

The Motion was put and declared CARRIED (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 CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. GENERAL BUSINESS

The Deputy Chairman thanked the CEO for organising and conducting the recent site tour and Cr Proud for kindly driving the other 4WD vehicle on the tour. It was agreed the tour was a worthwhile exercise.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2010

as a true record of proceedings.

CHAIRMAN