



# MINUTES

## ORDINARY COUNCIL MEETING

TIME: 5.30PM

9 December 2010

VENUE – Town of Victoria Park

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*Managing waste and recovering resources responsibly*

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



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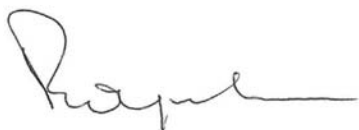
**MINDARIE REGIONAL COUNCIL  
NOTICE OF MEETING**

26 November 2010

Councillors of the Mindarie Regional Local Government are respectfully advised that an Ordinary Meeting of the Council will be held in the Council Chambers of the Town of Victoria Park, 99 Shepparton Road, Victoria Park, at 5.30pm on 9 December 2010.

The business papers pertaining to the meeting follow.

Your attendance is requested.



**KEVIN POYNTON**  
Chief Executive Officer

**MINDARIE REGIONAL COUNCIL - MEMBERSHIP**

Cr J Bissett (John)	Town of Victoria Park
Cr D Boothman (David)	City of Stirling
Cr R Butler (Rob)	City of Perth
Cr S Cooke (Sharon)	City of Stirling
Cr S Farrell (Steed)	Town of Vincent
Cr R Fishwick (Russ)	City of Joondalup
Cr L Gray JP (Laura)	City of Wanneroo
Cr K Hollywood (Kerry)	City of Joondalup
Cr D Newton JP (Dot)	City of Wanneroo
Cr C MacRae (Corinne)	Town of Cambridge
Cr J Robbins (Jason)	City of Stirling
Cr B Stewart (Bill)	City of Stirling

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MINDARIE REGIONAL COUNCIL HELD IN THE COUNCIL CHAMBERS OF THE TOWN OF VICTORIA PARK, 99 SHEPPERTON ROAD, VICTORIA PARK, WESTERN AUSTRALIA ON 9 DECEMBER 2010 COMMENCING AT 5.30PM.**

**PRESENT: Chairman**

Cr R Fishwick  
Cr J Bissett (arrived 5.45 pm)  
Cr D Boothman  
Cr R Butler (arrived 5.55 pm)  
Cr S Cooke  
Cr S Farrell (arrived 5.37 pm)  
Cr L Gray JP  
Cr K Hollywood  
Cr C MacRae  
Cr D Newton JP  
Cr J Robbins  
Cr B Stewart (arrived 5.35 pm)

**APOLOGIES:**

Nil

**ABSENT:**

Nil

**IN ATTENDANCE:**

Mindarie Regional Council Officers

K F Poynton  
K Dhillon  
C Gibson  
L Nyssen  
M Tolson

Chief Executive Officer

Member Council Officers

E Albrecht  
K Caple  
C Colyer  
G Eves  
D Forster  
J Giorgi  
M Glover  
G Hunt  
R Lotznicker  
D Simms  
S Spinks  
A Vuleta

Consultants

I Watkins  
J Woodhouse

**VISITORS:**

Cr Hayes  
R Brown

**MEDIA:**

Nil

**PUBLIC:**

One

Confirmed by resolution of the Council on 24 February 2011.

.....Chairman

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<b>1</b>	<b>OATHS/AFFIRMATIONS OF ALLEGIANCE AND DECLARATIONS OF OFFICE</b>
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Nil

<b>2</b>	<b>QUESTION TIME</b>
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Nil

<b>3</b>	<b>ATTENDANCE AND APOLOGIES</b>
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Refer page 3.

<b>4</b>	<b>MINUTES</b>
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<b>4.1</b>	<b>ORDINARY COUNCIL MEETING – 28 OCTOBER 2010</b>
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The Minutes of the Ordinary Council Meeting held on 28 October, 2010 have been printed and circulated to members of the Council.

**MOTION: (Moved: Cr Newton      Seconded: Cr MacRae)**

**RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting of Council held on 28 October 2010 be taken as read, confirmed and the Chairman invited to sign same as a true record of the proceedings.**

*(Carried: 8/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins

<b>5</b>	<b>ANNOUNCEMENTS</b>
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The Chairman welcomed guests, including Cr Keith Hayes (Town of Victoria Park), Mr John Woodhouse (Woodhouse Legal) and Ms Rebecca Brown (WALGA).

The Chairman thanked elected members, the MRC administration and Council Officers for their work during 2010, and issued all the compliments of the season.

<b>6</b>	<b>DEPUTATIONS</b>
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Nil

<b>7</b>	<b>BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY</b>
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Nil

<b>8</b>	<b>REPORTS</b>
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Mr Watkins declared a financial interest in Items 8.1.4 and 8.4.1

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<b>8.1 CHIEF EXECUTIVE OFFICER</b>
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**8.1.1**

**File No: FIN/5-02**

**SUBJECT: FINANCIAL STATEMENTS FOR THE PERIOD ENDED  
30 SEPTEMBER 2010 TO 31 OCTOBER 2010**

**MOTION: (Moved: Cr MacRae Seconded: Cr Robbins)**

Council tasked the CEO with provision of information on the current investment plan for OCM February 2011.

**COUNCIL RECOMMENDATION**

**That the Financial Statements as attached at Attachment One and Two for the months ended 30 September 2010 and 31 October 2010 be noted.**

*(Carried: 8/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins

Cr Stewart arrived at 5.35 pm.

**8.1.2**

**File No: FIN/5-02**

**SUBJECT: LIST OF PAYMENTS MADE FOR THE MONTHS ENDED  
30 SEPTEMBER 2010 TO 31 OCTOBER 2010**

**MOTION: (Moved: Cr Boothman Seconded: Cr MacRae)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council endorse the list of payments made, as per the delegation made to the Chief Executive Officer, for the months ended 30 September 2010 and 31 October 2010.**

*(Carried: 9/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart

Cr Farrell arrived at 5.37 pm.

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**8.1.3**

**File No: COR/8**

**SUBJECT: BUSINESS REPORT (FOR THE PERIOD 1 OCTOBER 2010 – 12 NOVEMBER 2010)**

**MOTION: (Moved: Cr Newton                      Seconded: Cr MacRae)**

Data on usage at RRF Education Centre, in response to a question provided as follows:

- 9 groups through, mostly adult groups including the Waste and Recycling Conference tour group.
- About half of all tours to RRF go to the Visitors Centre (last 3 months).
- Work still being done to displays which has limited our access this year.
- Looking to promote the Visitors Centre heavily to next year's tour groups. New tours brochure now in circulation.

The Chairman advised Council of a plan to readvertise the position of Project Manager, in early 2011, in response to a question.

The CEO advised of progress on identification of a facilitator for review of MRC Strategic Plan, in response to a question.

Mr Dhillon explained that the additional bales / residue tonnage to landfill (Agenda p63 Chart 3 refers) was due to additional residue material from the RRF.

**COUNCIL RECOMMENDATION**

**That Council receive this progress report for the period 1 October, 2010 – 12 November 2010 against Annual Business Plan 2010/2011.**

*(Carried: 10/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell

Cr Bissett arrived at 5.45 pm

**8.1.4**

**File No: WST/13-02**

**SUBJECT: RESOURCE RECOVERY FACILITY UPDATE REPORT FOR THE PERIOD 30 SEPTEMBER 2010 – 10 NOVEMBER 2010**

**MOTION: (Moved: Cr Farrell                      Seconded: Cr Gray)**

Councillors expressed concern re ongoing relatively low waste diversion from RRF.

Councillors noted ongoing work with respect to Industrial Special Risk Insurance, and the proposed approach to review the entire insurance plan in early 2011.

Councillors noted the plan to present a washdown facility proposal to OCM February 2011. Council agreed for member Council CEOs and SPC Officers to be added to the distribution list for PAG papers.

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Cr Butler arrived at 5.55 pm.

**COUNCIL RECOMMENDATION**

**That Council note the RRF update report for the period 30 September 2010 to 10 November 2010.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

**8.1.5**

**File No: ENV/1-02**

**SUBJECT: GROUNDWATER MANAGEMENT UPDATE REPORT**

**MOTION: (Moved: Cr Stewart      Seconded: Cr Boothman)**

Additional information, as a result of Councillor questions as follows:

- Borehole Placement
  - Location of monitoring boreholes at Tamala Park were placed as advised by CSIRO
  - DEC recommended to MRC and CSIRO to reduce or rationalise the number of the older bores used to collect groundwater data; however, to continue to collect data from all of the new monitoring bores located at the Tamala park northern boundary. In the rationalisation of the older bores, none will be physically removed
- Impact of Excessive Analyte levels in Groundwater
  - Depending on the leachate levels a number of options are available:
    1. Low analyte levels could be resolved through natural attenuation (natural dilution by groundwater)
    2. High or excessive analyte levels would be resolved through engineered remediation (removing the analytes from the groundwater)
- MRC has engaged the services of Heggies Pty Ltd (a renowned environment consultant) to investigate and report on the status of the Tamala Park groundwater situation in regard to leachate plume direction, concentrations and how best to rectify the analyte levels. A draft report will be presented by Heggies early 2011.

**COUNCIL RECOMMENDATION**

**That Council receive this Groundwater Management report based on CSIRO Groundwater Monitoring Report – 2010, for information.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

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**8.1.6**

**File No: FIN/112**

**SUBJECT: MRC BUSINESS PLANNING – FINANCIAL YEAR 2011/2012**

**MOTION: (Moved: Cr Stewart Seconded: Cr Butler)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council approves the plan for MRC Business Planning – FY2011/2012.**

*(Carried: 12 /0 )*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins,  
Stewart, Farrell, Butler, Bissett

**8.1.7**

**File No: GVR/10**

**SUBJECT: REGIONAL COUNCILS / WALGA RELATIONSHIPS – PARTNERSHIP AGREEMENT**

**MOTION: (Moved: Cr Boothman Seconded: Cr Newton)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council approve the proposed Partnership Agreement between WALGA and Regional Councils, described at Attachment One to this Item.**

*(Carried: 12/0 )*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins,  
Stewart, Farrell, Butler, Bissett

**8.1.8**

**File No: LAW/2-02**

**SUBJECT: DRAFT MRC STANDING ORDERS LOCAL LAW 2010**

**MOTION: (Moved: Cr Stewart Seconded: Cr Butler)**

Council agreed editorial amendments to the draft Standing Orders:

- Agenda page 128, clause 4.2(3)
    - Insert: CEO to sit beside presiding person
  - Agenda page 129, clause 4.8(3)
    - Insert: Presiding person can move a motion without vacating Chair
  - Agenda page 122, clause 3.1
    - Delete: sub-clause (i)
  - Agenda page 133, clause 5.9(2)
    - Amend content
-

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Council noted the plan to produce a reference document containing footnotes following approval to the Standing Orders.

**COUNCIL RECOMMENDATION**

**That Council:**

- (i) under section 3.16 of the Local Government Act 1995, the Council proposes to repeal the Mindarie Regional Council Standing Orders Local Law 2000 and to replace with a proposed new local law to be adopted under section 3.12
- (ii) under section 3.12 of the Act, Statewide public notice is to be given that the MRC proposes to make the Mindarie Regional Council Standing Orders Local Law 2010 as set out in Attachment 1
- (iii) notes that the matter will be referred back to the Council after the last day for submissions in relation to the proposed new local law

*(Carried: 12 /0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

**8.1.9**

**File No: COR/1**

**SUBJECT: DELEGATED AUTHORITY – CHIEF EXECUTIVE OFFICER**

**MOTION: (Moved: Cr Hollywood Seconded: Cr MacRae)**

**MRC OFFICER RECOMMENDATION**

**That Council APPROVE the Instrument of Delegation to the Chief Executive Officer (Attachment One of this Item).**

The Mover and Seconder agreed the following:

- 2.3 (Agenda page 151)
  - re-word of ' All investments to be' etc
- Amendment to the Motion to demonstrate decision to review delegations at 2.1 (Agenda page 149), and provision of subsequent report to OCM February 2011

**COUNCIL RECOMMENDATION**

**That Council APPROVE the Instrument of Delegation to the Chief Executive Officer (Attachment One of this Item), with the exception of Delegation 2.1 which is to be reviewed, and reported to Council at its OCM February 2011.**

Noting requirement Absolute Majority Voting

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

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**8.1.10**

**File No: COR/1**

**SUBJECT: DELEGATED AUTHORITY - CEO**

**MOTION: (Moved: Cr Stewart      Seconded: Cr Cooke)**

Nil discussion

**COUNCIL RECOMMENDATION**

That in accordance with Section 5.42 of the Local Government Act 1995, the Chief Executive Officer be delegated authority by an **ABSOLUTE MAJORITY** to exercise the powers and duties of the Council, other than those referred to in Section 5.43 of the Act from 9 December 2010 to 24 February 2011:

- (i) in relation to general matters, where the recommendation is for an item of business of a general nature, a majority of all Elected Members are in agreement
- (ii) a report summarising the items of business dealt with by delegated authority is submitted for information to the Council meeting to be held on 24 February 2011

Noting requirement Absolute Majority Voting

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

**8.1.11**

**File No: COR/10**

**SUBJECT: MINDARIE REGIONAL COUNCIL MEETING DATES FOR 2011**

**MOTION: (Moved: Cr Butler      Seconded: Cr Newton)**

Council noted contingency to conduct at least one more meeting at City of Stirling, prior to that Council's withdrawal from MRC.

**COUNCIL RECOMMENDATION**

That Council adopt the following schedule for Ordinary Council Meetings for Year 2011:

- 24 February 2011 (City of Perth)
- 28 April 2011 (City of Wanneroo)
- 7 July 2011 (City of Stirling)
- 25 August 2011 (Town of Vincent)
- 13 October 2011 (City of Perth)
- 8 December 2011 (Town of Victoria Park)

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

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<b>8.2 STRATEGIC PROJECTS COMMITTEE MINUTES</b>
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**8.2.1**

**File No: GOV/28/05**

**MOTION: (Moved: Cr Boothman Seconded: Cr Robbins)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council receive Minutes of Strategic Projects Committee meeting of 29 September, 2010 for information.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

**8.2.2**

**File No: GOV/28/05**

**MOTION: (Moved: Cr Cooke Seconded: Cr Gray)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council receive Minutes of Strategic Projects Committee meeting of 22 October 2010 for information.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

**8.2.3**

**File No: GOV/28/05**

**MOTION: (Moved: CR Gray Seconded: Cr Farrell)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council receive Minutes of Strategic Projects Committee meeting of 19 November 2010 for information.**

*(Carried: 12 /0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

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<b>8.3 AUDIT COMMITTEE MINUTES</b>
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**8.3.1**

**File No: GOV/28/03**

**MOTION: (Moved: Cr Stewart                      Seconded: Cr Butler)**

Nil discussion.

**COUNCIL RECOMMENDATION**

**That Council approve recommendations 5.1, 5.2, 5.3 and 5.4 from Audit Committee Meeting Minutes of 24 November 2010 as follows:**

- (i) the Audit Committee recommends that the Council adopts the Annual Report, including the Financial Statements for year ended 30 June 2010.**
- (ii) the Audit Committee note the unsigned Auditors Report.**
- (iii) the Audit Committee note the Chief Executive Officer will sign the Statement of Declaration in line with the Local Government (Financial Management) Regulations 1996 Section 51.1 on behalf of Mindarie Regional Council.**
- (iv) the Audit Committee note the auditor's management letter issued upon completion of the 2009/2010 audit**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

Closure of meeting to the Public.

**MOTION: (Moved: Cr Boothman   Seconded: Cr Cooke)**

**That Council, in accordance with Section 5.23(2)(e)(ii) of the Local Government Act 1995, resolves to close the meeting to members of the public to consider Item 8.4.1 as these Items contains information that has a commercial value to a person and which relates to a matter to be discussed at the meeting.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

<b>8.4 CONFIDENTIAL ITEMS</b>
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**8.4.1**

**File No: EST/2-02**

**SUBJECT: LANDFILL GAS CONTRACT REPORT**

**MOTION: (Moved: Cr Farrell                      Seconded: Cr Butler)**

Council noted that no plan existed for a further extension beyond this three year extension.

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## **COUNCIL RECOMMENDATION**

### **That Council:**

- (i) **note that the MRC Administration will not be going out for tender at this stage for the establishment of a new Landfill Gas Contract at the end of the term of the current contract as authorised at the OCM 22 April, 2010**
- (ii) **approve the Business Plan for the purpose of giving statewide public notice under the Local Government Act and to consider any submissions and whether to proceed with the transaction for a 3 year extension to the current landfill Gas and Power Lease and Licence Agreement, including some clause changes, at the next available meeting**

*(Carried: 12 /0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

Meeting Open to the Public.

**MOTION: (Moved: Farrell                      Seconded: Butler)**

**That Council reopens the meeting of members of the public and in accordance with clause 12.7(3) of the Standing Orders Local Law the person presiding is to cause the motions passed by the Council whilst it was proceeding behind closed doors to be read out including the vote of members to be recorded in the minutes.**

*(Carried: 12/0)*

For: Cr Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Robbins, Stewart, Farrell, Butler, Bissett

The Chairman read the motion to the meeting.

<b>9        NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING</b>
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Nil.

<b>10       GENERAL BUSINESS - SEE NOTE (1)</b>
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Nil.

<b>11       NEXT MEETING</b>
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11.1    Ordinary Council Meeting

- 24 February 2011
- 5.30pm
- City of Perth

<b>12       CLOSURE - MEETING DECLARED CLOSED AT 6.25PM</b>
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## MINUTES

### SPECIAL COUNCIL MEETING

16 DECEMBER 2010

TIME – 8 AM

VENUE – TOWN OF VINCENT

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*Managing waste and recovering resources responsibly*

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



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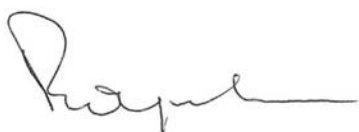
**MINDARIE REGIONAL COUNCIL  
NOTICE OF MEETING**

13 December 2010

Councillors of the Mindarie Regional Local Government are respectfully advised that a Special Meeting of the Council will be held in the Council Chambers of the Town of Vincent, 244 Vincent Street, Leederville, at 8.00am on Thursday 16 December 2010.

The business papers pertaining to the meeting follow.

Your attendance is requested.



**KEVIN POYNTON**  
Chief Executive Officer

**MINDARIE REGIONAL COUNCIL - MEMBERSHIP**

Cr J Bissett (John)	Town of Victoria Park
Cr D Boothman (David)	City of Stirling
Cr R Butler (Rob)	City of Perth
Cr S Cooke (Sharon)	City of Stirling
Cr S Farrell (Steed)	Town of Vincent
Cr R Fishwick (Russ)	City of Joondalup
Cr L Gray (Laura)	City of Wanneroo
Cr K Hollywood (Kerry)	City of Joondalup
Cr D Newton (Dot)	City of Wanneroo
Cr C MacRae (Corinne)	Town of Cambridge
Cr J Robbins (Jason)	City of Stirling
Cr B Stewart (Bill)	City of Stirling

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**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE MINDARIE REGIONAL COUNCIL HELD IN THE COUNCIL CHAMBERS OF THE TOWN OF VINCENT, 244 VINCENT STREET, LEEDERVILLE, WESTERN AUSTRALIA ON THURSDAY 16 DECEMBER 2010 COMMENCING AT 8.04AM.**

**PRESENT: Chairman**

Cr R Fishwick  
Cr J Bissett  
Cr D Boothman (arrived 8.06am)  
Cr R Butler  
Cr S Cooke  
Cr S Farrell  
Cr L Getty JP (arrived 8.20am)  
Cr L Gray JP (arrived 8.06am)  
Cr K Hollywood  
Cr C MacRae  
Cr D Newton JP

**APOLOGIES:**

Cr J Robbins

**ABSENT:**

Cr Stewart

**IN ATTENDANCE:**

Mindarie Regional Council Officers

K F Poynton  
K Dhillon  
K van Son  
L Nyssen

Chief Executive Officer

Member Council Officers

D Forster  
J Giorgi  
M Glover  
A Kyron  
S Spinks

Consultants

J Woodhouse

**VISITORS:**

Nil

**MEDIA:**

Nil

**PUBLIC:**

Nil

Confirmed by resolution of the Council on 24 February 2011

.....Chairman

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<b>4</b>	ANNOUNCEMENTS	N/A	P6
<b>5</b>	DEPUTATIONS	N/A	P6
<b>6</b>	BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY	N/A	P6
<b>7</b>	REPORTS <i>(Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item)</i>	N/A	P6
<b>7.1</b>	PROVISION OF EXPERT VALUATION SERVICES	LEG/15	P6-8
<b>8</b>	NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING	N/A	P8
<b>9</b>	NEXT MEETING	N/A	P8

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10	CLOSURE	N/A	P8
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<b>1</b>	<b>OATHS/AFFIRMATIONS OF ALLEGIANCE AND DECLARATIONS OF OFFICE</b>
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Nil

<b>2</b>	<b>QUESTION TIME</b>
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Nil

<b>3</b>	<b>ATTENDANCE AND APOLOGIES</b>
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Refer page 3.

<b>4</b>	<b>ANNOUNCEMENTS</b>
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Nil

<b>5</b>	<b>DEPUTATIONS</b>
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Nil

<b>6</b>	<b>BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY</b>
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Nil

<b>7</b>	<b>REPORTS</b>
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Nil Declaration of Financial/Conflict of Interest received for Item 7.1.

Closure of meeting to the Public.

**MOTION: (Moved: Cr Hollywood Seconded: Cr Bissett)**

**That Council, in accordance with Section 5.23(2)(c) and (d) of the Local Government Act 1995, resolves to close the meeting to members of the public to consider Item 7.1.**

*(Carried: 8/0)*

For: Cr Fishwick, Cooke, Hollywood, MacRae, Newton, Farrell, Butler, Bissett

<b>7.1</b>	<b>PROVISION OF EXPERT VALUATION SERVICES</b>
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**MOTION: (Moved: Cr Farrell Seconded: Cr Cooke)**

**MRC OFFICER RECOMMENDATION**

That Council:

- (i) accept the tender from Price Waterhouse Cooper (PWC) for Tender 13/113 Provision of Expert Valuation Services at a cost of \$90,000 (excluding GST)
  - (ii) authorise the Chief Executive Officer to approve contract variations for up to 50% of the contracted price (\$45,000)
-

- 
- (iii) approve the allocation of up to \$135,000 as unbudgeted expenditure for Financial Year 2010/2011

Cr Gray and Cr Boothman arrived at 8.06am.

#### **AMENDMENT TO MOTION**

(Moved: Cr Bissett    Seconded: Cr Farrell)

Recommendation (ii) delete word 50% and replace with 15%.

The amendment was put to the vote.

(Lost: 2/8)

For: Crs Bissett, Farrell

Against: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Butler

#### **AMENDMENT TO MOTION**

(Moved: Cr Boothman                      Seconded: Cr Cooke)

Recommendation (ii) include wording after (\$45,000) as follows:

‘with written variation reports to Council’.

The amendment was put to the vote.

(Carried: 9/1)

For: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Farrell, Butler

Against: Cr Bissett

**Amended Recommendation was put to the vote.**

**That Council:**

- (i) accept the tender from Price Waterhouse Cooper (PWC) for Tender 13/113 Provision of Expert Valuation Services at a cost of \$90,000 (excluding GST)**

*(Carried: 10/0)*

For: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Farrell, Butler, Bissett

- (ii) authorise the Chief Executive Officer to approve contract variations for up to 50% of the contracted price (\$45,000) with written variation reports to Council**

*(Carried: 9/1)*

For: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Farrell, Butler

Against: Cr Bissett

- (iii) approve the allocation of up to \$135,000 as unbudgeted expenditure for Financial Year 2010/2011**

*(Carried: 9/1)*

For: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Farrell, Butler

Against: Cr Bissett

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*Noting requirement Absolute Majority Voting*

**The consolidated Motion is as follows:**

**That Council:**

- (i) accept the tender from Price Waterhouse Cooper (PWC) for Tender 13/113 Provision of Expert Valuation Services at a cost of \$90,000 (excluding GST)
- (ii) authorise the Chief Executive Officer to approve contract variations for up to 50% of the contracted price (\$45,000) with written variation reports to Council
- (iii) approve the allocation of up to \$135,000 as unbudgeted expenditure for Financial Year 2010/2011

Meeting Open to the Public.

Cr Getty arrived 8.20am

**MOTION: (Moved: Cr Hollywood                      Seconded: Cr Cooke)**

**That Council reopens the meeting of members of the public and in accordance with clause 12.7(3) of the Standing Orders Local Law the person presiding is to cause the motions passed by the Council whilst it was proceeding behind closed doors to be read out including the vote of members to be recorded in the minutes.**

*(Carried: 11/0)*

For: Crs Fishwick, Boothman, Cooke, Gray, Hollywood, MacRae, Newton, Farrell, Butler, Bissett, Getty

The Chairman read the motion to the meeting.

<b>8        NOTICES OF MOTION FOR CONSIDERATION AT THE FOLLOWING MEETING</b>
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Nil

<b>9        NEXT MEETING</b>
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**9.1     Ordinary Council Meeting**

- 24 February 2010
- 5.30pm
- City of Perth

<b>10     CLOSURE – MEETING DECLARED CLOSED AT 8.23AM</b>
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**CONFIDENTIAL ITEM**

**ITEM 7.1            PROVISION OF EXPERT VALUATION SERVICES**

**File No:            LEG/15 (D/10/8470)**

**Tender:            13/113**

**Attachment(s):   Nil**

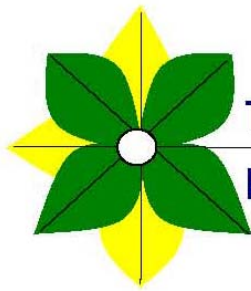
**Author:            KEVIN POYNTON**

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THIS ITEM IS CONFIDENTIAL, NOT FOR PUBLIC VIEWING.

SEPARATE COVER TO ELECTED MEMBERS

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TAMALA PARK  
REGIONAL COUNCIL

# Ordinary Meeting of Council

## MINUTES

Thursday 16 December 2010  
Town of Vincent, 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	Cr Tom McLean Cr Geoff Amphlett	
City of Perth	Cr Eleni Evangel	
City of Stirling	Cr Leonie Getty Cr Giovanni Italiano (CHAIRMAN) 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 (DEPUTY CHAIRMAN)	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**

<b>Chairman</b>	Cr Giovanni Italiano
<b>Councillors</b>	Cr Geoff Amphlett Cr Nick Catania Cr Leonie Getty Cr Dianne Guise Cr Tom McLean Cr David Michael (from 5.54pm) Cr Glynis Monks Cr Stephanie Proud (from 5.45pm) Cr Trevor Vaughan Cr Simon Withers (from 6.10pm)
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Tony Arias (Chief Executive Officer) Mrs Kylie Jeffs (Executive Assistant)
<b>Apologies Councillors</b>	Nil
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Cr Eleni Evangel
<b>Consultants</b>	Mr Sandy Biagioni (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group) Mr Grant Singleton (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Nil
<b>In Attendance Participant Councils' Advisers</b>	Mr Lewis Bond (City of Perth) Mr John Giorgi (Town of Vincent) Mr Arthur Kyron (Town of Victoria Park) Mr John Paton (City of Wanneroo) Mr Ross Povey (City of Stirling) Mr Daniel Simms (City of Wanneroo)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## **1. OFFICIAL OPENING**

At 5.36pm 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 Simon Withers.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 14 October 2010*

Moved Cr N Catania, Seconded Cr D Guise

That the minutes of the Ordinary Meeting of Council of 14 October 2010 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (8/0).

**5A. BUSINESS ARISING FROM THE MINUTES**

Nil

**6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)**

Nil

**7. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**8. REPORTS OF COMMITTEES**

- *Management Committee – 18 November 2010*

Cr Catania advised that the Committee had adopted the timeframe for the project (as presented by Satterley Property Group) and the proposed project name of 'Catalina'.

Moved Cr D Guise, Seconded Cr T McLean that standing orders be suspended at 5.40pm to allow representatives from the Satterley Property Group to update the Council on the marketing of the project.

The Motion was put and declared CARRIED (8/0).

*Representatives of the Satterley Property Group were invited to address the Council.*

*Cr S Proud arrived during discussion on this item at 5.45pm.*

Moved Cr G Amphlett, Seconded Cr L Getty that standing orders be reopened at 5.52pm.

The Motion was put and declared CARRIED (9/0).

- *CEO Performance Review Committee Meeting – 25 November 2010*

The Chairman of the CEO Performance Review Committee meeting was absent for this item and Cr Italiano advised that another meeting of the CEO Performance Review Committee meeting will be held after the Council meeting on 16 December 2010.

## **9. ADMINISTRATION REPORTS**

### **9.1 BUSINESS REPORT – PERIOD ENDING 30 NOVEMBER 2010**

*Cr D Michael arrived during discussion on this item at 5.54pm.*

Moved Cr N Catania, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the Business Report to 30 November 2010 be RECEIVED.**

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

### **9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF OCTOBER 2010 AND NOVEMBER 2010**

Moved Cr N Catania, Seconded Cr T Vaughan

[The recommendation in the agenda]

**That the Council RECEIVE and NOTE the Statement of Financial Activity for the months ending 31 October 2010 and 30 November 2010.**

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

### **9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF OCTOBER 2010 AND NOVEMBER 2010**

Moved Cr G Monks, Seconded Cr L Getty

[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 October 2010 and November 2010:**

- **Month ending 31 October 2010 (Total \$24,608.57)**
- **Month ending 30 November 2010 (Total \$95,844.41)**
- **Total Paid - \$120,452.98**

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

### **9.4 2011 ESTATE RESEARCH PROGRAM**

Moved Cr G Amphlett, Seconded Cr T McLean



[The recommendation in the agenda]

**That the Council DECLINE the proposal from Strategic Marketing & Research (SMR) for syndicate involvement in market research to be undertaken by SMR in 2011 at an estimated cost of between \$4,000.**

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

#### **9.5 TPRC STRUCTURE PLAN STATUS UPDATE**

Moved Cr T Vaughan, Seconded Cr N Catania

[The recommendation in the agenda]

**That the Council RECEIVE the status report in relation to the TPRC Structure Plan.**

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

#### **9.6 FUTURE PLAN 2011-2013**

Moved Cr T Vaughan, Seconded Cr T McLean

[The recommendation in the agenda]

1. **That the Council ENDORSE the draft Future Plan 2011-2013 document for the purpose of advertising for public response.**
2. **That the following proposals for public consultation contained in the Future Plan be ADOPTED:**
  - **Advertised in local newspapers.**
  - **Advised on participant Council noticeboards.**
  - **Web site.**
  - **Participant Local Government responses canvassed.**

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

#### **9.7 GREEN BUILDING COUNCIL OF AUSTRALIA**

Moved Cr L Getty, Seconded Cr S Proud

[The recommendation in the agenda]

**That Council resolve to DECLINE the request from the Green Building Council of Australia for membership.**

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

#### **9.8 UDIA 2011 NATIONAL CONGRESS**

Moved Cr T Vaughan, 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 Adelaide to be held on 28 - 31 March 2011.

Moved Cr N Catania, Seconded Cr D Guise

That an alternative recommendation be made as follows:

**That the CEO, Chairman and Deputy Chairman be AUTHORISED to attend the 2010 Urban Development Institute of Australia National Congress in Adelaide to be held on 28 - 31 March 2011.**

The Motion for amendment was put and declared CARRIED (8/2). For: Crs Catania, Getty, Guise, Italiano, Monks, Michael, Proud and Vaughan. Against: Crs Amphlett and McLean.

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

#### **9.9 CHRISTMAS CLOSURE**

Moved Cr L Getty, Seconded Cr G Monks

[The recommendation in the agenda]

**That the TPRC administrative office be CLOSED over the Christmas period from 24 December 2010 to 3 January 2011 (inclusive).**

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**

It was agreed that future agenda papers will reference the financial/budget implications for each item.

The Chairman relayed his Christmas wishes to the Council and staff and wished all happy holidays.

**15. FORMAL CLOSURE OF MEETING**

*Cr S Withers arrived before the closure of the meeting at 6.10pm.*

The Chairman declared the meeting closed at 6.12pm.

These minutes were confirmed at a meeting on .....

SIGNED this ..... day of ..... 2011

as a true record of proceedings.

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CHAIRMAN