

MINUTES OF THE YELLAGONGA REGIONAL PARK COMMUNITY ADVISORY COMMITTEE MEETING

Thursday 21 February 2013
5:00pm
City of Wanneroo

1. WELCOME AND APOLOGIES

Present: Peter McKenzie – Chair (PM), Kevin McLeod (KM), Keith Armstrong – City of Joondalup (KA), Barry Fitzsimmons (BF), Cr Brian Corr – Joondalup City Council (BC), Tristan Bruyn - City of Wanneroo (TB), Cr John Chester – Joondalup City Council (JC), Heather Chester (HC), Hugo Bekle (HB), Jacqueline Styants – Perth Region NRM (JS) and Brad Johnson – DEC (BJ).

Apologies: Cr Brett Treby – Wanneroo City Council (BT), Will Carstairs (WC), Cr Dot Newton – Wanneroo City Council (DN) and Michelle Charles – DEC (MC).

2. MINUTES FROM PREVIOUS MEETING

The minutes of the previous meeting are to be amended to read;
"Apologies: Heather Chester".

The minutes of the previous meeting were accepted as a true and accurate record.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Refer to previous Item 5.1 – Department of Environment and Conservation (DEC)

BJ reported that Syrinx Environmental has carried out weed control targeting blue lupins at the Chianti site, on behalf of the developer.

JC reported that Joondalup City Council has passed a new local law to declare Caltrop a pest weed and that Stirling City Council has also recently passed the same motion.

Refer to previous Item 6.2 – Salvaging bushland prior to clearing

KA reported that the proposed development at Bramston Park, Burns Beach has not passed through Council yet. He advised that if any bushland is cleared in the future that the Friends of Yellagonga will get the opportunity to salvage plants from the site.

Refer to previous Item 6.3 – Luisini Winery development

PM advised that he had forwarded a letter to the National Trust of Australia regarding the Luisini Winery development (see Attachment 1) and tabled a letter of response (see Attachment 2). PM suggested inviting Deputy Chief Executive Officer, Enzo Sirna to the next meeting to provide further information on the Luisini Winery development. Committee members supported this suggestion.

Action: The committee to invite Enzo Sirna from the National Trust of Australia to the next meeting to present information on the Luisini Winery development.

JC commented that although the City of Joondalup was not offering support for the project, he did not understand how the City's support had any bearing on the provision of the environment centre. Members could not recall the City of Joondalup's input on the matter.

PM suggested obtaining a formal statement from the City of Joondalup regarding their involvement and support for this project.

Action: PM to draft a letter on behalf of the committee to the City of Joondalup regarding their support and involvement in the Luisini Winery development.

4. CORRESPONDENCE

Outward:

- | | |
|------------------|--|
| 8 February 2013 | Phone call from Perth Region NRM regarding representation on the committee. |
| 8 February 2013 | Email from DEC to Perth Region NRM welcoming them as an agency representative. |
| 20 February 2013 | Letter to Enzo Sirna, National Trust of Australia regarding Stage 2 Luisini Winery development (see Attachment 1). |

Inward:

- | | |
|------------------|--|
| 18 February 2013 | Email from DEC on behalf of Friends of Yellagonga regarding General Business Item. |
| 21 February 2013 | Letter of response from Enzo Sirna, National Trust of Australia regarding Stage 2 Luisini Winery development (see Attachment 2). |

5. AGENCY AND COMMUNITY REPORTS

- 5.1 Department of Environment and Conservation (DEC)
BJ reported the following works:

Operational duties

- Giant reed has been removed south of the pine seed orchard.
- Bollards have been realigned along Goollelal Drive.
- Weed control has been carried out at the Luisini rehabilitation site.
- Caltrop is being treated fortnightly with positive results.
- Overhead pruning carried out to most dual use paths and tracks.
- Weed control carried out along Kingsley foreshore.
- Pelargonium was sprayed south of Neil Hawkins Park along the dual use paths.
- Hand weeding and removal of dead Acacias around Joondalup Lookout
- The grassed area in front of the seat below Lot 1 has been mowed.
- Weed control has been carried out around buildings at Lot 1 and the Old Dairy, Woodvale.
- The Water Corporation fencing enclosure off Woodvale Drive has been brush-cut and sprayed for weeds.
- The triangle of Melaleucas south of the Beenyup Swamp boardwalk has been brush-cut, sprayed for weeds and pruned.
- Graffiti on the Old Dairy, Woodvale has been painted over twice and has since been vandalised again.
- Temporary fencing at Lake Goollelal Lookout has been repaired.
- Typha emerging amongst *Baumea articulata* at the Luisini fire scar site have been sponge wiped.
- Dead trees and branches adjacent to the retirement village along Wanneroo Road have been removed.
- A trailer load of dumped building debris has been removed from Kingsway car park.
- Native vegetation has been removed from the Kingsley car park to increase passive surveillance and reduce rubbish dumping.
- Weed control has been carried out to newly emerging cotton bush plants north of Ocean Reef Road.

- Several trailer loads of rubbish have been removed from Ashley Road north of the pine seed orchard.

Contract works

- Cotton bush treatment and slashing has occurred at the end of Poinciana Place.

Visitor Risk Management

- Overhead pruning has been carried out beneath the powerlines at Della Road.

General

- Applications have been submitted for post-fire rectification works at Luisini and Goollelal Drive where fires occurred on New Year 's Eve.
- Two investigations have been carried out regarding "identifiable" rubbish dumped at Ashley Road but without successful results.

Fire pre-suppression

- All fire breaks continue to be regularly monitored throughout fire season.

Planning

- DEC has been reviewing a list of land parcels that could potentially be transferred to the South West native title claimants in return for a settlement of native title in the south west of the State. The list has been prepared by the Department of Regional Development and Lands. It includes a block of unallocated Crown land that is managed by DEC as part of the Regional Park. However, as detailed in the Yellagonga RPMP 2003-2013 the land is proposed to be reserved under the *Land Administration Act 1997* and vested in the Conservation Commission of WA.
- The Watson Property Group went into receivership last year. Unfortunately approximately 1km of the dual use path behind the Chianti Private Estate is unfinished. DEC understands that there is no bond payment available to cover the remaining costs and will investigate other funding opportunities that may be available with the assistance of the City of Wanneroo.

BJ advised that the midge treatment program in 2012 did have an impact on midge levels and that only Lake Goollelal required a second treatment, and not Lake Joondalup. He advised that research into nutrients and algae prevention will continue and that the Midge Steering Committee has proposed the trial of a floating biosphere of native wetland sedges on the southern side of Ocean Reef Road, at the south end of Lake Joondalup. BJ explained that nutrient rich waters flowing from Beenyup Swamp will be filtered by the floating biosphere and limit the nutrients passing into Lake Joondalup.

JS proposed that the floating biosphere project should be installed over a larger area in Lake Goollelal. Members agreed that the increasing levels of midge on the east side of Lake Goollelal was unacceptable and supported the installation of a broader biosphere trial on Lake Goollelal as a relevant and important project.

BJ advised that water flow at the selected site is concentrated and suitable to measure nutrient levels and that once the results are proven, then further trials can be considered. He added that if trials proceed they will be undertaken in winter when water levels are higher.

5.2 City of Wanneroo

TB provided the following update:

- Water in the Wangara Sump was sampled on 11 December 2012 and 19 February 2013. TB did not have the results to report.
- Edge spraying has been carried out to separate the grassed area from the riparian vegetation between the Ottawa Way revegetation site and Frogs Hollow.
- Ottawa Way revegetation site has been hand weeded.
- The Church Street drain site is still undergoing weed control.
- Typha control has been carried out at the Wanneroo Recreation Centre revegetation site.

PM requested the sampling data and indication of trends be provided to the committee. JC requested data on the efficiency of the filter system.

Action: The City of Wanneroo to provide data on the Wangara Sump water monitoring program and the filter system.

5.3 City of Joondalup

KA reported the following works:

- The City is working with DEC to install up to six new signs in Neil Hawkins Park to deter people feeding wildlife, as the two current signs are small, lightweight and cartoon like. KA presented a draft of the signage. In addition to Neil Hawkins Park, signs will be installed in Perry's Paddock and any land that adjoins water. BJ advised that the Regional Parks Unit was not aware of the proposed signage and requested an electronic version of the draft sign design.
- The City has accepted a request from a private company to install 16 artificial Carnaby's black cockatoo nest boxes in the park to meet their offset requirements for land clearing which occurred in a neighbouring shire. The nests are made from pvc piping and will be chained to the trees. The City is considering installing nine hollows in Tuart trees at Neil Hawkins Park and some at Lakeside and Central Parks. KA advised that he will keep the committee informed of any nesting activities.
- Joondalup City Council has adopted a Pathogen Management Program. The program initiates preventative measures such as wash down facilities, protocols for staff, monitoring of tree deaths and will involve contracted work.

Action: City of Joondalup to forward an electronic draft of the bird feeding signage to DEC's Regional Parks Unit prior to manufacture.

5.4 Perth Region NRM

JS reported the following:

- Perth Region NRM is currently considering a large landscape scale regional linkages project to link Yellagonga Regional Park with Neerabup National Park and across Gnarup to Whiteman Park and Walyunga National Park. The organisation is also liaising with the Water Corporation who has funding to encourage residents to convert grass verges to native bush to increase water conservation efforts, as this will increase linkages on a small scale. The project will involve feral animal control.

JS commented that feral animal control is an important focus for Perth Region NRM which focuses on regional areas. BJ commented that operations officer, Wayne Childs is seeking approvals to expand the regional park fox control efforts to include the southern boundary of Neerabup National Park, which research has demonstrated as the main access for foxes into Yellagonga Regional Park.

6. **GENERAL BUSINESS**

6.1 Friends of Yellagonga proposal

The committee discussed a proposal by the Friends of Yellagonga, for the creation of an employed position dedicated to complementing the maintenance and conservation efforts of the FoY within Yellagonga Regional Park. As proposed by the FoY, the position would be created within DEC and jointly funded by DEC and the Cities of Wanneroo and Joondalup.

BJ advised that DEC does not support the proposal as the tasks described are consistent with the role and responsibilities of the existing operations officer for the park. BJ stated that an annual works program for Yellagonga Regional Park is established each May which assists staff to address on-ground priorities in a coordinated and strategic manner.

Action: DEC to provide alternative options which would assist the FoY with their works program in the park.

6.2 Algae bloom removal from Lake Goollelal each spring.

JC suggested that removing the algal bloom from Lake Goollelal each spring would reduce the nutrients which are feeding the midge population and that the FoY could undertake the algal removal manually from kayaks. The committee supported the proposal and requested that DEC consider the idea.

BJ acknowledged the proposals merit, however expressed some concerns in relation to safety regarding FoY members undertaking the work. BJ advised that he would investigate it's feasibility and report back at the next meeting.

Action: DEC to provide feedback on the feasibility of removing algal bloom from Lake Goollelal each spring.

6.3 Ministers path upgrade announcement

Committee members tabled a newspaper article from the Joondalup Times (see Attachment 3) and discussed the Minister for Environment's recent visit to Yellagonga Regional Park where he pledged, if re-elected, to spend \$500,000 upgrading the 2.4 kilometre path between Neil Hawkins Park and Picnic Cove to a sealed surface. KM commented that the FoY has expressed its opposition to the upgrade of this path for some time as it would increase traffic through an area where turtles migrate. KM presented previous correspondence between the FoY and the Minister regarding the path.

BJ advised that any work on the path upgrade will be carried out in consultation with the FoY and that if the path is sealed, DEC would investigate installing fauna underpasses.

6.4 Fallen paperbarks

JC presented photos from Beenyup Swamp of Melaleuca trees which had fallen over and a drum container chained to the ground. He queried the reasons behind both of these.

Action: DEC to report on the fallen Melaleucas and a drum container chained to the ground at Beenyup Swamp.

6.5 Yellagonga Regional Park Management Plan

BC commented that the management plan was due to expire in 2013 and expressed the need for a new plan as the current information addressing midge control and fire management is out of date and they are both management issues of high importance. BC added that midge levels have reached unacceptable levels and continue to worsen. He also expressed concern for the management of current fuel loads.

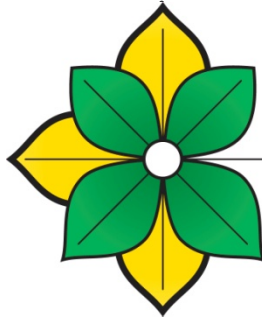
BJ advised that the management plans no longer have expiry dates and that a plan remains active until such time that a new plan is warranted given significant changes to the plans content or intent.

BJ added that DEC reviewed fire fuels within Yellagonga Regional Park. BJ added that controlled burns will be conducted in the park only in areas where burning is the most effective mitigation method and that DEC continues to undertake a variety of pre-suppression works including firebreak maintenance and slashing.

7. NEXT MEETING

2 May 2013

Meeting closed.



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 18 April 2013
Town of Cambridge, 6.00pm

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
City of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Jim Adamos	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

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 DLGRD is preparing an amendment to rectify this situation.

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PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Jim Adamos Cr Geoff Amphlett Cr Frank Cvitan Cr Corinne MacRae Cr Alannah MacTiernan Cr Tom McLean Cr David Michael Cr Terry Tyzack Cr Rod Willox
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Cr Dianne Guise Cr Trevor Vaughan
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Justin Crooks (Satterley Property Group) Mr Brenton Downing (Satterley Property Group) Mr Aaron Grant (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group) Mr Kevin Donnelly (Stantons International)
Apologies Participant Councils' Advisers	Mr John Giorgi (City of Vincent)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Stuart Jardine (City of Stirling) Mr Arthur Kyron (Town of Victoria Park) Mr Jason Lyon (Town of Cambridge) Cr Stephanie Proud (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

Cr Jim Adamos completed the written Declaration of Office required by the Local Government Act and Local Government (Constitution) Regulations. He then read out the Declaration of Office. The written declaration was then witnessed by the TPRC Chief Executive Officer Mr Tony Arias. The Chairman welcomed Cr Adamos to the Council as Cr Eleni Evangel's replacement as the City of Perth representative.

At 6.00pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Disclosure of Interest forms were received as follows:

Mr Tony Arias	Item 9.6	Impartial Interest
Cossill & Webley	Item 9.15 & 9.17	Impartial Interest
Satterley Property Group	Item 9.8, 9.11, 9.12, 9.15 & 9.17	Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Dianne Guise and Cr Trevor Vaughan.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Moved Cr T Tyzack, Seconded Cr R Willox an amendment to Item 9.17(5) of the minutes of 21 February 2013 as follows:

5. That Council ENDORSE Mr. Arias' current remuneration package to be increased by 4.6% to \$332,176.00 effective from 12 October 2012.

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

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

Ordinary Meeting of Council – 21 February 2013

Moved Cr D Michael, Seconded Cr T Tyzack

That the minutes of the Ordinary Meeting of Council of 21 February 2013 (as amended) 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)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9.6 – Development managers Agreement – Development Manager Appointment to Stage 2

Item 9.7 – GST Status TPRC Project

Item 9.8 – Lot 1 Neerabup Road Built Form Partnering Tender

8. REPORTS OF COMMITTEES

Management Committee Meeting – 4 April 2013

Moved Cr G Amphlett, Seconded Cr F Cvitan

That the Council RECEIVE the minutes of the Management Committee meeting dated 4 April 2013.

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

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 11 APRIL 2013

Moved Cr R Willox, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 11 April 2013.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JANUARY & FEBRUARY 2013

Moved Cr T McLean, Seconded Cr F Cvitan

[The recommendation in the agenda]

That Council RECEIVE and NOTE the Statement of Financial Activity for the months ending:

- **31 January 2013; and**
- **28 February 2013.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF FEBRUARY & MARCH 2013

Moved Cr R Willox, Seconded Cr D Michael

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of February and March 2013:

- Month ending 28 February 2013 (Total \$3,086,046.86)
- Month ending 31 March 2013 (Total \$1,881,254.36)
- Total Paid - \$4,967,301.22

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

9.4 PROJECT FINANCIAL REPORT – FEBRUARY 2013

Moved Cr T Tyzack, Seconded Cr G Amphlett

[The recommendation in the agenda]

That the Council RECEIVE the Project Financial Report (February 2013) submitted by the Satterley Property Group.

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 11 APRIL 2013

Mr Nigel Satterley (Satterley Property Group) provided an update on the process of setting values for lots at Catalina Estate.

Moved Cr D Michael, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council RECEIVE the Sales and Settlements Report to 11 April 2013.

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

Moved Cr T Tyzack, Seconded Cr R Willox

That the meeting move behind closed doors at 6.15pm to allow confidential items 9.6, 9.7 and 9.8 to be discussed.

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

9.6 DEVELOPMENT MANAGERS AGREEMENT - DEVELOPMENT MANAGER APPOINTMENT TO STAGE 2 - **CONFIDENTIAL**

Mr Kevin Donnelly (Stantons International) was present for discussion on this item and provided an overview on the review of the Satterley Property Group Key Performance Indicators.

Moved Cr A MacTiernan, Seconded Cr C MacRae an amendment to recommendation 4 as follows:

1. RECEIVE the Stantons International report dated 22 March 2013, on the Development Managers Key Performance Indicators.
2. ACCEPT that the Development Manager has performed and observed its obligations as set by the Key Performance Indicators under the Development

Management Agreement (17 August 2010) between TPRC and the Satterley Property Group Pty Ltd for Stage 1 for the period up to December 2012.

3. APPROVE the appointment of the Development Manager to Stage 2 as shown on Plan 96641 - 098 (dated 27th March 2013) and give written notice in accordance with the Development Management Agreement (17 August 2010).
4. AUTHORISE the Chief Executive Officer to undertake a review of the Development Manager's KPIs under the DMA and provide recommendations on modifications so that the KPIs are meaningful, have the capacity to be quantified and measured and can be used as a true measure of contract performance.

The Motion was put and declared LOST (7/3).

Against: Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr T McLean, Cr D Michael, Cr T Tyzack and Cr R Willox.

For: Cr J Adamos, Cr C MacRae and Cr A MacTiernan.

Moved Cr G Amphlett, Seconded Cr T Tyzack the original recommendation

1. **RECEIVE the Stantons International report dated 22 March 2013, on the Development Managers Key Performance Indicators.**
2. **ACCEPT that the Development Manager has performed and observed its obligations as set by the Key Performance Indicators under the Development Management Agreement (17 August 2010) between TPRC and the Satterley Property Group Pty Ltd for Stage 1 for the period up to December 2012.**
3. **APPROVE the appointment of the Development Manager to Stage 2 as shown on Plan 96641 - 098 (dated 27th March 2013) and give written notice in accordance with the Development Management Agreement (17 August 2010).**
4. **AUTHORISE the Chief Executive Officer to engage Stantons International to undertake a review of the Development Manager's KPIs under the DMA and provide recommendations on modifications so that the KPIs are meaningful, have the capacity to be quantified and measured and can be used as a true measure of contract performance.**

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

Mr Kevin Donnelly departed the meeting at 6.48pm.

Council officers and TPRC consultants were invited into the meeting at 6.50pm.

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

9.7 GST STATUS TPRC PROJECT - CONFIDENTIAL

Moved Cr R Willox, Seconded Cr A MacTiernan

1. **RECEIVE the report dated 18 April 2013.**

2. **ACCEPT** the confidential legal advice relating to Private Ruling documentation for the ATO from Ernst & Young (12 March 2013).
3. **AUTHORISE** the Chief Executive Officer to take all necessary action to lodge the Private Ruling documentation for the ATO (Ernst & Young - 12 March 2013), including engaging the Council's financial advisors and solicitors.

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

9.8 LOT 1 NEERABUP ROAD BUILT FORM PARTNERING TENDER - CONFIDENTIAL

Moved Cr T Tyzack, Seconded Cr D Michael

1. **ACCEPT** the ABN group tender submission (dated January 2013) in response to Tender 15/2012 (Lot 1 Built Form Project Tender, dated December 2012) and grant a 45 day exclusive period to explore development opportunities, progress design concepts and determine commercial terms with the TPRC.
2. **NOTE** that a report on the development opportunities, design concepts and commercial terms will be presented for the Councils consideration following the 45 day exclusive design/feasibility period.
3. **RESOLVE** that in the event an acceptable outcome is not achieved within the 45 day exclusive period the TPRC advertise a call for offers to purchase the site at an undisclosed sale price, with the application of site specific design guidelines.

The Motion was put and declared CARRIED (9/1).

For: Cr J Adamos, Cr G Amphlett, Cr F Cvitan, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr D Michael, Cr T Tyzack and Cr R Willox.

Against: Cr A MacTiernan

Moved Cr T Tyzack, Seconded Cr D Michael

That standing orders be reopened and the meeting doors be opened at 7.03pm.

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

9.9 EXTENSION OF SHARED BORE TRIAL TO STAGES 7, 8 & 9

Moved Cr A MacTiernan, Seconded Cr F Cvitan

That the Council APPROVE the extension of the Shared Bore Trial to include all traditional lots within Stages 7, 8 and 9.

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

9.10 STAGE 7 SALES PROCEDURE – PRIVATE PURCHASE LOTS

Moved Cr G Amphlett, Seconded Cr R Willox

1. **APPROVE** the sale of Stage 7, 28 traditional lots and 4 cottage lots (Plan 2228-188-01) by the Sales Procedure – Private Purchaser Lots Strategy,

September 2011, approved by the Council at its meeting held on 13 October 2011, subject to the same sales contract, building incentives and commercial terms.

2. **APPROVE** the disposal of the Stage 7, 28 traditional lots and 4 cottage lots (Plan 2228-188-01) by Private Treaty in accordance with Section 3.58(3) and (4) of the Local Government Act 1995.

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

9.11 STAGE 2B BUILDERS ALLOCATION LOTS TENDER

Moved Cr T Tyzack, Seconded Cr T McLean

1. **APPROVE** the allocation of lots 116 - 120 to Homebuyers Centre, in accordance with the terms and conditions of Tender 06/2013.
2. **AUTHORISE** the CEO and Chairman to sign and seal relevant Put Option Deed documentation.

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

9.12 STAGE 7 BUILDERS ALLOCATION LOTS TENDER

Mr Nigel Satterley (Satterley Property Group) provided advise on the affiliation between Affordable living and the Homebuyers Centre.

Mr Brenton Downing (Satterley Property Group) provide advice on the financial capacity of selected tenderers.

Moved Cr T Tyzack, Seconded Cr G Amphlett

1. **APPROVE** the allocation of Lot Parcels A and B to Content Living, in accordance with the terms and conditions of Tender 07/2013.
2. **APPROVE** the allocation of Lot Parcel C to The Prime Group, in accordance with the terms and conditions of Tender 07/2013.
3. **APPROVE** the allocation of Lot Parcel D to BGC, in accordance with the terms and conditions of Tender 07/2013.
4. **APPROVE** the allocation of Lot Parcel E to The Homebuyers Centre, in accordance with the terms and conditions of Tender 07/2013.
5. **APPROVE** the allocation of Lot Parcel F to Affordable Living, in accordance with the terms and conditions of Tender 07/2013.
6. **AUTHORISE** the CEO and Chairman to sign and seal relevant Put Option Deed documentation.

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

Cr J Adamos and Cr A MacTiernan departed the meeting at 7.10pm.

9.13 DRAFT STRATEGIC COMMUNITY PLAN 2013-2023 AND CORPORATE BUSINESS PLAN 2013-2017

Moved Cr R Willox, Seconded Cr D Michael

That the Council APPROVE the draft Strategic Community Plan 2013-2023 and draft Corporate Business Plan 2013-2017 for circulation to member local governments for review and comment for a period of 30 days.

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

9.14 PAYMENT OF MUNICIPAL RATES FOR SUBDIVIDED LOTS - LOT 9504

Moved Cr F Cvitan, Seconded Cr T McLean

- 1. APPROVE for the TPRC to manage and pay accounts direct to City of Wanneroo, for Municipal Rates for subdivided lots for Lot 9504 on behalf of the member local governments.**
- 2. APPROVE to continue a funds distribution of capital from TPRC be made to participant local authorities equivalent to the rates levied for the balance of Lot 9504, less rates attributable to the proportion of land leased to MRC.**
- 3. APPROVE the payment in (2) while the rate assessment is based on the calculation method defined in the TPRC Establishment Agreement and if the rate assessment changes, the matter be reconsidered by the Council.**

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

9.15 MARMION AVENUE INTERSECTION CIVIL & INFRASTRUCTURE WORKS TENDER

Moved Cr T Tyzack, Seconded Cr D Michael

- 1. ACCEPT the submission received from Ertech in response to Tender 04/2013 (Marmion Avenue Intersection Civil Works, dated March 2013) and appoint Ertech as the preferred tender.**
- 2. AGREE to enter into a contract with Ertech to undertake civil construction works to the Marmion Avenue Intersection for a lump sum value of \$2,497,601 (excl GST), subject to the following matters being resolved to the absolute discretion of the TPRC:-**
 - a) Finalisation of a source for the continuous supply of construction water for the duration of the works;**
 - b) Agreement of a suitable location of a site compound;**
 - c) Confirmation from the Water Corporation of timing of the shutdown period for the 700mm Dia Water Distribution Main; and**
 - d) Completion of all underground service relocation works by Optus, Telstra and Atco Gas.**
- 3. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the Contracts.**

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

9.16 APPOINTMENT OF COMMITTEE MEMBER – MANAGEMENT COMMITTEE

The Chairman called for nominations from elected members to replace Cr Eleni Evangel on the Management Committee.

The Chairman advised that the following nominations had been received:

- Cr Frank Cvitan (nominated by Cr R Willox, seconded by Cr T Tyzack)

As no further nominations were received, Cr Frank Cvitan accepted the nomination and was appointed the new member of the Management Committee.

Moved Cr R Willox, Seconded Cr T Tyzack

[The recommendation in the agenda]

In accordance with the provisions of the Local Government Act 1995, the following Council member is elected to the Management Committee to replace Cr Eleni Evangel:

Members:

1. Cr Corinne MacRae
2. Cr Geoff Amphlett
3. Cr Giovanni Italiano
4. Cr Rod Willox
5. Cr Alannah MacTiernan
6. Cr Dianne Guise
7. Cr Frank Cvitan

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

9.17 EARTHWORKS AND SUBDIVISION WORKS - FIXED RATES TENDER

Moved Cr T McLean, Seconded Cr F Cvitan

1. **ACCEPT the tender (05/2013 Earthworks and Subdivision Works) submitted by R J Vincent for the following;**
 - a. **Stage 8 Subdivision Civil Works for the lump sum value of \$2,596,625.26, excluding GST, subject to obtaining the necessary statutory approvals.**
 - b. **Earthworks and Subdivision Works - fixed rates contract for the award of further stages of work for a period of two years until April, 2015, with an option to extend it a further 12 months to April 2016 at the absolute discretion of the TPRC.**
2. **APPROVE the Award of further stages of works during the term of this contract will be at the absolute discretion of the TPRC and subject to;**
 - a. **Approval of lump sum, in accordance with the tendered rates, contracts by the Council,**
 - b. **Market conditions and Sales Rates,**

- c. **Ongoing satisfactory performance of the contractor, during the execution of each separable portion of the contract.**

3. AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.

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

9.18 SUBMISSION ON THE METROPOLITAN LOCAL GOVERNMENT REVIEW PANEL REPORT (MLGRPR)

Moved Cr G Amphlett, Seconded Cr R Willox

That the Council AGREE to lodge a submission on the Metropolitan Local Government Review Panel Report (MLGRPR) opposing Recommendation 11 in accordance with the Draft Submission, dated 19 April 2013, attached in Appendix 9.18.

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

The Chairman took the confidential recommendations as read for the following items:

Item 9.6: Development Managers Agreement – Development Manager Appointment to Stage 2

Item 9.7: GST Status TPRC Project

Item 9.8: Lot 1 Neerabup Road Built Form Partnering Tender

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

Item 9.6: Development Managers Agreement – Development Manager Appointment to Stage 2

Item 9.7: GST Status TPRC Project

Item 9.8: Lot 1 Neerabup Road Built Form Partnering Tender

14. GENERAL BUSINESS

Mr Nigel Satterley (Satterley Property Group) provided an update on the number of lots settled to date this month.

The Chairman thanked Mr Justin Crooks (Satterley Property Group) for his contribution to the project and welcomed Mr Brenton Dowding as his replacement.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.17pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2013

as a true record of proceedings.

CHAIRMAN