



MINUTES

SPECIAL COUNCIL MEETING

TIME: 6.30 PM

30 JULY 2020

CITY OF STIRLING

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



Town of
Cambridge



City of
Joondalup



City of Perth



City of Stirling
City of Choice



TOWN OF
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

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1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
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The Chair declared the meeting open at 6.31 pm.

2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
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Councillor Attendance

Cr D Boothman, JP (Chair)	City of Stirling
Cr K Vernon (Deputy Chair)	Town of Victoria Park
Cr C May	City of Joondalup
Cr R Fishwick, JP	City of Joondalup
Cr L Kosova	City of Perth
Cr S Proud, JP	City of Stirling
Cr K Sargent	City of Stirling
Cr F Cvitan, JP	City of Wanneroo
Cr D Newton, JP	City of Wanneroo
Cr K Shannon	Town of Cambridge

Apologies

Cr A Jacob	City of Joondalup
Cr J Ferrante	City of Stirling
Cr E Cole	City of Vincent

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Ms A Slater (Director Corporate Services)
Ms S Cherico (Manager Human Resources)
Ms D Toward (Executive Support)

Member Council Observers

Mr N Claassen (City of Joondalup)
Mr M Littleton (City of Stirling)
Mr R Bryant (City of Stirling)
Mr A Murphy (City of Vincent)
Ms Y Plimbley (City of Vincent)
Mr H Singh (City of Wanneroo)
Mr S Cairns (City of Wanneroo)
Mr K Hincks (Town of Cambridge)
Mr J Wong (Town of Victoria Park)

MRC Observers

Mr A Griffiths
Mr B Twine

3	DECLARATION OF INTERESTS
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Nil

4	PUBLIC QUESTION TIME
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Nil

5	ANNOUNCEMENTS BY THE PRESIDING PERSON
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Nil

6	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC
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The Chair requested that in accordance with clause 7.1(e) of the Mindarie Regional Council Standing Orders Local Law 2012 and s5.23 of the Local Government Act 1995, Council proceed to meet “behind closed doors” to allow the Council to consider items 6.1 and 6.2 as the items are of a confidential nature.

The Chair invited MRC Officers and members of the MRC Project Working Group (PWG) to remain in the meeting.

The Chair announced that there were no limitations on the number of speeches made in accordance with clause 7.9(4) of the Mindarie Regional Council Standing Orders Local Law 2012.

Moved Cr Boothman, seconded Cr Vernon

RESOLVED

To close the meeting to the public

(CARRIED UNANIMOUSLY 10/0)

Doors closed at 6.33 pm.

The MRC officers and members of the PWG remained in the public gallery.

No members of the public were present.

Note: The Chief Executive Officer has not released the report for items 6.1 and 6.2 for public information.

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract is entered into.

6.1 TENDER FOR THE PROVISION OF LANDFILL SERVICES AT TAMALA PARK

File No:	GF – 20 - 0001521
Attachments(s):	Nil
Date:	23 July 2020
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1) Authorises the CEO to advertise a major trading undertaking business plan as outlined in the detail of the report, and
- 2) Authorises the CEO to undertake a public tender process for the proposed provision of landfill services at Tamala Park, unless public comments on the business plan are received, in which case a further report is to be presented to Council at the 24 September 2020 Ordinary Council Meeting.

Moved Cr Vernon, seconded Cr Kosova

AMENDMENT

Moved Cr Fishwick, seconded by Cr May

- 1) Authorises the CEO to advertise a major trading undertaking business plan as outlined in the detail of the report, and
- 2) Authorises the CEO to undertake a public tender process for the proposed provision of landfill services at Tamala Park, unless public comments on the business plan are received, in which case a further report is to be presented to Council at the 24 September 2020 Ordinary Council Meeting, and
- 3) Requests the CEO gives consideration to including in the Business Plan the allocation of funds generated by the sale of surplus landfill at Tamala Park into a reserve account established for the purpose of offsetting future costs associated with the RRF.

(CARRIED 5+1/5)

For: Cr Fishwick, Cr May, Cr Proud, Cr Sargent, Cr Boothman (Cr Boothman casting vote as Chair)

Against: Cr Kosova, Cr Vernon, Cr Shannon, Cr Cvitan, Cr Newton

The Chair exercised his casting vote to break the deadlock and achieve a result.

PROCEDURAL MOTION

Moved Cr Kosova, seconded Shannon

RESOLVED

To hold the item over to a Special Council meeting in August 2020.

(CARRIED UNANIMOUS 10/0)

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (a) of the *Local Government Act 1995* as the report deals with a matter affecting an employee.

6.2 CEO RECRUITMENT PROCESS

File No:	GF – 20 - 0000376
Attachments(s):	Nil
Date:	23 July 2020
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Requests the CEO Recruitment and Performance Review Committee to meet and bring a report back to Council, including:

- 1. Consideration of a suitable recruitment agency to assist with the recruitment of a new CEO;**
- 2. Consideration of the scope of the role of MRC CEO; and**
- 3. Consideration of a suggested recruitment timeline.**

The CEO requested Council to note that he has not lodged a declaration of interest as the item does not directly affect him.

Cr Proud moved, Seconded Cr Shannon

PROCEDURAL MOTION

Moved Cr Proud, seconded Cr Sargent

That that the matter of the recruitment of the CEO to be referred to a workshop on or before 24 September 2020 to enable all members to agree to the scoping and function of the role.

(CARRIED UNANIMOUSLY 10/0)

Motion to reopen the meeting

Cr Proud moved, Cr Shannon seconded

RESOLVED

That the meeting be reopened

(CARRIED UNANIMOUSLY 10/0)

Doors were reopened at 7.13 pm and the Chair declared the meeting reopened.
The chair noted the resolutions passed behind closed doors.

8	NEXT MEETING
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The next meeting will be a Special Council meeting to be held in August 2020, the date and venue to be advised.

The next Ordinary Council Meeting to be held on Thursday 24 September 2020 in the Council Chambers at the City of Vincent commencing at 6.30 pm.

9	CLOSURE
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The Chair closed the meeting at 7.14 pm and thanked the City of Stirling for their hospitality and use of their meetings facilities.

SignedChair

Dated day of2020



Ordinary Meeting of Council

MINUTES

**Thursday 20 August 2020, 6:00pm
City of Stirling
25 Cedric Street, Stirling**

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

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TAMALA PARK REGIONAL COUNCIL

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis (DEPUTY CHAIR)	Cr Gary Mack
City of Joondalup	Cr John Chester Cr Phillipa Taylor	Cr Christopher May Cr Suzanne Thompson
City of Perth	Cmr Andrew Hammond	Cmr Gaye McMath
City of Stirling	Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri	Cr Karlo Perkov
Town of Victoria Park	Cr Claire Anderson	
City of Vincent	Mayor Emma Cole	Cr Joanne Fotakis
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

PRESENT

Chair	Cr Karen Caddy
Councillors	Cr Claire Anderson Cr John Chester (arrived 6:12pm) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri Cr Philippa Taylor Cr Andres Timmermanis Cr Brett Treby Cr Domenic Zappa
Alternate Members	Cr Joanne Fotakis
Staff	Mr Tony Arias (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Mayor Emma Cole Cmr Andrew Hammond Cmr Gaye McMath
Leave of Absence	Nil
Absent	Nil
Consultants	Mr John Silla (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Ms Lena Kozak (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr Stuart Jardine (City of Stirling) Mr John Giorgi (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr David MacLennan (City of Vincent)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Stevan Rodic (City of Stirling) Ms Noelene Jennings (City of Wanneroo)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:02pm and welcomed Cr Fotakis to the Tamala Park Regional Council meeting.

DISCLOSURE OF INTERESTS

- Cr Anderson advised a Disclosure of Interest – Impartial Interest in relation to Item 9.13 (one of the consultants is undertaking work at the Town of Victoria Park).
- Cr Caddy advised a Disclosure of Interest – Impartial Interest in relation to Items 9.13 (Learning Horizons has performed work at the City of Stirling) and 9.14 (one of the candidates is a Director at the City of Stirling).
- Cr Fotakis advised three Disclosures of Interest – Impartial Interest in relation to Items 9.9 (there has been an association with one of the consultants under the tender), 9.13 (association with one of the consultant groups being considered) and 9.14 (association with two of the applicants being considered).
- Cr Lagan advised a Disclosure of Interest – Impartial Interest in relation to Items 9.13 (one of the consultants has performed work at the City of Stirling) and 9.14 (one of the candidates is a Director at the City of Stirling).
- Cr Migdale advised a Disclosure of Interest – Impartial Interest in relation to Item 9.13 (Learning Horizons has performed work at the City of Stirling).
- Cr Sandri advised a Disclosure of Interest – Impartial Interest in relation to Items 9.13 (one of the consultants has performed work at the City of Stirling) and 9.14 (one of the candidates is a Director at the City of Stirling).
- Cr Timmermanis advised a Disclosure of Interest – Impartial Interest in relation to Item 9.13 (potential supplier has performed work for the Town of Cambridge).
- Cr Treby advised a Disclosure of Interest – Impartial Interest in relation to Item 9.14 (previously worked with two of the candidates).

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Mayor Emma Cole
Cmr Andrew Hammond
Cmr Gaye McMath

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 18 June 2020

Moved Cr Anderson, Seconded Cr Migdale

That the minutes of the Ordinary Meeting of Council of 18 June 2020 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

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

5A BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.9 Built Form Partnership – Confidential
- 9.10 Key Personnel – Catalina Sales Representative – Confidential
- 9.11 Project Resourcing – Development Manager – Confidential
- 9.12 Development Manager Appointment to Stage 3 – Confidential
- 9.13 CEO Annual Performance Review – Appointment of Consultant - Confidential
- 9.14 Appointment of Acting Chief Executive Officer - Confidential

8. COUNCIL REPORTS 8.1 – 8.6

8.1 BUSINESS REPORT – PERIOD ENDING 13 AUGUST 2020

Moved Cr Timmermanis, Seconded Cr Fotakis.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 13 August 2020.

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

8.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MAY & JUNE 2020

Moved Cr Timmermanis, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- **31 May 2020; and**
- **30 June 2020.**

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

The recommendations for Items 8.3 and 8.4 were moved and seconded en bloc.

Moved Cr Migdale, Seconded Cr Fotakis.

Cr Chester joined meeting at 6:12pm

8.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF MAY & JUNE 2020

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority by the CEO for the months of May and June 2020:

- **Month ending 31 May 2020 (Total \$633,404.18)**
- **Month ending 30 June 2020 (Total \$3,748,814.05)**
- **Total Paid - \$4,382,218.23**

8.4 PROJECT FINANCIAL REPORT – JUNE 2020

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (June 2020) submitted by the Satterley Property Group.

The Motions were put and CARRIED en bloc (11/0).

8.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 13 AUGUST 2020

Moved Cr Treby, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 13 August 2020.

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

8.6 ELECTED MEMBER TRAINING REPORT 2020

Moved Cr Sandri, Seconded Cr Fotakis.

[The recommendation in the agenda]

That Council APPROVES the Elected Member Continuing Professional Development Policy and NOTES the Elected Member Training Report, required by Section 5.127 of the *Local Government Act (2019)* and that the TPRC's website provide a link to each member local government's website where the policy, training and reporting requirements in respect of each of the TPRC's Councillors is provided.

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

9. COMMITTEE REPORTS 9.1 - 9.14

AUDIT COMMITTEE (6 AUGUST 2020)

9.1 TPRC DRAFT BUDGET FOR FYE 2021

Moved Cr Migdale, Seconded Cr Zappa.

[The recommendation in the agenda]

That the Council:

- 1. ADOPTS the Budget for the Tamala Park Regional Council for the year ending 30 June 2021, incorporating the following statements:**
 - a. Statement of Comprehensive Income, indicating an operating deficit of \$558,647.**
 - b. Statement of Financial Activity, showing surplus at end of year position of \$44,994,942.**
 - c. Rate Setting Statement, indicating no rates levied.**
- 2. ADOPTS a percentage of 10% or \$5,000 whichever is the greater for the purposes of the reporting of material variances by Nature and Type monthly for the 2019/2020 financial year, in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*.**

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

The recommendations for Items 9.2 – 9.4 were moved and seconded en bloc.

Moved Cr Migdale, Seconded Cr Sandri.

9.2 PAYMENT OF ACCOUNTS & SECURITY OF PAYMENT INSTRUMENTS POLICY REVIEW

[The recommendation in the agenda]

That the Audit Committee recommends that Council APPROVES the Payment of Accounts & Security of Payment Instruments Policy (August 2020).

9.3 CREDIT CARD POLICY REVIEW

[The recommendation in the agenda]

That the Audit Committee recommends that the Council APPROVES the Credit Card Policy (August 2020).

9.4 PETTY CASH POLICY REVIEW

[The recommendation in the agenda]

That the Audit Committee recommends that Council APPROVES the Petty Cash Policy (August 2020).

The Motions were put and CARRIED en bloc (11/0).

9.5 WORKFORCE PLAN 2021-2024

[The recommendation in the agenda]

That the Council APPROVES the Workforce Plan 2021-2024.

Moved Cr Sandri, Seconded Cr Lagan.

[An Alternative Motion]

That Council DEFERS the Workforce Plan 2021-2024 and requests the CEO engage an external consultant to review the current organisational structure and operating model of Tamala Park Regional Council and provides options for a cost effective, agile and streamlined approach to the delivery and sale of land in accordance with the *Local Government Act 1995*.

The Motion was put and declared CARRIED (7/4).

For: Cr Anderson, Cr Caddy, Cr Chester, Cr Lagan, Cr Migdale, Cr Sandri and Cr Timmermanis.

Against: Cr Fotakis, Cr Taylor, Cr Treby and Cr Zappa.

MANAGEMENT COMMITTEE (23 JULY 2020)

The recommendations for Items 9.6 – 9.8 were moved and seconded en bloc.

Moved Cr Timmermanis, Seconded Cr Lagan.

9.6 CATALINA GROVE DEVELOPMENT STRATEGY

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the Catalina Grove Development Strategy (July 2020) prepared by the Satterley Property Group, to guide the development, marketing and sale of land in the Catalina Grove Precinct.**
- 2. REQUESTS the Satterley Property Group to provide additional advice on the following matters prior to the development of Phase 1:**

- (a) **Commencement of Sales – rationale for sales commencing prior to Phase 1 civil works and the Connolly Drive and Neerabup Road landscaping being completed;**
- (b) **Local Centre site – recommendations on the timing for the marketing, sale and development of the site;**
- (c) **Builders' Display Village – seeking commitment from builders for the potential display village and interest in building demonstration housing, particularly the proposed micro-lots and terrace housing;**
- (d) **Lot sizes and configuration – further information, including market research, confirming market acceptance to the proposed lot sizes, particularly the proposed micro lots and terrace housing lots;**
- (e) **Marketing strategy - advice on the timing for the preparation of the Grove Marketing Strategy, in particular detail on how the marketing approach will emphasise the Grove Precinct point of difference with the other Catalina Precincts;**
- (f) **Preparation of Design Guidelines – advice on the timing for the preparation of the design guidelines;**
- (g) **Innovation/sustainability - advice on the timing for the preparation of information outlining the innovation/sustainability principles/approaches to be incorporated in the Grove Precinct.**

9.7 PROJECT BUDGET FYE 2021 - UPDATED

[The recommendation in the agenda]

That the Management Committee recommends that Council APPROVES the Project Budget FYE 2021 (July 2020), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2021.

9.8 ANNUAL MARKETING PLAN FYE 2021

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the Annual Marketing Plan FYE 2021, prepared by the Satterley Property Group, subject to it being amended to indicate a revised sales target of 119 lots consistent with the revised Project Budget FYE 2021 (July 2020).**
- 2. ACCEPTS that the Development Manager's Key Performance Indicator (February 2020) requiring the preparation of an Annual Marketing Plan has been achieved.**
- 3. ADVISES the Satterley Property Group that marketing expenditure, in particular sales incentives campaigns, will be reviewed and monitored in line with market conditions and the requirements of the Project and the Project Budget FYE 2021,**

as approved. Further, the proposed experiential marketing through promotion and engagement at third-party events such as the Mindarie Marina Festival and City of Joondalup Festival will require further justification on expected marketing outcomes versus expenditure.

The Motions were put and CARRIED en bloc (11/0).

Moved Cr Sandri, Seconded Cr Lagan.

That Standing Orders be suspended to allow Confidential Items 9.9, 9.13 and 9.14 to be discussed.

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

9.9 BUILT FORM PARTNERSHIP – STAGE 18 – CONFIDENTIAL

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That Council:

- 1. ACCEPTS the use of the following draft development principles and commercial terms for the Stage 18 site to inform the preparation by the TPRC and Schlager Group of a Project Plan and Project Budget to establish project management arrangements and acceptable financial outcomes within 30 days:**
 - a) Schlager to work with the TPRC and its consultants to undertake the subdivision, civil construction and landscaping design of the site.**
 - b) Schlager to undertake building design for the site.**
 - c) Development of the site is to occur in two stages, Stage 1 Display Homes and Stage 2 House and Land packages.**
 - d) Stage 1 is to comprise the construction of two display homes:**
 - i. A six-bedroom/six-bathroom (6x6) communal dwelling to function as a demonstration home/living laboratory. Schlager to fund the construction of this home, including the acquisition of the land.**
 - ii. A three-bedroom/two-bathroom two-story townhouse to be funded by the TPRC.**
 - e) Stage 2 is to comprise of (notionally) 36 two-storey townhouses to be marketed and sold as house and land packages.**
 - f) All dwellings are to incorporate the following sustainability features:**
 - i. Prefabricated timber wall frames, floors and roof trusses. A typical build time to lock up after the slab is laid is two days.**

- ii. Near passive house/net zero energy design meeting the highest energy ratings achieved with double glazed doors and windows and building sealing testing.
 - iii. 'Waterwise Gold' endorsement, smart home connectivity, carbon neutral construction and energy efficient appliances.
 - iv. PV solar and battery systems with access to an enabled embedded energy network for energy trading, monitorable through smart home connectivity.
 - v. Optional extras may include heat pumps, heat recovery ventilators and underfloor heating (subject to purchaser preferences).
 - vi. Access to a shared electric scooter and bicycle network.
- g) The TPRC is to fund the common property civil and landscaping works in Stage 2.
- h) Schlager is to fund the marketing, sale, project management and development of the Stage 2 townhouses.
- i) Purchasers of house and land packages to enter into a land sales contract with the TPRC and a building contract with Schlager.
- j) Schlager is to fund the building of the townhouses in Stage 2.
- k) No debt is to be secured against the land.
- l) The TPRC is to retain ownership of the land until settling the sale of each lot.
- m) Schlager to provide adequate indemnity coverage for the TPRC for any construction it undertakes on its land.
- n) A suitable sales and settlement method for the house and land packages is to be agreed, including for the distribution of sales proceeds in the following order:
- i. GST payable in respect of the sale of a dwelling;
 - ii. To the TPRC for its equity contribution, including land, civil and landscaping works;
 - iii. To Schlager for its building costs properly incurred in accordance with the approved Project Budget in respect of the design, construction, management, marketing and sale of dwellings; and
 - iv. To the parties, based on their respective equity share, of any remaining balance of the sales proceeds, which is to take into account the contribution of the Innovation Fund to the Project by the TPRC.
2. **REQUIRES** the Project Plan and Project Budget to confirm development principles, commercial terms, establish project management arrangements and clearly demonstrate acceptable financial outcomes.

The Motion was put and declared CARRIED (7/4).

For: Cr Anderson, Cr Chester, Cr Fotakis, Cr Sandri, Cr Taylor, Cr Treby and Cr Zappa.

Against: Cr Caddy, Cr Lagan, Cr Migdale and Cr Timmermanis.

The recommendations for Items 9.10 – 9.12 were moved and seconded en bloc.

Moved Cr Timmermanis, Seconded Cr Lagan.

9.10 KEY PERSONNEL – CATALINA SALES REPRESENTATIVE – CONFIDENTIAL

[The recommendation in the agenda]

That the Management Committee recommends that Council APPROVES, pursuant to Clause 4.5 of the Development Management Agreement, the extension of the appointment of Mr Alan Abel as the Catalina Sales Representative until 31 December 2020.

9.11 PROJECT RESOURCING – DEVELOPMENT MANAGER – CONFIDENTIAL

[The recommendation in the agenda]

That the Council:

- 1. ADVISES the Satterley Property Group that it does not ACCEPT the proposed arrangements to resource the Catalina Project, as set out in Satterley's letter of 8 July 2020, due to concerns over its ability to fulfill its obligations under the Development Management Agreement (2010) and REQUESTS that Satterley reconsiders its position in relation to resourcing of the Catalina Project.**
- 2. In the event that a satisfactory outcome is not achieved from the request made in accordance with 1. above, AUTHORISES the Chief Executive Officer to provide written notice to the Satterley Property Group pursuant to Clause 17.1 of the Development Management Agreement (2010) that it DISPUTES that Satterley is in compliance with Clause 4.5 of the Agreement.**

9.12 DEVELOPMENT MANAGER APPOINTMENT TO STAGE 3 - CONFIDENTIAL

[The recommendation in the agenda]

That the Management Committee recommends that Council:

- 1. AGREES to undertake an assessment, pursuant to Clause 2.2(b) of the Development Management Agreement (2010), as to whether the Development Manager has performed and observed its obligations under the DMA for Stage 2, prior to the appointment of the Development Manager to Stage 3 of the Project.**

2. **AUTHORISES** the Chief Executive Officer to engage an independent consultant to undertake an assessment of the performance of the Development Manager, in accordance with Clause 4.1 of the Development Management Agreement (2010) and provide advice and recommendations to Council.

The Motions were put and CARRIED en bloc (11/0).

CEO ANNUAL PERFORMANCE REVIEW COMMITTEE MEETING (11 MAY 2020)

9.13 CEO ANNUAL PERFORMANCE REVIEW 2019/2020 - APPOINTMENT OF CONSULTANT - CONFIDENTIAL

Moved Cr Timmermanis, Seconded Cr Lagan.

[The recommendation in the agenda]

That the Committee recommends that Council appoint Learning Horizons to assist the Council with the CEO Annual Performance Review 2019/2020 and for a 3-year term (FYE 2020-2022) in accordance with its proposal dated 11 July 2020.

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

9.14 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER – CONFIDENTIAL

Moved Cr Lagan, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

1. **DETERMINES** that Michael Quirk is suitably qualified to Act as Chief Executive Officer – TPRC.
2. **APPROVES** the appointment of Michael Quirk to Act as Chief Executive Officer – TPRC, between 28 September 2020 to 23 October 2020 (inclusive), in accordance with proposed employment contract (dated August 2020 attached).
3. **AUTHORISES** the Chair to sign the proposed employment contract (dated August 2020 attached).

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

Moved Cr Lagan, Seconded Cr Zappa.

That the Meeting be REOPENED to the public.

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

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. MATTERS BEHIND CLOSED DOORS

- 9.9 Built Form Partnership – Confidential
- 9.10 Key Personnel – Catalina Sales Representative – Confidential
- 9.11 Project Resourcing – Development Manager – Confidential
- 9.12 Development Manager Appointment to Stage 3 – Confidential
- 9.13 CEO Annual Performance Review – Appointment of Consultant - Confidential
- 9.14 Appointment of Acting Chief Executive Officer - Confidential

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:26pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2020

as a true record of proceedings.

CHAIR