

minutes

Major Projects Committee

MEETING HELD ON **MONDAY 14 DECEMBER 2015**

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CITY OF JOONDALUP

MINUTES OF THE MAJOR PROJECTS COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 14 DECEMBER 2015.

ATTENDANCE

Committee Members

Mayor Troy Pickard	<i>Presiding Member</i>	
Cr Kerry Hollywood	<i>Deputy Presiding Member</i>	
Cr Philippa Taylor	<i>Deputising for Cr Nige Jones</i>	
Cr Liam Gobbert		<i>to 6.08pm</i>
Cr Mike Norman		
Cr John Chester		
Cr Russ Fishwick, JP		<i>from 5.10pm</i>

Observers

Cr Tom McLean, JP		
Cr John Logan		
Cr Russell Poliwka		<i>to 5.43pm</i>

Officers

Mr Garry Hunt	Chief Executive Officer	
Mr Mike Tidy	Director Corporate Services	
Mr Brad Sillence	Manager Governance	
Mr Blignault Olivier	Acting Manager Planning Services	
Mrs Genevieve Hunter	Acting Manager City Projects	
Mr John Byrne	Governance Coordinator	
Mr Scott Collins	Senior Projects Officer	<i>to 6.08pm</i>
Mrs Lesley Taylor	Governance Officer	

Guest

Mr Simon Moen	Technical Advisor, Partner - Jackson McDonald Lawyers	<i>from 6.08pm</i>
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DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.04pm.

DECLARATIONS OF INTEREST**Disclosures of Financial / Proximity Interest**

Nil.

Disclosures of interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	Cr Tom McLean, JP.
Item No./Subject	Item 2 - Confidential - Joondalup City Centre Development – Heads of Agreement.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A director of Probuild Constructions is known to Cr McLean.

Name/Position	Mr Blignault Olivier, Acting Manager Planning Services.
Item No./Subject	Item 2 - Confidential - Joondalup City Centre Development – Heads of Agreement.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A director at Probuild Constructions (part of the Devwest Group Pty Ltd team) is a personal friend of Mr Olivier.

APOLOGIES/LEAVE OF ABSENCE**Leave of Absence previously approved**

Cr Liam Gobbert	10 December to 15 December 2015 inclusive;
Cr Nige Jones	14 December to 18 December 2015 inclusive;
Cr Russell Poliwka	26 December 2015 to 6 January 2016 inclusive;
Cr John Logan	4 January to 10 January 2016 inclusive;
Cr Nige Jones	24 January to 26 January 2016 inclusive;
Cr Mike Norman	21 February to 5 March 2016 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE SPECIAL MAJOR PROJECTS COMMITTEE HELD 3 NOVEMBER 2015

MOVED Cr Gobbert, **SECONDED** Cr Hollywood that the minutes of the special meeting of the Major Projects Committee held on 3 November 2015 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Gobbert, Hollywood, Norman and Taylor.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting was not open to the public.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS**ITEM 1 JOONDALUP PERFORMING ARTS AND CULTURAL FACILITY BUSINESS CASE AND PROGRESSION OPTIONS REPORT**

WARD	North
RESPONSIBLE DIRECTOR	Mr Garry Hunt Chief Executive Officer
FILE NUMBER	75577, 101515
ATTACHMENT	Attachment 1 Business Case <i>(Please Note: The Attachment is confidential and is available electronically only)</i>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For Council to approve the Joondalup Performing Arts and Cultural Facility (JPACF) business case, at this point in time, and to approve progressing the project to schematic design stage.

EXECUTIVE SUMMARY

At its meetings held on 24 June 2015 and 22 July 2015 the former JPACF Steering Committee considered details on the progress of the JPACF project and the draft JPACF Business Case.

At its meeting held on 28 July 2015 (CJ125-07/15 and CJ126-07/15 refer), Council requested that the final JPACF Business Case be presented to Council for adoption and that a further report be provided to the JPACF Steering Committee on the strategy and costings for the schematic design stage of the project. Council also noted that the Chief Executive Officer would submit a grant application to Round Two of the Federal Government's National Stronger Regions Fund.

Since the meeting held on 28 July 2015, the City submitted an application for a grant of \$10 million to the National Stronger Regions Fund. On 7 December 2015 the City was advised that its application for funding was unsuccessful. Round Three of the National Stronger Regions Fund will open on 15 January 2016 and close on 15 March 2016. It is intended that the City will submit a grant application for Round Three funding if Council approves progression of the project.

In addition the City reviewed the Business Case with particular regard to operating assumptions, financial modelling and social impact. This has resulted in a more refined Business Case which provides a robust analysis of the outcomes of this major investment decision. The amended JPACF Business Case demonstrates that the facility represents a significant cost to the City both in terms of one-off and recurring costs, while delivering positive economic and social benefits to the City, its residents and the wider region.

In terms of progressing the project, Council has the option of proceeding with the next stage of the design process, being the schematic design stage. The outcome of the schematic design stage will be a schematic design report which will allow Council to more accurately assess the overall costs and benefits of the development. If progressed, upon completion of the schematic design stage which will result in further revisions to the Business Case, Council has the opportunity to reassess the status of the project before making the decision to proceed to design development stage, which represents further significant investment.

It is therefore recommended that Council:

- 1 *APPROVES the Business Case, at this point in time, for the Joondalup Performing Arts and Cultural Facility as detailed in Attachment 1 to this Report;*
- 2 *REQUESTS the Chief Executive Officer to proceed with the schematic design stage of the Joondalup Performing Arts and Cultural Facility project and NOTES Ashley Raggatt MacDougall Pty Ltd T/A ARM Architecture will undertake the schematic design based on the scope of works and fee proposal as outlined in this Report;*
- 3 *NOTES the Business Case for the Joondalup Performing Arts and Cultural Facility project is final at this point in time and will be further refined for Council's approval in view of the outcomes of the schematic design stage and revised costings;*
- 4 *NOTES the Chief Executive Officer will submit a grant application to Round Three of the Federal Government's National Stronger Regions Fund.*

BACKGROUND

At its meeting held on 20 February 2013 the former JPACF Steering Committee recommended that Council noted the JPACF Market Analysis and Feasibility Study and supported the progression of the JPACF project.

It was identified that one of the key stages of the JPACF project was the progression of a concept design for the facility based on the "Art Box" model as outlined in the JPACF Market Analysis and Feasibility Study.

At its meeting held on 19 March 2013 (CJ040-03/13 refers) it was agreed in part that Council:

- "1 APPROVES the "Art Box" as the preferred model for the basis of an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility;*
- 2 AUTHORISES the Chief Executive Officer to initiate an architectural design competition for the development of a refined conceptual design for the Joondalup Performing Arts and Cultural Facility."*

The City commenced a two stage architectural design competition through an Expression of Interest process in April 2013.

At its meeting held on 15 April 2014 (CJ060-04/14 and CJ061-04/14 refer) Council considered two reports relating to the JPACF project progress and the Architectural Design Competition and it was resolved in part that Council:

“2 SUPPORTS progressing the Joondalup Performing Arts and Cultural Facility Project in accordance with the project program as detailed in Attachment 2 to Report CJ060-04/14, including the undertaking of a social impact assessment of the Joondalup Performing Arts and Cultural Facility.”

and:

“1 ENDORSES Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture as the winner of the Joondalup Performing Arts and Cultural Facility Architectural Design Competition;

2 AUTHORISES the Chief Executive Officer to enter into negotiations with Ashton Raggatt McDougall Pty Ltd T/A ARM Architecture to determine the architectural fees and project program to get to a modified conceptual design as required to enable the project to progress.”

At its meeting held on 12 March 2015 the JPACF Steering Committee considered the report entitled Joondalup Performing Arts and Cultural Facility – Progress Report. The report outlined the progress on the project including details of the design review of the concept design, funding strategy and business case. At this meeting the project architects – ARM Architecture, presented on the progress of the design review process. The JPACF Steering Committee resolved, in part, as follows:

“That the Joondalup Performing Arts and Cultural Facility Steering Committee:

3 REQUESTS the Chief Executive Officer provide a further report on the following:

3.1 Traffic treatments and modelling around the facility;

3.2 Designated use and location of the art gallery;

3.3 Seating capacity of the main auditorium;

3.4 Treatment and considerations of the external plant and infrastructure adjoining the facility;

3.5 Treatment and visual presence of the eastern facade adjacent to West Coast Institute.

A further progress report was considered by the JPACF Steering Committee at its meeting held on 24 June 2015. The report and accompanying presentation detailed the design review findings, funding strategy and progress on the Business Case based on the ARM Architecture design.

The JPACF Steering Committee raised several questions regarding the Business Case section of the report and the Chief Executive Officer was requested to prepare a report with further details on the Business Case. The resultant report was considered by the JPACF Steering Committee at its meeting held on 22 July 2015.

As recommended by the JPACF Steering Committee, at its meeting held on 28 July 2015 (CJ125-0715 and CJ126-07/15) it was resolved that Council:

- 1 *NOTES the details of the design review of the Joondalup Performing Arts and Cultural Facility Project as detailed in Report CJ125-07/15 and as presented at the Joondalup Performing Arts and Cultural Facility Steering Committee;*
- 2 *REQUESTS the Chief Executive Officer to provide a further report to the Joondalup Performing Arts and Cultural Facility Steering Committee outlining a strategy and costings for the schematic design stage of the project and to present a full business case for formal adoption of Council;*
- 3 *NOTES the summary of the Joondalup Performing Arts and Cultural Facility Business Case as presented in this Report and NOTES the Chief Executive Officer will submit a grant application to the Federal Government's National Stronger Regions Fund.*

and:

That Council NOTES the progress of the draft business case for the Joondalup Performing Arts and Cultural Facility and REQUESTS a final business case be presented to Council for adoption.

DETAILS

National Stronger Regions Fund

The City submitted an application for \$10 million to Round Two of the Federal Government's National Stronger Regions Fund on 30 July 2015. On 7 December 2015 the City was advised that its application for funding was unsuccessful. Round Three of the National Stronger Regions Fund will open on 15 January 2016 and close on 15 March 2016. It is intended that, pending feedback on the City's Stage Two application, the City will apply for Round Three funding if Council approves progression of the project.

Business Case

The Business Case has been developed over several years with input from expert consultants, performing arts facility managers, staff from the Department of Culture and the Arts and Perth Theatre Trust and other key stakeholders. The Business Case has input from several key data sources, including the following:

- Pracsys: JPACF Market Analysis and Feasibility Study (2012).
- City of Joondalup: JPACF Project Philosophy and Parameters Report (2010).
- ARM Architecture: Architectural Design Competition Submission 2013.
- Australian Performing Arts Centres Association: Economic Activity Report and Venues and Charges Report (2013).
- Committee for Perth: Examining Perth's Performing Arts Infrastructure (2013).

Since the Council meeting held on 28 July 2015, the Business Case has been further reviewed both internally and by external consultants. Particular focus was applied to the financial assumptions and modelling previously undertaken. Additionally a consultant specialising in cultural policy and legislation was engaged to review the social impact assessment component of the draft Business Case. The Business Case was subsequently amended based on the above review.

The results of these review processes clearly reinforce the notion that the JPACF represents a significant cost to the City both in terms of one-off and ongoing costs. The amended Business Case also demonstrates the JPACF will deliver both economic and social benefits to the City, its residents and the wider region.

The Business Case is summarised below.

Background

- Need identified in 1992 Joondalup Cultural Plan.
- Land purchased in 2006 at 3 Teakle Court.
- A number of feasibility studies and concept plans undertaken over the years.
- The most recent Market Analysis and Feasibility was undertaken in 2012.
- The current concept from ARM Architecture adopted from an international architectural design competition held in 2013.

Needs Analysis

- The 2012 Market Analysis and Feasibility Study reinforced the notion of significant under-provision of performing arts and cultural facilities in the northern corridor.
- The primary catchment area identified is over 300,000 people and is forecast to grow to over 500,000 within 20 years.
- The catchment area population is already much larger than the catchment areas of most other comparable facilities in Australia.
- Australian Bureau of Statistics (ABS) data indicates a high level of demand for cultural participation.
- The JPACF will address the lack of existing facilities in the region.

Location, Options and Features

- The location for the facility was evaluated and selected as being ideally located, adjacent to the Joondalup Learning Precinct with excellent access by public transport and roads.
- Several facility model options have been thoroughly evaluated. The preferred option is an Art Box Model which will provide multiple community and commercial spaces with activation throughout the day and evening.
- Facility features:
 - a main auditorium of 850 seats, including a fly tower, with high standard of lighting and acoustic specifications
 - a 200 seat black box theatre to accommodate a variety of non-traditional theatre stagings and performances

- a range of rehearsal spaces that could also serve as places for small performances and general community activities
- theatre support spaces such as a box office, green room, make up and change areas, backstage workshops and storage
- a dedicated art gallery
- conferencing and exhibition spaces
- spaces for the practice of fine arts and crafts
- curatorial space
- bar and catering facilities
- office and managerial spaces
- 400 bay car parking to cater for staff and patrons of the facility and day-time public parking
- Jinan Chinese Cultural Garden.

Financial Projections

- estimated to cost \$97.6 million (today's dollars) to plan, design and construct
- currently \$18 million in JPACF reserve
- reserve forecast to grow to \$45 million by 2018-2019
- assumes \$10 million grant from Round Three of the National Stronger Regions Fund
- assumes \$48 million of borrowings
- ongoing annual contribution by the City, estimated to be \$818,000 (excluding borrowing costs)
- total cash impact up to 2058-59 is estimated to be \$200 million, with a net present cost of \$81 million.

It should be noted that while the projected cash flows indicate a potential overall cost by 2058-59 of \$200 million, it is vital to emphasise that there a large number of risks with the financial estimates, both in terms of the initial development and the ongoing operation. The total cash flows could be worse than the \$200 million, while there is also a lesser possibility that the cash flows could be better. The likelihood of worse cash flows is considered to be greater than the likelihood of better cash flows given the nature of the facility and its operations and the current state of the concept design. A sensitivity analysis has been prepared and indicates that in regards to the total cash impact:

- best case could be \$167 million which would arise if the capital costs were 10% lower and the annual operating subsidy was \$200,000 less
- worst case could be \$300 million which would arise if capital costs were 30% higher and the annual operating subsidy was \$600,000 more.

Economic Impact

The JPACF is estimated to result in the following economic impacts:

- One-off investment to create 147 direct jobs and 469 indirect jobs.
- Operating activities to create 37 full time employees per year (20 direct and 17 indirect).
- Supplier employment to equate to six direct full time employees and four indirect employees.
- Visitors to add \$2 million to the local economy each year.

Social Impact

The JPACF will have the following social impact:

- Strengthen local communities through the provision of accessible and inclusive arts and cultural experiences.
- Build on the City of Joondalup's strong arts and cultural program to address unmet community needs and demands for arts and cultural experiences.
- Improve health and wellbeing for the people of Perth's North West Sub Region.
- Foster community pride, cohesion and identity.

Project Progression Options

Council has an option of proceeding with the next stage of the design process, being the schematic design stage. The outcome of the schematic design stage will be a schematic design report which will better inform the Business Case and allow Council to more accurately assess the overall costs of the development, while also providing the level of detail required for the City to campaign for funding at a state government level.

The option to progress to the schematic design stage does not commit Council to proceeding with the overall development. The schematic design stage will take approximately three months to complete and is described in detail below. Upon completion of the schematic design stage Council has the opportunity to consider a revised Business Case and to reassess the status of the project, before making the decision to proceed to design development stage, which represents further significant investment.

The design development stage of the project is a more detailed design stage and will take approximately four months to complete. The various stages of the project are outlined in the Business Case and have been developed in consultation with the project architects and project architectural advisor.

ARM Architecture has provided the City with a scope of works and a fee proposal for the schematic design stage. The scope includes ARM Architecture acting as the lead consultant with all sub-consultants being engaged by them. The fee provided by ARM Architecture includes fees from some 20 sub-consultants required for the project. The fee for the schematic design stage (including sub-consultant fees) is approximately \$1.25 million (excl GST). This amount is included in the current JPACF budget and represents part of the overall JPACF capital cost of \$97.6 million (today's dollars).

Schematic Design

The deliverables for the schematic design stage will be a schematic design report consisting of the following:

- Background information about the project, including objectives, vision, budget, and progression since Concept Design phase.
- Consultation process (for example, with Council, the Major Projects Committee, the City, user group(s), and potentially wider community).
- Reference documents, standards and design precedents which have informed the design process.
- Design response/statement, building on what was included in the original ARM Architecture architectural design competition concept design report.
- Value engineering changes.

- Functional accommodation schedule, including floor areas, accompanied by a description of the intent and purpose of each major functional area (for example, the main auditorium, black box, foyer, function space, administration offices and loading dock).
- Fixtures and equipment schedule, accompanied by a description of major elements.
- Schematic design architectural drawings, including site plan, all floor plans, elevations and building sections at a large scale, usually 1:100 or 1:200.
- Rendered views.
- Materials schedule – first draft.
- Schematic Design Reports from all sub-consultants, including drawing sets where relevant.
- Engineering drawings which may still be at sketch stage – these sketches will have been coordinated and included within the architectural drawings.
- Room Data Sheets – first draft.

The schematic design report will include input from the following disciplines:

- | | |
|--------------------------|---|
| • Architecture | • Hydraulics / Fire Services |
| • Theatre + AV Design | • Fire Engineering |
| • Acoustic Engineering | • Environmentally Sustainable Development |
| • Quantity Surveyor | • Transport |
| • Landscape Architecture | • Façade Engineering |
| • Structural Engineering | • Building Certification |
| • Civil Engineering | • Specialist Lighting |
| • Electrical Engineering | • Geotechnical |
| • Lift Engineering | • Irrigation |
| • Mechanical Engineering | • Signage and Wayfinding |

Issues and options considered

In considering the progress of the JPACF project Council can:

- note the details of the amended Business Case, proceed with the schematic design stage as outlined in this report, before reconsidering the status of the project at completion of the schematic design stage and apply to Round Three of the National Stronger Regions Fund for a \$10 million grant (recommended)
- note the details of the amended Business Case, apply to Round Three of the National Stronger Regions Fund for a \$10 million grant and place the project on hold pending a decision on the application
or
- note the details of the amended Business Case and undertake further investigations into other partner and funding opportunities for the development of the facility, prior to proceeding with the schematic design stage.

Legislation / Strategic Community Plan / policy implications

Legislation The City is governed by the requirements of the *Local Government Act 1995* in relation to dealings involving commercial undertakings and land development.

Strategic Community Plan

Key theme Community Wellbeing.

Objective Cultural development.

Strategic initiative Establish a significant cultural facility with the capacity to attract a world-class visual and performing arts events.

Policy Not applicable.

Risk management considerations

A comprehensive Risk Management Plan outlining the risks apparent to the project has been prepared and is updated as the project progresses. The financial risks and sensitivities are outlined in the Business Case and summarised in the Details section of this report. The financial projections will continue to be assessed throughout the project.

The indicative project plan aims for the facility to be operational by July 2019, but these are estimated timescales. There are a wide number of issues that will impact the project plan. The timescales will be subject to further review as part of the next phase of the project.

Financial / budget implicationsCurrent financial year impact

Account no.	1-210-C1002
Budget Item	Joondalup Performing Arts and Cultural Facility.
Budget amount	\$1,736,954
Amount spent to date	\$32,206
Balance	\$1,704,748

The budget allocated for 2015-16 is for the engagement of expert consultants and other costs associated with project management, site assessment, schematic design fees, and some design development.

Future financial year impact

The development of the JPACF will require a significant financial contribution towards the capital cost and a significant ongoing annual subsidy for the facility's operations.

The Business Case outlines that the estimated capital cost of the facility is \$97.6 million (today's dollars). This includes costs for the Jinan Garden, traffic improvements, external works and project management.

Investigations have indicated that annual operating subsidies for comparable facilities in Australia can exceed \$1 million. The Business Case has been refined using data from the 2012 JPACF Market Analysis and Feasibility Study, Australian Performing Arts Centres Association and performing arts management consultant input. As detailed in the Business Case the current financial analysis for the JPACF indicates an annual operating subsidy of over \$800,000 (excluding borrowing costs).

**20 Year Strategic
Financial Plan impact** \$97.6 million.

Impact year 2018-2019.

All amounts quoted in this report are exclusive of GST.

Regional significance

The construction of the Joondalup Performing Arts and Cultural Facility will enhance the City Centre as the major commercial, educational, recreational and arts and culture centre for the northern corridor of the Perth metropolitan area.

Sustainability implications

The sustainability implications are contained within the amended Business Case and will be further considered during the preparation of a detailed design for the facility.

Consultation

From the early stages of the project the City has consulted widely on the JPACF project:

- In the initial scoping and planning phases of the project a comprehensive survey of various schools, community groups and professional cultural and performing arts performers and artists was undertaken by the City.
- In the preparation of the 2012 Market Analysis and Feasibility Study, numerous performing arts managers, local, performing arts venues, arts producers, local cultural organisations and existing, school, convention, sporting and learning facility representatives were consulted.
- During the architectural design competition for the concept design, ratepayers, residents and the broader community were given the opportunity to view the four conceptual design submissions and vote and comment on their preferred design. The City received over 450 votes and numerous comments.
- On an ongoing basis the City has consulted with performing arts facility managers, the Department of Culture and the Arts and Perth Theatre Trust. It is expected that further interaction with State Government representatives and experts in the performing arts, conferencing, events, exhibitions and education sectors will be undertaken as the project progresses.

COMMENT

The JPACF will represent a significant milestone in the development of the City. Since the early 1990s the City has prepared numerous plans and studies, culminating in the current design concept and the amended Business Case, the details of which are considered in this report.

The construction of a Performing Arts and Cultural Facility within the Joondalup City Centre is critical to achieving the City's aspirations of establishing a thriving cultural scene within the City. It will also aid in encouraging greater activity within the City Centre to improve economic growth and investment.

The project is now at a stage where a significant investment decision is required to progress the JPACF towards realisation.

VOTING REQUIREMENTS

Simple Majority.

Cr Fishwick entered the room at 5.10pm.

Cr Poliwka left the meeting at 5.43pm.

MOVED Cr Hollywood, SECONDED Cr Gobbert that Council:

- 1 APPROVES the Business Case, at this point in time, for the Joondalup Performing Arts and Cultural Facility as detailed in Attachment 1 to this Report;**
- 2 REQUESTS the Chief Executive Officer to proceed with the schematic design stage of the Joondalup Performing Arts and Cultural Facility project and NOTES Ashley Raggatt MacDougall Pty Ltd T/A ARM Architecture will undertake the schematic design based on the scope of works and fee proposal as outlined in this Report;**
- 3 NOTES the Business Case for the Joondalup Performing Arts and Cultural Facility project is final at this point in time and will be further refined for Council's approval in view of the outcomes of the schematic design stage and revised costings;**
- 4 NOTES the Chief Executive Officer will submit a grant application to Round Three of the Federal Government's National Stronger Regions Fund.**

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Fishwick, Gobbert, Hollywood, Norman and Taylor.

Cr Liam Gobbert left the meeting at 6.08pm.

Mr Simon Moen, Jackson McDonald Lawyers entered the room at 6.08pm.

The Senior Projects Officer left the meeting at 6.08pm.

Disclosures of interest affecting impartiality

Name/Position	Cr Tom McLean, JP.
Item No./Subject	Item 2 - Confidential - Joondalup City Centre Development – Heads of Agreement.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A director of Probuild Constructions is known to Cr McLean.

Name/Position	Mr Blignault Olivier, Acting Manager Planning Services.
Item No./Subject	Item 2 - Confidential - Joondalup City Centre Development – Heads of Agreement.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	A director at Probuild Constructions (part of the Devwest Group Pty Ltd team) is a personal friend of Mr Olivier.

ITEM 2 **CONFIDENTIAL: JOONDALUP CITY CENTRE DEVELOPMENT - HEADS OF AGREEMENT**

WARD	North	
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO	
FILE NUMBER	103036, 101515	
ATTACHMENT	Attachment 1	Amended Heads of Agreement – Joondalup City Centre Development Site, Boas Place
	Attachment 2	Heads of Agreement Amendments
	Attachment 3	Boas Place Concept Plan
	Attachment 4	Joondalup City Centre Development – PowerPoint Presentation
	<i>(Please Note: The Report and Attachments are confidential and will appear in the official Minute Book only)</i>	
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.	

This Report is confidential in accordance with section 5.23(2)(c) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

A full report was provided to Elected Members under separate cover. The report is not for publication.

MOVED Cr Fishwick, SECONDED Cr Chester that Council:

- 1 ENDORSES the amended Heads of Agreement (made pursuant to clause 2(b) of the Memorandum of Understanding) to be executed between the City and Devwest Group Pty Ltd forming Attachment 1 to this Report;**
- 2 AUTHORISES the affixation of the Common Seal and execution of the amended Heads of Agreement between the City and Devwest Group Pty Ltd forming Attachment 1 to this Report;**
- 3 APPROVES an extension of the exclusivity period of the Memorandum of Understanding, executed between the City and Devwest Group Pty Ltd on 11 December 2014, for a period of 12 months.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Chester, Fishwick, Hollywood, Norman and Taylor.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.21pm; the following Committee Members being present at that time:

Mayor Troy Pickard
Cr Kerry Hollywood
Cr Philippa Taylor
Cr Mike Norman
Cr John Chester
Cr Russ Fishwick, JP