

minutes

Major Projects and Finance Committee

MEETING HELD ON **MONDAY 7 MAY 2018**

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CITY OF JOONDALUP

MINUTES OF THE MAJOR PROJECTS AND FINANCE COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 7 MAY 2018.

ATTENDANCE

Committee Members

Cr Kerry Hollywood	<i>Deputy Presiding Member</i>	<i>Absent from 6.29pm to 6.42pm</i>
Cr Philippa Taylor		
Cr Russell Poliwka		<i>to 7.10pm</i>
Cr Christopher May	<i>Deputising for Cr Poliwka</i>	<i>from 7.10pm</i>
Cr Mike Norman	<i>Deputising for Cr Hamilton-Prime</i>	
Cr John Logan		
Cr Russ Fishwick, JP		
Cr Tom McLean, JP	<i>Deputising for Cr Hollywood</i>	<i>from 6.29pm to 6.42pm</i>

Observers

Cr John Chester		
Cr Christopher May		<i>to 7.10pm</i>
Cr Tom McLean, JP		<i>to 6.29pm; and from 6.42pm</i>

Mr Garry Hunt	Chief Executive Officer	
Mr Mike Tidy	Director Corporate Services	
Mr Nico Claassen	Director Infrastructure Services	<i>to 7.04pm</i>
Mr Brad Sillence	Manager Governance	
Mr Blignault Olivier	Manager City Projects	
Mrs Lesley Taylor	Governance Officer	

DECLARATION OF OPENING

The Deputy Presiding Member declared the meeting open at 6.20pm.

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

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	Cr Kerry Hollywood.
Item No./Subject	Item 2 – Burns Beach Café / Restaurant – Project Status.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Hollywood is a resident of Burns Beach and lives close to the proposed Burns Beach / Café restaurant project area.

Name/Position	Cr Russell Poliwka.
Item No./Subject	Item 7 – Confidential – Joondalup City Centre Development – Project Status.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Poliwka owns property at 53 Davidson Terrace, across the road from Lots C and A.

Disclosures of interest affecting impartiality

Nil.

APOLOGIES/LEAVE OF ABSENCE**Leave of Absence Previously Approved:**

Mayor Hon. Albert Jacob, JP	26 April to 7 May 2018 inclusive;
Cr Christine Hamilton-Prime	5 May to 15 May 2018 inclusive;
Cr Nige Jones	20 May to 25 May 2018 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE MAJOR PROJECTS AND FINANCE COMMITTEE HELD ON 12 MARCH 2018

MOVED Cr Fishwick, **SECONDED** Cr Hollywood that the minutes of the meeting of the Major Projects Committee held on 12 March 2018 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka 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.

BACKGROUND

1 State Government / LandCorp

In September 2017, Premier Mark McGowan together with Hon. Rita Saffioti (Minister for Transport Planning; Lands) announced that LandCorp, working with the City, would lead the implementation of the Ocean Reef Marina. The announcement also includes advice of a funding commitment of \$120 million.

The 2017-18 State Budget includes an amount of \$35 million (expended over four years)¹ to fund the detailed design, procurement and other planning requirements.

The City's on-going involvement in the project is the subject of a Memorandum of Understanding (MOU) between the City and LandCorp, endorsed by Council at its meeting held on 20 February 2018 (CJ031-02/18 refers).

At its meeting held on 11 September 2017 (Item 1 refers) the former Major Projects Committee noted issues requiring negotiation with the State Government as the project progresses to construction. Of the identified issues, the following were captured in the MOU:

- The City's involvement in the LandCorp project team.
- Acknowledgement and recognition of the City's financial contribution to the project thus far.
- Management of the community's expectations.
- Marina management post-construction.

Not captured in the MOU, the following matters will be the subject of on-going negotiation and / or resolution:

- Regular project updates for the City's Elected Members.
- *Ocean Reef Marina Business Plan*.
- The City's land contribution to the project.
- Management of the public spaces and car parking.

It was also noted by the former Major Projects Committee at its meeting held on 11 September 2017 that the outcome of the negotiations would be provided to Council through the committee.

2 Planning and Environmental Approvals

Metropolitan Region Scheme Amendment 1270/41

The City lodged the Ocean Reef Marina Metropolitan Region Scheme (MRS) Amendment request with the Western Australian Planning Commission (WAPC) in April 2014 and the MRS Amendment 1270/41 was initiated by the WAPC in June 2014.

Following public advertising of the MRS Amendment report from November 2016 to February 2017, responses to submissions were prepared collaboratively by the City and LandCorp.

¹ 2017-18 Budget, Budget Statements, Budget Paper No. 2, Volume 2, Part 22, Western Australian Land Authority, pg 663 and 664.

As outlined in the Ocean Reef Marina Project Status report noted by the Major Projects and Finance Committee at its meeting held on 12 March 2018 (Item 4 refers), responses to submissions were provided to the Department of Planning, Lands and Heritage (DPLH) in February 2018.

Negotiated Planning Outcome for Bush Forever Site 325

To manage the potential impacts of the MRS Amendment on Bush Forever Site 325 the WAPC requires finalisation and agreement of a Negotiated Planning Outcome for Bush Forever Site 325 (NPO) prior to final approval of the MRS Amendment.

Following public advertising concurrently with the MRS Amendment, the draft NPO, together with a legal agreement to ensure the implementation of the NPO, can now be finalised for approval by the relevant agencies. The inclusion of suggestions / comments made by the community during the public advertising will be considered during the finalisation of the NPO.

Public Environmental Review

Occurring in parallel with the MRS Amendment, the marine based components of the Ocean Reef Marina project are being assessed by the Environmental Protection Authority (EPA) under the *Environmental Protection Act 1986* via a Public Environmental Review (PER) – the highest level of assessment.

Public advertising of the PER documents occurred from November 2016 to February 2017 and responses to submissions were prepared collaboratively by the City and LandCorp following extensive engagement with the relevant agencies.

As outlined in the Ocean Reef Marina Project Status report noted by the Major Projects and Finance Committee at its meeting held on 12 March 2018 (Item 4 refers), responses to submissions were provided to the EPA Services (formerly Office of EPA) in February 2018.

Draft Preliminary Ocean Reef Marina Structure Plan

The draft preliminary *Ocean Reef Marina Structure Plan* was provided for community comment concurrently with the MRS Amendment and PER.

As requested by Council at its meeting held on 16 May 2017 (CJ079-05/17 refers) responses to comments received were prepared in consultation with Taylor Burrell Barnett. The responses were subsequently provided to Elected Members and published on the City's website in July 2017.

DETAILS

1 State Government / LandCorp

Memorandum of Understanding

The MOU was signed by the Chief Executive Officer on 21 February 2018, as requested by Council at its meeting held on 20 February 2018 (CJ031-02/18 refers) and forwarded to LandCorp for signing.

At the request of the Hon. Rita Saffioti, Minister for Transport; Planning; Lands, a media event was staged at the Ocean Reef Marina site on 27 March 2018 celebrating the execution of the MOU. The event was covered by Community Newspapers resulting with articles in the *Joondalup Times* and the Community Newspapers website.

State Government Ocean Reef Marina Steering Committee

A meeting of the State Government Ocean Reef Marina Steering Committee was held on 23 March 2018. The City was represented by Mayor Hon. Albert Jacob and the Chief Executive Officer; Emily Hamilton MLA, Member for Joondalup was also in attendance. Discussions were held on the following:

- Investigations into the optimum planning framework.
- Status of the MRS Amendment and PER.
- Concept design review.
- Land assembly (including Marmion Marine Park excision).
- Abalone strategy.
- Stakeholder engagement.
- Project program.
- Next steps.

2 Environmental and Planning Approvals

For the purpose of the environmental and planning approvals, the City remains the proponent for the Ocean Reef Marina at this time. As provided in the MOU, proponenty will transfer to LandCorp at an appropriate stage of the approvals process to be determined through discussion between the City, LandCorp and the project team.

Metropolitan Region Scheme Amendment 1270/41

The next step in the MRS Amendment process is the scheduling by DPLH of hearings, both public and private. Of the 94 submissions on the MRS Amendment, 16 submitters requested hearings (including the City). The City is awaiting further information from DPLH on the timing of the hearings.

As part of the concept design review process, careful consideration is being given to the implications on the MRS Amendment arising from changes to design.

As outlined in previous project status reports, MRS Amendment 1270/41 requires several outcomes prior its final approval and gazettal as follows:

- Identification of the waterways manager.
- Finalisation of NPO (including the required legal agreement).
- Approval of the *Coastal Hazard Risk Management and Adaptation Plan*.
- Approval of the *Bushfire Management Plan*.
- Decision on the PER.

With the exception of the PER, LandCorp is continuing to progress the above with input from the City and project team taking into consideration implications arising from the concept design review.

Negotiated Planning Outcome for Bush Forever Site 325

As indicated above, LandCorp, the City and the project team are progressing the finalisation of the NPO and the required legal agreement which will take into consideration implications arising from the concept design review.

Public Environmental Review

A PER follows a specific process with the timelines agreed as part of the Environmental Scoping Document for the PER. Various matters impacted on the agreed timelines necessitating a review of these timelines. The City and LandCorp have provided EPA Services with an amended timeline for their approval which sees the assessment report on the proposal being considered by the EPA at its meeting to be in May 2018.

The project team met with EPA Services in April 2018 to discuss the responses provided to submissions. EPA Services advised that there were no fundamental flaws in the responses; however, adjustments are required. Further advice on these adjustments will be provided.

While there are some key items remaining to be resolved, the EPA has acknowledged that the proponent cannot address or commit to these items without high level Government support and discussions (for example excision of the Marmion Marine Park and abalone fisheries compensation).

Should the proposal be approved by the Minister for Environment, there will be several approval conditions including the preparation and implementation of management plans. Draft management plans were provided to EPA Services as part of the PER documentation. Engagement with the various agencies for the finalisation of the management plans has commenced.

The City, LandCorp and the project team are continuing to engage with the relevant agencies as well as the Government Steering Committee on all outstanding matters relating to the PER process and approval.

Draft preliminary Ocean Reef Marina Structure Plan

Further development of the structure plan cannot be progressed until the outcome of the PER, MRS Amendment and concept plan design review is known as these processes will impact the structure plan.

3 Concept Plan Design Review

The aim of the review is to identify the concept plan “non-negotiables”, consider the land use to identify better outcomes in line with the project vision and identify cost savings.

The review commenced with the identification of issues and opportunities as well as stakeholder expectations which will guide the development of an amended concept plan.

At the time of preparing this Report, two workshops had been held, attended by the Project Team (which includes a City representative) and representatives from DPLH, Department of Transport and the Metropolitan Redevelopment Authority.

Three draft design ‘scenarios’ have been prepared for evaluation against criteria identified in the following areas:

- Community wellbeing.
- Environmental leadership.
- Economic health.
- Design excellence.
- Governance.

A third workshop was recently held to further review the development of the ‘scenarios’. A preferred option/s will be identified for presentation and consideration by the Government Steering Committee.

It is anticipated that the review will be completed by June 2018 and culminate in the endorsement of a revised concept plan by the Government Steering Committee.

4 Stakeholder Engagement

Of considerable importance to the success of the implementation of the project is timely and appropriate stakeholder engagement. An extensive stakeholder list has been prepared, as well as a stakeholder engagement and communication program (prepared and implemented by LandCorp in collaboration with the City).

The engagement with the following key stakeholders has occurred in recent months:

- Hon. Stephen N Dawson MLC, Minister for Environment; Disability Services.
- Hon. Rita Saffioti MLA, Minister for Transport; Planning; Lands.
- Whitfords Volunteer Sea Rescue Group (WVSRG).
- Ocean Reef Sea Sports Club (ORSSC).
- Joondalup RSL Sub Branch (Joondalup RSL).
- Department of Fire and Emergency Services.
- Department of Planning, Lands and Heritage.
- Department of Biodiversity, Conservation and Attractions.
- EPA Services.
- Department of Transport.
- Metropolitan Redevelopment Authority.

LandCorp published a project update in the *Joondalup Times* and *Joondalup Weekender* during the week commencing 26 March 2018 (Attachment 2 refers) and provided a project update to interest persons registered on their website.

At a meeting held in April 2018, the WVSRG, ORSSC and Joondalup RSL were advised of the status of the project, with particular reference to the concept design review process. LandCorp provided a commitment to these entities that further engagement would occur prior to the finalisation of the amended concept plan.

Issues and options considered

Not applicable.

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.

Other applicable legislation includes:

- *Planning and Development Act 2005.*
- *Environmental Protection Act 1986.*
- *Environmental Protection, Biodiversity and Conservation Act 1999 (Cwlth).*

The approvals for the development are influenced by State Planning and Development Control policies:

- *2.6: State Coastal Planning Policy.*
- *2.8: Bushland Policy for the Perth Metropolitan Region.*
- *3.7: Planning in Bushfire Prone Areas.*
- *1.8: Canal Estates and Artificial Water Developments.*

Strategic Community Plan**Key theme**

Economic Prosperity, Vibrancy and Growth.

Objective

Destination City.

Strategic initiative

- Facilitate the establishment of major tourism infrastructure.
- Encourage diverse accommodation options.

Policy

Not applicable.

Risk management considerations

Early engagement with the State Government / LandCorp on the City's on-going role and responsibilities as the project progresses was previously identified as a risk management consideration.

The execution of the MOU ensures that the City's interests in the project are acknowledged and protected. Further it allows the City to negotiate with the State Government on matters such as land tenure, on-going management responsibilities of a constructed marina and the City's contribution to the construction of community infrastructure.

Financial / budget implications

Account no.	C1001
Budget Item	Ocean Reef Marina.
Budget amount	\$ 163,785
Amount spent to date	\$ 160,506
Balance	\$ 3,279

Total Project Expenditure (as at 31 March 2018 and including internal staff costs)

2007-08	\$ 133,241
2008-09	\$ 968,284
2009-10	\$ 266,604
2010-11	\$ 325,046
2011-12	\$ 388,552
2012-13	\$ 376,393
2013-14	\$ 838,371
2014-15	\$1,314,917
2015-16	\$1,163,151
2016-17	\$ 575,906
2017-18*	\$ 160,506
LESS Grants Received	\$ (785,500)
LESS Grant to be received**	<u>\$ (500,000)</u>

Total City Expenditure \$ 5,064,964

* LandCorp is responsible for on-going expenditure incurred in progressing the project. It is anticipated that the City's future 2017-18 expenditure will be for staff costs only.

** The MOU indicates that the City will receive \$500,000 (allocated in the 2016-17 State Budget) for MRS Amendment and PER works already completed by the City.

The City has invoiced LandCorp for the \$500,000 and it is anticipated that the monies will be received prior to the end of this financial year.

Proposed 2018-19 Budget

The proposed 2018-19 budget is \$158,747 which covers staff costs, communications and marketing as well as an allocation for the City to undertake financial / economic investigations on the on-going financial impacts (both income and expenditure) of the project.

Annual operating cost Following the review of the current concept plan and development of the final concept plan, the City will be in a position to investigate the on-going financial impacts (both income and expenditure).

Estimated annual income

Capital replacement

20 Year Strategic Financial Plan impact The results of these investigations will contribute to the City's negotiations with LandCorp on the matters identified in this Report) enabling a more accurate determination on whole of life impacts.

Impact year

All amounts quoted in this report are exclusive of GST.

Regional significance

The Ocean Reef Marina development will become a significant tourist / visitor destination and a key focal point within the northern Perth corridor.

Sustainability implications

Progression of the Ocean Reef Marina planning process required a number of studies / reports addressing key issues pertaining to sustainability (such as social and economic impact and environmental sustainability). Various management plans were required to be prepared as part of the MRS amendment, NPO, PER and structure plan processes and it is highly likely that further management plans will be required as conditions of any environmental and planning approvals.

Environmental

Endorsed by Council in 2009 (JSC5-05/09 refers), the Ocean Reef Marina Philosophy and Parameters articulated the City's vision for the project and acknowledged the City's commitment to achieving a sustainable green development.

At its meeting held on 20 February 2018 (CJ031-02/18 refers) it was agreed that Council, among other things:

“3 REQUESTS the City to liaise with and request LandCorp to pursue development parameters which will deliver world class sustainable built form at the Ocean Reef Marina.”

Through the various levels of the project governance, the City will be able to influence the development parameters to ensure the Ocean Reef Marina delivers world class sustainable built form.

Consultation

LandCorp has identified stakeholder engagement and consultation as critical to the success of the project. LandCorp's stakeholder engagement strategy identifies the Mayor, Elected Members and the City as key stakeholders in the project and includes engagement with the Major Projects and Finance Committee.

The strategy also complements and builds on the community engagement undertaken by the City throughout the life of the project. The City has provided LandCorp with extensive information on the outcomes of past engagement with the community as well as other key stakeholders (including government agencies).

In collaboration with the City, LandCorp intends to hold individual meetings / workshops with key groups to identify opportunities and challenges will be held and the community in general will be informed of major project milestones through media communication and other methods such as focus groups and forums. These groups include the Ocean Reef Sea Sports Club, Whitfords Volunteer Sea Rescue Group and Joondalup RSL Sub-Branch.

COMMENT

Since the previous meeting of the Major Projects and Finance Committee held on 12 March 2018, the Ocean Reef Marina project has progressed in accordance with the program prepared by LandCorp.

With a construction start date of 2020, there are some challenges to be resolved. However, LandCorp is confident that the construction date can be met.

The City continues to be involved at all levels of the project and is committed to supporting LandCorp and the project team to realise the City's vision for the Ocean Reef Marina.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Poliwka, SECONDED Cr Taylor that the Major Projects and Finance Committee NOTES the Ocean Reef Marina Project Status Report.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka and Taylor.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agnMPF180507.pdf](#)

Disclosure of Proximity Interest

Name/Position	Cr Kerry Hollywood.
Item No./Subject	Item 2 – Burns Beach Café / Restaurant – Project Status.
Nature of interest	Proximity Interest.
Extent of Interest	Cr Hollywood is a resident of Burns Beach and lives close to the proposed Burns Beach / Café restaurant project area.

Cr Hollywood left the room at 6.29pm. Cr McLean deputised for Cr Hollywood.

As Cr Hollywood was Deputy Presiding Member of the meeting, there was a requirement to choose a member from those committee members present to preside over the meeting during the absence of Cr Hollywood.

The committee chose Cr Poliwka. Cr Poliwka assumed the chair at 6.29pm.

ITEM 2 BURNS BEACH CAFÉ/RESTAURANT - PROJECT STATUS

WARD	North
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	102656, 101515
ATTACHMENTS	Nil
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 the Major Projects and Finance Committee to note the progress on the Burns Beach café / restaurant project.

EXECUTIVE SUMMARY

At its meeting held on 12 March 2018 (Item 8 refers) the Major Projects and Finance Committee considered a status report on options for the implementation of the Burns Beach Café / Restaurant project.

The City has since undertaken the following tasks:

- Commencement of preparation of a Request for Tender process to invite submissions from suitably qualified consultants for the provision of architectural and associated services for the design of a new food and beverage development.

- Engagement of a consultant Quantity Surveyor to provide an opinion of probable cost for the facility and associated development works.
- Continued preparation of a business case, including financial evaluation, to seek in principle agreement from the Department of Planning, Lands and Heritage (DPLH) for the use of the Crown Land required for the development.
- Taken initial steps to progress the demolition of Jack Kikeros Hall.

Details of the above are provided in this report.

It is therefore recommended that the Major Projects and Finance Committee NOTES the report on the status of the Burns Beach café / restaurant project.

BACKGROUND

The City owns and manages a number of strategically located land parcels that in terms of accommodating cafés, kiosks and restaurants have the potential to increase the enjoyment of popular recreational locations and provide the City with a level of commercial gain.

At its meeting held on 22 June 2010 (CJ103-06/10 refers), Council endorsed the philosophy and parameters for the cafés / kiosks / restaurants project to articulate, for historical purposes, its intent to progress the project and to address the project objectives. The Cafés / Kiosks/ Restaurants Project Vision recognises the provision of facilities which will:

- advance the City's ability to attract visitors / tourists for entertainment and socialising
- provide more employment, increase business opportunities, a greater awareness of the City's natural assets and a greater social and economic contribution by tourists
- provide equitable community-based facilities that acknowledges and provides for the lifestyle and alfresco culture of Western Australia.

The fiscal responsibility and commerciality development parameters of the project aim to provide:

- assurance of commercial viability
- due diligence and financial / cost benefit analysis
- future financial and social benefit for City residents and visitors
- high quality, appropriate commercial operations
- consideration of co-location opportunities
- creation of an asset/s that maintains its capital value throughout its economic life cycle.

At its meeting held on 18 October 2016 (CJ158-10/16 refers), Council resolved in part to adopt the *Burns Beach Master Plan*. The *Burns Beach Master Plan* contains a design for the coastal node precinct of Burns Beach which includes a location for a café / restaurant development.

A report was presented to the former Finance Committee at its meeting held on 7 August 2017 (Item 11 refers) outlining various options for the City to deliver a café / restaurant development at Burns Beach. After due consideration it was decided in part that the former Finance Committee NOTES:

- “2 *the Chief Executive Officer will further investigate options for the City to build a café / restaurant facility at Burns Beach, with a view of leasing the facility to a commercial operator and to present options and opportunities to Council for consideration*”.

At its meeting held on 12 March 2018 (Item 8 refers) the Major Projects and Finance Committee considered a status report on options for the implementation of the Burns Beach café / restaurant project and resolved to NOTE:

- “1 *the report on the status of the Burns Beach café / restaurant project*
- 2 *the Chief Executive Officer will invite submissions from suitably qualified consultants for the provision of architectural and associated services for the design of a new food and beverage development as outlined in this Report*
- 3 *the Chief Executive Officer will negotiate with the Department of Planning, Lands and Heritage to secure an in-principle agreement on the optimum land tenure arrangement to facilitate the development;*
- 4 *the Chief Executive Officer will initiate the process to demolish the Jack Kikeros Hall*
- 5 *a further report will be provided to the Major Projects and Finance Committee with details on the progress of the project.”*

At its meeting held on 12 March 2018 (Item 8 refers) the Major Projects and Finance Committee considered a status report on options for the implementation of the Burns Beach café / restaurant project, including that the City will build a facility and lease it to an operator and that the City will commence a design process for the facility.

DETAILS

The City has since undertaken the following tasks associated with progressing the project:

Design

Preparation of a Request for Tender (RFT) process to invite submissions from suitably qualified consultants for the provision of architectural and associated services for the design of the new food and beverage development has commenced. It is envisaged the RFT will commence advertising in May 2018 and close in June 2018.

The scope of works for the RFT will include the requirement that the design team make suggestions on the location for the facility and deliver design solutions to accommodate the new facility within the context of the existing *Coastal Node Concept Plan*, including the necessary parking and service access. It is proposed that a public toilet and changeroom facility will be included in the scope of works for the RFT, to address the need to replace the aging facilities currently adjacent to Jack Kikeros Hall.

Costings

As part of the preparation of the RFT documentation the City engaged a consultant Quantity Surveyor to provide an opinion of probable cost (OPC) for the new food and beverage development and associated works, based on the adopted design brief and preferred location. The OPC confirmed the City's initial estimates for the capital costs for the facility, of approximately \$3.5 million. These estimates are preliminary only and will be further reviewed during the design phase. The estimated costs for the project have been listed for consideration for the draft *Capital Works Program 2018-19 – 2022-23*.

Land Tenure

The City commenced preparation of a business case, including financial analysis, to seek in-principle agreement from the DPLH for the use of the Crown Land required for the development.

The three options being considered for the land tenure arrangements are for the City to:

- 1 lease the land from the Crown over 42 years and pay an annual payment of 25% of the market rent
- 2 lease the land from the Crown over 42 years and pay the total lease rental obligations up-front
- 3 purchase the land from the Crown at market value.

A preliminary financial evaluation of the three options has been undertaken by the City, based on valuations provided by property consultant, Herron Todd White. The evaluation showed marginal difference over a 42 year period, based on cashflow, however this does not take into consideration the potential ownership of the land after the 42 year period. The City will seek feasibility advice on the three options from a property consultant prior to submitting a business case to the DPLH.

Jack Kikeros Hall

The City has taken initial steps to progress the demolition of Jack Kikeros Hall. It should be noted that there are annual hire arrangements currently in place with various user groups that utilise the facility, therefore a strategy and timelines to relocate the groups are currently being prepared.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications

Legislation	Besides the legislation that covers the eventual planning and building requirements, with regard to the land related matters, the <i>Land Administration Act 1997</i> and the DPLH relevant policies deal with the administration of Crown land. <i>The Local Government Act 1995</i> and the <i>Local Government (Functions and General) Regulations 1996</i> deal with local governments' disposition of property which includes leasing.
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Strategic Community Plan

Key theme	Economic Prosperity, Vibrancy and Growth.
Objective	Destination City.
Strategic initiative	Facilitate the establishment of major tourism infrastructure.
Policy	Not applicable.

Risk management considerations

The DPLH's *State Coastal Planning Policy No. 2.6* applies to development along the City's coastline, particularly with regard to potential long-term risks from severe storm erosion and sea level rise. The City has undertaken the required *Coastal Hazard Risk Management and Adaptation Plan* for this site, in accordance with this legislation.

The DPLH's *State Planning Policy No. 3.7: Planning in Bushfire Prone Areas* also applies to this site. The City has undertaken a *Bushfire Attack Level (BAL)* assessment for the proposed site, in accordance with the legislation.

Other potential risks to the successful progression of the project include:

- inability to obtain support from the statutory approval authorities
- negative community reaction
- failure of negotiations on lease agreements
- a proponent, or the City, may opt not to proceed with the development.

Financial / budget implications

Current financial year impact

Account no.	1-220-C1060
Budget Item	Cafés / Kiosks / Restaurants.
Budget amount	\$182,137
Amount spent to date	\$130,022
Proposed cost	\$Nil
Balance	\$ 52,115

Figures above are current at April 2018.

All figures in this report are exclusive of GST.

Future financial year impact

Annual operating cost	Depending on the negotiated outcome a Crown Land lease may require the City to pay the Crown 25% of the market rent of the land per annum. If the City was to construct its own building it will be responsible for external maintenance and insurance of the building. All other annual operating costs including rates and consumption of services would be borne by the operator.
Estimated annual income	The City would receive the market rent negotiated with a developer / operator, less any rental payments to the Crown. Rates would also be payable by the operator.
Capital replacement	A capital replacement component has been included in financial evaluations for the project and will be further developed through the design process.
20 Year Strategic Financial Plan impact	\$182,137 is included in the 2017-18 adopted budget which includes project costs for three sites, being Pinnaroo Point, Burns Beach and Neil Hawkins Park and costs for investigations into new opportunities.

The capital costs / funding for the City to build the facility is not currently factored into the City's *20 year Strategic Financial Plan*, however the costs have been listed for consideration for the draft *Capital Works Program 2018-19 – 2022-23*. If the City proceeds with the construction of the facility at Burns Beach it is possible that some or all the capital cost may have to be funded from borrowings which would have an adverse impact on the Debt Ratio. This has been evaluated and there would be a slight worsening of the Debt Ratio but it would not fall below the required thresholds. More importantly the project would generate an income stream which would provide long-term improvements to the operating cash flow and the operating surplus ratio.

Impact year 2018-19.

All amounts quoted in this report are exclusive of GST.

Regional significance

The provision of cafés / kiosks / restaurants on City owned or managed land will provide significant resident / visitor / tourist benefit by enhancing the City's existing natural assets and amenities.

Sustainability implications

The project philosophy and parameters (CJ103-06/10 refers) outlines the intent of Council in progressing the project and addresses the following sustainability implications:

- Project Vision.
- Land Use and Built Form.
- Environmental Strategy.
- Liaison Protocol.
- Fiscal Responsibility and Commerciality.
- Governance.

Consultation

The City may be required to publicly advertise the proposed development in accordance with the *Local Government Act 1995*, pending final decisions on progressing the project.

COMMENT

The project will potentially provide a significant income stream for the City and will assist in addressing the City's current over-reliance on rates income by providing an additional / alternative long-term income stream, as per the City's financial diversity objectives contained within *Joondalup 2022 – Strategic Community Plan 2012-2022*.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Norman, SECONDED Cr Fishwick that the Major Projects and Finance Committee NOTES the report on the status of the Burns Beach café / restaurant project.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Poliwka, Fishwick, Logan, McLean, Norman and Taylor.

Cr Hollywood entered the room at 6.42pm and resumed the chair.

ITEM 3 **IMPACT ON 20 YEAR STRATEGIC FINANCIAL PLAN OF REPORTS TO COUNCIL – JANUARY TO MARCH 2018**

WARD	All
RESPONSIBLE DIRECTOR	Mr Mike Tidy Corporate Services
FILE NUMBER	106869
ATTACHMENT	Attachment 1 <i>Impact on 20 Year Strategic Financial Plan of Reports to Council – January 2018 to March 2018</i>
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For the Major Projects and Finance Committee to note the impacts to the *20 Year Strategic Financial Plan* (20 Year SFP) of reports approved by Council for the period January 2018 to March 2018.

EXECUTIVE SUMMARY

A new quarterly report was introduced in July 2014, as part of the Chief Executive Officer's (CEO) Key Performance Indicators. This report is the third quarterly report for 2017-18. The intention is to provide progressive updates between annual reviews of the 20 Year SFP by summarising the impacts on the 20 Year SFP of reports presented to Council.

This report covers Quarter 3 (January 2018 to March 2018). There are four reports: Implementation of a three-bin system (CJ047-03/18 refers), refurbishment of Mildenhall and Duncraig Leisure Centres (CJ050-03/18 refers), Craigie Leisure Centre Refurbishment Project (CJ051-03/18 refers) and Kaleidoscope 2018 (CJ054-03/18 refers), that overall have a benefit of \$41.0 million.

The first two quarterly reports for 2017-18 covering July 2017 to December 2017 reported benefits of \$9.4 million and therefore the cumulative impacts for the year 2017-18, including the Quarter 3 report, are \$50.4 million.

It is therefore recommended that the Major Projects and Finance Committee NOTES:

- 1 *four reports were considered by Council in the period January 2018 to March 2018 that had an estimated net benefit over the life of the 20 Year Strategic Financial Plan of \$41.0 million;*
- 2 *the estimated net cumulative benefit over the life of the 20 Year Strategic Financial Plan of decisions by Council July 2017 to March 2018 is \$50.4 million.*

BACKGROUND

A new quarterly report was introduced in July 2014, as part of the Chief Executive Officer's (CEO) Key Performance Indicators. This report is the first quarterly report for 2017-18. The intention is to provide progressive updates between annual reviews of the 20 Year SFP by summarising the impacts on the SFP of reports presented to Council.

The SFP is a long-term planning tool and evaluating impacts which are minor is of little relevance therefore a minimum threshold has been applied where an impact of less than \$50,000 is not reported. The threshold of \$50,000 results in many of the reports being outside the scope of this analysis, as they have a relatively small amount (for example planning fees) or have no financial impact at all. Consequently, most of the reports presented to Council have no impact on the 20 Year SFP.

DETAILS

Attachment 1 provides details of four reports between January 2018 and March 2018 that have an overall benefit of \$41.0 million as follows:

- Implementation of three-bin system (CJ047-03/18 refers) to proceed, an overall benefit of \$28.5 million.
- Refurbishment of Mildenhall and Duncraig Community Centres (CJ050-03/18 refers) to proceed, provides a benefit compared to previous 20 year SFP of \$150,000;
- Craigie Leisure Centre Refurbishment Project (CJ051-03/18) – Phase 1 to proceed a benefit of \$12.9 million;
- Kaleidoscope 2018 (CJ054-03/18) budget to be increased by \$300,000 causing an overall cost in the 20 year SFP of (\$0.6 million).

The table in Attachment 1 notes the impacts have been categorised as follows:

- \$41.0 million commitments made by Council.
- \$0.0 million other impacts including amounts that were informed by other bodies, or potential impacts for reports that have been noted, without a firm commitment having been made yet.
- The 20 Year SFP Impact is based on the following:
 - Total estimated cash flows up to 2035-36.
 - Includes inflation.
 - Includes all whole-of-life costs such as capital expenditure, operating expenses, operating income, reserves, borrowings, interest payments and earnings on cash held.

As a result of calculating the impacts up to 2035-36 for total cash, the impact for each report is higher than the initial impact.

Issues and options considered

The 20 Year SFP was last adopted by Council in June 2016 for the years 2015-16 to 2034-35, however most of the assumptions have been updated and the plan is mostly obsolete. The draft 20 Year SFP 2016-17 to 2035-36 was presented to the former Finance Committee in August 2017, but was not endorsed at the time pending a review of the funding of major projects and a review of the operating deficit. Although the draft 20 Year SFP 2016-17 was not endorsed, it remains the most up-to-date plan for reference purposes as it includes the most up-to-date economic assumptions and includes the adopted 2017-18 budget and adopted *Five Year Capital Works Program 2017-18 To 2021-22*. For the purposes of assessing the impact on the 20 Year SFP of reports approved by Council it is therefore necessary to refer to the draft 20 Year SFP 2016-17 to 2035-36, rather than the Adopted SFP 2015-16 to 2034-35.

When the 20 Year SFP is next updated the decisions by Council as listed in Attachment 1 will be used to update the plan.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Local Government Act 1995.</i>
	Section 5.56 of the <i>Local Government Act 1995</i> provides that:
	<i>local government is to plan for the future of the district.”</i>

Strategic Community Plan

Key theme	Financial Sustainability.
Objective	Effective management.
Strategic initiative	Manage liabilities and assets through a planned, long-term approach. Balance service levels for assets against long-term funding capacity.
Policy	Not applicable.

Risk management considerations

The 20 Year SFP is based on many assumptions. There is a risk that those assumptions may not come to pass, however, it is a planning tool and the City is not committed to anything in the plan by virtue of endorsing it. Periodic review and continual update of the plan will ensure that it remains a relevant and useful document to manage the City’s financial affairs into the future.

Financial / budget implications

The impact to the City up to 2035-36 of the reports approved between January 2018 and March 2018 is estimated to be a benefit of \$41.0 million. This impact is the total change in cash at the end of 2035-36.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

This report provides a further enhancement to the long-term financial sustainability of the City by providing a progressive update on the impacts on the 20 Year SFP of Council decisions.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Norman, SECONDED Cr Logan that the Major Projects and Finance Committee NOTES:

- 1 four reports were considered by Council in the period January 2018 to March 2018 that had an estimated net benefit over the life of the *20 Year Strategic Financial Plan* of \$41.0 million;**
- 2 the estimated net cumulative benefit over the life of the *20 Year Strategic Financial Plan* of decisions by Council July 2017 to March 2018 is \$50.4 million.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka and Taylor.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agnMPF180507.pdf](#)

ITEM 4 UPDATE ON THE 2017-18 CAPITAL WORKS PROGRAM

WARD	All
RESPONSIBLE DIRECTOR	Mr Nico Claassen Infrastructure Services
FILE NUMBER	105564, 101515
ATTACHMENTS	Attachment 1 Capital Works Project Report 2017-18
AUTHORITY / DISCRETION	Information - includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For the Major Projects and Finance Committee to note the update on the *2017-18 Capital Works Program*.

EXECUTIVE SUMMARY

The Capital Works Project Report for the 2017-18 program as at 31 March 2018 is attached (Attachment 1 refers).

It is therefore recommended that the Major Projects and Finance Committee NOTES the report on the Capital Works Projects for 2017-18 as at 31 March 2018 forming Attachment 1 to this Report.

BACKGROUND

At its meeting held on 6 November 2017 (JSC03-11/17 refers), Council resolved, in part as follows:

“That Council:

- “2 ESTABLISHES a new Major Projects and Finance Committee, with the role of the new committee being to:*
- 2.1 oversee the progress of the City’s annual capital works program and review of the City’s Five Year Capital Works Program;*
 - 2.2 make recommendations to Council on modifications of capital works projects and major strategic capital projects;”*

DETAILS

The Capital Works Project Report for the 2017-18 program as at 31 March 2018 is provided at Attachment 1 to this Report.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications**Legislation**

Sections 5.17 and 6.8 of the *Local Government Act 1995*.

A committee cannot make decisions, on behalf of the Council, that require an absolute majority decision (section 5.17 of the *Local Government Act 1995*), in which case, and in accordance with Section 6.8 of the *Local Government Act 1995*, includes approving expenditure not included in the City's Annual Budget. The Major Projects and Finance Committee may only recommend to Council to approve or modify capital works projects.

Strategic Community Plan**Key theme**

Financial Sustainability.

Objective

Major project delivery.

Strategic initiative

Not applicable.

Policy

Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The Capital Works Project Report for the 2017-18 program provides an update on the capital works activities undertaken as at 31 March 2018.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Norman, SECONDED Cr Poliwka that the Major Projects and Finance Committee NOTES the report on the Capital Works Projects for 2017-18 as at 31 March 2018 forming Attachment 1 to this Report.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka and Taylor.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3agnMPF180507.pdf](#)

BACKGROUND

At its meeting held on 7 August 2017 the former Finance Committee requested that the following project reports from the *2017-18 Capital Works Program* be provided on a bi-monthly basis:

Project Code	Project Description
FNM2054	Whitfords Nodes Hillarys Lookout Stairway
MPP2047	Penistone Park Facility Redevelopment
MPP2063	Percy Doyle Tennis Clubrooms Refurbishment
MPP2064	Percy Doyle Soccer Clubrooms Refurbishment
PDP2256	MacDonald Park Landscape Master Plan
PDP2272	Parin Pioneer Park Development
RDC2018	Whitfords Avenue Upgrades
RDC2019	Burns Beach Road/Joondalup Drive Roundabout
SSE2057	Leafy City Program
STL2003	Joondalup City Centre Lighting
STL2048	Warrandyte Park Flood Lighting Upgrade

The following project which required a bi-monthly project report is currently in the development phase and a status report is not available at this time:

- Parin Pioneer Park Development.

DETAILS

A summary of the projects and their current status is detailed in the bi-monthly project reports forming Attachments 1-10 to this Report.

The following projects which required a bi-monthly project report have now been completed and no further reports will be presented to the Major Projects and Finance Committee:

- *MacDonald Park Landscape Master Plan.*
- Whitfords Avenue Upgrades.
- Percy Doyle Soccer Clubrooms Refurbishment.

Issues and options considered

Not applicable.

Legislation / Strategic Community Plan / policy implications**Legislation**

Sections 5.17 and 6.80 of the *Local Government Act 1995*.

A committee cannot make decisions, on behalf of the Council, that require an absolute majority decision (section 5.17 of the *Local Government Act 1995*), in which case, and in accordance with Section 6.8 of the *Local Government Act 1995*, includes approving expenditure not included in the City's Annual Budget. The Major Projects and Finance Committee may only recommend to the Council to approve or modify capital works projects.

Strategic Community Plan**Key theme**

Financial Sustainability.

Objective

Major project delivery.

Strategic initiative

Not applicable.

Policy

Not applicable.

Risk management considerations

Not applicable.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The attached capital works project reports provide an update on the activities undertaken.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Logan, SECONDED Cr Fishwick that the Major Projects and Finance Committee NOTES the bi-monthly capital works project reports forming Attachments 1 to 10 to this Report.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka and Taylor.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4agnMPF180507.pdf](#)

The Director Infrastructure Services left the room at 7.04pm.

**ITEM 6 CONFIDENTIAL - PINNAROO POINT CAFÉ -
PROJECT STATUS**

WARD	South-West
RESPONSIBLE DIRECTOR	Mr Garry Hunt Office of the CEO
FILE NUMBER	102656
ATTACHMENTS	Nil

(Please Note: The Report is confidential and will appear in the official Minute Book only).

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 Norman, SECONDED Cr Fishwick that the Major Projects and Finance Committee NOTES the Confidential – Pinnaroo Point Café – Project status report.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, Norman, Poliwka and Taylor.

MOVED Cr Fishwick, SECONDED Cr Taylor that Council:

- 1 NOTES the Joondalup City Centre Development Project Status Report;**
- 2 NOTES that Devwest Group Pty Ltd has agreed to the sworn valuation of \$1,540,000 as the sale price for Lot C of the *Boas Place Concept Plan* and has proposed to purchase Lot F of the Boas Place Concept Plan based on the same square metre rate as Lot C;**
- 3 ACCEPTS the sworn valuation of \$1,540,000 as the sale price for Lot C of the *Boas Place Concept Plan* for the development of a hotel as proposed by Devwest Group Pty Ltd and outlined in Attachment 3 to this Report;**
- 4 REQUESTS the Chief Executive Officer to continue negotiation with Devwest Group Pty Ltd for the sale of Lot C of the *Boas Place Concept Plan* for the development of a hotel as proposed by Devwest Group Pty Ltd and outlined in Attachment 3 to this Report for a purchase price of \$1,540,000 subject to the satisfactory resolution of the following matters:**
 - 4.1 contribution to the public realm by Devwest Group Pty Ltd guided by a percentage contribution related to proportion of the overall development site;**
 - 4.2 clarification and agreement regarding the proposed alfresco licence;**
 - 4.3 construction of Boas Square;**
 - 4.4 alignment of the proposed hotel design with the City's planning requirements;**
 - 4.5 the conclusion of the site dimensions and area;**
- 5 REQUESTS the Chief Executive Officer to establish agreement on the matters as outlined in Part 4, by 2 July 2018;**
- 6 DOES NOT ACCEPT, at this time, the proposal by Devwest Group Pty Ltd to purchase Lot F of the *Boas Place Concept Plan* at the same per square metre rate as Lot C of the *Boas Place Concept Plan*.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Crs Hollywood, Fishwick, Logan, May, 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 7.35pm; the following Committee Members being present at that time:

CR KERRY HOLLYWOOD
CR PHILIPPA TAYLOR
CR CHRISTOPHER MAY
CR MIKE NORMAN
CR JOHN LOGAN
CR RUSS FISHWICK, JP