

minutes

Office Development Committee

MEETING HELD ON 18 SEPTEMBER 2012

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Note:

Clause 77 of the City's Standing Orders Local Law 2005 states:

"Unless otherwise provided in this local law, the provisions of this local law shall apply to meetings of committees with the exception of:

(a) Clause 29 (Members seating) and

(b) Clause 54 (Limitation on members speaking)"

CITY OF JOONDALUP

MINUTES OF THE OFFICE DEVELOPMENT COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY, 18 SEPTEMBER 2012.

ATTENDANCE

Committee Members:

MAYOR TROY PICKARD	<i>Presiding Member</i>	
CR KERRY HOLLYWOOD	<i>Deputy Presiding Member</i>	
CR TOM McLEAN, JP	North Ward	<i>absent from 4.38pm until 4.40pm</i>
CR LIAM GOBBERT	Central Ward	
MR GARRY HUNT	Chief Executive Officer	<i>absent from 3.28pm until 3.29pm</i>
MS DALE PAGE	Director Planning and Community Development	<i>absent from 4.20pm until 4.22pm</i>

Officers:

MR JAMIE PARRY	Director Governance and Strategy
MR BRAD SILENCE	Manager Governance and Marketing
MR BLIGNAULT OLIVIER	Manager City Projects
MR SEAN MCLAUGHLIN	Principal Legal Officer
MR JOHN BYRNE	Governance Coordinator
MRS DEBORAH GOUGES	Governance Officer

Guests:

MR JULIUS SKINNER	Jackson McDonald Lawyers	<i>from 2.51pm</i>
MR SIMON MOEN	Jackson McDonald Lawyers	<i>from 2.51pm</i>

DECLARATION OF OPENING

In the absence of an elected Presiding Member, and in accordance with written authorisation from the Chief Executive Officer, the Director Governance and Strategy acted as Presiding Member and declared the meeting open at 2.45pm.

ELECTION OF PRESIDING MEMBER

Section 5.12 of the *Local Government Act 1995* requires a committee appointed by a local government to appoint a Presiding Member as the first item of business at its first meeting. Schedule 2.3 of the Act requires the Chief Executive Officer to preside.

Nominations for the position of Presiding Member are to be given to the Chief Executive Officer in writing, with the vote to be conducted by ballot.

The Director Governance and Strategy sought nominations for the position of Presiding Member.

Cr McLean nominated Mayor Pickard for the position of Presiding Member. Mayor Pickard accepted the nomination.

There being no further nominations, Mayor Pickard was declared elected unopposed to the position of Presiding Member and assumed the Chair at 2.47pm.

ELECTION OF DEPUTY PRESIDING MEMBER

It is advisable that the Committee appoints a Deputy Presiding Member, who would chair the meeting in the absence of the Presiding Member.

Mayor Pickard sought nominations for the position of Deputy Presiding Member.

Mayor Pickard nominated Cr Hollywood for the position of Deputy Presiding Member. Cr Hollywood accepted the nomination.

There being no further nominations, Cr Hollywood was declared elected unopposed to the position of Deputy Presiding Member.

PUBLIC QUESTION TIME

Nil.

PUBLIC STATEMENT TIME

Nil.

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence previously approved

Cr Russ Fishwick 29 September to 9 November 2012 inclusive.

CONFIRMATION OF MINUTES

Nil.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Item 1, Joondalup City Centre Commercial Office Development.

PETITIONS AND DEPUTATIONS

Nil.

Mr Julius Skinner and Mr Simon Moen of Jackson McDonald Lawyers entered the meeting, the time being 2.51pm.

MOTION TO GO BEHIND CLOSED DOORS – [02154, 08122]

MOVED Mr Hunt, SECONDED Ms Page that the Office Development Committee:

1 in accordance with Sections 5.23(2)(d) of the *Local Government Act 1995* and Clause 67 of the *City's Standing Orders Local Law 2005*, RESOLVES to close the meeting to members of the public to consider the following items:

1.1 Item 1, Joondalup City Centre Commercial Office Development as it relates to *legal advice obtained, or which may be obtained, by a local government and which relates to a matter to be discussed at the meeting*; and

2 PERMITS the following employees to remain in the meeting room during discussion on Item 1, Joondalup City Centre Commercial Office Development while the meeting is sitting behind closed doors as detailed in part 1 above:

- **Director Governance and Strategy, Mr Jamie Parry;**
- **Manager Governance and Marketing, Mr Brad Sillence;**
- **Manager City Projects, Mr Blignault Olivier;**
- **Principal Legal Officer, Mr Sean McLaughlin;**
- **Governance Coordinator, Mr John Byrne;**
- **Governance Officer, Mrs Deborah Gouges;**
- **Jackson McDonald Lawyers, Mr Simon Moen; and**
- **Jackson McDonald Lawyers, Mr Julius Skinner.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood and McLean, Mr Hunt and Ms Page.

REPORTS**ITEM 1 JOONDALUP CITY CENTRE COMMERCIAL OFFICE DEVELOPMENT****WARD:** North**RESPONSIBLE DIRECTOR:** Mr Garry Hunt
Chief Executive Officer**FILE NUMBER:** 70512, 101515**ATTACHMENTS:** Attachment 1 Council Decision 26 June 2012 – CJ122-06/12
Attachment 2 Draft Request for Expressions of Interest – Lot 496 (70) Davidson Terrace, Joondalup
Attachment 3 Draft Memorandum of Understanding
Attachment 4 Draft Process Model

(Please Note: These attachments are confidential and will appear in the official Minute Book only)

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

Legal advice obtained, or which may be obtained, by a local government and which relates to a matter to be discussed at the meeting.

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

The Chief Executive Officer left the meeting, the time being 3.28pm and returned at 3.29pm.

The Director Planning and Community Development left the meeting, the time being 4.20pm and returned at 4.22pm.

Cr McLean left the meeting, the time being 4.38pm and returned at 4.40pm.

OFFICER'S RECOMMENDATION

That the Office Development Committee:

- 1 NOTES the Joondalup City Centre Commercial Office Development Report including the draft Expression of Interest and Memorandum of Understanding documents;
- 2 ENDORSES the Expression of Interest and Memorandum of Understanding documents forming Attachments 2 and 3 of this Report; and
- 3 REQUESTS the Chief Executive Officer to initiate the Expression of Interest process as outlined in the Report.

MOVED Mr Hunt, SECONDED Cr Hollywood that the Office Development Committee:

- 1 NOTES the Joondalup City Centre Commercial Office Development Report including the draft Expression of Interest and Memorandum of Understanding documents;**
- 2 REQUESTS a further report be submitted to the Office Development Committee outlining the alterations to the Expression of Interest and Memorandum of Understanding documents detailed as Attachments 2 and 3 to this Report in alignment with discussions undertaken at the committee meeting held on 18 September 2012; and**
- 3 CONVENES the next Office Development Committee meeting to be held Monday, 8 October 2012 at 7.30am, in Conference Room 1.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood and McLean, Mr Hunt and Ms Page.

MOTION TO GO TO OPEN DOORS – [02154, 08122]

MOVED Cr Gobbert, SECONDED Ms Page that the Office Development Committee, in accordance with Clause 67(4) of the City's *Standing Orders Local Law 2005*, RESOLVES the meeting be now held with OPEN DOORS.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Mayor Pickard, Crs Gobbert, Hollywood and McLean, Mr Hunt and Ms Page.

Doors opened at 5.03pm.

No members of the public or press were present.

In accordance with the City's *Standing Orders Local Law 2005*, Mayor Pickard read aloud the motions in relation to:

Item 1, Joondalup City Centre Commercial Office Development.

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 5.05pm, the following Committee Members being present at that time:

MAYOR TROY PICKARD
CR KERRY HOLLYWOOD
CR TOM McLEAN, JP
CR LIAM GOBBERT
MR GARRY HUNT
MS DALE PAGE